

**HISTORIC DISTRICT COMMISSION AGENDA
August 19, 2020
CITY COUNCIL CHAMBERS
5:00 p.m.
50 Natoma Street
Folsom, California 95630**

Pursuant to Governor Newsom's Executive Order N-29-20, members of the Folsom Historic District Commission and staff may participate in this meeting via teleconference.

Due to the coronavirus (COVID-19) public health emergency, the City of Folsom is allowing remote public input during Commission meetings. Members of the public are encouraged to participate by e-mailing comments to kmullett@folsom.ca.us. E-mailed comments must be received no later than thirty minutes before the meeting and will be read aloud at the meeting during the agenda item. Please make your comments brief. Written comments submitted and read into the public record must adhere to the principles of the three-minute speaking time permitted for in-person public comment at Commission meetings. Members of the public wishing to participate in this meeting via teleconference may email kmullett@folsom.ca.us no later than thirty minutes before the meeting to obtain call-in information. Each meeting may have different call-in information. Verbal comments via teleconference must adhere to the principles of the three-minute speaking time permitted for in-person public comment at Historic District Commission meetings.

Members of the public may continue to participate in the meeting in person at Folsom City Hall, 50 Natoma Street, Folsom CA while maintaining appropriate social distancing.

CALL TO ORDER HISTORIC DISTRICT COMMISSION: Kevin Duewel, Mary Asay, Vice Chair Rosario Rodriguez, Kathleen Cole, Mickey Ankhelyi, Daniel West, Chair Daron Bracht

Any documents produced by the City and distributed to the Historic District Commission regarding any item on this agenda will be made available at the Community Development Counter at City Hall located at 50 Natoma Street, Folsom, California and at the table to the left as you enter the Council Chambers.

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION: The Historic District Commission welcomes and encourages participation in City Historic District Commission meetings, and will allow up to five minutes for expression on a non-agenda item. Matters under the jurisdiction of the Commission, and not on the posted agenda, may be addressed by the general public; however, California law prohibits the Commission from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Commission.

MINUTES

The minutes of the August 5, 2020 meeting will be presented for approval.

CONTINUED

- 1. PN 17-145, 603 Sutter Street Mixed-Use Building and Adoption of a Mitigated Negative Declaration for the Proposed Project**

A Public Hearing to consider a request from Exit CPP, LLC for approval of a Building Height Variance, Parking Variance, and Design Review for development of a three-story, 14,811-square-foot mixed-use building on a .17-acre site located at the southwest corner of the intersection of Sutter Street and Scott Street. The zoning classification for the site is HD/SUT, while the General Plan land-use designation is

HF. An Initial Study and Mitigated Negative Declaration have been prepared in accordance with the requirements of the California Environmental Quality Act. **(Project Planner: Principal Planner, Steve Banks / Applicant: Exit CPP/LLC).**

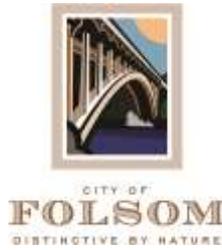
HISTORIC DISTRICT COMMISSION / PRINCIPAL PLANNER REPORT

The next Historic District Commission meeting is scheduled for **September 2, 2020**. Additional non-public hearing items may be added to the agenda; any such additions will be posted on the bulletin board in the foyer at City Hall at least 72 hours prior to the meeting. Persons having questions on any of these items can visit the Community Development Department during normal business hours (8:00 a.m. to 5:00 p.m.) at City Hall, 2nd Floor, 50 Natoma Street, Folsom, California, prior to the meeting. The phone number is (916) 461-6200 and fax number is (916) 355-7274.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in the meeting, please contact the Community Development Department at (916) 461-6231, (916) 355-7274 (fax) or kmullett@folsom.ca.us. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

NOTICE REGARDING CHALLENGES TO DECISIONS

The appeal period for Historic District Commission Action: Pursuant to all applicable laws and regulations, including without limitation, California Government Code, Section 65009 and/or California Public Resources Code, Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning, and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, this public hearing. Any appeal of a Historic District Commission action must be filed, in writing with the City Clerk's Office no later than ten (10) days from the date of the action pursuant to Resolution No. 8081.



HISTORIC DISTRICT COMMISSION MINUTES
August 5, 2020
CITY COUNCIL CHAMBERS
5:00 p.m.
50 Natoma Street
Folsom, California 95630

CALL TO ORDER HISTORIC DISTRICT COMMISSION: Mary Asay, Vice Chair Rosario Rodriguez, Kathleen Cole, Mickey Ankhelyi, Daniel West, Kevin Duewel, Chair Daron Bracht

ABSENT: Duewel arrived after roll call.

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION:

1. Bob Delp submitted comments to the Historic District Commission, citing concerns regarding the City's development application review processes and the applicability of various provisions in the Folsom Municipal Code.

MINUTES: The minutes of July 15, 2020 were approved as submitted.

PUBLIC HEARING

3. PN 17-145, 603 Sutter Street Mixed-Use Building

A Public Hearing to consider a request from Exit CPP, LLC for approval of a Building Height Variance, Parking Variance, and Design Review for development of a three-story, 14,811-square-foot mixed-use building on a .17-acre site located at the southwest corner of the intersection of Sutter Street and Scott Street. The zoning classification for the site is HD/SUT, while the General Plan land-use designation is HF. An Initial Study and Mitigated Negative Declaration have been prepared in accordance with the requirements of the California Environmental Quality Act. **(Project Planner: Principal Planner, Steve Banks / Applicant: Exit CPP/LLC).**

1. Paul Keast submitted comments to the Historic District Commission, commending the Commissioners work on this project over the past three years, and the patience they have showing in working with residents and City staff.

COMMISSIONER COLE MOVED TO CONTINUE PN 17-145 FOR THE 603 SUTTER STREET MIXED-USE BUILDING TO THE AUGUST 19TH, 2020 HISTORIC DISTRICT COMMISSION MEETING.

COMMISSIONER RODRIGUEZ SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: ASAY, RODRIGUEZ, COLE, ANKHELYI, WEST, DUEWEL, BRACHT
NOES: NONE
RECUSED: NONE
ABSENT: NONE

NEW BUSINESS

1. PN 20-145, 301 Coloma Street Remodel and Rear Porch Demolition and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from Robert and Joan Walter for approval of a Design Review application to demolish a rear porch and remodel an existing residence located at 301 Coloma Street. The zoning classification for the site is R-1-M/FIG, while the General Plan land-use designation is SFHD. The project is exempt from the California Environmental Quality Act in accordance with Section 15303 of the CEQA Guidelines. **(Project Planner: Associate Planner, Josh Kinkade/Applicant: Robert and Joan Walter)**

1. John Shaw addressed the Historic District Commission on behalf of Geraldine Price Radich, a neighboring resident to 301 Coloma Street, in support of the project.

COMMISSIONER RODRIGUEZ MOVED TO APPROVE THE APPLICATION (PN 19-145) FOR DESIGN REVIEW TO DEMOLISH A REAR PORCH AND REMODEL OF AN EXISTING RESIDENCE LOCATED AT 301 COLOMA STREET (PN 20-145) AS ILLUSTRATED IN ATTACHMENTS 5 & 6 SUBJECT TO THE FINDINGS INCLUDED IN THIS REPORT (FINDINGS A-I) AND ATTACHED CONDITIONS OF APPROVAL (CONDITIONS 1-7)

COMMISSIONER DUEWEL SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: RODRIGUEZ, ANKHELYI, WEST, DUEWEL, BRACHT
NOES: NONE
RECUSED: ASAY, COLE
ABSENT: NONE

PUBLIC HEARING

2. PN 20-118, 301 Coloma Street Tentative Parcel Map and Determination that the Project is Exempt from CEQA

A Public Hearing to consider a request from MSA Engineering for approval of a Tentative Parcel Map application to subdivide a 21,036-square-foot single-family residential property located at 301 Coloma Street into three individual parcels. The zoning classification for the site is R-1-M/FIG, while the General Plan land-use designation is SFHD. The project is exempt from the California Environmental Quality Act in accordance with Section 15315 of the CEQA Guidelines. **(Project Planner: Associate Planner, Josh Kinkade/Applicant: MSA Engineering)**

COMMISSIONER DUEWEL MOVED TO APPROVE THE 301 COLOMA STREET TENTATIVE PARCEL MAP PROJECT CREATING THREE (3) PARCELS AS ILLUSTRATED IN ATTACHMENT 6, WITH THE FOLLOWING FINDINGS INCLUDED IN THE REPORT (FINDINGS A-K) AND THE ATTACHED CONDITIONS OF APPROVAL (CONDITIONS 1-17).

COMMISSIONER ANKHELYI SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: RODRIGUEZ, ANKHELYI, WEST, DUEWEL, BRACHT
NOES: NONE

RECUSED: ASAY, COLE
ABSENT: NONE

PRINCIPAL PLANNER REPORT

The 603 Sutter Street mixed-use building project has been continued to the August 19th Historic District Commission meeting.

Kelly Mullett, ADMINISTRATIVE ASSISTANT

APPROVED:

Daron Bracht, CHAIR



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 1
Type: Public Hearing
Date: August 19, 2020

Historic District Commission Staff Report

50 Natoma Street, Council Chambers
Folsom, CA 95630

Project: 603 Sutter Street Mixed-Use Building
File #: PN-17-145
Request: Height Variance, Parking Variance, and Design Review
Location: 603 Sutter Street
APN: 070-0111-010
Staff Contact: Steve Banks, Principal Planner, 916-461-6207
sbanks@folsom.ca.us

Property Owner/Applicant

Name: EXIT CPP, LLC/Ziad Alaywan
Address: 1432 Tiburon Way
El Dorado Hills, CA 95762

Recommendation: Conduct a public hearing and upon conclusion recommend approval of a Variance to allow the project to exceed the maximum allowable building height, a Variance to allow the project to deviate from the minimum amount of required on-site parking, and Design Review for development of a new three-story, 14,811-square-foot mixed-use building on a .17-acre site located at the southwest corner of the intersection of Sutter Street and Scott Street (603 Sutter Street) as illustrated on Attachments 5 through 12 for the 603 Sutter Street Mixed-Use Building project (PN 17-145) subject to the findings (Findings A-N) and conditions of approval (Conditions 1-67) attached to this report.

Project Summary: The proposed project involves a request for approval of two Variances (building height and parking) and Design Review for development of a three-story, 14,811-square-foot mixed use building at 603 Sutter Street. The proposed project, which includes development of retail/restaurant space on the first floor and office space on the second and third floors of the building, does not include any on-site parking spaces. A Variance is requested to allow the proposed building to exceed the maximum allowed building height (35 feet) established for the Sutter Street Subarea by being constructed to a height of 50 feet, 6-inches. A Variance is also requested to deviate from the parking standards established by the Sutter Street Subarea Special Use and Design Standards by providing no on-site parking spaces whereas 43 on-site parking spaces are required. Lastly, Design Review approval is requested for the architecture, design, colors, and materials associated with the proposed 14,811-square-foot mixed-use building.



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- 3 - Conditions of Approval
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- 5 - Preliminary Site Plan, dated March 14, 2019
- 6 - Preliminary Grading and Drainage Plan, dated March 25, 2019
- 7 - Preliminary Utility Plan, dated March 25, 2019
- 8 - Preliminary Landscape and Irrigation Plan, dated March 14, 2019
- 9 - Building Elevations and Floor Plan, dated March 14, 2019
- 10 - Building Cross Sections, dated March 14, 2019
- 11 - Building Renderings, dated March 14, 2019
- 12 - Uniform Sign Criteria, dated August 19, 2019
- 13 - Project Narrative
- 14 - Traffic Impact Study, dated July 30, 2019
- 15 - Historic District Parking Implementation Plan Update, dated October 18, 2018
- 16 - Historic District Parking Solutions Ad Hoc Committee Findings and Recommendations, dated June 23, 2020
- 17 - Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program, dated June, 2020 (Appendices Available for Viewing at https://www.folsom.ca.us/community/planning/current_project_information.asp)
- 18 - Applicant's Variance Statement Letter, dated July 7, 2020
- 19 - Public Comment Letters
- 20 - Applicant's Response Letter to Public Comments, dated August 7, 2020
- 21 - City Staff Response to Bob Delp's Comments, dated August 6, 2020
- 22 - Response to CEQA Comments, dated July 29, 2020
- 23 - Site Photographs
- 24 - Historic District Commission PowerPoint Presentation

Submitted,

PAM JOHNS, Community Development Director

ATTACHMENT 1 BACKGROUND/SETTING

BACKGROUND

On May 3, 2017, the applicant submitted an application for approval of Building Height and Parking Variances and Design Review for development of a three-story, 23,486-square-foot mixed use building with underground parking at the southwest corner of the intersection of Sutter Street and Scott Street within the Historic District. The proposed project was evaluated by the Historic District Commission at its September 6, 2017 meeting as an informational item only. At this meeting, the Commission, representatives of the Heritage Preservation League, and members of the public provided comments and feedback regarding the proposed project.

On June 14, 2017, the Heritage Preservation League (HPL) provided City staff with a comment letter regarding the proposed project. In the letter, HPL recommended that the footprint of the proposed building be reduced so that the building would not encroach into the Scott Street right-of-way. HPL also recommended that the proposed building be redesigned to be more reflective of buildings constructed prior to 1900. Lastly, HPL recommended that the height of the proposed building be reduced to minimize potential impacts to adjacent and nearby residential uses.

Between August 2, 2017 and September 6, 2017, the applicant hosted several meetings with residents to discuss the proposed project. During these meetings, residents expressed concern that the underground garage associated with the proposed project could pose some challenges in terms of pedestrian safety with the garage entrance being located on Sutter Street. However, residents were also concerned that the proposed project did not include sufficient parking to serve the building. Residents also requested that the height of the building be reduced to minimize visual impacts to nearby properties. In addition, residents recommended that the building be redesigned to replace some the contemporary building elements with more historic building features.

Listed below are some of the most notable comments from the Historic District Commission, the Heritage Preservation League, and residents:

- Concern regarding building height (57-feet, 6-inches tall)
- Concern regarding the size and scale of building
- Concern regarding architecture and design of building
- Concern regarding limited parking provided by project (15 parking spaces)
- Concern regarding pedestrian safety in the underground parking garage
- Concern regarding building encroachment into Scott Street right-of-way

On March 14, 2019, the applicant submitted a revised development application to the City in response to the above-stated concerns. The most significant changes to the proposed

project included; reducing the size of the building from 23,486 square feet to 14,811 square feet, reducing the height of the building from 57 feet, 6-inches to 50 feet, 6 inches, modifying the building footprint to eliminate encroachment into the Scott Street right-of-way, eliminating the underground parking garage, and updating the architecture and design of the building.

The proposed project was originally scheduled for consideration by the Historic District Commission on July 15, 2020. However, the project was continued to the August 5, 2020 Historic District Commission meeting at the request of the applicant in order to provide more time for residents to comment on the project and also to allow more time for the applicant to consider comments from the public. At the August 5, 2020 Historic District Commission meeting, City staff recommended that the proposed project be continued again to the August 19, 2020 at the request of property owners in the project vicinity and other stakeholders in order to provide additional time for public review of the project and staff report.

Subsequent to the July 15, 2020 Historic District Commission meeting, the project applicant continued his public outreach efforts by meeting with a number of neighbors and local residents to better understand their concerns and comments regarding the proposed project. During these meetings, residents expressed concern regarding a number of issues associated with the proposed project including but not limited to building height, building massing, building design, trash enclosure location, privacy, noise, and parking. As a result of the input provided by neighbors and residents, the applicant provided City staff with a letter (Attachment 20) in which the applicant outlines a number of specific modifications he is willing to implement to address the community concerns. The following is a list of modifications proposed by the applicant for consideration by the Historic District Commission:

1. An approximately 15 space underground parking structure will be included as part of the project at the 603 Sutter Street location.
2. The trash enclosure on the south side bordering Mr. Fuente's house on Scott Street will be removed (if compliant with the City of Folsom Solid Waste) and relocated most likely to the 603 Sutter Street garage area.
3. We will work with Mr. Fuentes to provide options for privacy from the windows on the south side of the building bordering his property.
4. We will enclose the fire escape (brick or other material) making it internal to the building versus exposed as it is now along Scott Street.
5. We will eliminate the roof top deck all together to alleviate neighbor's concerns regarding parties, noise, and privacy.

6. The third-floor office space will be reduced and pushed back from Sutter Street, providing a setback of at least 6 to 8 feet from Sutter Street, and a portion of Scott Street. This will also reduce the mass of the building and possibly the height.
7. The small rear balcony on the west elevation will be eliminated once the third floor is set back. This will create further privacy for Mr. Fuentes to the south.
8. After speaking with Ms. Hettinger from the Folsom Heritage Preservation League and viewing public comments, it is evident that neighbors would like to see more architectural detail from the 1850 – 1900 period associated with the building. This could easily be achieved through incorporating such elements as the following:
 - a. Adding foundational rock to the building
 - b. Adding brick to the sides of the building where there is now stucco
 - c. Adding eyebrow brick detail to windows
 - d. Adding western elemental details to the roofline fascia

In general, staff is supportive of the proposed modifications to the project as described above. If the Historic District Commission is supportive of these specific changes to the proposed project, these project modifications could be incorporated as conditions of approval for the project. However, if the Commission determines that it is too difficult to visualize these changes to the proposed building without seeing updated building elevations and color renderings, the Commission could request that the applicant provide updated building elevations and color renderings for review by the Commission at a future Historic District Commission meeting date. It is important to note that the applicant is hosting two additional public outreach meetings (Zoom meetings) prior to the public meeting on August 19, 2020. Staff, the applicant, and community members can provide the Commission with additional information regarding these meetings and outcomes at the August 19, 2020 Historic District Commission meeting.

Outside of this discussion regarding the applicant's public outreach efforts since the July 15, 2020 Historic District Commission meeting, the remainder of the staff report (analysis, recommendation, findings, and conditions of approval) is unchanged since the original staff report from August 5, 2020. However, there are one or more attachments that have been updated including new public correspondence received (Attachment 19), the applicant's response letter to public comments (Attachment 20), and the City's response letter to comments from resident Bob Delp (Attachment 21) since that original staff report distribution.

Detailed information regarding the project's General Plan land use designation, zoning, adjacent land uses, site characteristics, and applicable codes is described below.

GENERAL PLAN DESIGNATION	HF (Historic Folsom Mixed-Use)
ZONING	SUT/HD (Sutter Street Subarea of the Commercial Primary Area)
ADJACENT LAND USES/ZONING	North: Sutter Street with Commercial Development (SUT/HD) Beyond South: Single-Family Residential Development (SUT/HD) with Peddlers Lane Beyond East: Scott Street with Single Family Residential Development (SUT/HD) Beyond West: Commercial Development (SUT/HD) with Riley Street Beyond
SITE CHARACTERISTICS	The undeveloped 0.17-acre project site, which slopes steeply downward from south to north, is vegetated with bamboo, vinca, non-native grasses, and 22 trees including 17 native oak trees. The Sutter Street frontage includes a short retaining wall, curb, gutter, sidewalk, landscape planter, streetlights, and three on-street parking spaces. The Scott Street frontage includes curb, gutter, and a landscape planter.
APPLICABLE CODES	<u>FMC</u> Section 17.52 HD, Historic District <u>FMC</u> Section 17.52.300, Design Review <u>FMC</u> Section 17.52.510, Sutter Street Subarea Special Use and Design Standards <u>FMC</u> Section 17.52.370, Variance Review

SETTING

The undeveloped 0.17-acre project site is located at the southwest corner of Sutter Street and Scott Street within the Sutter Street Subarea of the Historic District. The project site, which slopes steeply downward from south to north, is vegetated with bamboo, vinca, non-native grasses, and 22 trees including 17 native oak trees. The Sutter Street frontage includes a short retaining wall, curb, gutter, sidewalk, landscape planter, streetlights, and

three on-street parking spaces. The Scott Street frontage includes curb, gutter, and a landscape planter.

The project site is bounded by Sutter Street to the north with the three-story Folsom Electric Building and public parking lot beyond, single-family residential development to the south with Peddlers Lane beyond, commercial development to the west with Riley Street beyond, and Scott Street to the east with the Cohn House and residential development beyond. An aerial photograph of the project site and surrounding land uses is shown in Figure 1 below.

FIGURE 1: AERIAL PHOTOGRAPH (2018)



ATTACHMENT 2 DESCRIPTION/ANALYSIS

APPLICANT'S PROPOSAL

The applicant, EXIT CPP, LLC, is requesting approval of a Variances and Design Review for development of a three-story, 14,811-square-foot mixed-use building on a .17-acre site located at the southwest corner of the intersection of Sutter Street and Scott Street (603 Sutter Street). The proposed project features 4,885 square feet of retail/restaurant development on the first floor of the building, with 9,926 square feet of office development proposed for the second and third floors of the building. The proposed project also features various outdoor use areas including an outdoor patio adjacent to Sutter Street, balconies on the second and third floors of the building, and a roof deck. No on-site parking is proposed with the project.

As noted above, the applicant is requesting approval of several entitlements to allow for development of the proposed mixed-use building. The first entitlement is a request for approval of a Variance to allow the proposed building to exceed the maximum allowed building height (35 feet) established for the Sutter Street Subarea by being constructed to a height of 50 feet, 6-inches. The second entitlement is a request for approval of a Variance to deviate from the parking standards established by the Sutter Street Subarea Special Use and Design Standards by providing no on-site parking spaces whereas 43 on-site parking spaces are required. The third entitlement is a request for approval of Design Review for the architecture, design, colors, and materials associated with the proposed 14,811-square-foot mixed-use building.

The proposed three-story building features a historic design concept that is intended to compliment the design, colors, and materials of other commercial buildings found along Sutter Street. Significant design elements include a prominent covered entry, multiple recessed balconies, large arched window openings, and decorative cornices. Primary building materials include brick, smooth plaster, cast stone, wood columns, wood trim, wood paneling, iron railing, iron gates, and steel canopies. Primary building colors include red (brick) and stone (plaster), with black as the main accent color.

Primary vehicle access to the general project area is provided by Sutter Street and Scott Streets. No on-site parking is being proposed with this project. Rather, the applicant is proposing to utilize the existing on-street parking, public parking lots, and public parking garages to serve the parking needs of the proposed mixed-use building. Pedestrian access to the project site is provided by an existing sidewalk located on the south side of Sutter Street and a proposed sidewalk along the west side of Scott Street. The primary entrance into the building is located along Sutter Street, with secondary pedestrian access (emergency access only) being located along Scott Street via multiple doors

accessed from an exterior staircase. Proposed site improvements include underground utilities, a sidewalk, curb, gutter, an outdoor patio, retaining/stem walls, and fencing.

**ATTACHMENT 3
ANALYSIS**

The following sections provide an analysis of the applicant's proposal. Staff's analysis includes:

- A. General Plan and Zoning Consistency
- B. Variances (Building Height and Parking)
- C. Design Review
- D. Encroachments
- E. Traffic/Access/Circulation
- F. Noise Impacts
- G. Retaining/Stem Walls
- H. Building Lighting
- I. Trash/Recycling
- J. Uniform Sign Program
- K. Existing and Proposed Landscaping
- L. Biological Resources
- M. Cultural Resources

A. General Plan and Zoning Consistency

The General Plan land use designation for the project site is HF (Historic Folsom Mixed-Use) and the zoning designation is SUT/HD (Sutter Street Subarea of the Historic District). The project is consistent with both the General Plan land use designation and the zoning designation for the site as retail, service, and office uses permitted in Folsom's modern central business district are permitted pursuant to Section 17.52.510 of the Folsom Municipal Code. The proposed project meets the development standards established by the Sutter Street Subarea Special Use and Design Standards with respect to building setbacks. However, the proposed project does not meet the minimum development standards with respect to maximum building height and minimum amount of parking spaces. A detailed discussion of the applicant's Variance requests is contained in the following section (B. Variances) of this staff report. The table on the following page list the existing and proposed development standards for the proposed project.

TABLE 1: SUTTER STREET SUBAREA DEVELOPMENT STANDARDS TABLE

Development Standards Table 603 Sutter Street Mixed-Use Project					
	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Maximum Building Height	Minimum Parking Required
Sutter Street Subarea	0 Feet Property Line	NA	NA	35 feet	43 Spaces
Proposed Project	0 Feet Property Line	10.5 Feet	0, 5.5 Feet	50.5 feet	0 Spaces

In terms of land use compatibility, the project site is located at the southwest corner of Sutter Street and Scott Street within the Sutter Street Subarea of the Historic District. The project is bounded by Sutter Street to the north with the three-story Folsom Electric Building beyond, a single-family residence to the south with Peddlers Lane beyond, commercial development to the west with Riley Street beyond, and Scott Street to the east with the Cohn Mansion and single-family residential development beyond. It is important to mention that all of the adjacent land uses, including the single-family residence to the south and the Cohn Mansion across Scott Street to the east, are situated within the Sutter Street Subarea and have a zoning designation of HD (Historic District).

As described above, the project site is located within an area that is predominantly commercial in nature. The proposed project is also situated within the Sutter Street Subarea, an area in which the most intensive commercial development within the Historic District is located including restaurants, bars, retail shops, and offices. The proposed three-story mixed-use building is compatible with existing land uses, building massing and scale with other commercial and mixed-use buildings long Sutter Street in the project vicinity.

The recently approved City of Folsom General Plan (2035) outlines a number of goals, policies, and implementation programs designed to guide the physical, economic, and environmental growth of the City. Staff has determined that the proposed project is consistent with the General Plan goals and policies as outlined and discussed below:

Applicable General Plan Goals and Policies

GP GOAL LU 1.1 (Land Use/Growth and Change)

Retain and enhance Folsom's quality of life, unique identity, and sense of community while continuing to grow and change.

GP POLICY LU 1.1.12-1 (Infill Development)

Respect the local context: New development should improve the character and connectivity of the neighborhood in which it occurs. Physical design should respond to

the scale and features of the surrounding community, while improving critical elements such as transparency and permeability.

The proposed project is consistent with this policy in that the project features significant site and design improvements which will enhance the overall character of the area including development of a commercial building designed to complement the architecture and design of existing commercial buildings in the vicinity.

GP POLICY LU 1.1.12-2 (Infill Development)

Work with neighbors: Infill development requires neighborhood consultation to understand the concerns, goals, and needs of existing neighborhoods. Ensure the planning and design process provides proper avenues for neighborhood input while fulfilling the community's larger goals for walkability and compact development.

The proposed project is consistent with this policy in that the project applicant solicited feedback from the public on a number of occasions including at a Historic District Commission meeting held on September 6, 2017 where the project was discussed as an informational item only and at several neighborhood outreach meetings that occurred between August 2, 2017 and September 6, 2017.

GP POLICY LU 1.1.15 (SACOG Blueprint Principles)

Strive to adhere to the Sacramento Regional Blueprint Growth Principles.

The proposed project is consistent with this policy in that the project has been designed to adhere to the primary SACOG Blueprint Principles including Compact Development and Quality Design. Compact Development involves creating environments that are more compactly built and use space in an efficient but attractive manner and helps to encourage more walking, biking, and transit use and shorter auto trips. Quality Design focuses on the design details of any land development (such as relationship to the street, placement of buildings, sidewalks, street widths, landscaping, etc.), which are all factors that influence the attractiveness of living in a compact development and facilitate the ease of walking within and in and out of a community.

B. Variances (Building Height and Parking)

Variance for Building Height

As described in the applicant's proposal, the project includes a request for a Variance to allow the proposed building to exceed the maximum allowed building height established for the Sutter Street Subarea by being constructed to a height of 50 feet, 6-inches along the northwest portion of the Sutter Street frontage.

The Folsom Municipal Code (FMC, Section 17.52.510 C Height) permits buildings located along Sutter Street to be a maximum of 35 feet along Sutter Street and up to 50 feet in height along the rear alley way. Architectural elements such as towers, spires and

cupolas are permitted to extend an additional 25 feet above the height limit allowed within a particular zoning district. As shown on the submitted building elevations (Attachment 9), the proposed building is 50 feet, 6-inches tall at the northwest corner, 45 feet, 6-inches tall at the northeast corner, 33 feet, 6-inches tall at the southwest corner, and 33 feet, 6-inches tall at the southeast corner. In addition, there is a mechanical equipment enclosure located in the central portion of the roof that is approximately eight feet in height. Based on this information, staff determined that a Variance is required to allow the proposed building to exceed the maximum allowable height established for the Sutter Street Subarea.

Consistent with the discussions at the September 6, 2017 Historic District Commission meeting, the applicant provided a variance justification letter to City staff (Attachment 18) which indicates that the Variance to increase the building height is necessary due to the severe topography of the project site. The project site slopes from southeast to northwest, with existing elevations ranging from 251 feet to 234 feet above sea level. In addition, the average slope of the property is approximately 19 percent. The applicant also states that the steep topography of the project site will require special reinforcement with steel support structures to ensure adjacent structures are not impacted by grading activities, which represents a special circumstance specific to the property. Lastly, the applicant notes that there are no other commercial properties located on Sutter Street that have a 17-foot elevation change such as the subject property has.

In order to grant a Variance relative to building height, the Historic District Commission must find that all of the following circumstances apply (Folsom Municipal Code, Section 17.62.020):

- That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to other land, buildings, and/or uses in the district;

and

- That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant;

and

- That the granting of such application will not, under the circumstances of the particular case, materially affect the health or safety of persons, residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

The subject property located at 603 Sutter Street is rectangular in shape and measures approximately 100 feet in width by 70 feet in depth. As mentioned previously, the project site slopes steeply from southeast to northwest, with the lowest elevations located adjacent to Sutter Street. Existing elevations on the site range from 251 feet to 234 feet above sea level, with an average slope of approximately 19 percent. As a result of the significant topography of the project site, grading of the project site will require cuts up to 20 feet in depth, with stem and retaining walls ranging from one to 18 feet in height and 22 to 100 feet in length. In addition, special reinforcement with steel support structures will be required for development of the project site. Staff has determined that the unique topography of the project site constitute a unique and special circumstance relative to other properties located in the project vicinity within the same zoning classification (HD).

One of the primary goals of the Historic District Design and Development Guidelines (Design Guidelines) specific to the Sutter Street Subarea is to encourage construction of buildings on infill lots, both for historic authenticity and for the benefit to shoppers and merchants of an uninterrupted length of shops to explore. In addition, the Design Guidelines strive to provide a continuous façade of shops along the sidewalk to encourage shoppers to walk the entire length of the shopping area. Staff has determined that infill projects are a critical means for preservation of the historic character and authenticity found on Sutter Street and that this also constitutes a special circumstance specific to the project site.

The 600-block of Sutter Street where the building is proposed includes a variety of one, two, and three-story commercial buildings. Two of the three-story buildings in the block near the proposed site were constructed in the last 15 years and exceed the 35 foot height limit: the Fire and Rain building (42 feet tall) and the Folsom Electric Building (42 to 57 feet tall). Further to the west along Sutter Street, the Historic Folsom Station project (not yet developed) was approved for buildings that range from 19 to 48 feet in height.

The closest residential development to the project site is a single-family residence located at 306 Scott Street, directly adjacent to the site to the south. The single-family residence at 306 Scott Street has a 10-foot side yard setback along the northern property boundary and a pad elevation that is approximately 18 to 20 feet above the elevation of Sutter Street. The proposed project has 10-foot, 6-inch rear yard setback (southern project boundary), resulting in the building being located approximately 20 feet from the single-family residence at 306 Scott Street. As viewed from the residence at 306 Scott Street, the proposed building would be 33 feet, 6-inches tall, which is similar to heights of many two-story residences in the Historic District. Based on this information, staff has determined that the proposed project will not materially impact surrounding commercial and residential properties. In addition, staff has determined that all of the required findings (listed on the previous page) can be made for approval of the proposed Building Height Variance.

Variance for Parking

On-site parking for commercial property citywide has traditionally been the responsibility of the individual property owners. However, the Historic District is unique with existing lotting and development patterns that pre-dated the automobile. Along Sutter Street in particular, the predominant building pattern includes continuous building facades with significant lot coverage and few driveways or parking areas. Rather, most of the vehicle parking for the Historic District is provided on streets, in shared lots, and in the existing City parking structure.

There are a limited number of private parking lot areas within the Sutter Street Subarea which supplement the public parking provided by the City. Prior to formalization of the Historic District (FMC, Section 17.52) by the City in 1998, existing and new businesses located within the Sutter Street Subarea were not required to obtain a Parking Variance if they were unable to provide the required on-site parking based on the assumption that sufficient parking was provided by the City in public parking lots. In 1998, the City established specific parking standards and a procedure (Parking Variance) for deviating from the established parking standards for the Sutter Street Subarea. Since 1998, the Historic District Commission has approved a total of 8 Parking Variances (203 total parking spaces) within the Sutter Street Subarea as shown in the table below.

TABLE 2: SUTTER STREET SUBAREA PARKING VARIANCE TABLE

Parking Variance Table Sutter Street Subarea			
Name	Address	Variance Parking Spaces	Year Approved
Folsom Electric Building	602/604 Sutter Street	26 Parking Spaces	2006
Office Building	606 Sutter Street	6 Parking Spaces	2000
Fire and Rain Building	607 Sutter Street	20 Parking Spaces	2013
Precious Gems	723 Sutter Street	5 Parking Spaces	2016
Sutter Court	905/915 Sutter Street	42 Parking Spaces	2004
Westwood Family Cellars	925 Sutter Street	12 Parking Spaces	2013
Truong Office Building	305 Wool Street	5 Parking Spaces	2014
Historic Folsom Station	824 Sutter Street	87 Parking Spaces	2007
Totals		203 Parking Spaces	

Four of the properties (606 Sutter Street, 607 Sutter Street, 925 Sutter Street, and 305 Wool Street) that were granted a Parking Variance by the Historic District Commission have no on-site parking, while the other four properties granted a Parking Variance (602 Sutter Street, 723 Sutter Street, 824 Sutter Street, and 905 Sutter Street) have some degree of on-site parking. Of the four properties that have on-site parking, three of the properties have a combination of residential and commercial uses. The property most similar to the subject property in terms of parking requirements is the property located at

905 Sutter Street (Sutter Court Building). The Sutter Court Building, which includes a mixture of retail, office, and residential uses was required to provide 55 on-site parking spaces. The Sutter Court Building includes 13 on-site parking spaces, eight spaces which are dedicated for the residential uses and five spaces that are reserved for office uses. The Sutter Court Building provided 23 percent of the required parking on-site and received a Parking Variance for the remaining 77 percent of the required parking.

The Folsom Municipal Code (FMC, Section 17.52.510 F Parking) states that retail, offices, restaurants, museums, and similar uses are required to provide one on-site parking spaces per 350 square feet of building floor area. As shown on the submitted site plan (Attachment 5), the building floor area for the mixed-use building is 14,811 square feet. Utilizing this building floor area, the proposed project is required to provide a minimum of 43 on-site parking spaces. Thus, a Variance is required to allow the proposed project to deviate from the parking standards established for the Sutter Street Subarea.

In a letter provided to City staff (Attachment 18), the applicant indicates that the Variance to deviate from the minimum parking requirements is triggered by a number of factors including the steep topography of the project site, substantial challenges associated with installing site improvements, and the substantial costs associated with constructing an underground parking structure on a site of this size and topography. As described earlier within this section of the report, the applicant states that the project slopes severely from the southern portion of the property to the northern portion of the property, with an average grade of approximately 19 percent. The applicant also comments that due to the challenging topography of the site, significant engineered improvements are necessary to construct the proposed building. Lastly, the applicant notes that the site improvements combined with cost of constructing an underground parking is cost prohibitive.

In order to grant a Variance relative to on-site parking, the Historic District Commission must find that all of the following circumstances apply (Folsom Municipal Code, Section 17.62.020):

- That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to other land, buildings, and/or uses in the district;

and

- That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant;

and

- That the granting of such application will not, under the circumstances of the particular case, materially affect the health or safety of persons, residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

As described earlier, the project site slopes steeply from southeast to northwest, with the lowest elevations located adjacent to Sutter Street. Existing elevations on the site range from 251 feet to 234 feet above sea level, with an average slope of approximately 19 percent. Due to the significant topography of the project site, grading of the property will require cuts up to 20 feet in depth, with stem and retaining walls ranging from one to 18 feet in height and 22 to 100 feet in length. In addition, special reinforcement with steel support structures will be required for development of the project site. According to the applicant, the construction of an underground parking structure combined with the required site improvements represent a financial hardship to the applicant. Staff has determined that the unique topography of the project site and the lack of alley access constitute unique and special circumstances relative to other properties located in the project vicinity within the same zoning classification (HD).

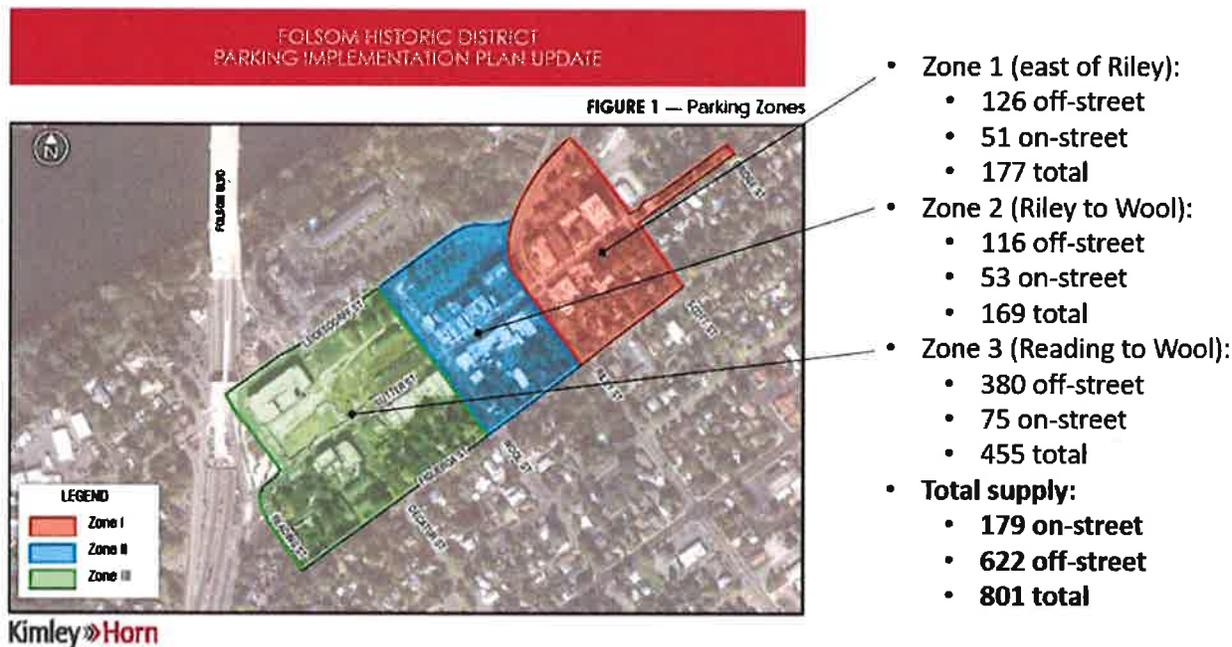
As stated earlier, one of the primary goals of the Historic District Design and Development Guidelines (Design Guidelines) relative to Sutter Street is to encourage construction of buildings on infill lots, both for historic authenticity and for the benefit to shoppers and merchants of an uninterrupted length of shops to explore. In addition, the Design Guidelines strive to provide a continuous façade of shops along the sidewalk to encourage shoppers to walk the entire length of the shopping area. Staff has determined that infill projects in keeping with the desired historic development pattern are a critical means to enhance the historic character and authenticity found on Sutter Street and that this also constitutes a special circumstance specific to the project site. Based on these factors, staff supports approval of the Variance request to allow the proposed project to deviate from the parking standards established for the Sutter Street Subarea with specific conditions relative to dedicated parking for the project and mitigation measures as described herein and included as conditions of approval.

In evaluating whether the granting of a Variance for a parking reduction would materially impact the health or safety or people residing or working in the neighborhood or be materially detrimental to property or improvements in the neighborhood, staff considered the Historic District Parking Implementation Plan Update that was prepared on October 18, 2018 by Kimley-Horn & Associates (Attachment 15) and the project-specific parking analysis that was that was prepared for the project by Kimley Horn & Associates on July 30, 2019 (Attachment 14). In addition, staff considered the parking recommendations (Attachment 16) that were presented to the City Council on June 23, 2020 by the Historic District Parking Solutions Ad Hoc Committee.

To address ongoing concerns regarding employees and visitors from the commercial portion of the Historic District utilized limited available on-street parking spaces in the residential area of the Historic District at various times of day and night, a series of parking studies were conducted at the request of the City beginning in 1999. On October 18, 2018, Kimley-Horn & Associates prepared the Historic District Parking Implementation Plan Update (Plan Update). The purpose of the Plan Update was to provide the status of current and future parking availability and demand in the Historic District. In addition, the Plan Update identified a number of potential strategies to address Historic District parking concerns including but not limited to establishing time limit parking in the residential areas, establishing permit parking in the residential areas, creating a wayfinding/outreach program, and identifying parking management strategies.

For the purpose of evaluating parking availability and demands, the Plan Update divided the Historic District into three distinct parking zones. Parking Zone I is an area generally located between Riley Street and Scott Street, Zone II is an area generally located between Wool Street and Riley Street, and Zone III is an area generally located between Reading Street and Wool Street. The exhibit on the following page shows the parking supply in each of these three parking zones

FIGURE 2: HISTORIC DISTRICT PARKING ZONES



As show in the exhibit above, there are a total of 801 parking spaces in the Historic District including 622 off-street (garages, parking lots, etc.) and 179 on-street parking spaces. In Zone I, which is where the proposed project is located, there are 177 parking spaces including 126 off-street parking spaces and 51 on-street parking spaces. The Plan

Update observed that the Historic District’s peak parking occupancy during peak weekday periods was 60 percent (480 parking spaces filled), while the peak parking occupancy during peak weekend periods was 55 percent (440 parking spaces filled). Based on this information, the Plan Update concluded that there is currently sufficient parking available in the Historic District to meet the parking demand. It is important to acknowledge that the Plan Update did indicate that upon full development of the Historic Folsom Station project located in the railroad block area, additional parking would be needed (most likely in the form of a new parking structure). There is no clear indication of when the remaining portions of the Historic Folsom Station project are scheduled to be completed.

A project-specific Parking Analysis was prepared by Kimley Horn & Associates on July 30, 2019 to evaluate the parking demand and supply associated with the proposed mixed-use building. The tables generated from the Parking Analysis excerpted below show the expected weekday and weekend parking demand and supply associated with the proposed project.

TABLE 3: 603 SUTTER STREET WEEKDAY PEAK PARKING DEMAND AND SUPPLY

Data Source	Parking Demand			Maximum Parking Demand	Minimum Parking Demand
	Land Use Type (# parking spaces)				
	Office	Retail	Restaurant		
City of Folsom Municipal Code	29	7	7	76	43
ITE Parking Generation, 5 th Edition	25	5	24		
Historic District Parking Study	46	11	19		

TABLE 4: 603 SUTTER STREET WEEKEND PEAK PARKING DEMAND AND SUPPLY

Data Source	Parking Demand			Maximum Parking Demand*	Minimum Parking Demand
	Land Use Type (# parking spaces)				
	Office	Retail	Restaurant		
City of Folsom Municipal Code	29*	7	7	51	18
ITE Parking Generation, 5 th Edition	3	7	31		
Historic District Parking Study	4	11	36		

* Office parking demand is not anticipated to exceed 4 spaces during the weekend peak period. Therefore, maximum estimates assume a demand of 4 parking spaces for office use.

As shown in the two tables above, the proposed project is expected to generate demand for 43 to 76 parking spaces during a typical weekday and 18 to 51 parking spaces during the typical weekend day. As presented in the previously discussed Historic District Parking Implementation Plan Update, the Historic District currently has a total of 801

parking spaces with observed peak occupancy of 60-percent during the weekday peak periods and occupancy at 55-percent observed during the weekend peak periods. Based on the information, the Parking Analysis concluded that the proposed parking demand will be satisfied by existing on-street and off-street parking spaces available within the Historic District.

While the Parking Analysis concluded that there is sufficient parking currently available in the Historic District to serve the parking needs of the proposed project, the Analysis recommended that a number of measures be implemented to encourage employees and visitors to the proposed project to park within the commercial portion of the Historic District rather than in the nearby residential areas including:

- Establish or contribute to a privately operated or coordinated trolley service between Historic District parking and the proposed Project site
- Direct customers and employees to the newly installed wayfinding signs for the Historic District parking garage
- Remind customers not to park in residential areas and offer incentives to customers who park in the Historic District parking garage on Reading Street
- Provide maps of the Historic District parking facilities to customers by adding information to the proposed Project website
- Offer incentives to employees for parking in the Historic District parking garage on Reading Street

Staff is supportive of many of these parking recommendations and will discuss them later in this section of the staff report.

On June 23, 2020 by the Historic District Parking Solutions Ad Hoc Committee (Committee) presented recommendations from their year-long effort to explore solutions to alleviate traffic and parking concerns in the residential and commercial portions of the Historic District. The core issues that the Committee evaluated included impacts to residential area quality of life, access to parking for Historic District patrons, employee and commuter access to parking, underutilized parking garage capacity, lack of dedicated parking enforcement, special event parking impacts, and immediate and future growth and parking demands.

The Committee presented a number of different traffic and parking solutions to the City Council including short-term high priority recommendations, short-term low priority recommendations, long-term high priority recommendations, and long-term low priority

recommendations. The following is a comprehensive list of all the Committee recommendations:

Short-term high priority recommendations

- Establish designated loading zones for ridesharing and Smart RT
- Design, implement, and enforce residential parking permit program
- Establish an in-lieu fee for parking
- Enhance pedestrian safety to and from the Railroad Block garage
- Improve and expand wayfinding signage to encourage use of parking garage
- Increase frequency and scope of parking enforcement
- Creation of a special district for parking

Short-term low priority recommendations

- Provide shuttle options to parking garage and Light Rail
- Educate employees about parking options

Long-term high priority recommendations

- Offer behavioral incentives to reward beneficial parking behavior
- Build an additional public parking garage

Long-term low priority recommendations

- Consider establishing valet parking services at key locations
- Improve overall circulation design for access to the Historic District
- Consider use of small undeveloped or underdeveloped lots for infill parking

In addition to recommending a number of short-term and long-term solutions to traffic and parking challenges in the Historic District, the Committee provided the City Council with suggested funding options to facilitate implementation of the solutions including creating or establishing the following:

- Parking Benefit District
- Permit program parking fees
- Grant funding for parking improvements
- Parking enforcement fines
- Additional fees on downtown purchases, hotel stays, and development
- Fees from parking meters or paid parking programs

As described above, the Committee provided comprehensive list of solutions to address traffic and parking solutions to address concerns that impact the entire Historic District including both the residential and commercial areas. While the parking studies prepared for the proposed project demonstrate that there is sufficient parking currently available within Historic District to serve the parking demand created by the project, staff has determined that there are a number of measures the applicant can take to contribute

towards district-wide shared parking solutions. As a result, staff recommends that the following measures be included as conditions of approval for the project (Condition No. 56).

- If a Parking Benefit District or similar parking assessment mechanism is formed within the Historic District in the future, the owner/applicant shall be required to participate fully in the Parking Benefit District or parking assessment mechanism.
- The owner/applicant and business operators shall provide maps of the Historic District public parking facilities to employees and visitors. In addition, the owner/applicant and business operators shall provide information on the company's website regarding public parking locations within the Historic District.
- The owner/applicant and business operators shall educate employees and visitors about parking options within the Historic District.
- The owner applicant and business operators shall notify their employees that they are not permitted to park in the nearby residential neighborhoods. If employees of any business located within the building violate this requirement, the business is subject to immediate suspension of the right to operate on the subject property.
- The owner/applicant and business operators shall offer a financial incentive in the amount of \$50 per month to employees for parking in the Historic District parking garage on Reading Street or other public parking lot areas located within the Historic District.
- The owner/applicant and business operators shall offer incentives to employees to utilize alternative forms of transportation (light rail, bus, bicycle, walk, etc.) to commute to and from work.

As mentioned above, one of the long-term recommendations of the Committee to address parking concerns in the Historic District is to construct a new public parking garage. As part of the evaluation for developing a new public parking garage, City staff provided the Committee with updated cost estimates for the construction of a parking structure on various candidate sites located throughout the Historic District. The estimated cost for a new parking structure included an average cost per parking space of \$28,438 per stall. This average cost represents a national average cost of \$65 per square foot, adjusted by 125% to account for regional costs to \$81.25 per square foot. Assuming each parking stall requires 350 square feet, the resulting cost is \$28,348 per parking stall. It is important to mention that the actual method and means for financing of a new public parking garage in the Historic District has not been determined or evaluated.

In addition to the parking recommendations listed above, staff has concluded that the proposed project should bear responsibility for providing a portion of the required parking in one of two ways: 1) either on-site in an underground parking garage, or 2) off-site at a dedicated location in close proximity to the project site. With respect to on-site parking option, the applicant has identified that a single-level underground garage could accommodate approximately 16 parking spaces, which equates to 37 percent of the required parking for the project (similar to the Sutter Court project). Unfortunately, the addition of an underground garage would increase the building height by approximately five feet, which was initially opposed by residents in the vicinity of the project site and would increase the Height Variance request. In addition, the incorporation of an underground garage would change the design of the proposed building, thus altering the request for Design Review approval.

If the Commission prefers the on-site parking option, the project would need to be continued to allow for modifications to the application prior to any action/decision. Given previous community concerns about building height and pedestrian safety associated with driveway ingress/egress along Sutter Street to access on-site parking, staff is recommending the second option/alternative to provide a minimum of 16 dedicated parking spaces in close proximity to the project site for exclusive use by employees. As such, we have included Condition No. 57 as follows:

- The owner/applicant shall record a deed restriction with a nearby property owner in a form to be approved by the City Attorney, for the purpose of providing at least 16 off-site parking spaces for exclusive use by employees and customers of the proposed project. The dedicated parking area shall be located within one block (approximately 500 feet) of the subject property to the satisfaction of the Community Development Department.

Based on the information provided in the Historic District Parking Implementation Plan Update that was prepared on October 18, 2018 by Kimley-Horn & Associates and the project-specific parking analysis prepared for the project by Kimley Horn & Associates on July 30, 2019, and with incorporation of some of the recommended measures from these traffic studies and the Historic District Parking Solutions Ad Hoc Committee as well as staff's recommendation for the applicant to provide off-site parking spaces, staff has determined that the proposed Variance for a reduction in parking would not materially impact the health or safety or people residing or working in the neighborhood or be materially detrimental to property or improvements in the neighborhood. As a result, staff is supportive of the Variance for a reduction in parking for the project as proposed.

C. Design Review

The proposed three-story building features a historic design concept (1850-1900's) that is intended to compliment the design, colors, and materials of other commercial buildings found along Sutter Street. The proposed building is vertically broken into

smaller widths, similar to other building along Sutter Street, to create a more pedestrian friendly appearance. Specific design elements that were chosen to reflect the historic fabric of Sutter Street include the use a of smooth plaster finish to supplement the brick finishes provided on the building. Additional building design elements chosen to support the historic nature of Sutter Street include awnings, decorative railings, and balconies. Primary building materials selected for the building include brick, smooth plaster, cast stone, wood columns, wood trim, wood paneling, iron railing, iron gates, and steel canopies. The primary building colors chosen for the building include red (brick) and natural stone (plaster), with black utilized as the main accent color. Proposed building elevations and a rendering are on the below and on the following pages.

FIGURE 3: BUILDING ELEVATIONS (NORTH-EAST)



FIGURE 4: BUILDING ELEVATIONS (SOUTH-WEST)

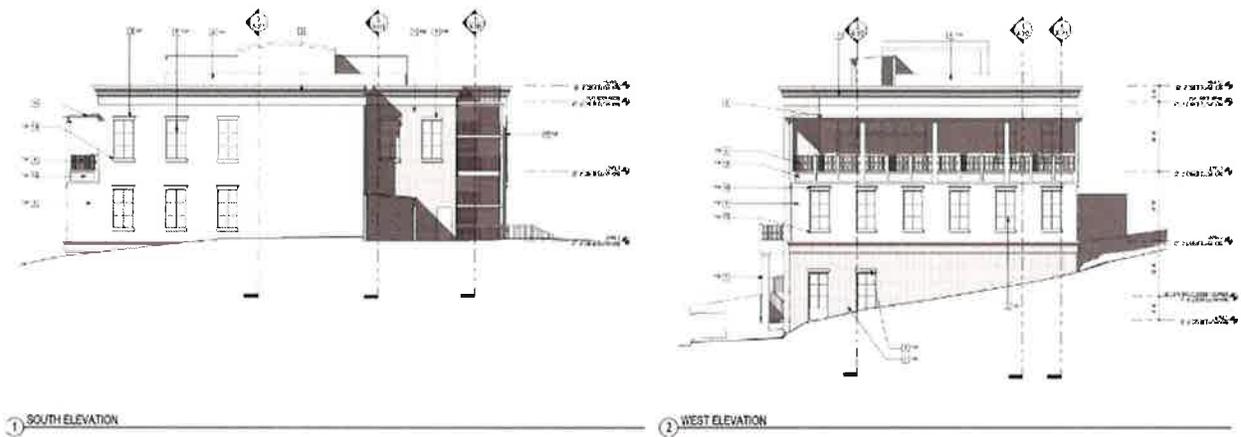


FIGURE 5: BUILDING RENDERING (SUTTER STREET)



The Sutter Street Subarea encompasses Folsom’s original central business district, the area first zoned for historic preservation. Retail shops and restaurants have predominated in recent history. The Subarea is intended to become a more “complete” downtown, serving convenience shopping, service, and community needs of Folsom residents and visitors. Overall, the Sutter Street Subarea represents a mixture of development that is representative of the 1850 to early 1900s timeframe. The Historic District Design and Development Guidelines (Design Guidelines), which were adopted on October 1, 1998, provide guidance for development activity within the Sutter Street Subarea.

Building Design

In terms of building design, the intent of the Design Guidelines is to encourage new construction to follow the patterns and principals of historic architectural design. New construction should also take into consideration the design of buildings within the immediate project area. With respect to articulation, the Design Guidelines recommend that windows, doors, cornices, and other architectural elements be designed with respect to the entire building façade and be relatable to adjacent and nearby buildings. The proportions of these design elements should also relate the building façade at a human scale.

Building Placement

The Design Guidelines recommend that new commercial structures be designed to be of a pre-1900 design and a continuous façade of shops along the sidewalk should be provided to encourage shoppers to walk the entire length of the shopping area. In addition, the Design Guidelines state that “the context for design evaluation will be the buildings along the same street adjacent to the property being developed or predominant style for the Subarea.” Consistent with these recommendations, the proposed building is located on northern property boundary adjacent to Sutter Street.

Storefront Windows and Entries

The Design Guidelines recommend that street-level storefront windows are large and transparent, allowing for displays which will draw interest of pedestrians. Upper floor windows are encouraged to be recessed to create a sense of depth and interest. With respect to shape, the Design Guidelines discourage irregular, polygonal, or circular shapes. Glass in windows and doors is encouraged to be clear, no dark-tinted or reflective glass should be utilized.

As shown on the submitted building elevations (Attachment 9), the proposed building features large, rectangular doors and windows. The windows and doors are both divided into small panes. There are also two, large arched windows located on the upper façade of the building, also divided into small panes. Staff has determined that the scale and shape of the doors and windows on the proposed building are consistent with Design Guidelines. However, staff does recommend that no dark-tinted or reflective glass be utilized on the Sutter Street or Scott Street building elevations. In addition, staff

recommends that all windows be dual paned windows to increase energy efficiency. Condition No. 29-3 is included to reflect these requirements.

Balconies, Awnings, and Arch Features

The Design Guidelines encourage new developments on Sutter Street to provide balconies and canopies over the public sidewalk area. Balconies and awnings are permitted to extend up to 9 feet, 6-inches into the public-right-of-way to provide maximum coverage over the sidewalk. Recommended building materials for sidewalk coverings include wood shakes, canvas fabric, metal frames, and wood frames.

The proposed project features a large uncovered balcony on the second level of the building and two smaller recessed balconies on the third level of the building, both facing Sutter Street. The larger balcony on the second level will encroach five feet into the Sutter Street right-of-way. The proposed project also includes two arched window features on the third level of the building facing Sutter Street. In addition, the proposed project provides two metal awnings which are located on the third level facing Sutter Street.

The design of the uncovered second level balcony, which is supported wood-clad columns at the ground level, features decorative wood panels and ornamental iron railing painted black. The two balconies on the third level of the building are covered with a steel canopy and utilize wood-clad columns, decorative wood panels, and ornamental iron railing painted black. The two arched openings on the third level, which include brick soldier course trim, are filled with windows broken into smaller panes. Staff has determined that the proposed balconies, awnings, and arch features are consistent with the recommendations of the Design Guidelines.

Cornices

The Design Guidelines encourage new development to utilize roof cornices as decorative elements to enhance the appearance of building facades. The proposed project features a decorative smooth-finish stone cornice that extends around the entire building on all four elevations. The proposed cornice extends approximately 1 to 2 feet outward from the building and into the Sutter Street right-of-way on the north elevation. Staff has determined that the proposed cornice feature is consistent with the Design Guidelines.

Materials and Colors

The Design Guidelines encourage the use of durable, high quality building materials that are complementary to the historic context of Sutter Street. Appropriate building materials include brick, stone, plaster, stucco, wood, and metal. The Design Guidelines also recommend the innovative use of color and texture in order to create visual interest and enhance the streetscape.

As mentioned in the project description, proposed building materials include brick, smooth plaster, cast stone, wood columns, wood trim, wood paneling, iron railing, iron gates, and metal canopies. Primary building colors include red (brick) and stone (plaster), with black

as the main accent color. Staff has determined that the proposed building materials and colors are consistent with the Design Guidelines.

Rooftop

The roof of the proposed mixed-use building will not be visible from the Sutter Street or Scott Street right-of-way. Roof material is consistent with the design of Sutter Street Subarea and will not include standing seam metal, glazed ceramic, concrete, or imitation mission tiles. Staff recommends that all rooftop mechanical equipment be screened and not extend above the height of the parapet walls. Condition No. 29-4 is included to reflect this requirement.

D. Encroachments

Excavation and construction-related activities associated with the proposed project may result in an encroachment into the public right-of-way along Sutter Street and Scott Street. Staff recommends that the owner/applicant obtain an encroachment permit from the City for any work conducted in the public right-of-way. Condition No. 58 is included to reflect this requirement.

The proposed building includes a number of architectural features and improvements that will be located in the public right-of-way along Sutter Street and Scott Street. Encroachments into the Sutter Street public right-of-way include the second level balcony, roof cornice elements, a concrete patio, landscaping, and fencing. Encroachments in the Scott Street right-of-way include a concrete walkway, a retaining wall, and landscaping. Staff recommends that the owner/applicant enter into an encroachment agreement with the City for maintenance of private structures and improvements located within the public right-of-way. Condition No. 59 is included to reflect this requirement.

E. Traffic/Access/Circulation

Existing Roadway Network

The project site is located at the southwest corner of the intersection of Sutter Street and Scott Street (603 Sutter Street) within the Historic District. Since no on-site parking is proposed with the project, vehicles traveling to the project site will utilize existing on-street parking, public parking lots, and public parking garages within the Historic District.

Significant roadways in the project vicinity include Riley Street, Sutter Street, and Scott Street. In the vicinity of the project site, Riley Street is a two-lane, north-south arterial roadway that runs through the center of the Historic District and crosses Lake Natoma along the Rainbow Bridge. Sutter Street is a two-lane, east-west local roadway that provides access to the Folsom Historic District between Folsom Boulevard and east of Riley Street. Scott Street is a two-lane, north-south local roadway that provides access to the eastern edge of the Historic District between Greenback Lane/Riley Street to Persifer Street.

The traffic, access, and circulation analysis associated with the proposed project is based on the results of a Traffic Impact Study (Traffic Study) that was prepared in July 2019 by Kimley Horn & Associates. The Traffic Study analyzed traffic operations at the following five study intersections in the vicinity of the project site:

- Riley Street/Greenback Lane at Folsom-Auburn Road
- Riley Street at Scott Street
- Riley Street at Leidesdorff Street
- Riley Street at Sutter Street
- Sutter Street at Scott Street

Four different scenarios were evaluated in reviewing traffic operations at the five aforementioned study intersections including; Existing Conditions (2019), Existing Conditions (2019) Plus Project, Cumulative Conditions (2035), and Cumulative Conditions (2035) Plus Project.

The proposed 603 Sutter Street Mixed-Use Building project is expected to generate a total of 35 vehicle-trips during the weekday AM peak hour and 38 vehicle trips during the weekday PM peak hour. Overall, the proposed project is projected to generate a total of 418 daily vehicle trips. Based on the relatively low volume of project-related vehicle trips, the Traffic Study concluded that the proposed project would not have a significant impact on vehicle level of service (LOS) at any of the five study intersection under any of the four scenarios evaluated.

The Governors' Office of Planning and Research (OPR) has published guidance recommending a CEQA threshold for transportation impacts of land use projects of a 15% Vehicle Miles Traveled (VMT) reduction per capita, relative to either city or regional averages, based on the California's Climate Scoping Plan. Under State Law (SB 743), VMT will become the only CEQA threshold of significance for transportation impacts on July 1, 2020. However, the California Environmental Quality Act (CEQA Section 15064.4) states that land use projects that are located within one-half mile of an existing major transit stop, such as the subject project, should be presumed to cause a less-than-significant transportation impact, thus they and are not subject to the recently established VMT requirements.

Construction of the proposed project construction would involve trenching within Sutter and Scott Streets to connect the project to existing underground utilities. In addition, construction operations are likely to involve activities associated with hauling excess earth materials and construction materials to and from the project site. These construction operations have the potential to result in lane closures on Sutter Street and Scott Street, resulting in delays and queuing of vehicle traffic in the project vicinity. To mitigate potential impacts associated with construction activities, staff recommends that the following measure be implemented (Condition No. 60):

- Prior to the initiation of construction, the applicant, any successor in interest, and/or its contractor shall obtain an encroachment permit from the City of Folsom for construction within Sutter and Scott Streets. The applicant, any successor in interest, and/or its contractor shall prepare a Traffic Control Plan that meets the requirements of the City. The TCP shall include all required topics, including: traffic handling during each stage of construction, maintaining emergency service provider access by, if necessary, providing alternate routes, repositioning emergency equipment, or coordinating with nearby service providers for coverage during construction closures, covering trenches during the evenings and weekends, pedestrian safety/access, and bicycle safety/access. A component of the TCP will involve public dissemination of construction-related information through notices to adjacent neighbors, press releases, and/or the use of changeable message signs. The project contractor will be required to notify all affected residences and businesses, post the construction impact schedule, and place articles and/or advertisements in appropriate local newspapers regarding construction impacts and schedules.

F. Noise Impacts

The noise environment in the vicinity of the project site consists primarily of traffic-related noise generated from vehicles on Sutter Street and Scott Street and, to a lesser extent, traffic-related noise from Riley Street. Lesser sources of noise in the project area include those arising from typical urban activities, including those associated with nearby commercial uses. There are no industrial noise sources located in the vicinity of the proposed project, and there are no airports located within two miles of project site. Persons and activities potentially sensitive to noise in the project vicinity include residents of homes to the south and east of the project site.

Potential noise impacts associated with the proposed project can be categorized as those impacts resulting from construction activities and those impacts resulting from operational activities. Construction noise would have a short-term effect, while operational noise would continue throughout the lifetime of the project.

Construction of the proposed project would temporarily increase noise levels in the project vicinity during the construction period, which would take approximately 12 months. Construction activities, including site clearing, excavation, grading, building construction, and paving, would be considered an intermittent noise impact throughout the construction period of the project. The City's Noise Ordinance excludes construction activities from meeting the General Plan Noise Element standards, provided that all phases of construction are limited to the hours between 7:00 a.m. and 6:00 p.m. on weekdays, and between 8:00 a.m. and 5:00 p.m. on Saturdays. To ensure compliance with the City's Noise Control Ordinance and General Plan Noise Element, staff recommends that the following measures be implemented (Condition No. 37)

- **Construction Hours/Scheduling:** The following are required to limit construction activities to the portion of the day when occupancy of the adjacent sensitive receptors are at their lowest:
 - Construction activities for all phases of construction, including servicing of construction equipment shall only be permitted during the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and between 8:00 a.m. to 5:00 p.m. on Saturdays. Construction shall be prohibited on Sundays and on all holidays.
 - Delivery of materials or equipment to the site and truck traffic coming to and from the site is restricted to the same construction hours specified above.
- **Construction Equipment Mufflers and Maintenance:** All construction equipment powered by internal combustion engines shall be properly muffled and maintained.
- **Idling Prohibitions:** All equipment and vehicles shall be turned off when not in use. Unnecessary idling of internal combustion engines is prohibited.
- **Equipment Location and Shielding:** All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from adjacent homes. Acoustically shield such equipment when it must be located near adjacent residences.
- **Quiet Equipment Selection:** Select quiet equipment, particularly air compressors, whenever possible. Motorized equipment shall be outfitted with proper mufflers in good working order.
- **Staging and Equipment Storage:** The equipment storage location shall be sited as far as possible from nearby sensitive receptors.
- **At least 5 days prior to the initiation of grubbing or other ground disturbing construction operations, the project applicant, and successor in interest, or the general contractor in charge will provide a notice of the initiation of construction to all parcels located within 250 feet of the project site. Such notice shall contain an outline of construction activities, their duration, and contact information for a person designated to respond to public questions and complaints regarding construction activities.**

As an undeveloped project site located within an existing commercial and residential area, there are no existing sources of vibration or groundborne noise on the project site or in the project vicinity. Due to the shallow depth to bedrock across much of the site, the leveling of the building pad would require ripping by heavy equipment. To minimize

potential impacts associated with removal of bedrock, staff recommends that the following measure be implemented (Condition No. 38):

Condition No. 38

Prior to the removal of any bedrock, the owner/applicant, any successor in interest, or the project contractor shall prepare a bedrock removal plan for review and approval by the Community Development Department. No removal activity shall occur prior to City approval. The bedrock removal plan shall be prepared by a licensed geologist, engineer, or equivalent accredited professional, and will include at least the following components:

- The location, volume, and type of bedrock to be removed
- Removal procedures to be used, both primarily and as options if necessary
- The expected duration of removal activities
- Type of equipment to be used
- Any types of chemical or other materials to be used, including any storage and safety requirements
- Requirements for personal safety and the protection of private and public property
- A program to notify all parcels within 250 feet of the project site

As mentioned previously, noise environment in the vicinity of the project site consists primarily of Sutter Street and Scott Street traffic noise and, to a lesser extent, Riley Street traffic noise. Traffic noise from vehicles on Riley Street were measured at 64 dB Ldn at a point 100-feet from the centerline of the street; traffic noise had degraded to less than 60 dB Ldn at 199 feet from the street centerline. The project site is located approximately 400 feet from Riley Street. By the year 2035, these noise levels would increase to 65 dB Ldn at 100 feet from the centerline and the 60 dB Ldn contour would be located 218 feet away from the centerline. As noted above, doubling sound energy results in a 3-dB increase in sound; therefore, doubling sound energy (e.g., doubling the volume of traffic on a highway) would result in a barely perceptible change in sound level. The traffic study prepared for this project indicates that increases in traffic as a result of the project would be minor, and substantially less than a doubling of traffic volumes at any location. Therefore, staff has determined that the operation of the proposed project would not create a noticeable increase traffic noise in the project vicinity.

Operation of the proposed project would also result in several intermittent sources of noise including noise generated from trash/recycling collection activities and noise created by activities on the rooftop deck. The Folsom Municipal Code (FMC, Section 8.42.060 G) exempts noise sources associated with the collection of solid waste or garbage from properties devoted to commercial or industrial uses. As noted earlier in this report, the subject property is located in an area that is designated for commercial uses according to the General Plan land use and zoning designations.

The second source of intermittent operational noise would be a proposed rooftop deck that would occupy the northern and eastern portions of the building roof adjacent to Sutter and Scott Streets. According to the applicant, the roof deck would be accessible to building tenants, although the general public potentially could attend private events in this area if sponsored by a building tenant. The private rooftop deck area would be set back approximately 18 feet from the rear of the building and separated from the adjacent single-family residence to the south by a screened elevator and air conditioning equipment enclosure, except on the easterly side of the building where the deck would be extended to the south to access an emergency access stairwell.

Activities that could occur on the rooftop deck, their duration, or their frequency are currently unknown, but would be subject to the noise standards of the Noise Ordinance as set forth in Section 8.42 of the Folsom Municipal Code, including the performance standards/limitations contained in Table 8.42.040 of the Ordinance. While the limitations of the Noise Ordinance would generally restrict noise generated by activities on the rooftop deck to the levels found to be acceptable by the City, staff recommends that activities on the rooftop deck be limited to between the hours of 8:00 a.m. and 8:00 p.m. seven days per week to further reduce potential noise impacts. Condition No. 40 is included to reflect this requirement.

G. Retaining/Stem Walls

As shown on the preliminary grading and drainage plan (Attachment 8), grading of the project site to establish the foundations, subgrade, and building pad would require cuts on the project site ranging from up to 20 feet in depth at the rear of the building to three feet in depth at the building's northwest corner adjacent to Sutter Street.

To permanently maintain the stability of the cut slopes, retaining walls would be constructed at the rear of the site (13 to 18 feet tall) and along the western site boundary (one to 11 feet tall). Retaining walls would act to prevent collapse or settlement of existing structures both south and west of the site in addition to protecting the proposed building from the potential failure of surrounding slopes. Retaining walls would be incorporated into the first floor of the building at both locations; in the rear of the building, a portion of the second floor and the trash enclosure would also be used to retain the slope. Excavation and construction activities associated with incorporated retaining walls on the west side and the rear of the building could encroach into the planned building setbacks. However, these areas would be backfilled and leveled at the completion of construction.

Freestanding retaining walls (5 to 15 feet tall) would be constructed near the northeast corner of the project site adjacent to the intersection of Sutter and Scott Streets, and along the Scott Street frontage of the proposed project. Freestanding retaining walls (2-5 feet tall) would also be located along a small portion of the Sutter Street frontage. These retaining walls would be separated from the building to provide an outdoor seating area and a walkway. Staff recommends that the final location, design, height, materials, and

colors of the retaining and stem walls be subject to review and approval by the Community Development Department. Condition No. 31 is included to reflect this requirement.

H. Building Lighting

Proposed lighting for the building includes three gooseneck-style light fixtures located on the upper level of the building façade facing Sutter Street. Specific details regarding the design, materials, and colors of the gooseneck light fixtures have not been provided. However, gooseneck-style lighting is commonly found along Sutter Street and is considered historic in nature. Staff recommends that the final location, design, materials, and colors of the building-attached light fixtures be subject to review and approval by the Community Development Department to ensure consistency with the Historic District Design and Development Guidelines. Condition No. 25 is included this requirement.

I. Trash/Recycling

As shown on the submitted site plan (Attachment 6), the proposed project includes construction of a trash/recycling enclosure behind the building in the southeast corner of project site with access being provided from Scott Street. The proposed trash/recycling enclosure, which is attached to the building, is constructed of a textured split-face blocks that will be painted to match the earth-tone stone color of the building. The trash/recycling enclosure will also include a metal gate to secure access. Staff recommends that the final location, design, materials, and colors of the trash/recycling enclosure shall be subject to review and approval by the Community Development Department. In addition, to minimize potential noise and aesthetic impacts associated with collection of trash and recycling by solid waste vehicles, staff recommends that a six-foot-tall masonry wall (to match the design of the trash/recycling enclosure) be attached to the eastern edge of the trash/recycling enclosure and extended outward towards Scott Street approximately 15 feet in distance to match the location of the eastern wall plane of the mixed-use building. Condition No. 30 is included to reflect these requirements.

J. Signage

The Design Guidelines encourages graphic design and signage that attracts business and contributes to the quality of the historic commercial environment. Sign types recommended by the Design Guidelines include wall signs, awning signs, window signs, under canopy signs, and blade signs. Appropriate sign materials include wood, metal, or other historically appropriate combination of materials. Signs are permitted to be externally illuminated; however, internally illuminated plastic letters and cabinet signs are not allowed.

The Folsom Municipal Code (FMC, Section 17.52.510 E) indicates that indicates that each business whose entry door is located in the building frontage is permitted one wall sign with a maximum sign area of 50 square feet. In addition to the one wall sign, one

under canopy sign or similar sign is permitted per business with a maximum sign area of 3 square feet.

The applicant has submitted a Uniform Sign Program (Attachment 12) to provide project identification for the proposed building and its tenants. The Sign Program includes two wall signs located on the Sutter Street building facade, two under-canopy signs on the Sutter Street frontage, one to four blade signs on the Sutter Street frontage, and a wall-mounted directory sign located within an atrium area at the building entrance on Sutter Street. The two wall-mounted signs feature individual letters (bronze colored) that are proposed to be constructed of aluminum. The two hanging under-canopy signs are proposed to be aluminum cabinets with acrylic lettering (no color selected). The four blade signs are proposed to be mounted on an iron rod with wood panels (no color selected). The following table provides the specific details regarding the proposed signs:

TABLE 2: 603 SUTTER STREET BUILDING UNIFORM SIGN PROGRAM

Uniform Sign Program for 603 Sutter Street Mixed-Use Building					
Qty	Sign Type	Building Frontage	Sign Area	Sign Placement	Illumination
2	Wall-Mounted Sign	100 feet	26 SF 18 SF	Mounted on building facade	Indirect Lighting
2	Under-Canopy Hanging Sign	100 feet	40 SF	Suspended under balcony	None
1-4	Blade Sign	100 feet	3 (12) SF	Mounted on Wood Support Columns	None
1	Wall-Mounted Directory Sign	100 feet	4 SF	Mounted on Atrium Wall	None
Total Sign Area: 91 Square Feet					

In reviewing the submittal Uniform Sign Program, staff is supportive of the two proposed walls signs located on the Sutter Street building façade in that they meet the maximum sign area requirement of 50 square feet, while also providing proper identification for the overall building as well as a wall sign opportunity for a future ground-level retail or restaurant tenant. Staff does not support the two under canopy signs due to fact that they exceed the maximum allowable sign area and are proposed to be aluminum cabinet signs, which are not an approved material for signs in the Historic District. Lastly, staff is supportive of the proposed blade signs and the proposed wall-mounted directory sign as they are consistent with the Design Guidelines. Staff recommends that the following conditions be applied to the Uniform Sign Program to ensure proper implementation of staff direction (Condition No. 32):

- The 603 Sutter Street Mixed-Use Project is approved for two wall-mounted signs, one to four blade signs, and one wall-mounted directory sign as illustrated and described in the submitted Uniform Sign Program (Attachment 12). The two under canopy signs shall not be permitted.
- The applicant/owner shall obtain the necessary sign and building permits before installing any signs.

K. Existing and Proposed Landscaping

Existing vegetation on the 0.17-acre project site includes a mixture of bamboo, non-native grasses, and 22 trees comprised of 17 native oak trees (16 of which are considered protected), four fruit trees and one camphor tree. Due to the significant amount of grading required for development of the project site, all of the existing vegetation on the project site will be removed. There is an existing landscape planter along the Sutter Street frontage that contains a street tree and shrubs which will be preserved.

Proposed landscape improvements, which will be located along the Scott Street frontage, include three street trees (Japanese Maple), shrubs, and groundcover. Proposed shrubs and groundcover include: Blue Oat Grass, Cast Iron Plant, Creeping Snowberry, English Lavender, Fortnight Lily, New Zealand Flax, Rosemary, and Sageleaf Rockrose. Staff recommends that the final landscape plans be reviewed and approved by the Community Development Department. Condition No. 33 is included to reflect this requirement.

L. Biological Resources

As mentioned previously, the vegetation community present on the project site is a mix of ruderal grassland, mainly consisting of nonnative annual grasses, and woodland that is a mixture of native and horticultural trees. The nearest undeveloped biological habitat is located within the American River Parkway, approximately 425 feet west/northwest of the project site, separated from the project by buildings, parking lots, and roadways. The nearest point on the American River (Lake Natoma) is approximately 1,000 feet northwest of the site, again separated by intervening urban development. Wildlife use of the site is limited to species that are adapted to urban environments.

The native oak and ornamental trees on the project site may provide nesting habitat for bird species found in the vicinity of the project. Tree-cutting and excavation activities associated with the proposed project could potentially impact federally protected nesting birds. If construction activities are conducted during the nesting season (from March to September), nesting birds could be directly impacted by tree removal, and indirectly impacted by noise, vibration, and other construction-related disturbance. To minimize impacts to special-status bird species, staff recommends that the following measure be implemented (Condition No. 46):

- Avoid construction or tree removal during the nesting season (usually from March through September). If construction activities will occur during the nesting season and trees on the site have not been removed, no more than 30 days prior to the initiation of construction, preconstruction surveys for the presence of special-status bird species or any nesting bird species shall be conducted by a qualified biologist within a 500 foot radius of the proposed construction area. If active nests are identified in these areas, construction should be delayed until the young have fledged, or the CDFW should be consulted to develop measures to avoid the take of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing, or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site.

An arborist report (Attachment 17) prepared by ECORP Environmental Consultants, Inc. on March 12, 2019 and updated on July 9, 2020 identified 16 protected oak trees that would be impacted by development of the proposed project. Protected trees that would be removed under the current tree removal plan include 16 oak trees that meet the definition of *protected native oak tree*. The City of Folsom Tree Preservation Ordinance (FMC, Section 12.16) is responsible for regulating and protecting oak trees throughout the City. To mitigate for the removal of protected oak trees from the project site, staff recommends that the following measures be implemented (Condition Nos 47, 35, and 36):

Condition No. 47

- Prior to the initiation of ground disturbance, the owner/applicant or any successor in interest shall comply with City's Tree Preservation Ordinance by obtaining a Tree Removal Permit and implementing a City-approved Tree Protection and Mitigation Plan.

Condition No. 35

- The project is subject to the Tree Preservation Ordinance and any mitigation required as a result of impacts to oak trees. The owner/applicant shall retain a certified arborist for the project. The project arborist will oversee tree removal and the preservation of the trees on site during and after construction. The owner/applicant shall provide funding for this arborist.

Condition No. 36

- The owner/applicant shall place high-visibility orange mesh protective fencing and signing every 50 feet around the Tree Protection Zone of any existing trees on the project site that are identified for preservation pursuant to FMC Chapter 12.16. The fencing shall remain in place throughout the construction process to assure that the protected trees are not damaged. Placement of the fencing shall be subject to

the review and approval of staff prior to the issuance of any improvement, grading, or building permits. Simply protecting the area within the Tree Protection Zone may not always save the tree(s), so other tree protection measures may be required.

M. Cultural Resources

As part of the proposed project, a records search was conducted of the North Central Information Center (NCIC). The NCIC records search indicated that there is one historic district and nine historic period resources that lie within a 200-foot radius of the project site. According to all available information, the proposed project site is in a highly sensitive area related to the possible discovery of subsurface historic resources. While the project site is considered to be low sensitivity for archaeological resources, project construction could result in the destruction or degradation of unknown cultural, historic, or archaeological resources. Project construction could also result in the destruction or degradation of human remains. To mitigate for potential impacts to unknown prehistoric resources, historic resources, and human remains, staff recommends that the following measures be implemented (Condition Nos. 40 through 43):

Condition No. 40

- Prior to initiation of construction on the project site, all construction personnel that will work on the proposed project site shall be provided with Cultural Sensitivity Training taught by a professional archaeologist or historian meeting the Secretary of the Interior's standards. The training shall include information regarding cultural resources, their recognition, avoidance, and treatment in the event of fortuitous discovery. Project plans shall also contain a notation requiring that if any archaeological, cultural, historical resources, artifacts, or other features are discovered during the course of construction anywhere on the project site, work shall be immediately suspended in that location. Attendance at Cultural Sensitivity Training is mandatory for all construction personnel that would work on the site during grading and leveling.

Condition No. 41

- If any archaeological, cultural, or historical resources or artifacts, or other features are discovered during the course of construction anywhere on the project site, work shall be suspended in that location until a qualified professional archaeologist assesses the significance of the discovery and provides recommendations to the City. The qualified professional archaeologist shall be retained consistent with Condition No. 42. The City shall determine and require implementation of the appropriate mitigation as recommended by the consulting archaeologist. The City may also consult with individuals that meet the Secretary of the Interior's Professional Qualifications Standards before implementation of any recommendation. If agreement cannot be reached between the project applicant and the City, the Historic District Commission shall determine the appropriate implementation method.

Condition No. 42

- A professional archaeologist or historian meeting the Secretary of the Interior's standards shall be present to monitor for the presence of historic or other cultural resources during all grading and leveling operations until excavation reaches bedrock. This includes excavation for foundation and sound wall footings. Should the monitor identify potential or confirmed cultural resources, they will implement Mitigation Measures described in Condition No. 40 and No. 41 as appropriate to the discovery.

Condition No. 43

- Pursuant to §5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of discovery of human skeletal remains, however fragmentary or disturbed from their original context, the Sacramento County Coroner and the Native American Heritage Commission are to be notified of the discovery immediately. All work in the vicinity of the find is to cease, and there shall be no further excavation or disturbance of the find site or any nearby area reasonably suspected to overlie adjacent remains until the coroner has determined whether the remains are those of a Native American.

If the remains are determined to be those of a Native American, the coroner must contact that California Native American Heritage Commission. CEQA Guidelines (Public Resources Code Section 5097) specify the procedure to be followed in the event of discovery of human remains on non-Federal land. The disposition of Native American burials is within the jurisdiction of the Native American Heritage Commission. Upon request, the NAHC will provide project leaders with a list of Most Likely Descendants, who will specify treatment and disposition of any Native American remains found within the Area of Potential Effects of a project. Human remains and associated grave goods are protected under Section 5097.94 of the California Public Resources Code and Section 7050.5 of the California Health and Safety Code.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program (Attachment 17) for the project in accordance with the California Environmental Quality Act (CEQA) regulations and determined that with the proposed mitigations, the project will not have a significant effect on the environment. The Mitigated Negative Declaration has been prepared and noticed for public comment on the project, and mitigation measures have been included as Conditions of Approval. To date, the City received a number of written comments (Attachment 19) from the public during the Mitigated Negative Declaration public review period (July 17, 2020 to August 5, 2020). The above referenced comments are addressed in Attachment 22 (Response to CEQA Comments, dated July 29, 2020) and also within the context of this staff report and associated attachments.

RECOMMENDATION/HISTORIC DISTRICT COMMISSION ACTION

Move to recommend that the Historic District Commission:

- Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the 603 Sutter Street Mixed-Use Building project (PN 17-145) per Attachment 17; and
- Approve a Variance to allow the project to exceed the maximum allowable building height; and
- Approve a Variance to allow the project to deviate from the minimum amount of required on-site parking; and
- Approve Design Review for development of a three-story, 14,811-square-foot mixed-use building on a .17-acre site located at the southwest corner of the intersection of Sutter Street and Scott Street (603 Sutter Street) as illustrated on Attachments 5-12.

These approvals are subject to the proposed findings below (Findings A-N) and the recommended conditions of approval (Conditions 1-67) attached to this report.

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE ZONING CODE OF THE CITY.

CEQA FINDINGS

- C. A MITIGATED NEGATIVE DECLARATION HAS BEEN PREPARED FOR THE PROJECT IN ACCORDANCE WITH CEQA.
- D. THE HISTORIC DISTRICT COMMISSION HAS CONSIDERED THE PROPOSED MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM BEFORE MAKING A DECISION REGARDING THE PROJECT.
- E. ON THE BASIS OF THE WHOLE RECORD BEFORE THE HISTORIC DISTRICT COMMISSION, THERE IS NO SUBSTANTIAL EVIDENCE THAT THE PROJECT, AS CONDITIONED, WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

- F. THE MITIGATED NEGATIVE DECLARATION REFLECTS THE INDEPENDENT JUDGMENT AND ANALYSIS OF THE CITY OF FOLSOM.
- G. THE MITIGATED NEGATIVE DECLARATION HAS DETERMINED THAT THE PROPOSED PROJECT, AS CONDITIONED AND CONSISTENT WITH THE REQUIRED MITIGATION MONITORING AND REPORTING PROGRAM, WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT WITH MITIGATION MEASURES.
- H. THE MODIFIED AND SUBSTITUTED MITIGATION MEASURES ARE EQUIVALENT OR MORE EFFECTIVE IN MITIGATING OR AVOIDING POTENTIAL SIGNIFICANT EFFECTS AND WILL NOT CAUSE ANY POTENTIALLY SIGNIFICANT EFFECT ON THE ENVIRONMENT.

VARIANCE FINDINGS

- I. THERE ARE EXCEPTIONAL OR EXTRAORDINARY CIRCUMSTANCES OR CONDITIONS APPLYING TO THE LAND, BUILDING OR USE REFERRED TO IN THE APPLICATION, WHICH CIRCUMSTANCES OR CONDITIONS DO NOT APPLY GENERALLY TO OTHER LAND, BUILDINGS, AND/OR USES IN THE DISTRICT.
- J. THE GRANTING OF THE APPLICATION IS NECESSARY FOR THE PRESERVATION AND ENJOYMENT OF SUBSTANTIAL PROPERTY RIGHTS OF THE APPLICANT.
- K. THE GRANTING OF SUCH APPLICATION WILL NOT, UNDER THE CIRCUMSTANCES OF THE PARTICULAR CASE, MATERIALLY AFFECT THE HEALTH OR SAFETY OF PERSONS, RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPERTY OF THE APPLICANT, AND WILL NOT, UNDER THE CIRCUMSTANCES OF THE PARTICULAR CASE, BE MATERIALLY DETRIMENTAL TO THE PUBLIC WELFARE OR INJURIOUS TO PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

DESIGN REVIEW FINDINGS

- L. THE PROPOSED PROJECT COMPLIES WITH THE GENERAL PLAN AND ZONING ORDINANCES OF THE CITY.
- M. THE BUILDING MATERIALS, TEXTURES AND COLORS USED IN THE PROPOSED PROJECT ARE COMPATIBLE WITH SURROUNDING DEVELOPMENT AND ARE CONSISTENT WITH THE GENERAL DESIGN THEME OF THE NEIGHBORHOOD.

- N. THE PROPOSED PROJECT IS IN CONFORMANCE WITH THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES ADOPTED BY CITY COUNCIL.

Attachment 3

Conditions of Approval

CONDITIONS OF APPROVAL FOR 603 SUTTER STREET MIXED-USE BUILDING PROJECT (PN 17-145)				
603 SUTTER STREET				
BUILDING HEIGHT VARIANCE, PARKING VARIANCE, AND DESIGN REVIEW				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
1.		<p>The applicant shall submit final site development plans to the Community Development Department that shall substantially conform to the exhibits referenced below:</p> <ul style="list-style-type: none"> • Preliminary Site Plan, dated March 14, 2019 • Preliminary Grading and Drainage Plan, dated March 25, 2019 • Preliminary Utility Plan, dated March 25, 2019 • Preliminary Landscape and Irrigation Plan, dated March 14, 2019 • Building Elevations and Floor Plan, dated March 14, 2019 • Building Cross Sections, dated March 14, 2019 • Building Renderings, dated March 14, 2019 • Uniform Sign Criteria, dated August 19, 2019 • Project Narrative • Traffic Impact Study, dated July 30, 2019 • Historic District Parking Implementation Plan Update, dated October 18, 2018 <p>This project approval is for the 603 Sutter Street Mixed-Use Building project, which includes development of a three-story, 14,811-square-foot mixed-use building and associated site improvements on a .17-acre site located at the southwest corner of Sutter Street and Scott Street (603 Sutter Street). Implementation of the project shall be consistent with the above-referenced items as modified by these conditions of approval.</p>	B	CD (P)(E)
2.		Building plans shall be submitted to the Community Development Department for review and approval to ensure conformance with this approval and with relevant codes, policies, standards and other requirements of the City of Folsom.	B	CD (P)(E)(B)
3.		The project approvals granted under this staff report (Building Height Variance, Parking Variance, and Design Review shall remain in effect for two from final date of approval (August 19, 2022). Failure to obtain the relevant building (or other) permits within this time period, without the subsequent extension of this approval, shall result in the termination of this approval.	B	CD (P)

CONDITIONS OF APPROVAL FOR 603 SUTTER STREET MIXED-USE BUILDING PROJECT (PN 17-145)				
603 SUTTER STREET				
BUILDNG HEIGHT VARIANCE, PARKING VARIANCE, AND DESIGN REVIEW				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
4.		<p>The owner/applicant shall defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> • The City bears its own attorney’s fees and costs; and • The City defends the claim, action or proceeding in good faith <p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant.</p>	OG	CD (P)(E)(B) PW, PR, FD, PD, NS
5.	✓	<p>The owner/applicant shall be required to participate in a mitigation monitoring and reporting program pursuant to City Council Resolution No. 2634 and Public Resources Code 21081.6. The mitigation monitoring and reporting measures identified in the Mitigated Negative Declaration prepared for this project have been incorporated into these conditions of approval in order to mitigate or avoid significant effects on the environment. These mitigation monitoring and reporting measures are identified with a check mark (✓) in the mitigation measure column.</p>	G, I	CD (P)(E)
DEVELOPMENT COSTS AND FEE REQUIREMENTS				
6.		<p>The owner/applicant shall pay all applicable taxes, fees and charges at the rate and amount in effect at the time such taxes, fees and charges become due and payable.</p>	B	CD (P)(E)
7.		<p>If applicable, the owner/applicant shall pay off any existing assessments against the property, or file necessary segregation request and pay applicable fees.</p>	B	CD (E)

CONDITIONS OF APPROVAL FOR 603 SUTTER STREET MIXED-USE BUILDING PROJECT (PN 17-145)				
603 SUTTER STREET				
BUILDING HEIGHT VARIANCE, PARKING VARIANCE, AND DESIGN REVIEW				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
8.		The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the applicant shall reimburse the City for all outside legal fees and costs incurred by the City for such services. The applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.	B	CD (P)(E)
9.		If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the applicant shall reimburse the City for actual costs it incurs in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the improvement plans or beginning inspection, whichever is applicable.	B	CD (P)(E)
10.		This project shall be subject to all City-wide development impact fees, unless exempt by previous agreement. This project shall be subject to all City-wide development impact fees in effect at such time that a building permit is issued. These fees may include, but are not limited to, fees for fire protection, park facilities, park equipment, Quimby, Humbug-Willow Creek Parkway, Light Rail, TSM, capital facilities and traffic impacts. The 90-day protest period for all fees, dedications, reservations or other exactions imposed on this project has begun. The fees shall be calculated at the fee rate in effect at the time of building permit issuance.	B	CD (P)(E), PW, PK

CONDITIONS OF APPROVAL FOR 603 SUTTER STREET MIXED-USE BUILDING PROJECT (PN 17-145) 603 SUTTER STREET BUILDING HEIGHT VARIANCE, PARKING VARIANCE, AND DESIGN REVIEW				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
11.		The owner/applicant agrees to pay to the Folsom-Cordova Unified School District the maximum fee authorized by law for the construction and/or reconstruction of school facilities. The applicable fee shall be the fee established by the School District that is in effect at the time of the issuance of a building permit. Specifically, the owner/applicant agrees to pay any and all fees and charges and comply with any and all dedications or other requirements authorized under Section 17620 of the Education Code; Chapter 4.7 (commencing with Section 65970) of the Government Code; and Sections 65995, 65995.5 and 65995.7 of the Government Code.	B	CD (P)
12.		If applicable, the owner/applicant shall pay off any existing assessments against the property, or file necessary segregation request and pay applicable fees.	B	CD (E)
SITE DEVELOPMENT REQUIREMENTS				
13.	✓	Prior to the issuance of any grading and/or building permit, the owner/applicant shall have a geotechnical report prepared by an appropriately licensed engineer that includes an analysis of site suitability, proposed foundation design for all proposed structures, and roadway and pavement design.	G, B	CD (E)
14.		Public and private improvements, including roadways, curbs, gutters, sidewalks, underground infrastructure, and all other improvements shall be provided in accordance with the current edition of the City of Folsom <i>Standard Construction Specifications</i> and the <i>Design and Procedures Manual and Improvement Standards</i> . All necessary rights-of-way and/or easements shall be dedicated to the City of Folsom for these improvements.	I, B	CD (P)(E)
15.		The improvement plans for the required public and private improvements, including but not limited to frontage improvements on Sutter Street and Scott Street shall be reviewed and approved by the Community Development Department prior to issuance of the Building Permit.	B	CD (E)

CONDITIONS OF APPROVAL FOR 603 SUTTER STREET MIXED-USE BUILDING PROJECT (PN 17-145)				
603 SUTTER STREET				
BUILDING HEIGHT VARIANCE, PARKING VARIANCE, AND DESIGN REVIEW				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
16.		The applicant/owner shall submit water, sewer and drainage studies to the satisfaction of the Community Development Department and provide sanitary sewer, water and storm drainage improvements with corresponding easements, as necessary, in accordance with these studies and the current edition of the City of Folsom <i>Standard Construction Specifications</i> and the <i>Design and Procedures Manual and Improvement Standards</i> .	I	CD (E)
17.		The owner/applicant shall coordinate the planning, development and completion of this project with the various utility agencies (i.e., SMUD, PG&E, etc.).	I	CD (P)(E)
18.		The final location, design, and materials of the proposed sidewalk and walkways shall be subject to review and approval by the Community Development Department.	I	CD (E)
19.		Final lot and building configurations may be modified to allow for overland release of storm events greater than the capacity of the underground system.	B	CD (E)
20.		The owner/applicant shall be responsible for replacing any and all damaged or hazardous public sidewalk, curb and gutter along the site frontage and/or boundaries, including pre-existing conditions and construction damage, to the satisfaction of the Community Development Department.	O	CD (E)
21.		For any improvements constructed on private property that are not under ownership or control of the owner/applicant, a right-of-entry, and if necessary, a permanent easement shall be obtained and provided to the City prior to issuance of a grading permit and/or approval of improvement plans.	G, I	CD (E)
22.		Any reimbursement for public improvements constructed by the applicant shall be in accordance with a formal reimbursement agreement entered into between the City and the owner/applicant prior to approval of the improvement plans.	I	CD (E)
23.		The owner/applicant shall dedicate a 12.5-foot-wide public utility easement for underground facilities and appurtenances adjacent to all public rights-of-way.	I	CD (E)

CONDITIONS OF APPROVAL FOR 603 SUTTER STREET MIXED-USE BUILDING PROJECT (PN 17-145)				
603 SUTTER STREET				
BUILDING HEIGHT VARIANCE, PARKING VARIANCE, AND DESIGN REVIEW				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
24.		Prior to the approval of the final facilities design and the initiation of construction activities, the applicant shall submit an erosion control plan to the City for review and approval. The plan shall identify protective measures to be taken during excavation, temporary stockpiling, any reuse or disposal, and revegetation. Specific techniques may be based upon geotechnical reports, the <u>Erosion and Sediment Control Handbook</u> of the State of California Department of Conservation, and shall comply with all updated City standards.	G, I	CD (E)
25.		Final exterior building and site lighting plans shall be submitted for review and approval by Community Development Department for location, height, aesthetics, level of illumination, glare and trespass prior to the issuance of any building permits. All lighting, including but not limited to building-attached lights and landscape lights shall be designed to be screened, shielded, and directed downward onto the project site and away from adjacent properties and public rights-of-way. The final design of the building-attached lights shall be subject to review and approval by the Community Development Department. Lighting shall be equipped with a timer or photo condenser. In addition, pole-mounted parking lot lights shall utilize a low-intensity, energy efficient lighting method.	I, B	CD (P)
STORM WATER POLLUTION/CLEAN WATER ACT REQUIREMENTS				
26.		The owner/applicant shall be responsible for litter control and sweeping of all paved surfaces in accordance with City standards. All on-site storm drains shall be cleaned immediately before the commencement of the rainy season (October 15).	G, I, B	CD (E)
27.		The storm drain or onsite improvement plans shall provide for “Best Management Practices” that meet the requirements of the water quality standards of the City’s National Pollutant Discharge Elimination System Permit issued by the State Regional Water Quality Control Board.	G, I, B, O	CD (E)

CONDITIONS OF APPROVAL FOR 603 SUTTER STREET MIXED-USE BUILDING PROJECT (PN 17-145) 603 SUTTER STREET BUILDNG HEIGHT VARIANCE, PARKING VARIANCE, AND DESIGN REVIEW				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
28.		Erosion and sedimentation control measures shall be incorporated into construction plans. These measures shall conform to the City of Folsom requirements and the County of Sacramento <i>Erosion and Sedimentation Control Standards and Specifications</i> -current edition and as directed by the Community Development Department.	G, I	CD (E)

ARCHITECTURE/SITE DESIGN REQUIREMENTS				
29.		<p>The project shall comply with the following architecture and design requirements:</p> <ol style="list-style-type: none"> 1. This approval is for a three-story, 14,811-square foot mixed-building associated with the 603 Sutter Street Mixed-Use Building project. The applicant shall submit building plans that comply with this approval and the attached building elevations and color renderings dated March 14, 2019. 2. The design, materials, and colors of the proposed 603 Sutter Street Mixed-Use Building shall be consistent with the submitted building elevations, color renderings, materials samples, and color scheme to the satisfaction of the Community Development Department. 3. No dark-tinted or reflective glass shall be utilized on the Sutter Street or Scott Street building elevations. In addition, all windows shall be dual paned windows to increase energy efficiency. 4. Roof-mounted mechanical equipment, including satellite dish antennas, shall not extend above the height of the parapet walls. 5. Utility equipment such as transformers, electric and gas meters, electrical panels, and junction boxes shall be screened by walls and or landscaping. 	I, B	CD (P)
30.		<p>The final location and design of the trash/recycling enclosure shall be subject to review by the Community Development Department and the Solid Waste Division. In addition, a six-foot-tall masonry wall (to match the design of the trash/recycling enclosure) shall be attached to the eastern edge of the trash/recycling enclosure and extended outward towards Scott Street approximately 15 feet in distance to match the location of the eastern wall plane of the mixed-use building.</p>	I, B	CD (P)(E) EWR
31.		<p>The final location, height, design, materials, and colors for the proposed retaining walls fencing, and gates shall be subject to review and approval by the Community Development Department.</p>	I, B	CD (P)(E)

SIGN REQUIREMENTS

32.		<p>The 603 Sutter Street Mixed-Use Project is approved for two wall-mounted signs, one to four blade signs, and one wall-mounted directory sign as illustrated and described in the submitted Uniform Sign Program (Attachment 12). The two under canopy signs shall not be permitted.</p> <p>The applicant/owner shall obtain the necessary sign and building permits before installing any signs.</p>	B	CD (P)
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LANDSCAPE/TREE PRESERVATION REQUIREMENTS				
33.		<p>Final landscape plans and specifications shall be prepared by a registered landscape architect and approved by the City prior to the approval of the first building permit. Said plans shall include all on-site landscape specifications and details including a tree planting exhibit demonstrating sufficient diversity and appropriate species selection to the satisfaction of the Community Development Department. The tree exhibit shall include all street trees, accent trees, parking lot shading trees, and mitigation trees proposed within the development. Said plans shall comply with all State and local rules, regulations, Governor’s declarations and restrictions pertaining to water conservation and outdoor landscaping.</p> <p>Landscaping of the parking area shall meet shade requirements as outlined in the Folsom Municipal Code Chapter 17.57. The landscape plans shall comply and implement water efficient requirements as adopted by the State of California (Assembly Bill 1881) (State Model Water Efficient Landscape Ordinance) until such time the City of Folsom adopts its own Water Efficient Landscape Ordinance at which time the owner/applicant shall comply with any new ordinance. Shade and ornamental trees shall be maintained according to the most current American National Standards for Tree Care Operations (ANSI A-300) by qualified tree care professionals. Tree topping for height reduction, view protection, light clearance or any other purpose shall not be allowed. Specialty-style pruning, such as pollarding, shall be specified within the approved landscape plans and shall be implemented during a 5-year establishment and training period. The owner/applicant shall comply with city-wide landscape rules or regulations on water usage. The owner/applicant shall comply with any state or local rules and regulations relating to landscape water usage and landscaping requirements necessitated to mitigate for drought conditions on all landscaping in the Avenida Senior Living project.</p>	I	CD(P)(E)
34.		<p>The owner/applicant shall be responsible for on-site landscape maintenance throughout the life of the project to the satisfaction of the Community Development Department. Vegetation or planting shall not be less than that depicted on the final landscape plan, unless tree removal is approved by the Community Development Department because the spacing between trees will be too close on center as they mature.</p>	B, OG	CD (P)(E)

35.		The project is subject to the Tree Preservation Ordinance and any mitigation required as a result of impacts to oak trees. The owner/applicant shall retain a certified arborist for the project. The project arborist will oversee tree removal and the preservation of the trees on site during and after construction. The owner/applicant shall provide funding for this arborist.	G, I	CD (E)(P)
36.		The owner/applicant shall place high-visibility orange mesh protective fencing and signing every 50 feet around the Tree Protection Zone of any existing trees on the project site that are identified for preservation pursuant to FMC Chapter 12.16. The fencing shall remain in place throughout the construction process to assure that the protected trees are not damaged. Placement of the fencing shall be subject to the review and approval of staff prior to the issuance of any improvement, grading, or building permits. Simply protecting the area within the Tree Protection Zone may not always save the tree(s), so other tree protection measures may be required.	G, I	CD (E)(P)

NOISE REQUIREMENTS

37.	✓	<ul style="list-style-type: none"> • Construction Hours/Scheduling: The following are required to limit construction activities to the portion of the day when occupancy of the adjacent sensitive receptors are at the lowest: <ul style="list-style-type: none"> ○ Construction activities for all phases of construction, including servicing of construction equipment shall only be permitted during the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and between 8:00 a.m. to 5:00 p.m. on Saturdays. Construction shall be prohibited on Sundays and on all holidays. ○ Delivery of materials or equipment to the site and truck traffic coming to and from the site is restricted to the same construction hours specified above. • Construction Equipment Mufflers and Maintenance: All construction equipment powered by internal combustion engines shall be properly muffled and maintained. • Idling Prohibitions: All equipment and vehicles shall be turned off when not in use. Unnecessary idling of internal combustion engines is prohibited. • Equipment Location and Shielding: All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from adjacent homes. Acoustically shield such equipment when it must be located near adjacent residences. • Quiet Equipment Selection: Select quiet equipment, particularly air compressors, whenever possible. Motorized equipment shall be outfitted with proper mufflers in good working order. • Staging and Equipment Storage: The equipment storage location shall be sited as far as possible from nearby sensitive receptors. 	I, B	CD (P)(E)
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		<ul style="list-style-type: none"> At least 5 days prior to the initiation of grubbing or other ground disturbing construction operations, the project applicant, and successor in interest, or the general contractor in charge will provide a notice of the initiation of construction to all parcels located within 250 feet of the project site. Such notice shall contain an outline of construction activities, their duration, and contact information for a person designated to respond to public questions and complaints regarding construction activities. 		
38.	✓	<p>Prior to the removal of any bedrock, the owner/applicant, any successor in interest, or the project contractor shall prepare a bedrock removal plan for review and approval by the Community Development Department. No removal activity shall occur prior to City approval. The bedrock removal plan shall be prepared by a licensed geologist, engineer, or equivalent accredited professional, and will include at least the following components:</p> <ul style="list-style-type: none"> The location, volume, and type of bedrock to be removed Removal procedures to be used, both primarily and as options if necessary The expected duration of removal activities Type of equipment to be used Any types of chemical or other materials to be used, including any storage and safety requirements Requirements for personal safety and the protection of private and public property A program to notify all parcels within 250 feet of the project site. 	I, B	CD (P)(E)
39.		Activities on the rooftop deck shall be limited to between the hours of 8:00 a.m. and 8:00 p.m. seven days per week.	OG	CD (P)(E)

CULTURAL RESOURCE REQUIREMENTS				
40.	✓	<p>Prior to initiation of construction on the project site, all construction personnel that will work on the proposed project site shall be provided with Cultural Sensitivity Training taught by a professional archaeologist or historian meeting the Secretary of the Interior’s standards. The training shall include information regarding cultural resources, their recognition, avoidance, and treatment in the event of fortuitous discovery. Project plans shall also contain a notation requiring that if any archaeological, cultural, historical resources, artifacts, or other features are discovered during the course of construction anywhere on the project site, work shall be immediately suspended in that location. Attendance at Cultural Sensitivity Training is mandatory for all construction personnel that would work on the site during grading and leveling.</p>	G, I	CD (P)(E)
41.	✓	<p>If any archaeological, cultural, or historical resources or artifacts, or other features are discovered during the course of construction anywhere on the project site, work shall be suspended in that location until a qualified professional archaeologist assesses the significance of the discovery and provides recommendations to the City. The qualified professional archeologist shall be retained consistent with Condition No. 42. The City shall determine and require implementation of the appropriate mitigation as recommended by the consulting archaeologist. The City may also consult with individuals that meet the Secretary of the Interior’s Professional Qualifications Standards before implementation of any recommendation. If agreement cannot be reached between the project applicant and the City, the Historic District Commission shall determine the appropriate implementation method.</p>	G, I	CD (P)(E)
42.	✓	<p>A professional archaeologist or historian meeting the Secretary of the Interior’s standards shall be present to monitor for the presence of historic or other cultural resources during all grading and leveling operations until excavation reaches bedrock. This includes excavation for foundation and sound wall footings. Should the monitor identify potential or confirmed cultural resources, they will implement Mitigation Measures described in Condition No. 40 and No. 41 as appropriate to the discovery.</p>	G, I	CD (P)(E)

43.	✓	<p>Pursuant to §5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of discovery of human skeletal remains, however fragmentary or disturbed from their original context, the Sacramento County Coroner and the Native American Heritage Commission are to be notified of the discovery immediately. All work in the vicinity of the find is to cease, and there shall be no further excavation or disturbance of the find site or any nearby area reasonably suspected to overlie adjacent remains until the coroner has determined whether the remains are those of a Native American.</p> <p>If the remains are determined to be those of a Native American, the coroner must contact that California Native American Heritage Commission. CEQA Guidelines (Public Resources Code Section 5097) specify the procedure to be followed in the event of discovery of human remains on non-Federal land. The disposition of Native American burials is within the jurisdiction of the Native American Heritage Commission. Upon request, the NAHC will provide project leaders with a list of Most Likely Descendants, who will specify treatment and disposition of any Native American remains found within the Area of Potential Effects of a project. Human remains and associated grave goods are protected under Section 5097.94 of the California Public Resources Code and Section 7050.5 of the California Health and Safety Code.</p>	G, I	CD (P)(E)(B)
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TRIBAL CULTURAL RESOURCE REQUIREMENTS				
44.	✓	<p>The City shall ensure that a Worker Awareness Training Program is developed and delivered to train equipment operators about tribal cultural resources. The program shall be designed to inform workers about: federal and state regulations pertaining to cultural resources and tribal cultural resources; the subsurface indicators of resources that shall require a work stoppage; procedures for notifying the City of any occurrences; and enforcement of penalties and repercussions for non-compliance with the program. Worker training may be provided either in person or as a DVD with a training binder, prepared by a qualified professional archaeologist and reviewed by the City. The United Auburn Indian Community (UAIC) shall be afforded the option of attending the initial training in person or providing a video segment or clip for incorporation into the training video that appeals to the contractor’s need to be respectful of tribal cultural resources and tribal participation in implementing unanticipated discovery protocols. All ground-disturbing equipment operators shall be required to receive the training and sign a form that acknowledges receipt of the training. A copy of the form shall be provided to the City as proof of compliance.</p>	G, I	CD (P)(E)(B)

45.	✓	<p>If any potential tribal cultural resources, such as unusual amounts of bone or shell, artifacts, or human remains, are encountered during ground disturbing activities, work shall be suspended within 100 feet of the find, and the construction supervisor shall immediately notify the City representative, who shall ensure that a qualified professional archaeologist is retained to investigate the discovery. If the find includes human remains, then the City or its designee shall immediately notify the Sacramento County Coroner and the procedures in Section 7050.5 of the California Health and Safety Code and, if applicable, Section 5097.98 of the Public Resources Code, shall be followed. For resources that have the potential to be associated with Native American culture, the City shall notify any consulting tribes that requested notification of discoveries (treatment of non-tribal cultural resources is addressed under Mitigation Measures CUL-2 and CUL-3). As part of the investigation, the City shall consult to develop, document, and implement appropriate and feasible management recommendations, should potential impacts to newly discovered tribal cultural resources be found by the City to be significant. Possible management recommendations could include documentation, data recovery, or (if deemed feasible by the City) preservation in place. The contractor shall implement any measures deemed by City staff to be necessary and feasible to avoid, minimize, or mitigate significant effects to the tribal cultural resources.</p>	G, I	CD (P)(E)(B)
BIOLOGICAL RESOURCE REQUIREMENTS				
46.	✓	<p>Avoid construction or tree removal during the nesting season (usually from March through September). If construction activities will occur during the nesting season and trees on the site have not been removed, no more than 30 days prior to the initiation of construction, preconstruction surveys for the presence of special-status bird species or any nesting bird species shall be conducted by a qualified biologist within a 500 foot radius of the proposed construction area. If active nests are identified in these areas, construction should be delayed until the young have fledged, or the CDFW should be consulted to develop measures to avoid the take of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing, or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site.</p>	G, I	CD (E)(P)

47.	✓	Prior to the initiation of ground disturbance, the owner/applicant or any successor in interest shall comply with City’s Tree Preservation Ordinance by obtaining a Tree Removal Permit and implementing a City-approved Tree Protection and Mitigation Plan.	G, I	CD (E)(P)
GREENHOUSE GAS REQUIREMENTS				
48.	✓	In order to comply with General Plan Program LU-6, the owner/applicant, or any successor in interest, shall adopt and incorporate green building features included in the CALGreen Tier 1 checklist into the project design. Prior to the issuance of the first building permit, the project applicant shall seek LEED rating and certification that would meet equivalent CALGreen Tier 1 standards or better. All measures required by the Tier 1 standards to meet LEED rating and certification requirements shall be implemented during building construction and operation.	B	CD (P)
49.	✓	In order to comply with General Plan Program PFS-26, all construction contractors shall use high-performance renewable diesel during construction, such that high-performance renewable diesel would comprise 50 percent of construction equipment diesel usage.	B	CD (P)
AIR QUALITY REQUIREMENTS				
50.		In compliance with Rule 201 of the Sacramento Metropolitan Air Quality Management District (SMAQMD), the applicant/developer of the project shall verify with SMAQMD if a permit is required before equipment capable of releasing emissions to the atmosphere are used at the project site. The applicant/developer shall comply with the approved permit or provide evidence that a permit is not required.	G, I, B	CD (P)(E)(B)
51.		In compliance with Rule 442 of the Sacramento Metropolitan Air Quality Management District (SMAQMD), the applicant/developer of the project shall use architectural coatings that comply with the volatile organic compound content limits specified in the general rule.	G, I, B	CD (P)(E)(B)
52.		Dust generated on the project site shall be controlled by selective watering of exposed areas, especially during clearing and grading operations. All unpaved areas of the project site that are being graded, excavated or used as construction haul roadways shall be sprayed with water as often as is necessary to assure that fugitive dust does not impact nearby properties. Stockpiles of soil or other fine materials being left for periods in excess of one day during site construction shall be sprayed and track walked after stockpiling is complete.	I, B	CD (P)(E)(B)

53.		Paving shall be completed as soon as is practicable to reduce the time that bare surfaces and soils are exposed. In areas where construction is delayed for an extended period of time, the ground shall be revegetated to minimize the generation of dust.	G, I, B	CD (P)(E)(B)
54.		Street sweeping shall be conducted to control dust and dirt tracked from the project site onto any of the surrounding roadways. Construction equipment access shall be restricted to defined entry and exit points to control the amount of soil deposition.	G, I, B	CD (P)(E)(B)

55.		<p>Control of fugitive dust is required by District Rule 403 and enforced by SMAQMD staff. The owner/applicant shall implement the following measures as identified by the SMAQMD:</p> <ul style="list-style-type: none"> • Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads. • Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered. • Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited. • Limit vehicle speeds on unpaved roads to 15 miles per hour (mph). • All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. • Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site. • Maintain all construction equipment in proper working condition according to manufacturer’s specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated. 	G, I, B	CD (P)(E)(B)
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TRAFFIC, ACCESS, CIRCULATION, AND PARKING REQUIREMENTS				
56.		<p>The owner/applicant shall implement the following parking-related measures to the satisfaction of the Community Development Department:</p> <ul style="list-style-type: none"> • The owner/applicant shall offer a financial incentive in the amount of \$50 per month to employees for parking in the Historic District parking garage on Reading Street or other public parking lot areas located within the Historic District. • The owner/applicant shall offer incentives to employees to utilize alternative forms of transportation (light rail, bus, bicycle, walk, etc.) to commute to and from work. • The owner/applicant and business operators shall educate employees and visitors about parking options within the Historic District. • The owner applicant and business operators shall notify their employees that they are not permitted to park in the nearby residential neighborhoods. If employees of any business located within the building violate this requirement, the business is subject to immediate suspension of the right to operate on the subject property. • The owner/applicant shall provide maps of the Historic District public parking facilities to employees and visitors. In addition, the owner/applicant shall provide information on the company’s website regarding public parking locations within the Historic District. • If a Parking Benefit District or similar parking assessment mechanism is formed within the Historic District in the future, the owner/applicant shall be required to participate fully in the Parking Benefit District or parking assessment mechanism. 	B, O	CD (P)(E)

57.		<p>The owner/applicant shall implement the following parking-related measure to the satisfaction of the Community Development Department:</p> <ul style="list-style-type: none"> The owner/applicant shall record a deed restriction with a nearby property owner in a form to be approved by the City Attorney, for the purpose of providing at least 16 off-site parking spaces for exclusive use by employees and customers of the proposed project. The dedicated parking area shall be located within one block (approximately 500 feet) of the subject property to the satisfaction of the Community Development Department. 	B, O	CD (P)(E)
58.		The owner/applicant shall obtain an encroachment permit from the City for any work conducted in the public right-of-way.	I	CD (P)(E)
59.		The owner/applicant shall enter into an encroachment agreement with the City that will require the owner/applicant to maintain the private improvements located within the public right-of-way in perpetuity.	I	CD (P)(E)
60.	✓	The owner/applicant, any successor in interest, and/or its contractor shall prepare a Traffic Control Plan that meets the requirements of the City. The TCP shall include all required topics, including: traffic handling during each stage of construction, maintaining emergency service provider access by, if necessary, providing alternate routes, repositioning emergency equipment, or coordinating with nearby service providers for coverage during construction closures, covering trenches during the evenings and weekends, pedestrian safety/access, and bicycle safety/access. A component of the TCP will involve public dissemination of construction-related information through notices to adjacent neighbors, press releases, and/or the use of changeable message signs. The project contractor will be required to notify all affected residences and businesses, post the construction impact schedule, and place articles and/or advertisements in appropriate local newspapers regarding construction impacts and schedules.	I	CD (P)(E)

FIRE DEPARTMENT REQUIREMENTS				
61.		Prior to the issuance of any improvement plans or building permits, the Community Development and Fire Departments shall review and approve all detailed design plans for accessibility of emergency fire equipment, fire hydrant flow location, and other construction features.	I, B	FD
62.		The building shall have illuminated addresses visible from the street or drive fronting the property. Size and location of address identification shall be reviewed and approved by the Fire Marshal.	B	FD
63.		All fire protection devices shall be designed to be located on site: fire hydrants, fire department connections, post indicator valves, etc. off-site devices cannot be used to serve the building. A water model analysis that proves the minimum fire flow will be required before any permits are issued. The fire sprinkler riser location shall be inside a Fire Control Room (5' X 7' minimum) with a full-sized 3'-0" door. This room can be a shared with other building utilities. The room shall only be accessible from the exterior.	I, B	FD
POLICE/SECURITY REQUIREMENT				
64.		<p>The owner/applicant shall consult with the Police Department in order to incorporate all reasonable crime prevention measures. The following security/safety measures shall be required:</p> <ul style="list-style-type: none"> • A security guard shall be on-duty at all times at the site or another approved security measure shall be in place including but not limited to a six-foot security fence shall be constructed around the perimeter of construction areas. (This requirement shall be included on the approved construction drawings). • Security measures for the safety of all construction equipment and unit appliances shall be employed. • Landscaping shall not cover exterior doors or windows, block line-of-sight at intersections or screen overhead lighting. 	B	PD
OTHER AGENCY REQUIREMENTS				
65.		The owner/applicant shall obtain all required State and Federal permits and provide evidence that said permits have been obtained, or that the permit is not required, subject to staff review and approval of any grading or improvement plan.	I, G	CD (P)(E)

66.		The owner/applicant shall obtain permission (permit, letter, agreement, etc.) from all applicable public utility companies (SMUD, PG&E, WAPA, etc.) in a form acceptable to the Community Development Department for construction-related activities proposed within the existing public utility easements.	I	CD (P)
67.		The proposed project shall comply with all State and local rules, regulations, Governor’s Declarations, and restrictions including but not limited to: Executive Order B-29-15 issued by the Governor of California on April 1, 2015 relative to water usage and conservation, requirements relative to water usage and conservation established by the State Water Resources Control Board, and water usage and conservation requirements established within the <u>Folsom Municipal Code, (Section 13.26 Water Conservation)</u> , or amended from time to time.	I, B, OG	CD (P)(E)

CONDITIONS

See attached tables of conditions for which the following legend applies.

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD (P) (E) (B) (F)	Community Development Department Planning Division Engineering Division Building Division Fire Division	I M B O G	Prior to approval of Improvement Plans Prior to approval of Final Map Prior to issuance of first Building Permit Prior to approval of Occupancy Permit Prior to issuance of Grading Permit
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		

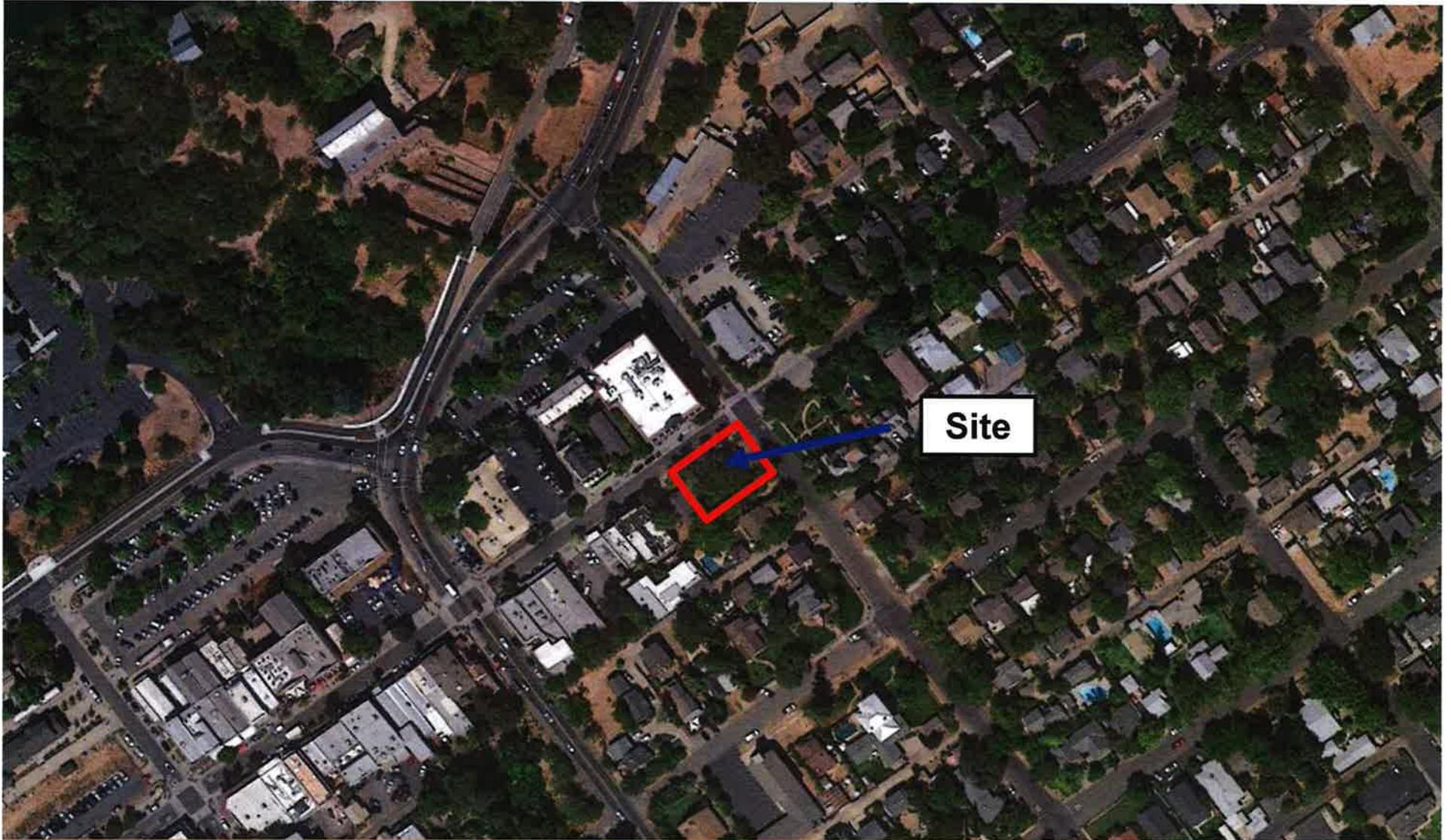
Attachment 4

Vicinity Map

Vicinity Map

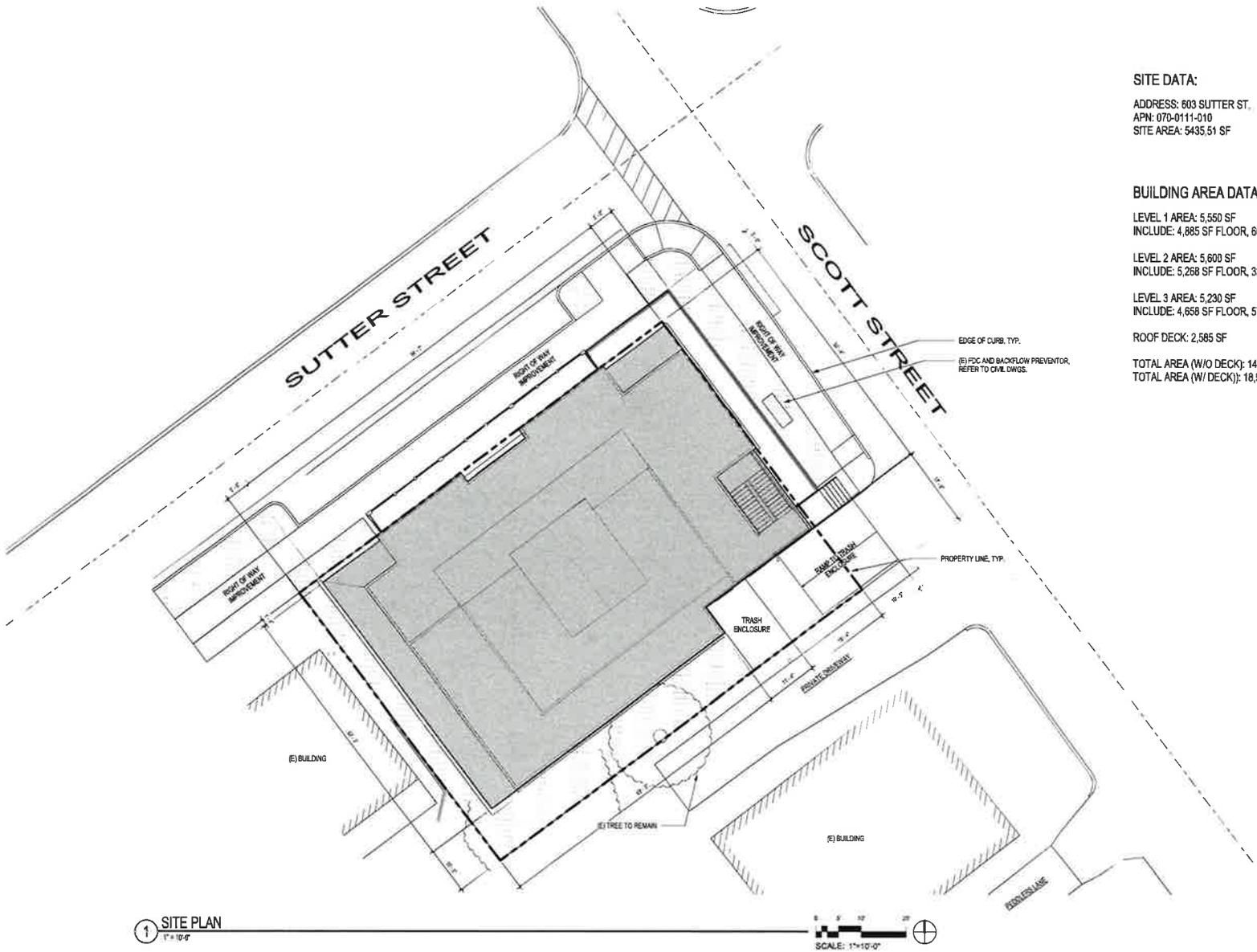


CITY OF
FOLSOM



Attachment 5

Preliminary Site Plan, dated March 14, 2019



SITE DATA:

ADDRESS: 603 SUTTER ST.
APN: 070-0111-010
SITE AREA: 5435.51 SF

BUILDING AREA DATA:

LEVEL 1 AREA: 5,550 SF
INCLUDE: 4,885 SF FLOOR, 665 SF DECK

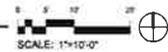
LEVEL 2 AREA: 5,600 SF
INCLUDE: 5,268 SF FLOOR, 332 SF DECK

LEVEL 3 AREA: 5,230 SF
INCLUDE: 4,658 SF FLOOR, 572 SF DECK

ROOF DECK: 2,585 SF

TOTAL AREA (W/O DECK): 14,811 SF
TOTAL AREA (W/ DECK): 18,915 SF

1 SITE PLAN
1" = 10'-0"



Attachment 6

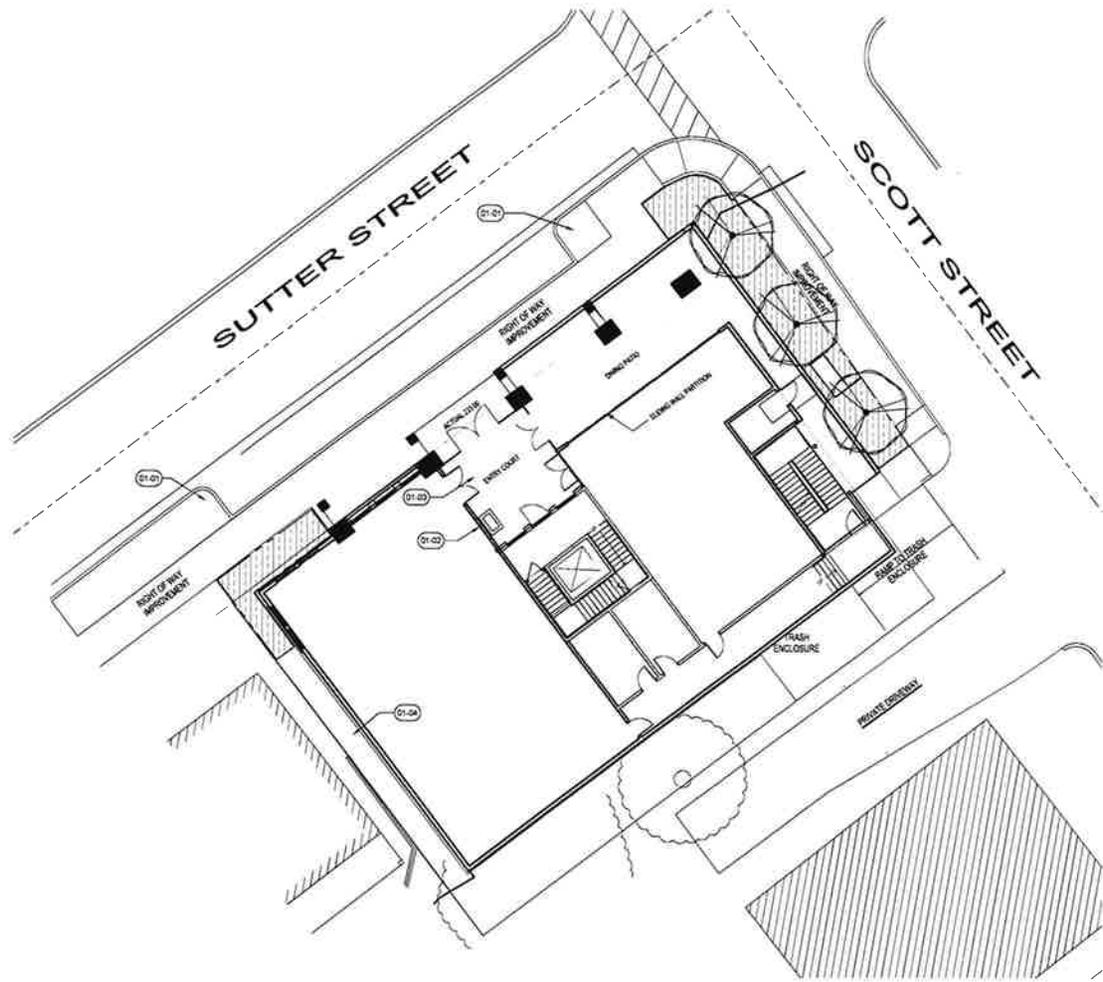
Preliminary Grading and Drainage Plan Dated March 25, 2019

Attachment 7

Preliminary Utility Plan, dated March 25, 2019

Attachment 8

Preliminary Landscape and Irrigation Plan Dated March 14, 2019



SITE PLAN

CONCEPT PLANT SCHEDULE

	POTENTIAL TREES	
	Acer palmatum / Japanese Maple	15 gal
	POTENTIAL SHRUBS	
	Aspidistra elatior / Cast Iron Plant	1 gal
	Callistemon citrinus / Little John / Dwarf Bottle Brush	5 gal
	Calceolaria occidentalis / Spice Bush	1 gal
	Sisya salicifolia 'Prostrata' / Sageleaf Rockrose	1 gal
	Sisya x purpurea / Orchid Rockrose	5 gal
	Coprosma summer / Coral Beauty / Bearberry Cotoneaster	1 gal
	Dietes iridoides / Firenight Lily	5 gal
	Erigeron karwinskianus 'Moerhousii' / Pink Santa Barbara Daisy	1 gal
	Galvezia speciosa / Island Bush Snapdragon	1 gal
	Heliotropium sempervivens / Blue Cat Grass	1 gal
	Hemerocallis 'Yellow' / Daylily	1 gal
	Kriphofia uvaria / Red hot Poker	1 gal
	Lavandula angustifolia / English Lavender	1 gal
	Mussaenda aurantiaca / Sticky Monkey Flower	1 gal
	Myrica communis / Myrtle	5 gal
	Nandina domestica 'Harbour Dwarf' / Dwarf Heavenly Bamboo	5 gal
	Pennisetum orientale / Oriental Fountain Grass	1 gal
	Phormium tenax 'Bronze Bells' / Bronze Bells New Zealand Flax	1 gal
	Rhopilepis umbellata 'Minor' / Dwarf Yeddo Hawthorn Standard	5 gal
	Rosmarinus officinalis 'Collingwood Ingram' / Rosemary	1 gal
	Salvia greggii 'Fumans Red' / Fumans Red Salvia	1 gal
	Symphoricarpos mollis / Creeping Snowberry	1 gal
	Vinca minor / Common Periwinkle	1 gal

SHEET NOTES

SYMBOL	DESCRIPTION
	Existing shrubs to remain.
	Water feature.
	Enhanced paving.
	Bark mulch, typ.

Attachment 9

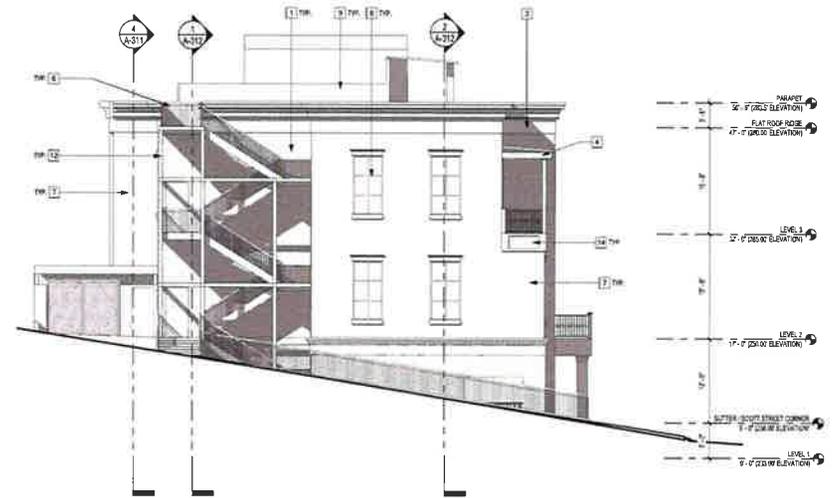
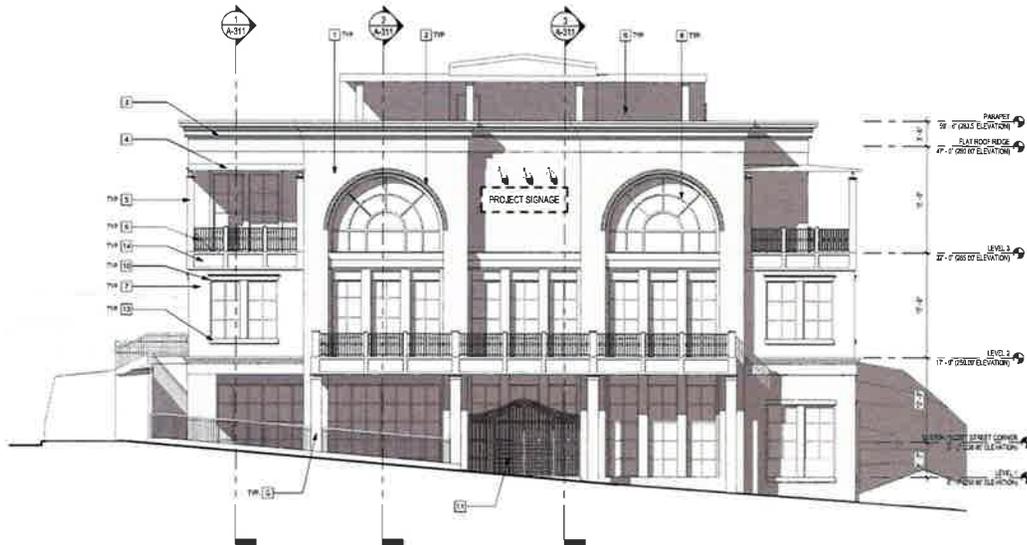
Building Elevations and Floor Plan Dated March 14, 2019

GENERAL NOTES

- A. EXTERIOR SIGNAGE TO BE SUBMITTED UNDER SEPARATE PERMIT.
- B. ALL SIGNAGE CHARACTERISTICS WILL ADHERE TO THE REQUIREMENTS OF FOLSOM MUNICIPAL CODE CHAPTERS 17.52 AND 17.53 AND THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES.

SHEET NOTES A-211

- 1 BRICK
- 2 BRICK SOLDIER COURSE
- 3 DECORATIVE CORNICE
- 4 PAINTED STEEL CANOPY
- 5 WOOD CLAD COLUMN
- 6 ORNAMENTAL IRON RAILING
- 7 SMOOTH PLASTER FINISH
- 8 ALUMINUM MULLION - DARK ANODIZED
- 9 MECHANICAL SCREEN (BEYOND)
- 10 PAINTED WOOD TRIM
- 11 ORNAMENTAL IRON GATE
- 12 PAINTED STEEL STAIR STRUCTURE
- 13 CAST STONE GILL
- 14 DECORATIVE WOOD PANELING



1 NORTH ELEVATION
1/8" = 1'-0"

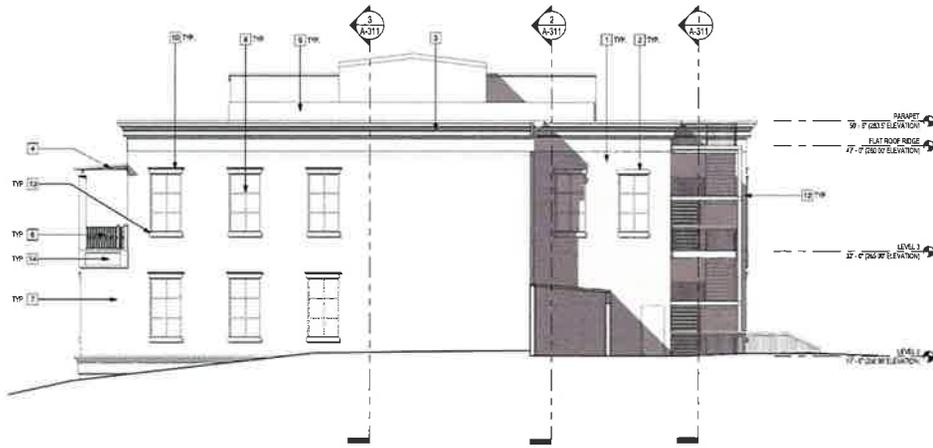
2 EAST ELEVATION
1/8" = 1'-0"

GENERAL NOTES

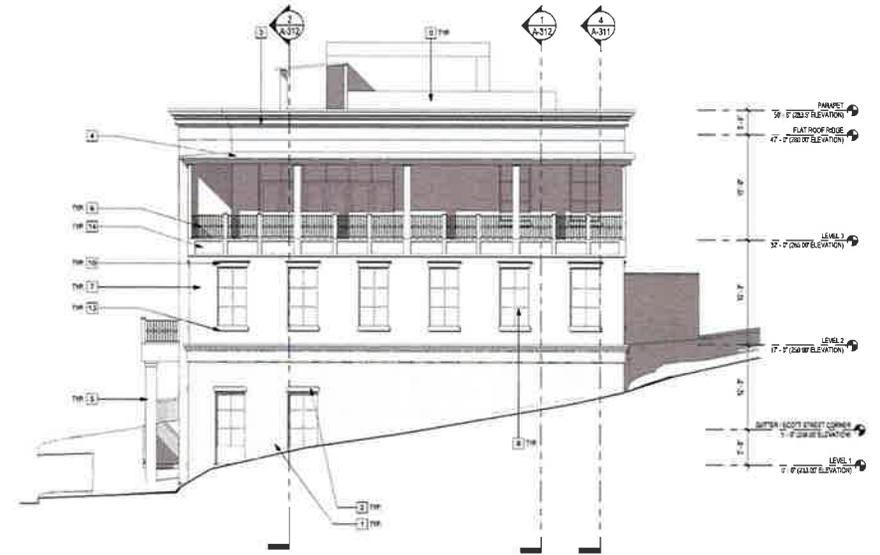
- A. EXTERIOR SIGNAGE TO BE SUBMITTED UNDER SEPARATE PERMIT.
- B. ALL SIGNAGE CHARACTERISTICS WILL ADHERE TO THE REQUIREMENTS OF FOLSOM MUNICIPAL CODE CHAPTERS 17.52 AND 17.58 AND THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES.

SHEET NOTES A-212

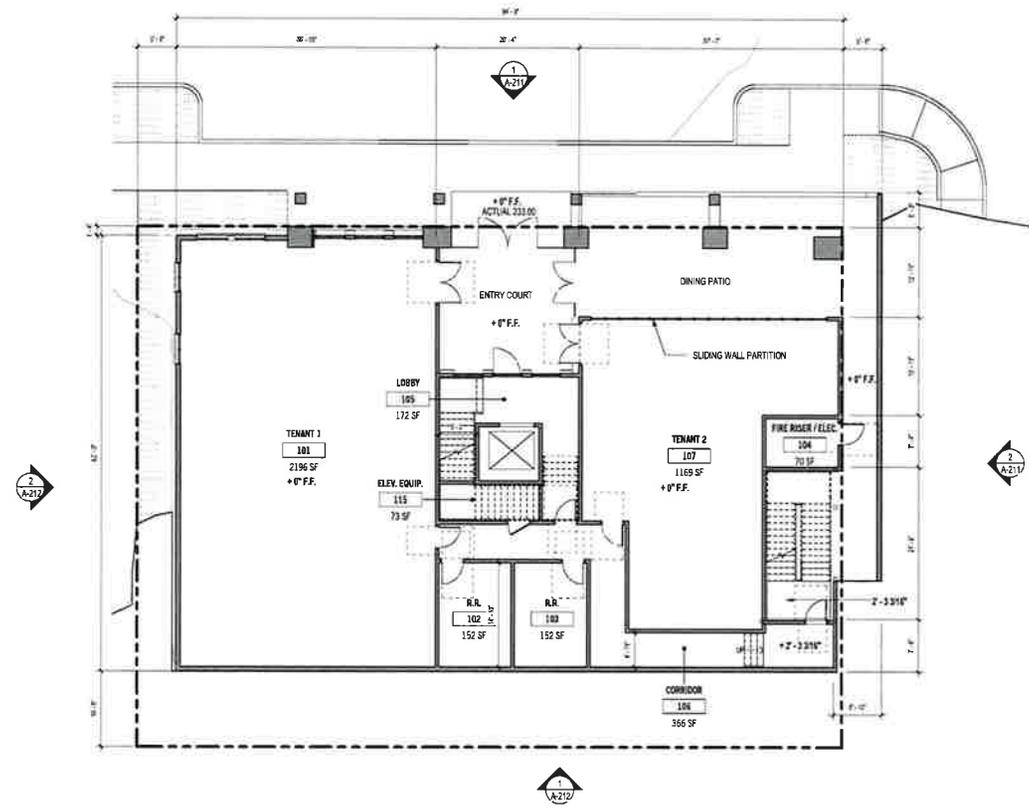
- 1 BRICK
- 2 BRICK SOLDIER COURSE
- 3 DECORATIVE CORNICE
- 4 PAINTED STEEL CANOPY
- 5 WOOD CLAD COLUMN
- 6 ORNAMENTAL IRON RAILING
- 7 SMOOTH PLASTER FINISH
- 8 ALUMINUM MULLION - DARK ANODIZED
- 9 MECHANICAL SCREEN (BEYOND)
- 10 PAINTED WOOD TRIM
- 11 NOT USED
- 12 PAINTED STEEL STAIR STRUCTURE
- 13 CAST STONE SILL
- 14 DECORATIVE WOOD PANELING



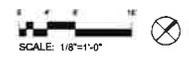
1 SOUTH ELEVATION
1/8" = 1'-0"

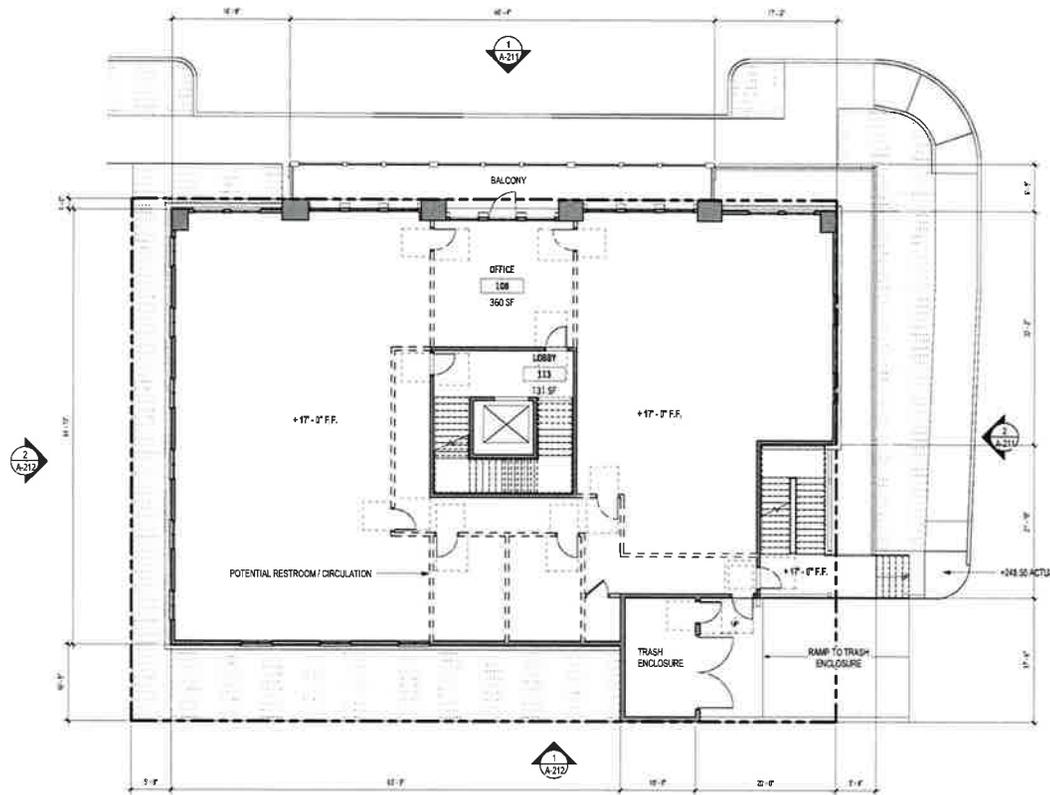


2 WEST ELEVATION
1/8" = 1'-0"

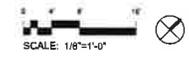


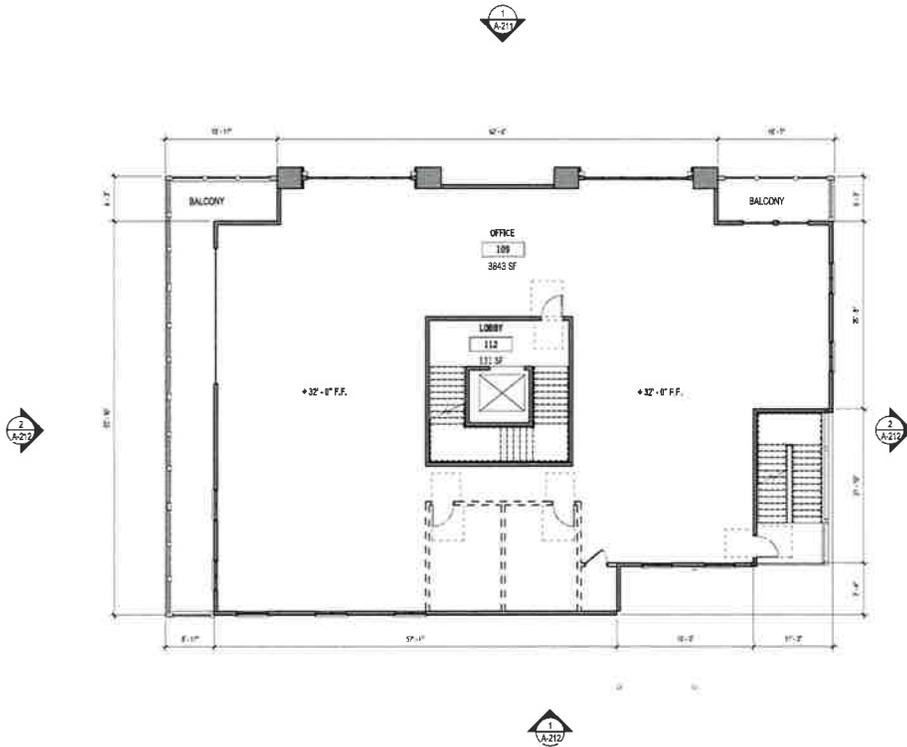
2 LEVEL 1 FLOOR PLAN
1/8" = 1'-0"



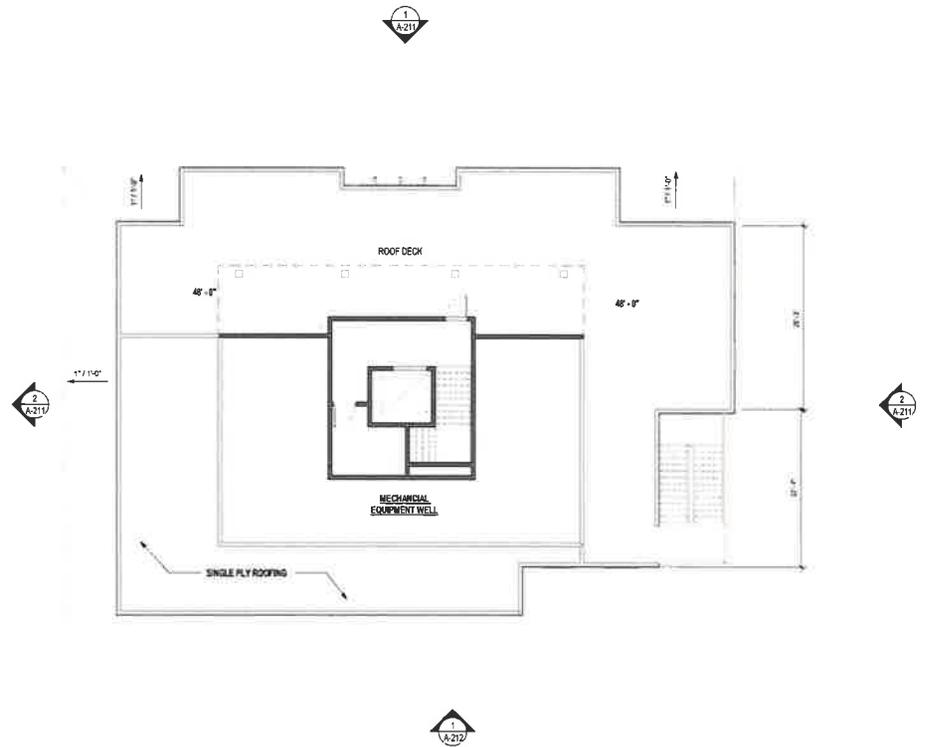


1 LEVEL 2 FLOOR PLAN
1/8" = 1'-0"





1 LEVEL 3 FLOOR PLAN
1/8" = 1'-0"

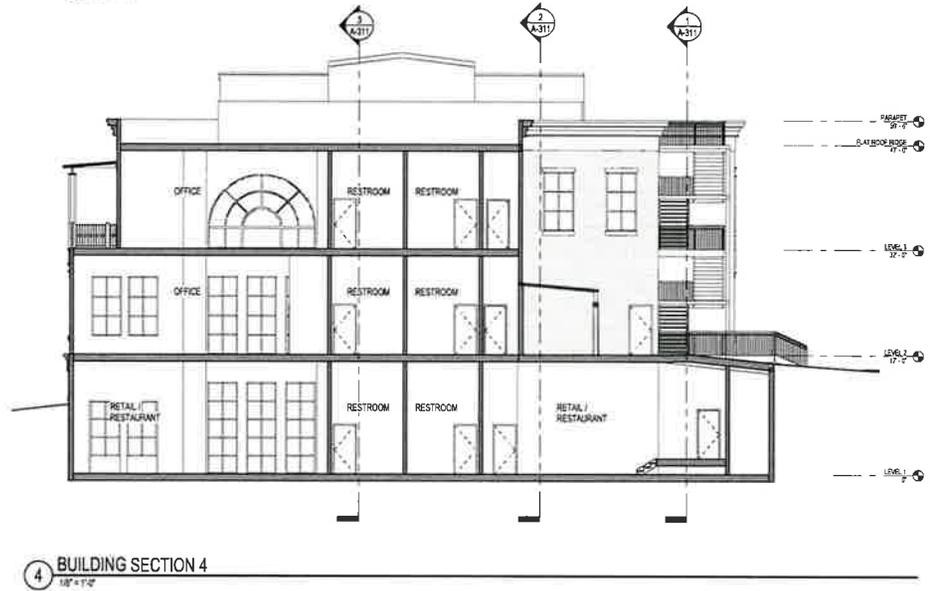
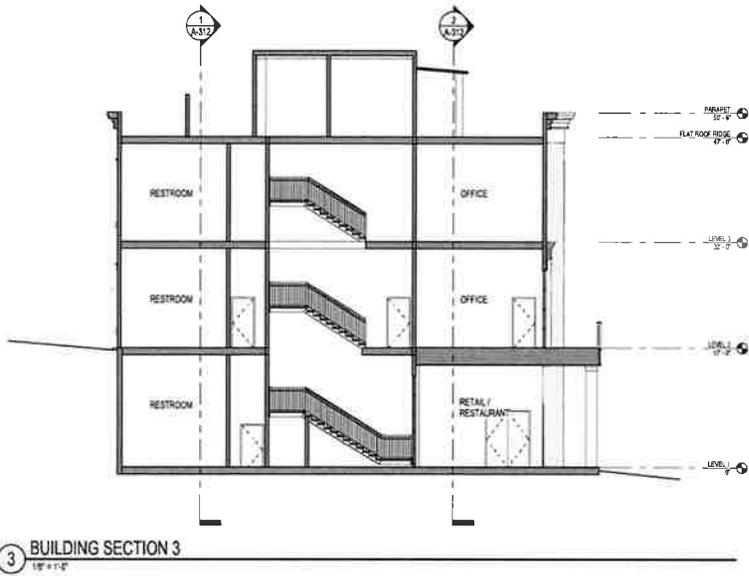
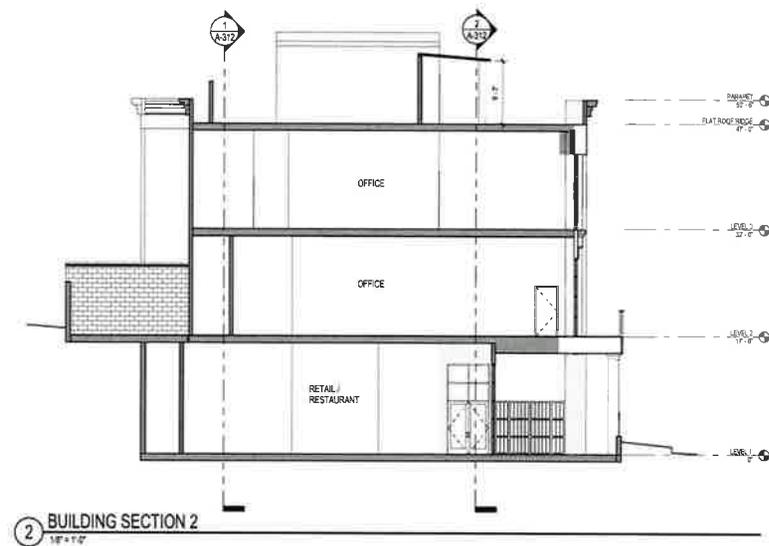
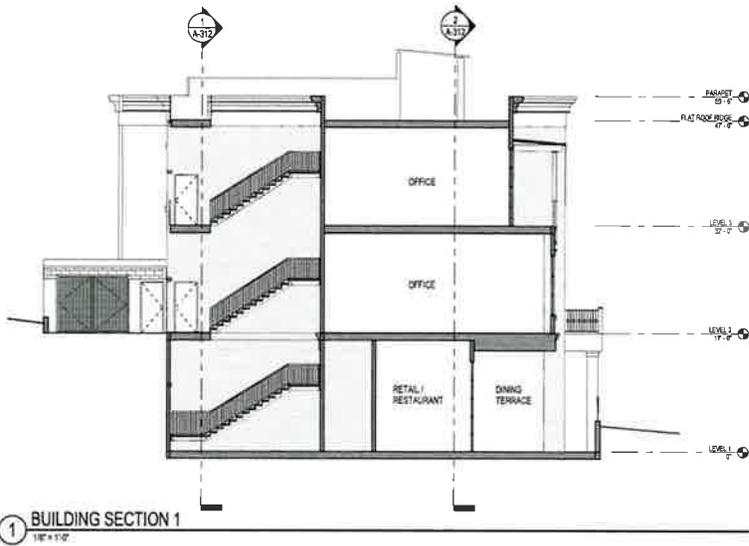


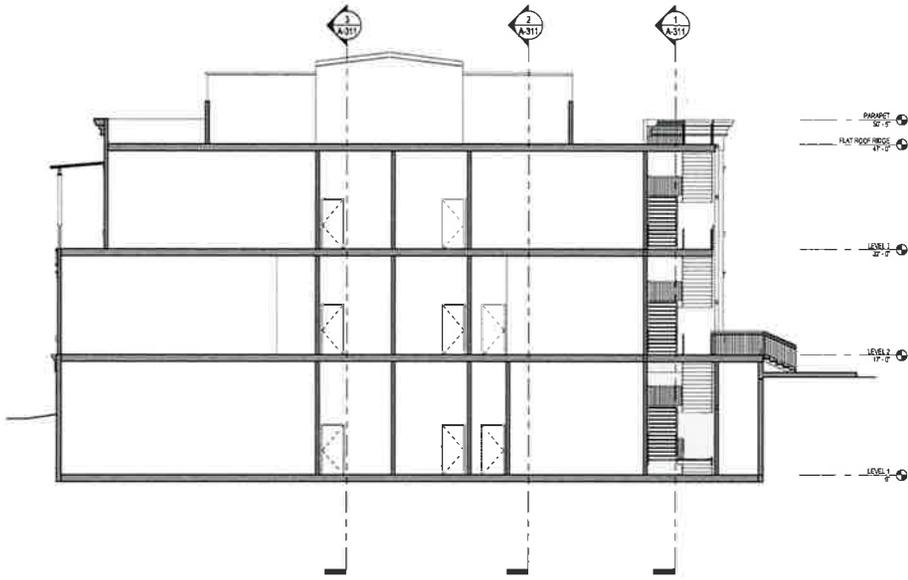
2 ROOF PLAN
1/8" = 1'-0"



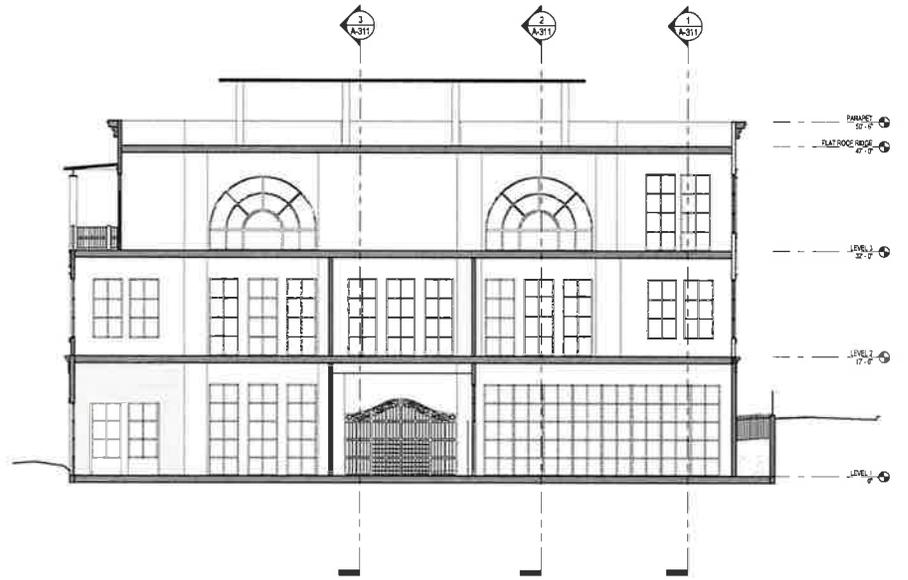
Attachment 10

Building Cross Sections, dated March 14, 2019





1 BUILDING SECTION 5
1/8" = 1'-0"



2 BUILDING SECTION 6
1/8" = 1'-0"

Attachment 11

Building Renderings, dated March 14, 2019



① STREET VIEW RENDERING - VIEW FROM SUTTER ST. LOOKING SOUTH



② STREET VIEW RENDERING - VIEW FROM SUTTER ST. LOOKING SOUTH

williams + paddon

ARCHITECTS + PLANNERS

603 Sutter Street

ZGlobal
603 SUTTER ST., FOLSOM, CA

03.14.19



① STREET VIEW RENDERING - VIEW FROM SUTTER ST. LOOKING SOUTHWEST
1/8" = 1'-0"



A-912
STREET VIEW RENDERINGS

1 STREET VIEW RENDERING - VIEW FROM SCOTT ST. LOOKING NORTH
18'x14'

williams + paddon
ARCHITECTS + PLANNERS

603 Sutter Street
ZGlobal
603 SUTTER ST., FOLSOM, CA

03.14.19



1 STREET VIEW RENDERING - VIEW FROM INTERSECTION OF SCOTT ST. & RILEY ST.

Attachment 12

Uniform Sign Criteria, dated August 19, 2019

Uniform Sign Program (USP)

Project: 603 Sutter Street, Folsom, CA

1.0 INTENT AND PURPOSE

This Uniform Sign Program is established for the purpose of assuring high quality tenant signage. All signage shall be designed and constructed to compliment the project architecture.

This document describes the acceptable types of signs, materials, localizations, sizes and illumination methods and outlines the process for signage review and approval. Renderings, drawings, and shop drawings contained in these guidelines are included for illustrative purpose only and are intended to aid the Tenant in complying with the Design Criteria.

1.1 Interpretation and Compliance: As administrators of the tenant sign criteria, the Owner/Landlord is the final arbitrator of criteria compliance. Special circumstances may require interpretation of these criteria, and the Owner/Landlord will remain flexible in the review process. However, these guidelines are to be approved by the City of Folsom and all signage must receive appropriate City issued signage permits before being fabricated or installed.

If ownership should change for all or part of the project and/or the retail tenant spaces, the guidelines herein established shall remain applicable and in force under new ownership. Should the new owner wish to amend these guidelines, it shall submit such proposal to the Planning Department of the City of Folsom for approval.

2.0 DEFINITION OF TERMS

2.1 Area or Sign Area: Sign area shall include the entire area with a single continuous perimeter composed of squares or rectangles that enclose the extreme limits of all signs elements, including, but not limited to, sign structures or borders, written copy, logos, symbols, illustrations, and color. Supporting structures such as sign brackets are not included in sign area provided that they contain no lettering or graphics.

2.2 Logo/Logotype: A text or graphic element that identifies or is associated with a business and/or its name. If text, it may take the form of a specific standard or custom font used in a specific manner, proportion, spacing, or color. If graphic, it may consist of an icon or pictograph using text or a drawn element to define an image unique to the company it represents.

2.3 Tenant Identification: Shall consist of a Tenant's name and/or logo. No telephone numbers or URLs are allowed.

2.4 Temporary Identification: A sign placed for a limited duration of time.

3.0 SUBMITTAL, REVIEW, AND APPROVAL PROCESS

Prior to construction of any sign or application for City sign permits, the tenant or tenant's representative must obtain the Owner/Landlord's written approval of the proposed sign design. The review and approval process shall be as follows:

3.1 Tenant to submit drawings showing sizes and location to Owner/Landlord.

3.2 Owner/Landlord shall review designs and either approve, approve with corrections, or deny application within 21 calendar days of receipt of application.

3.3 If application is denied, tenant shall review reasons for denial and then revise their application to address the Owner/Landlord's concerns and resubmit the application.

3.4 Once approval is granted by the Owner/Landlord, tenant may then proceed with their sign permit application to the City.

3.5 Signage installed without Owner/Landlord and City approval will result in the removal of signage at Tenant's sole expense.

4.0 GENERAL CRITERIA FOR ALL SIGNAGE

4.1 Code Compliance: All signage shall comply with local building codes and ordinances.

4.2 Maintenance: Maintenance of installed signs is the tenant's sole responsibility. It is expected that damaged or deteriorated signs or non-functioning signage lighting will be repaired promptly and restored to a like-new condition. Within ten days after receiving written notice from the Owner or the City, Tenant will complete all repairs requested. If repairs and remedies are not made within this time period, the Owner may undertake repairs at the Tenant's expense.

4.3 Allowable Messages: Sign messages shall be limited to the project/tenant name and/or logo or product. Use of Logomarks and corporate identity elements (such as symbols, special shapes, etc.) is allowed, but will be considered signage and are subject to all regulations contained in these guidelines.

4.4 Allowable Sign Types: The sign types outlined in these guidelines are the only signs permitted on the building or property.

4.5 Preferred Materials: Sign design and construction should include the use of high quality materials such as architectural grade metals.

4.6 Lighting: Only indirect lighting is allowed. No internally illuminated letters or sign light boxes.

4.7 Sign Locations: Signs shall be permitted only within the sign areas shown.

4.8 License Required: Sign installers are to be State of California licensed contractors and are required to provide contractor's license number(s), classifications, and expiration date; proof of liability insurance and evidence of Worker's Compensation Insurance to the Owner prior to conducting any work. Tenants are advised to consult with the City of Sacramento for additional permit requirements.

4.9 Removal at Move-Out: When vacating a retail space, the tenant, at their expense, shall remove all signage, patch and repair all damage and leave the building surfaces in as-new condition.

CLIENT

ZGlobal
Attn: Ziad Alaywan, P.E.
604 Sutter Street
Folsom, CA 95630

PROJECT

603 Sutter Street

GRAPHIC CONSULTANT



Alpha Architectural
Signs & Lighting
8565 23rd Ave.
Sacramento, CA 95826

DRAWING SUBMITTALS

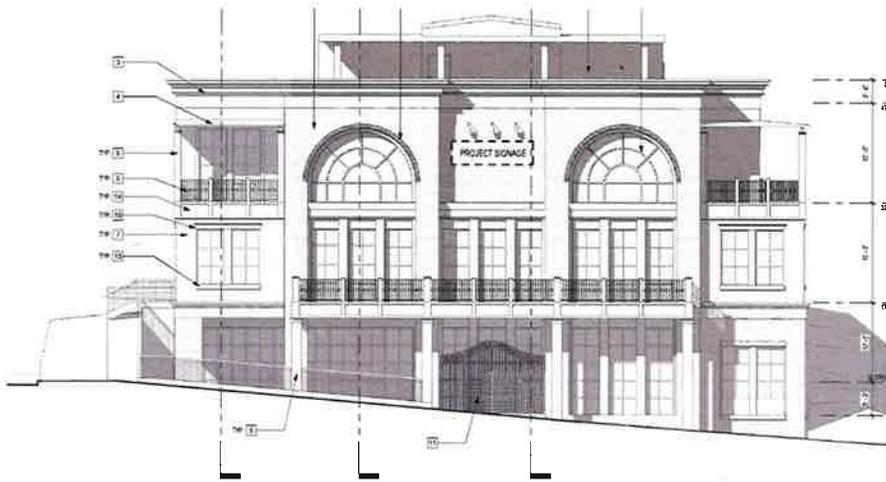
08/19/19

DRAWING TITLE

Contents

PAGE NUMBER

1 of 6

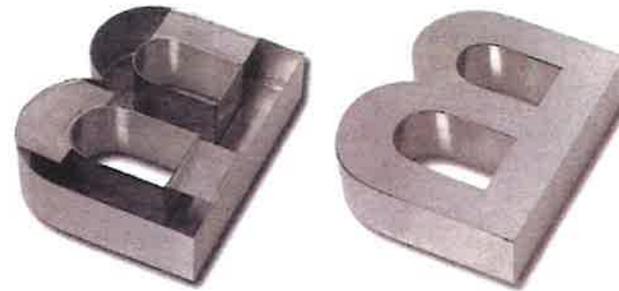


1 NORTH ELEVATION
1/8" = 1'-0"

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz 1234567890/&-,.

ABC

FONT



FABRICATED LETTER TYPICAL

Copy to read: **603 SUTTER** 16"
STREET 16"



2 STREET VIEW RENDERING - VIEW FROM SUTTER ST. LOOKING SOUTH
1/8" = 1'-0"

CLIENT

ZGlobal
Attn: Ziad Alaywan, P.E.
604 Sutter Street
Folsom, CA 95630

PROJECT

603 Sutter Street

GRAPHIC CONSULTANT



Alpha Architectural
Signs & Lighting
8565 23rd Ave.
Sacramento, CA 95826

DRAWING SUBMITTALS

08/19/19

DRAWING TITLE

**Main Building
Identification**

PAGE NUMBER

2 of 6



1 Possible Tenant Under Canopy Location

- Qty: Up to 2
- Locations: 1 and 2 above
- Method: Fabricated Aluminum Cabinet
- Non-Illuminated
- Flat cut out 1/2" thick acrylic

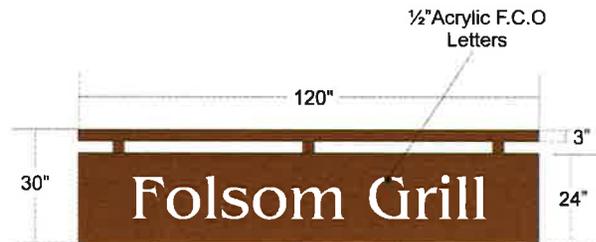
Total (2) maximum

Color: TBD

3" Thick cabinet attached from top

1/2" Thick acrylic cut out, non-illuminated

2 Possible Tenant Under Canopy Location



CLIENT

ZGlobal
 Attn: Ziad Alaywan, P.E.
 604 Sutter Street
 Folsom, CA 95630

PROJECT

603 Sutter Street

GRAPHIC CONSULTANT



Alpha Architectural
Signs & Lighting
 8565 23rd Ave.
 Sacramento, CA 95826

DRAWING SUBMITTALS

08/19/19

DRAWING TITLE

Major Tenant Identification

PAGE NUMBER

3 of 6



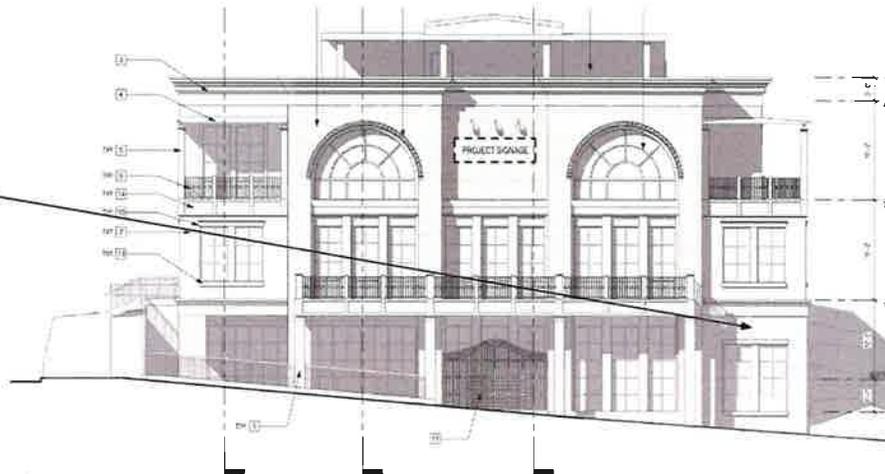
2 STREET VIEW RENDERING - VIEW FROM SUTTER ST. LOOKING SOUTH
1/8" = 1'-0"

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz 1234567890/&-,.
FONT

ABC



FABRICATED LETTER TYPICAL



CLIENT

ZGlobal
Attn: Ziad Alaywan, P.E.
604 Sutter Street
Folsom, CA 95630

PROJECT

603 Sutter Street

GRAPHIC CONSULTANT



Alpha Architectural
Signs & Lighting
8565 23rd Ave.
Sacramento, CA 95826

DRAWING SUBMITTALS

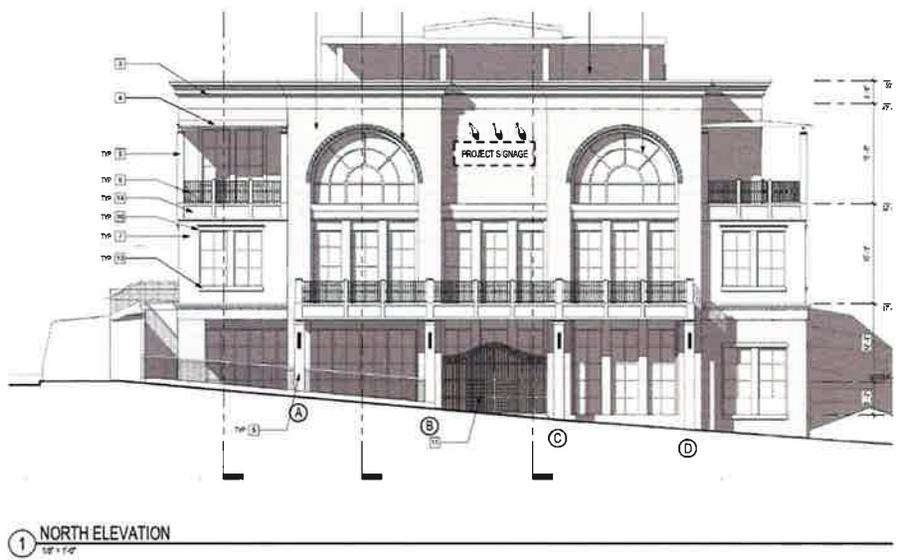
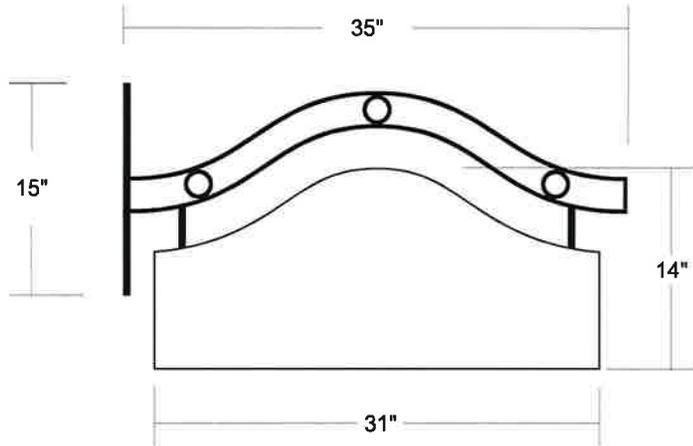
08/19/19

DRAWING TITLE

Major Tenant
Identification

PAGE NUMBER

4 of 6

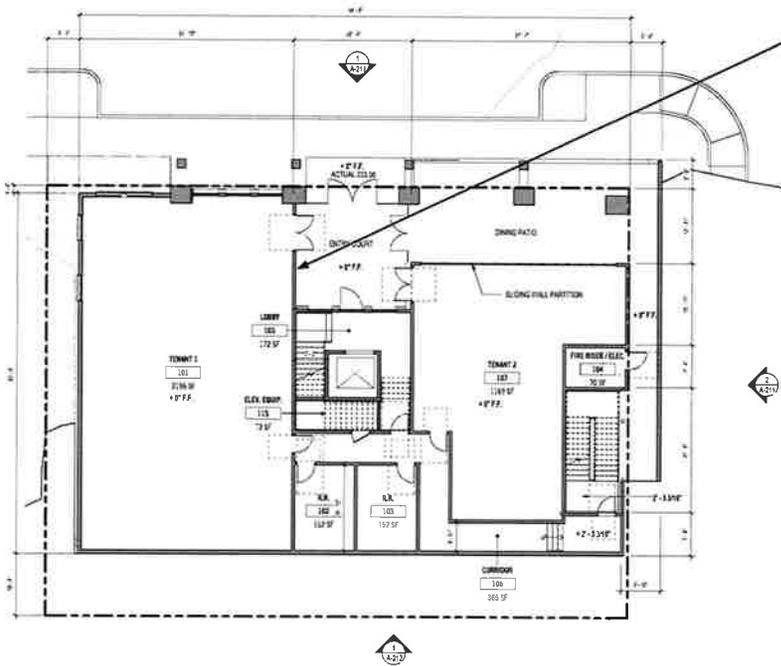


Framing: Rod Iron
Color: Black
Size: Overall
 15" Hardware plate
 top mounting
 35" at longest point

**Sign
 panel:** Wood or metal
Size: No larger than
 3 square feet

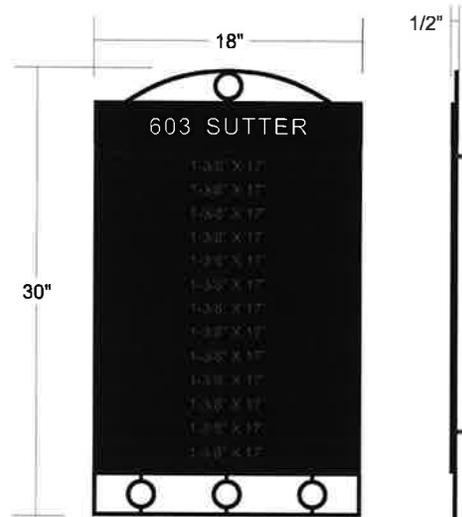
Possible 1 or
 Total of 4 possible
 A B C D

CLIENT
ZGlobal Attn: Ziad Alaywan, P.E. 604 Sutter Street Folsom, CA 95630
PROJECT
603 Sutter Street
GRAPHIC CONSULTANT
 Alpha Architectural Signs & Lighting 8565 23rd Ave. Sacramento, CA 95826
DRAWING SUBMITTALS
08/19/19
DRAWING TITLE
Secondary Identification
PAGE NUMBER
5 of 6



Directory Location: Wall mounted (on outside wall)

Quantity: 1
 Size: 30"H x 18"W
 Strips: 1 3/2"H
 Materials: Acrylic and aluminum backer.
 Strips magnetic with cover to hold magnet.



13 Strips Magnet system Directory

2 LEVEL 1 FLOOR PLAN
 1/4" = 1'-0"



CLIENT
ZGlobal Attn: Ziad Alaywan, P.E. 604 Sutter Street Folsom, CA 95630
PROJECT
603 Sutter Street
GRAPHIC CONSULTANT
 Alpha Architectural Signs & Lighting 8565 23rd Ave. Sacramento, CA 95826
DRAWING SUBMITTALS
08/19/19
DRAWING TITLE
Minor Tenant Directory
PAGE NUMBER
6 of 6

Attachment 13

Project Narrative

Project Narrative

603 Sutter Street

SITE:

The proposed 603 Sutter Street project (“Project”) is located on the corner of Sutter and Scott Streets with the site being positioned within the commercial portion of the historic district. The Project is located on a 0.19 acre described as APN# 070-0111-010 and consists of one Historic District Lot approximately 74 x100 (7,400 sq./ft.) within the commercial district of Folsom and is zoned as HD/C-2 within Sutter Street Subarea of the Historic Commercial Primary Area, with an underlying zoning of C-2, Central Business District. The proposed building is located on the south side of Sutter Street, West of Scott Street. The subject lot is a corner lot on the upper end of Sutter Street. To the North is Sutter Street with the Folsom Electric and Lighting Company Building directly across the Street. To the East is a commercial zoned lot with two residential structures (Cohn Mansion). The south side of the property backs up to a residence on Scott Street that is commercially zoned and sits directly across from the Cohn Mansion. To the West is the original historic library that is now Studio 605 Salon. The site drops approximately 24ft. from the back side to Sutter Street and approximately 9ft. along Sutter Street from the lower to upper end traveling from West to East.

ADJACENT LAND USES AND ZONING

North: Sutter Street and Sutter Street Steakhouse Building HD-C2.

South: Residential use with HD/C-2 Zoning.

East: Scott Street Residential use (Cohn Mansion) with HD/C-2 Zoning.

West: 605 Sutter Street (Salon) HD/C-2 Zoning.

APPLICANT/OWNER

The applicants and the owners are Ziad and Deborah Alaywan. Ziad and Deborah own three properties on Sutter Street, 510, 512 and the proposed 603 Sutter street. In 1996, the State of California Passed a new law, Assembly Bill 1860, to form a nonprofit organization to take over the operation of the California electric grid from Pacific Gas and Electric, Southern California Edison and San Diego Gas electric. Ziad was selected by the Governor’s office to lead a team to find a suitable location and oversee the development of the facilities needed to operate and monitor the California electric grid and place it into operation on March 31,

1998. Subsequently, Ziad was instrumental in selecting Folsom as the headquarters of the California Independent System Operator¹, the agency that now operates the California Grid.

Ziad, as the first employee of this newly formed organization in 1997, built the organization to 600 employees with the initial headquarters located at 193 Blue Ravine Road in Folsom. Subsequently, a new building was constructed at 250 Outcropping Way in Folsom.

The owners have strong ties and a deep respect for Folsom, and particularly the Historic District and Sutter Street. Not only is their business located at 604 Sutter Street, two of their three children now live and work in the Folsom Historic District. Ziad and Deborah are the owners of ZGlobal Inc., an engineering firm located at 604 Sutter Street which employees over 30 professionals. It is their hope to move the office and occupy 40% of the proposed building at 603 Sutter Street.

ZGlobal currently manages the electricity needs for Marin and Napa Counties in addition to 28 city agencies throughout California,² and various generating facilities across California, Arizona, Utah, Nevada and New Mexico.

Initial Proposal

After several initial feasibilities dated back to 2012, the Project was formally re-initiated in May of 2017. The Project originally consisted of an underground parking garage tucked into the hillside with the first level of retail, second level of office space and the third level residential lofts. The Project was to be mixed use with 70% commercial and 30% residential. On May 1ST, 2017, the owners submitted the Project along with site maps, elevations and renderings to (1) to the City of Folsom (2) to the Historical District Committee (HDC), and (3) to the Heritage Preservation League of Folsom or (HPL). The Project requested a CEQA exemption, height and encroachment variances and a total gross building area (including deck area and garage) of 23,486 sf, excluding the garage 17,466 sf and excluding deck areas a total of 15,116 sf.

¹ The California Independent System Operator (**CAISO**) is a non-profit Independent System Operator (ISO) serving California. It oversees the operation of California's bulk electric power system, transmission lines, and electricity market generated and transmitted by its member utilities.

² This include the cities of Anaheim, Campbell, Cupertino, Corona, Concord, Danville, Benicia, El Cerrito, Lafayette, Gilroy, Lost Altos, Lost Altos Hills, Los Gatos, Martinez, Moraga, Milpitas, Monte Sereno, Morgan Hills, Mountain View, Oakley, Richmond, San Ramon, San Pablo, Pinole, Pittsburg, Saratoga, Sunnyvale and Walnut creek

The following is a summary of the sustentative feedback:

1. The City of Folsom, in their letter dated August 2, 2017, denied a CEQA exemption and requested that we go through the CEQA process. A CEQA mitigated Negative Declaration will also be needed.
2. The Heritage Preservation League's letter on June 14, 2017 recommended the following:
 - a. The building will encroach 10-feet into the right-of-way of Scott Street. This is inconsistent with the residential street view along Scott Street. The building is proposed to encroach by 3-feet on the Sutter Street side. Recommend reducing the building foot-print within the 100 x 70 feet.
 - b. Modify the building design to more closely resemble buildings constructed in Folsom before year 1900.
 - c. Reduce the building height.
3. Historical District Committee and neighbors feedback: Several meetings hosted by the owner and their representatives with neighbors and members of the HDC took place between August 2, 2017 and September 6, 2017. The recommendations are summarized as follow:
 - a. The garage will bring unwanted tariff to the area
 - b. The building height is not acceptable
 - c. Recommendation was to reduce the height of the building and eliminate the underground garage. Although some features of the building are historical, a portion is too contemporary.

Revised Project Design 603 Sutter Street

The owner re-engaged Williams + Paddon Architects to adhere to the suggestions of the City, HDC, HPL and neighbors. The new resigned is summarized as follows:

1. The entire building height was reduced from 57'-6" to 50'-6"
2. The zoning code for the Sutter Street sub-district prescribes that building frontage be maintained along the public sidewalk and as such promotes buildings which abut the property line. In the revised submission the building envelope does not extend beyond the property line rather the encroachment along Scott Street is limited only to patio space and site

circulation. The encroachment along Sutter Street is limited to exterior patio space, balcony / walkway covering and column supports. However, the listed encroachments do not extent beyond the extents of the existing retaining wall.

3. The underground garage was eliminated consistent with the recommendations.
4. The building occupancy is 100% commercial with 70% office space.
5. **HISTORIC CONTEXT:** The owner re-engaged historic references are both literal and representative of the historic fabric of Sutter Street. One significant element that is found on a few buildings is a smooth plaster finish similar to the “American Vision Arts Gallery” at 705 Sutter St. Plaster was chosen as counterpoint to the brick façade of 604 Sutter Street across from the site to vary the texture and color along the street front. Other historic references include awnings, decorative railings and balcony supports, and a balcony running the length of the front of the building similar to other balconies along Sutter Street.

6. DESIGN SOLUTION:

The overall façade facing Sutter Street was broken vertically to smaller widths more common to structures throughout. The use of brick gives a base to the building and reinterprets the warmth and textural quality throughout the district. The main entry is defined by a warm courtyard that will bring people off the street and into an enclosed area. These design elements create a fusion of site and history, which evoke a timeless architectural character with high quality materials.

PROJECT TIMELINE

Once approved, the idea is to immediately work on finalizing plans and submit for building permits, estimated timeline for submittal will be August 1, 2019. Building plan approval and permitting estimated January 1, 2018 with construction starts January 2020. Completion is estimated to be January 2021. The building will be self-financed.

Attachment 14

Traffic Impact Study, dated July 30, 2019

Traffic Impact Study

**Historic Sutter Mixed-Use Building
603 Sutter Street, Folsom, California**

July 30, 2019

Prepared for:

Environmental Planning Partners, Inc.

Prepared by:

Kimley»»Horn

555 Capitol Mall, Suite 300
Sacramento, California 95814

Phone: (916) 858-5800



EXECUTIVE SUMMARY

This report documents the results of a traffic impact analysis completed for the Historic Sutter Mixed-Use Building Project proposed to be located at 603 Sutter Street in the City of Folsom, California (the “Proposed Project” or “Project”). The purpose of this impact analysis is to identify potential environmental impacts to transportation facilities as required by the California Environmental Quality Act (CEQA). In addition, this study evaluates the anticipated parking demand associated with the proposed Project and provides parking management strategies.

The proposed Project includes a mixed-use building with office, retail, and restaurant uses. This analysis is prepared to document potential impacts associated with the proposed Project square footage as follows: 10,300-sf office, 2,500-sf retail, and 2,500-sf restaurant.

Pedestrian access to the project site will be provided from the adjacent Sutter Street and Scott Street roadways. There is no direct vehicle access as no parking is provided onsite. The following intersections are included in this evaluation:

1. Riley Street/Greenback Lane @ Folsom-Auburn Road
2. Riley Street @ Scott Street
3. Riley Street @ Leidesdorff Street
4. Riley Street @ Sutter Street
5. Sutter Street @ Scott Street

The following traffic scenarios are analyzed as a part of this report:

- A. Existing (2019) Conditions
- B. Existing (2019) plus Proposed Project Conditions
- C. Cumulative (2035) Conditions
- D. Cumulative (2035) plus Proposed Project Conditions

Significant findings of this study include:

- The proposed Project is estimated to generate 418 total new weekday trips, with 35 new trips and 38 new trips occurring during the weekday AM and PM peak-hour periods, respectively.
- The addition of the proposed Project does not result in any significant impacts.
- The proposed Project is estimated to generate demand for 43 to 76 parking spaces during a typical weekday. In addition, the proposed Project is estimated to generate demand for 18 to 51 parking spaces during a typical weekend day.
 - It is anticipated that the proposed Project parking demand will be satisfied by existing off- and on-street parking supply documented to be available within the Historic District.
- Excess parking demand should be diverted to existing off- and on-street parking supply within the Historic District to avoid parking in residential areas adjacent to the Project site. This strategy may be accomplished by the following actions:
 - Offer incentives to employees for parking in the parking garage along Reading Street
 - Provide freely available maps of the Historic District parking facilities to customers by adding information to the proposed Project website
 - Remind customers not to park in residential areas and offer incentives to customers who park in the parking garage along Reading Street
 - Direct customers and employees to the newly installed wayfinding signs for the parking garage
 - Establish or contribute to a privately operated or coordinated trolley service between Historic District parking and the proposed Project site.

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INTRODUCTION

This report documents the results of a traffic impact analysis completed for the Historic Sutter Mixed-Use Building project proposed to be located at 603 Sutter Street just east of Riley Street in the City of Folsom, California (the “Proposed Project” or “Project”). The purpose of this impact analysis is to identify potential environmental impacts to transportation facilities as required by the California Environmental Quality Act (CEQA). In addition, this study evaluates the anticipated parking demand associated with the proposed Project and provides parking management strategies.

PROJECT DESCRIPTION

The proposed Project includes a mixed-use building with office, retail, and restaurant uses. This analysis is prepared to document potential impacts associated with the proposed Project square footage as follows:

- 10,300-sf office
- 2,500-sf retail
- 2,500-sf restaurant

The Project location is shown in **Figure 1**, and the proposed Project site plan is shown in **Figure 2**. **Figure 3** illustrates the study facilities, existing traffic control, and existing lane configurations. The Project site is located at the southwest corner of the Sutter Street intersection with Scott Street. Pedestrian access to the project site will be provided from the adjacent Sutter Street and Scott Street roadways. There is no direct vehicle access as no parking is provided onsite. The following intersections are included in this evaluation:

1. Riley Street/Greenback Lane @ Folsom-Auburn Road
2. Riley Street @ Scott Street
3. Riley Street @ Leidesdorff Street
4. Riley Street @ Sutter Street
5. Sutter Street @ Scott Street

PROJECT AREA ROADWAYS

The following are descriptions of the primary roadways in the vicinity of the Project.

Riley Street is a north-south arterial roadway that runs through the center of the City of Folsom Historic District, and crosses Lake Natoma along the Rainbow Bridge. Riley Street is two-lanes through the study area to the westbound approach at the intersection of Greenback Lane @ Folsom-Auburn Road.

Sutter Street is an east-west local roadway that provides access to the Folsom Historic District between Folsom Boulevard and east of Riley Street. Sutter Street provides two-way traffic without a painted centerline and allows on-street parking.

Scott Street is a north-south local roadway that provides access to the eastern edge of the Folsom Historic District between Greenback Lane/Riley Street to Persifer Street. Scott Street provides two-way traffic without a painted centerline.



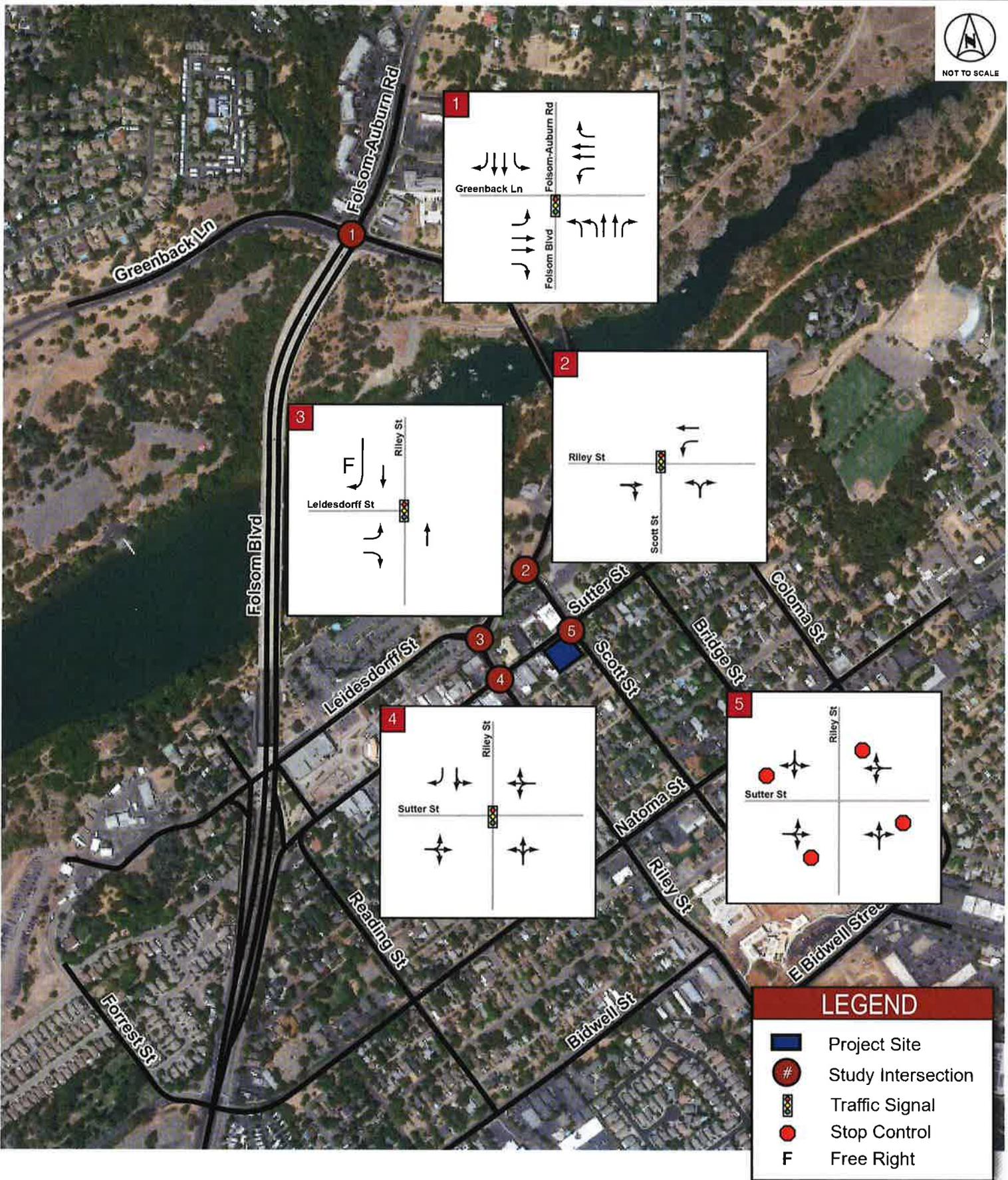


Figure 3
Study Intersections, Traffic Control, and Lane Geometries

ASSESSMENT OF PROPOSED PROJECT

Trip generation for development projects is typically calculated based on rates contained in the Institute of Transportation Engineers' (ITE) publication, *Trip Generation Manual, 10th Edition*. The *Trip Generation Manual* is a standard reference used by jurisdictions throughout the country for the estimation of trip generation potential of proposed developments. A trip is defined in the *Trip Generation Manual* as a single or one-directional vehicle movement with either the origin or destination at the Project site. In other words, a trip can be either "to" or "from" the site. In addition, a single customer visit to a site is counted as two trips (i.e., one to and one from the site).

Trip generation for the proposed Project was estimated using ITE's *Trip Generation Manual, 10th Edition* based on the "General Office Building" category (ITE Land Use 710), "Shopping Center" category (ITE Land Use 820), and "High-Turnover (Sit-Down) Restaurant" (ITE Land Use 932). An internal trip reduction was applied to the Project volumes according to National Cooperative Highway Research Program (NCHRP) Report 684 methodologies to account for Project trips occurring between land uses within the mixed-use building. The anticipated weekday trip generation for this Project is shown in Table 1.

Table 1 – Proposed Project Weekday Trip Generation

Land Use (ITE Code)	Size (ksf)	Daily Trips	AM Peak-Hour				PM Peak-Hour					
			Total Trips	IN		OUT		Total Trips	IN		OUT	
				%	Trips	%	Trips		%	Trips	%	Trips
General Office Building (710)	10.3	102	12	83%	10	17%	2	12	17%	2	83%	10
Shopping Center (820)	2.5	96	2	50%	1	50%	1	10	50%	5	50%	5
High-Turnover (Sit-Down) Restaurant (932)	2.5	280	25	56%	14	44%	11	24	63%	15	38%	9
<i>Internal Capture Reduction¹</i>		-60	-4		-2		-2	-8		-4		-4
Subtotal Trips:		418	35		23		12	38		18		20

Source: *Trip Generation Manual, 10th Edition, ITE.*

¹ NCHRP 684 Internal Trip Capture Estimate Tool

As shown in Table 1, the proposed Project is estimated to generate 418 total new daily weekday trips, with 35 new trips occurring during the AM peak-hour, and 38 new trips occurring during the PM peak-hour.

Proposed Project Trip Distribution

Proposed Project trip distribution was estimated based on existing traffic patterns in the study area. As shown in Figure 4, approximately 60-percent of Project trips are assumed to access the Project site Greenback Lane and Folsom-Auburn Road from the west, approximately 20-percent via Folsom Boulevard from the southwest, approximately 15-percent via Riley Street and Scott Street from the southeast, and approximately 5-percent via local streets from the east.



TRAFFIC IMPACT ANALYSIS METHODOLOGY

Level of Service Definitions

Analysis of transportation facility significant environmental impacts is based on the concept of Level of Service (LOS). The LOS of a facility is a qualitative measure used to describe operational conditions. LOS ranges from A (best), which represents minimal delay, to F (worst), which represents heavy delay and a facility that is operating at or near its functional capacity. Levels of Service for this study were determined using methods defined in the *Highway Capacity Manual, 6th Edition* (HCM) and appropriate traffic analysis software.

Intersection Analysis

The HCM includes procedures for analyzing side-street stop controlled (SSSC), all-way stop controlled (AWSC), and signalized intersections. The SSSC procedure defines LOS as a function of average control delay for each minor street approach movement. Conversely, the AWSC and signalized intersection procedures define LOS as a function of average control delay for the intersection as a whole. **Table 2** presents intersection LOS definitions as defined in the HCM.

Table 2 – Intersection Level of Service Criteria

Level of Service (LOS)	Un-Signalized	Signalized
	Average Control Delay* (sec/veh)	Control Delay per Vehicle (sec/veh)
A	≤ 10	≤ 10
B	> 10 – 15	> 10 – 20
C	> 15 – 25	> 20 – 35
D	> 25 – 35	> 35 – 55
E	> 35 – 50	> 55 – 80
F	> 50	> 80

Source: Highway Capacity Manual, 6th Edition
* Applied to the worst lane/lane group(s) for SSSC

Due to the close spacing of the Riley Street intersections in the Folsom Historic District, levels of service for the study intersections were determined using SimTraffic® micro-simulation analysis software. For this simulation effort, a seed time of 1- minutes was used and 10 runs were averaged to obtain the results.

Analysis Scenarios

The following traffic scenarios are analyzed as a part of this report:

- A. Existing (2019) Conditions
- B. Existing (2019) plus Proposed Project Conditions
- C. Cumulative (2035) Conditions⁺
- D. Cumulative (2035) plus Proposed Project Conditions

⁺ Traffic volumes for Cumulative (2035) Conditions were obtained from the City's *General Plan*¹.

The following is a discussion of the analyses for these scenarios.

¹ Folsom General Plan 2035 Final Draft, City of Folsom, May 2018.

EXISTING (2019) CONDITIONS

One (1) new weekday AM and PM peak period intersection turning movement traffic count was conducted in 2019 for study intersection #5 (Sutter Street at Scott Street). All other existing traffic counts were obtained from the *Folsom Historic District Access Study*². These counts were conducted between the hours of 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m. As presented in the *Folsom Historic District Access Study*, the weekday peak-hours for the Historic District are 7:45 a.m. to 8:45 a.m. and 4:00 p.m. to 5:00 p.m.

Existing (2019) peak-hour turn movement volumes are presented in Figure 5, and the traffic count data sheets are provided in Appendix A. Analysis worksheets for this scenario are provided in Appendix B. Table 3 presents the peak-hour intersection operating conditions for this analysis scenario. As shown in Table 3, the study intersections operate from LOS A to LOS F during the AM and PM peak-hours.

Table 3 – Existing (2019) Intersection Levels of Service

#	Intersection	Traffic Control	AM Peak Hour		PM Peak Hour	
			Delay (seconds)	LOS	Delay (seconds)	LOS
1	Riley Street/Greenback Lane @ Folsom-Auburn Road	Signal	103.1	F	100.5	F
2	Riley Street @ Scott Street	Signal	7.8	A	13.2	B
3	Riley Street @ Leidesdorff Street	Signal	2.9	A	9.6	A
4	Riley Street @ Sutter Street	Signal	4.2	A	12.2	B
5	Sutter Street @ Scott Street	AWSC	9.0	A	9.2	A

Notes: Bold values indicate unacceptable intersection operations. AWSC = All Way Stop Controlled intersection.

EXISTING (2019) PLUS PROPOSED PROJECT CONDITIONS

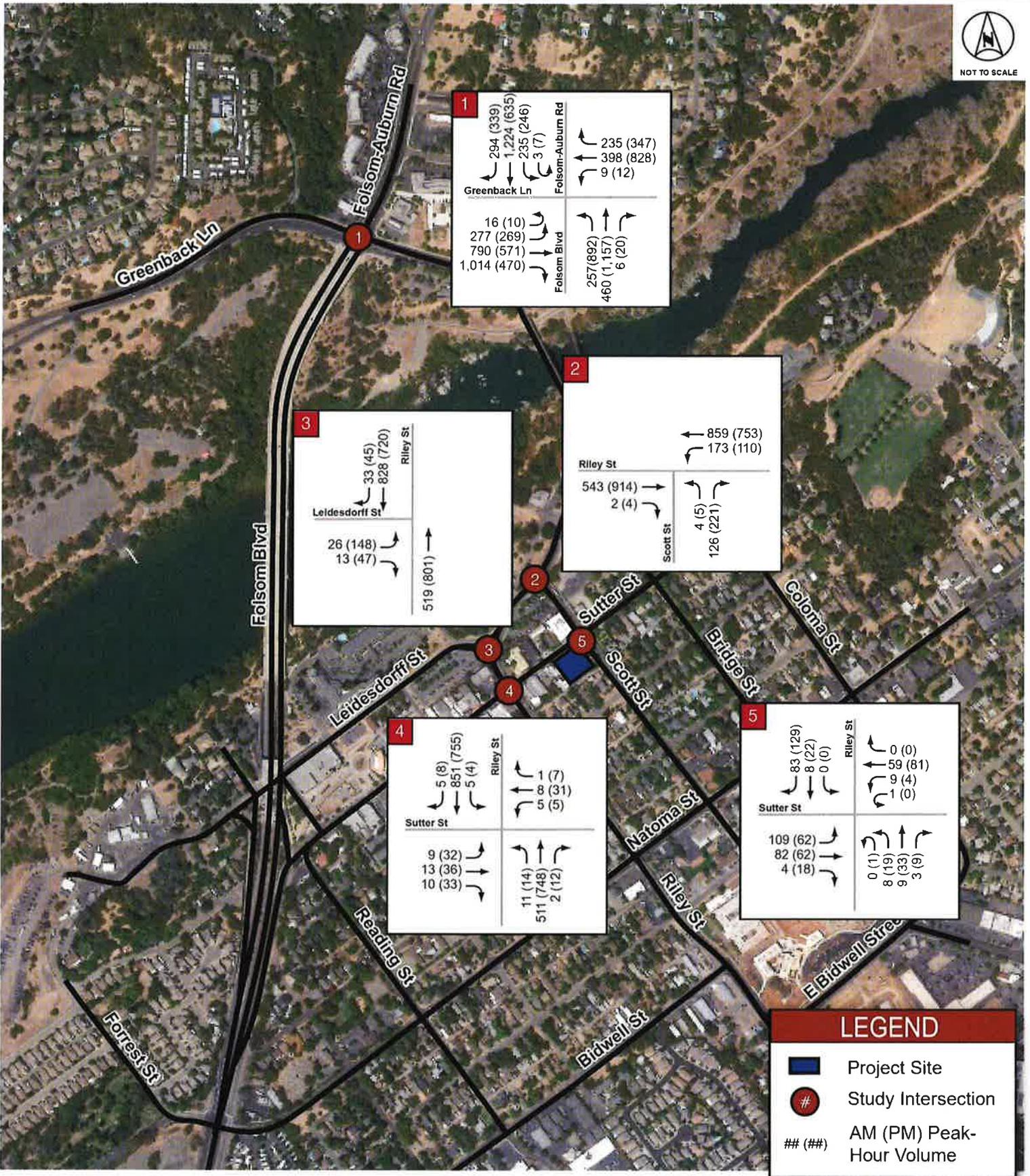
Peak-hour traffic associated with the proposed Project was added to the existing traffic volumes and levels of service were determined at the study intersections. The analysis worksheets for this scenario are provided in Appendix C. Table 4 provides a summary of the intersection analysis and Figure 6 provides the AM and PM peak-hour traffic volumes at the study intersections for this analysis scenario. As shown in Table 4, the study intersections operate from LOS A to LOS F with the addition of Project traffic during the AM and PM peak-hours.

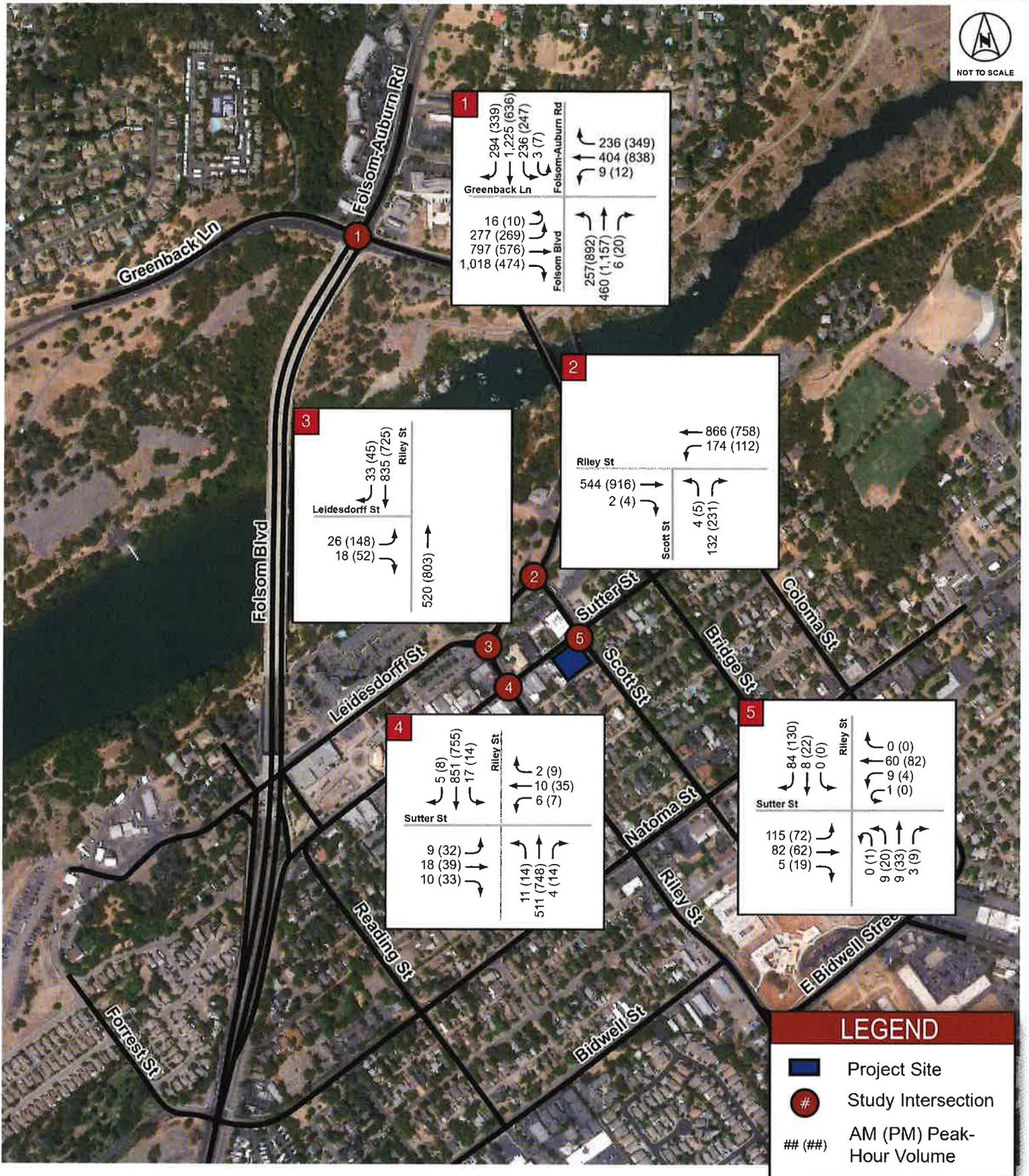
Table 4 – Existing (2019) plus Proposed Project Intersection Levels of Service

#	Intersection	Traffic Control	AM Peak Hour		PM Peak Hour	
			Delay (seconds)	LOS	Delay (seconds)	LOS
1	Riley Street/Greenback Lane @ Folsom-Auburn Road	Signal	105.7	F	102.0	F
2	Riley Street @ Scott Street	Signal	7.8	A	14.7	B
3	Riley Street @ Leidesdorff Street	Signal	3.0	A	11.5	B
4	Riley Street @ Sutter Street	Signal	4.5	A	16.9	B
5	Sutter Street @ Scott Street	AWSC	9.1	A	9.4	A

Notes: Bold values indicate unacceptable intersection operations. AWSC = All Way Stop Controlled intersection.

² *Historic District Access Study*, Technical Memorandum #1, Kimley-Horn and Associates, Inc., September 20, 2018.





CUMULATIVE (2035) CONDITIONS

Traffic volume for the Cumulative (2035) Condition were obtained from the City’s General Plan¹. The analysis worksheets for this scenario are provided in Appendix D. Table 5 provides a summary of the intersection analysis and Figure 7 provides the AM and PM traffic volumes for this analysis scenario. As shown in Table 5, the study intersections operate from LOS A to LOS F during the AM and PM peak-hours.

Table 5 – Cumulative (2035) Intersection Levels of Service

#	Intersection	Traffic Control	AM Peak Hour		PM Peak Hour	
			Delay (seconds)	LOS	Delay (seconds)	LOS
1	Riley Street/Greenback Lane @ Folsom-Auburn Road	Signal	145.1	F	190.0	F
2	Riley Street @ Scott Street	Signal	10.6	B	46.4	D
3	Riley Street @ Leidesdorff Street	Signal	5.5	A	36.5	D
4	Riley Street @ Sutter Street	Signal	10.2	B	53.5	D
5	Sutter Street @ Scott Street	AWSC	9.0	A	9.1	A

Notes: **Bold** values indicate unacceptable intersection operations. AWSC = All Way Stop Controlled intersection.

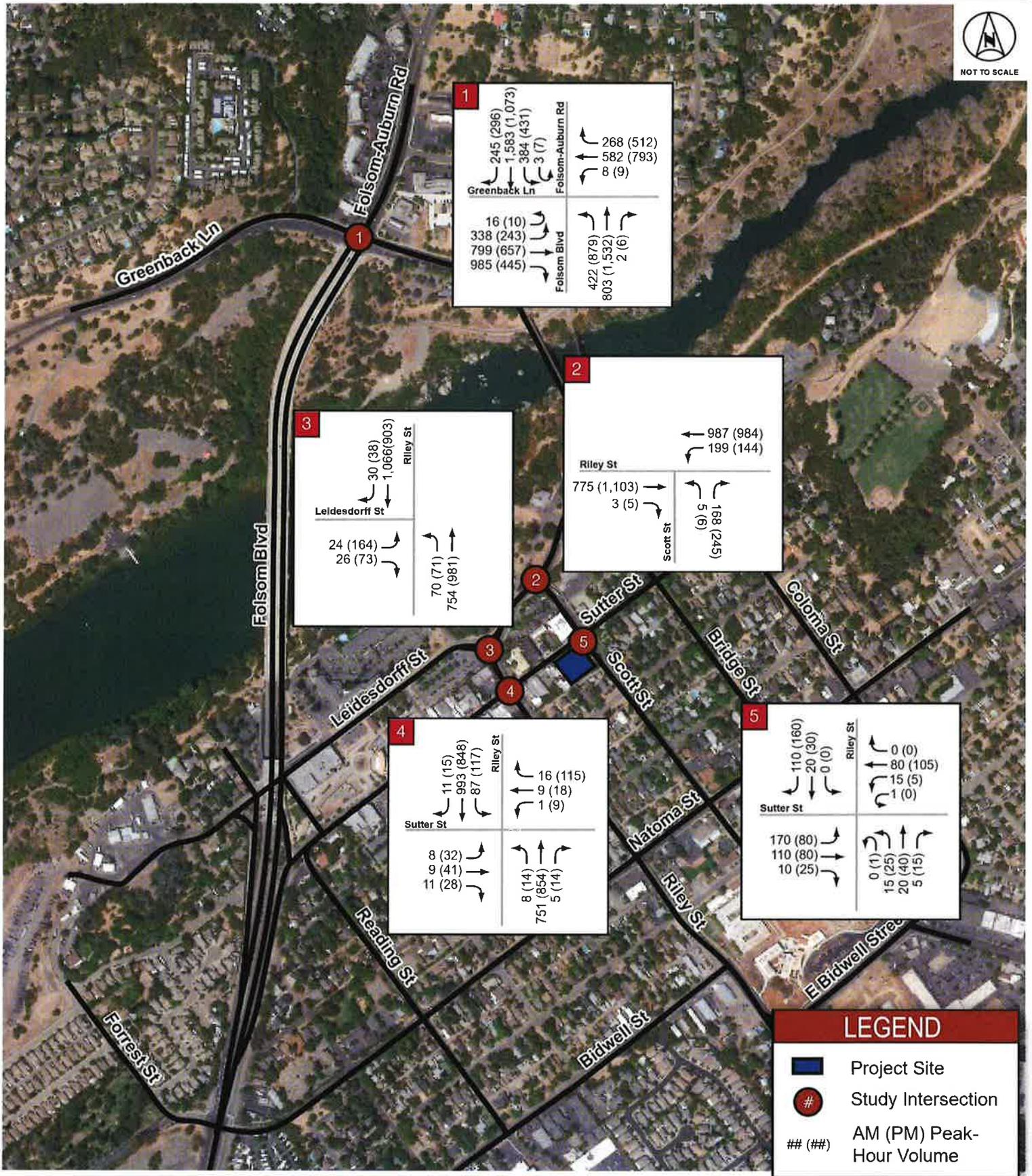
CUMULATIVE (2035) PLUS PROPOSED PROJECT CONDITIONS

Peak-hour traffic associated with the proposed Project was added to the Cumulative (2035) traffic volumes, and levels of service were determined at the study facilities. The analysis worksheets for this scenario are provided in Appendix E. Table 6 provides a summary of the intersection operating conditions for this analysis scenario. Figure 8 provides the AM and PM traffic volumes for this analysis scenario. As shown in Table 6, the study intersections operate from LOS A to LOS F during the AM and PM peak-hours with the addition of the proposed Project.

Table 6 – Cumulative (2035) plus Proposed Project Intersection Levels of Service

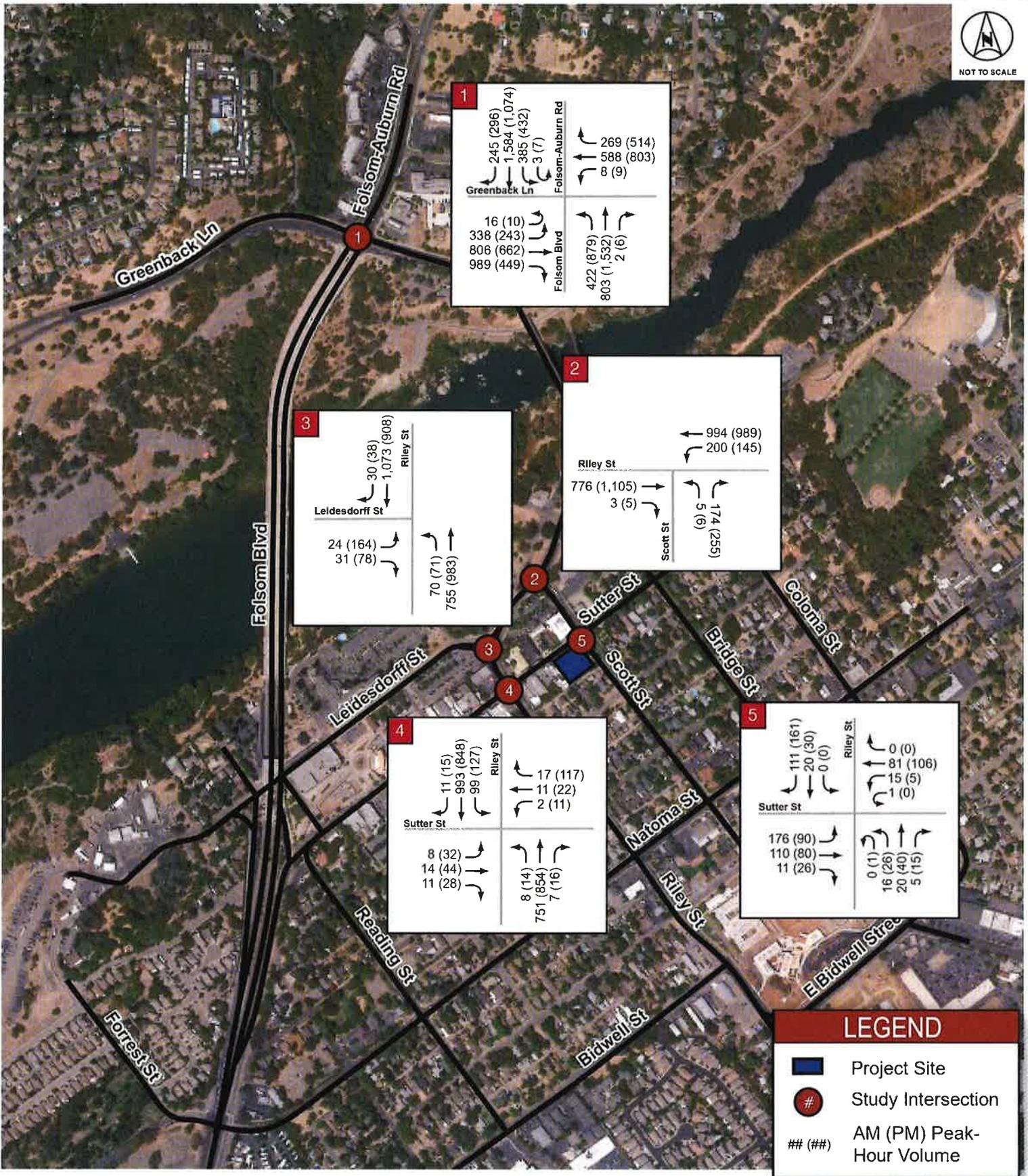
#	Intersection	Traffic Control	AM Peak Hour		PM Peak Hour	
			Delay (seconds)	LOS	Delay (seconds)	LOS
1	Riley Street/Greenback Lane @ Folsom-Auburn Road	Signal	149.7	F	186.0	F
2	Riley Street @ Scott Street	Signal	20.9	C	47.3	D
3	Riley Street @ Leidesdorff Street	Signal	21.3	C	38.3	D
4	Riley Street @ Sutter Street	Signal	26.4	C	53.5	D
5	Sutter Street @ Scott Street	AWSC	9.8	A	9.1	A

Notes: **Bold** values indicate unacceptable intersection operations. AWSC = All Way Stop Controlled intersection.





NOT TO SCALE



IMPACTS AND MITIGATION

Standards of Significance

Project impacts were determined by comparing conditions with the proposed Project to those without the Project. Impacts for intersections are created when traffic from the proposed Project forces the LOS to fall below a specific threshold.

The City of Folsom *2035 General Plan Update* states that a significant impact at an intersection would occur if implementation of the Project would result in traffic operations that exceed the following thresholds:

- *Cause an intersection in Folsom north of US 50 (outside of the Folsom Plan Area Specific Plan [FPASP] areas) that currently operates at LOS C or better to degrade to LOS D or worse.*
- *Cause a new or existing intersection in Folsom south of US 50 (within the FPASP area) to operate at LOS E or worse.*
- *Increase the average delay by five seconds or more at an existing intersection in Folsom north of US 50 (outside of FPASP area) that currently operates at an unacceptable LOS D, E, or F.*

Impacts and Mitigation

Existing (2019) plus Proposed Project Conditions

As reflected in Table 4, the addition of the proposed Project does not result in any significant impacts as defined by the City.

Impacts:

Intersections: *None.*

Cumulative (2035) plus Proposed Project Conditions

As reflected in Table 6, the addition of the proposed Project does not result in any significant impacts as defined by the City.

Impacts:

Intersections: *None.*

OTHER CONSIDERATIONS

Bicycle, Pedestrian, and Transit Facility Evaluation

The site plan for the proposed Project (Figure 2) was qualitatively reviewed for general access and on-site circulation. According to the site plan, pedestrian access to the project site will be provided from the adjacent Sutter Street and Scott Street roadways. Sidewalks currently exist on Sutter Street and will remain with the proposed Project. In addition, the sidewalk will be extended onto Scott Street at the Project site. Bicycle facilities are not currently provided along Sutter Street or Scott Street. There are Class II facilities along Leidesdorff Street and Natoma Street, and Class I bike paths with connections to the American River Trail and Lake Natoma Trail networks.

The City of Folsom offers transit service through the Historic District via Route 10, which provides service northbound along Riley Street, Natoma Street, Folsom Boulevard, Leidesdorff Street, and Riley Street/Greenback Lane. Southbound service is provided along Folsom Boulevard, Leidesdorff Street, and Riley Street. Bus stops are provided near the Riley Street intersection with Natoma Street, in the vicinity of the Project. Historic Folsom Station is located at the intersection of Leidesdorff Street @ Reading Street and provides transit service via the Sacramento Regional Transit Gold Line. The proposed Project is not anticipated to impact existing or planned bicycle, pedestrian, or transit facilities.

Parking Evaluation

As shown in the site plan (Figure 2), no onsite parking is provided by the proposed Project. The following data was utilized to calculate the project’s anticipated parking demand:

- Off-street parking requirements per the City’s *Municipal Code Section 17.52.510 Part F*
- Parking demand per ITE’s *Parking Generation, 5th Edition*
- Parking requirement as presented in the recently completed *Historic District Parking Study*³

The results of these calculations for weekday and weekend peak parking demand and supply are presented in Table 7 and Table 8, respectively.

Table 7 – Weekday Peak Parking Demand and Supply

Data Source	Parking Demand			Maximum Parking Demand	Minimum Parking Demand
	Land Use Type (# parking spaces)				
	Office	Retail	Restaurant		
City of Folsom Municipal Code	29	7	7	76	43
ITE Parking Generation, 5 th Edition	25	5	24		
Historic District Parking Study	46	11	19		

Table 8 – Weekend Peak Parking Demand Supply

Data Source	Parking Demand			Maximum Parking Demand*	Minimum Parking Demand
	Land Use Type (# parking spaces)				
	Office	Retail	Restaurant		
City of Folsom Municipal Code	29*	7	7	51	18
ITE Parking Generation, 5 th Edition	3	7	31		
Historic District Parking Study	4	11	36		

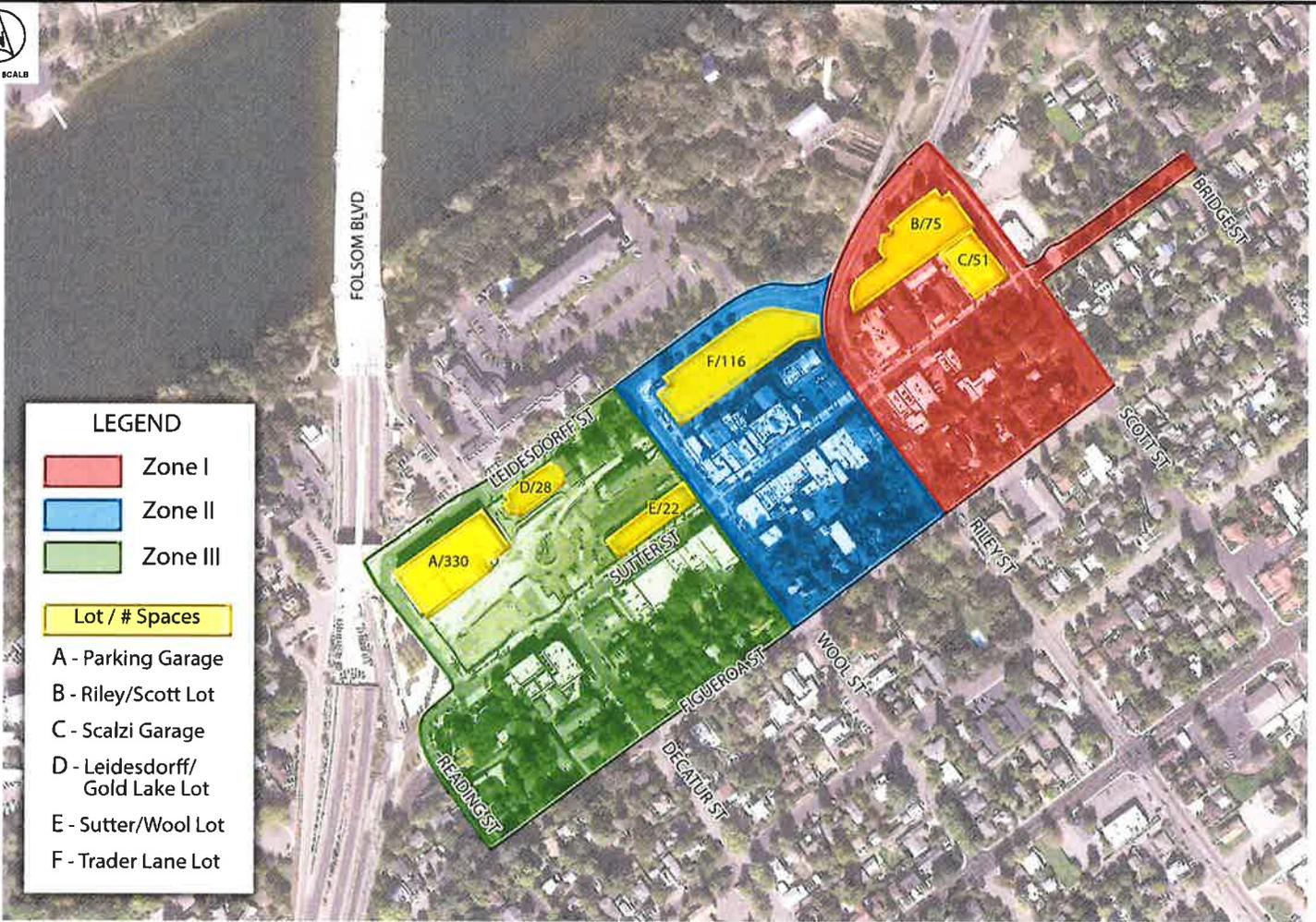
* Office parking demand is not anticipated to exceed 4 spaces during the weekend peak period. Therefore, maximum estimates assume a demand of 4 parking spaces for office use.

As shown in these tables, the Proposed Project is estimated to generate demand for 43 to 76 parking spaces during a typical weekday, and 18 to 51 parking spaces during a typical weekend day.

As presented in the *Historic District Parking Study*³, the District was observed to have 622 existing off-street (see Figure 9) and 179 existing on-street parking spaces (see Figure 10). In addition, the District’s parking occupancy was observed to peak at 60-percent during weekday peak-periods, and at 55-percent during weekend peak-periods. As a result of the observed parking occupancy levels, it is reasonably anticipated that the Proposed Project’s parking demand will be satisfied by existing off- and on-street supply documented to be available within the Historic District.

³ Technical Memorandum #1 – Implementation Plan Update, Historic District Parking Implementation Plan Update, Kimley-Horn and Associates, Inc., October 18, 2018.

Historic Sutter Mixed-Use Building Project



LEGEND

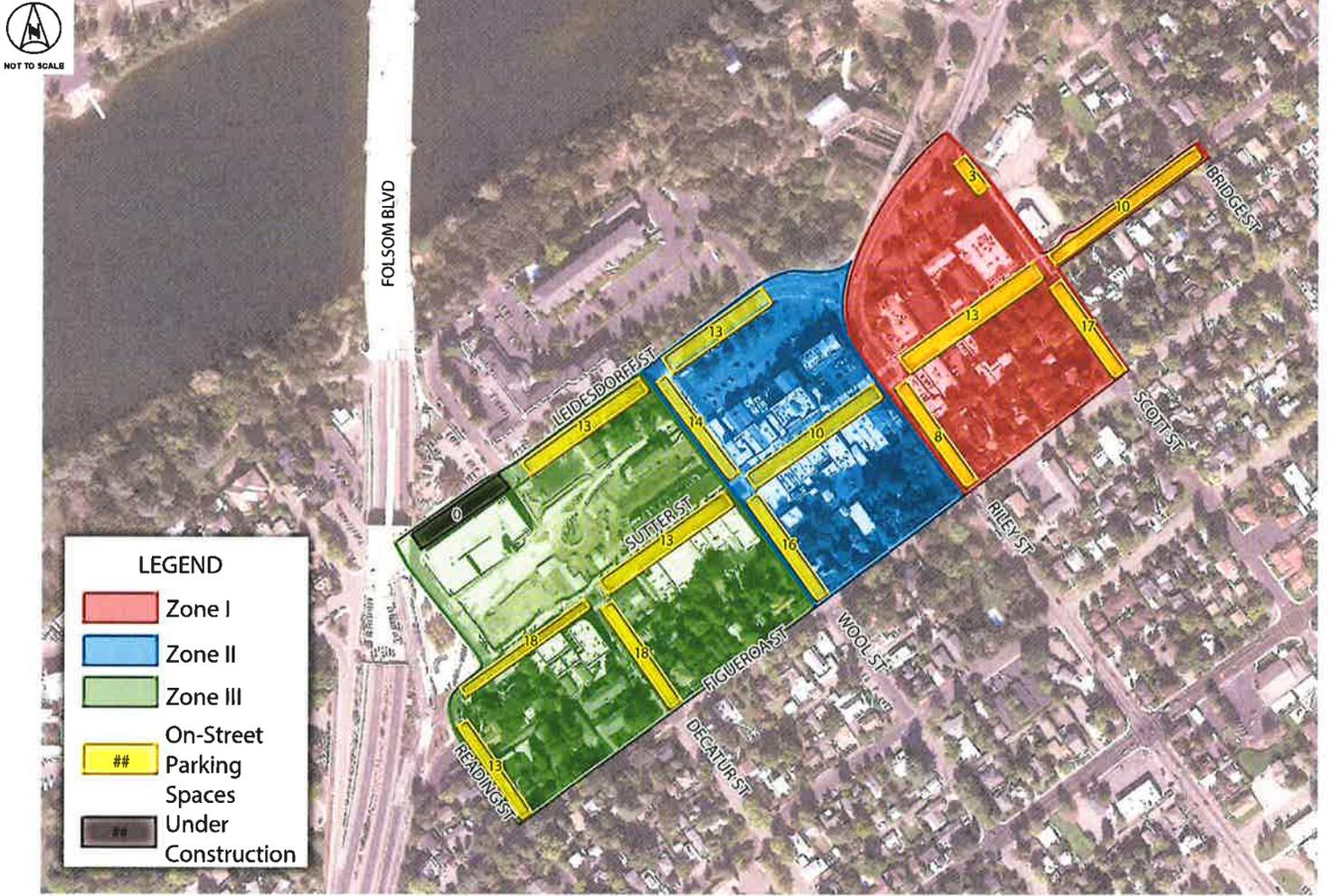
- Zone I
- Zone II
- Zone III

Lot / # Spaces

- A - Parking Garage
- B - Riley/Scott Lot
- C - Scalzi Garage
- D - Leidesdorff/ Gold Lake Lot
- E - Sutter/Wool Lot
- F - Trader Lane Lot

Note: The source of this figure is Figure 2 per Technical Memorandum #1 - Historic District Parking Implementation Plan Update, October 18, 2018.

Historic Sutter Mixed-Use Building Project



Note: The source of this figure is Figure 3 per Technical Memorandum #1 - Historic District Parking Implementation Plan Update, October 18, 2018.

To encourage proposed Project parking activities to remain within the Historic District, the following strategies are recommended:

- Offer incentives to employees for parking in the parking garage along Reading Street
- Provide freely available maps of the Historic District parking facilities to customers by adding information to the proposed Project website
- Remind customers not to park in residential areas and offer incentives to customers who park in the parking garage along Reading Street
- Direct customers and employees to the newly installed wayfinding signs for the parking garage
- Establish or contribute to a privately operated or coordinated trolley service between Historic District parking and the proposed Project site

Intersection Queuing Evaluation

Vehicle queuing for the study intersections was evaluated for Existing (2019) and Cumulative (2035) plus proposed Project conditions. For the queuing analysis, the anticipated vehicle queues for critical movements at these intersections were evaluated. The calculated vehicle queues were compared to actual or anticipated vehicle storage/segment lengths. Results of the queuing evaluation are presented in Table 9 and Table 10.

Table 9 – Existing (2019) Intersection Queuing Evaluation Results for Select Locations

ID	Intersection	Movement	Available Storage (ft)	Existing (2019)		Existing (2019) plus Project	
				95th % Queue (ft)		95th % Queue (ft)	
				AM Peak-Hour	PM Peak-Hour	AM Peak-Hour	PM Peak-Hour
1	Riley Street/Greenback Lane @ Folsom-Auburn Road	EBL	640	429	386	494	404
		EBT	1535	1664	321	1489	317
		EBR	500	646	180	644	186
		WBT	>1000	278	500	276	621
		NBL	550	437	583	508	582
		NBT	1590	497	1911	517	2004
		SBL	600	811	321	802	327
		SBT	1430	1799	332	1784	325
2	Riley St @ Scott St	SBL	215	196	142	181	147
		WBLR	325	97	128	96	135
3	Riley St @ Leidesdorff St	EBL	200	55	164	58	151
		SBT	360	128	215	124	295
		NBT	160	82	222	78	236
4	Riley St @ Sutter St	SBT	160	168	172	180	217
		NBT	1000	193	462	153	551

Note: Bold text represents queue length that exceeds available storage capacity.

Table 10 – Cumulative (2035) Intersection Queuing Evaluation Results for Select Locations

ID	Intersection	Movement	Available Storage (ft)	Cumulative (2035)		Cumulative (2035) plus Project	
				95th % Queue (ft)		95th % Queue (ft)	
				AM	PM	AM	PM
				Peak-Hour	Peak-Hour	Peak-Hour	Peak-Hour
1	Riley Street/Greenback Lane @ Folsom-Auburn Road	EBL	640	537	968	710	955
		EBT	1535	1260	2052	1512	2051
		EBR	500	617	722	618	726
		WBT	>1000	395	385	398	371
		NBL	550	638	591	683	589
		NBT	1590	2054	2211	2103	2238
		SBL	600	805	775	787	736
		SBT	1430	1457	1882	1543	1818
		SBR	250	356	346	358	343
2	Riley St @ Scott St	SBL	215	186	287	244	291
		WBLR	325	133	164	134	156
3	Riley St @ Leidesdorff St	EBL	200	55	217	48	228
		SBT	360	156	401	485	393
		NBLT	160	222	236	266	233
4	Riley St @ Sutter St	SBT	160	20	232	259	219
		NBT	1000	40	567	702	547

Note: Bold text represents queue length that exceeds available storage capacity.

CONCLUSIONS

Based upon the analysis documented in this report, the following conclusions are offered:

- The proposed Project is estimated to generate 418 total new weekday trips, with 35 new trips and 38 new trips occurring during the weekday AM and PM peak-hour periods, respectively.
- The addition of the proposed Project does not result in any significant impacts.
- The proposed Project is estimated to generate demand for 43 to 76 parking spaces during a typical weekday. In addition, the proposed Project is estimated to generate demand for 18 to 51 parking spaces during a typical weekend day.
 - It is anticipated that the proposed Project parking demand will be satisfied by existing off- and on-street parking supply documented to be available within the Historic District.
- Excess parking demand should be diverted to existing off- and on-street parking supply within the Historic District to avoid parking in residential areas adjacent to the Project site. This strategy may be accomplished by the following actions:
 - Offer incentives to employees for parking in the parking garage along Reading Street
 - Provide freely available maps of the Historic District parking facilities to customers by adding information to the proposed Project website
 - Remind customers not to park in residential areas and offer incentives to customers who park in the parking garage along Reading Street
 - Direct customers and employees to the newly installed wayfinding signs for the parking garage
 - Establish or contribute to a privately operated or coordinated trolley service between Historic District parking and the proposed Project site.

Attachment 15

Historic District Parking Implementation Plan Update, dated October 18, 2018

Memorandum

To: Mark Rackovan, P.E.
From: Matt Weir, P.E., T.E., PTOE
 Chris Gregerson, P.E., T.E., PTP
Re: Technical Memorandum #1 – Implementation Plan Update
 Historic District Parking Implementation Plan Update
Date: October 18, 2018

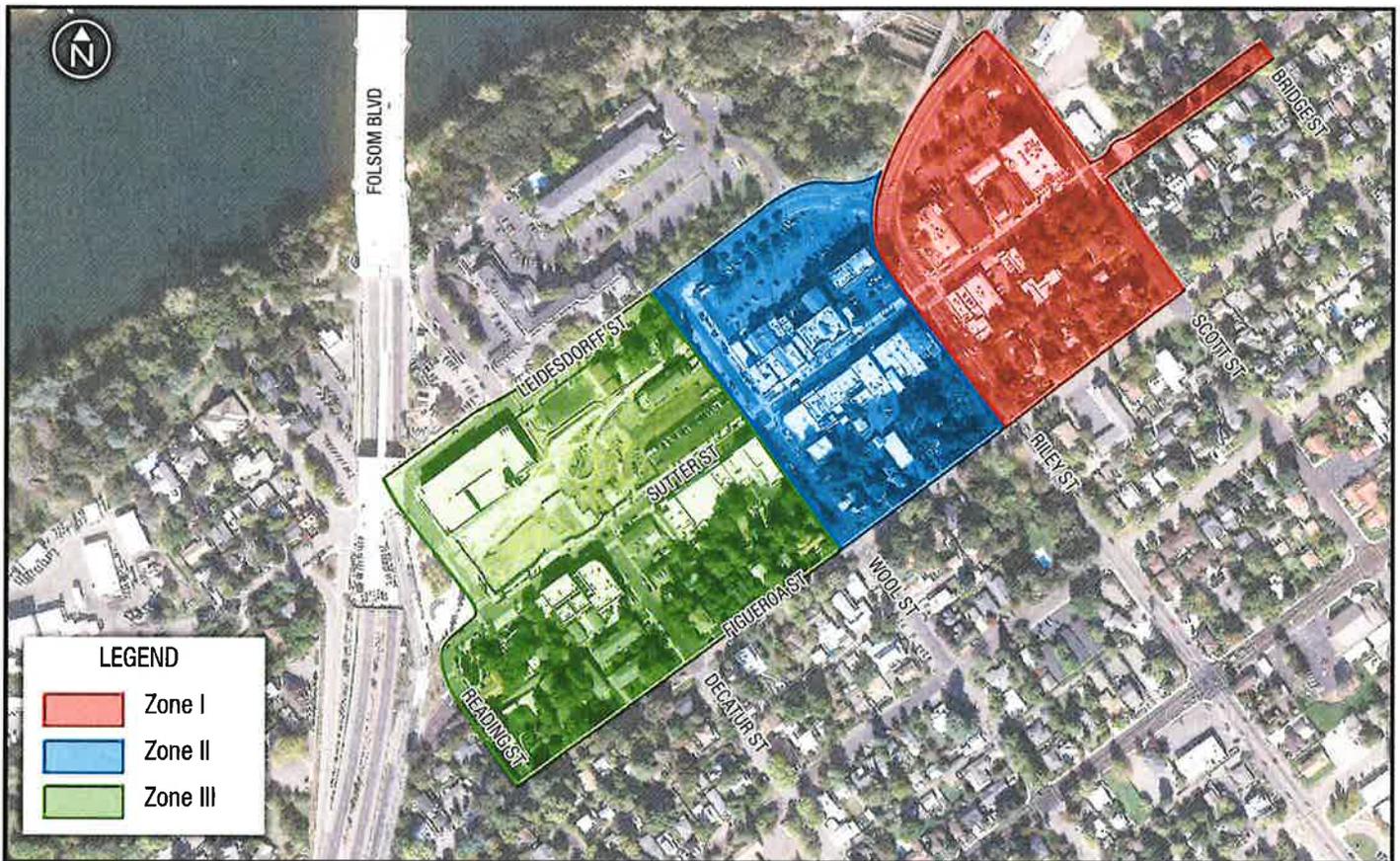
This memorandum refreshes the previously completed Implementation Plan Update (January 17, 2014) and is intended to provide the City with a summary of changes to existing conditions (parking supply, occupancy, and development) that have occurred over the past 4 years. In addition, the memo includes projected parking “shortages” for future supply and demand and an approximate time frame for the need for additional parking supply. Figure 1 graphically depicts the three zones that have been established in the Historic District for the purposes of this study. Table 1 presents the observed existing on-street and off-street parking supply, which is also reflected in Figure 2 and Figure 3.

Table 1 – Summary of Existing Off-Street and On-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Parking Supply		Total Existing Supply
I	Riley / Scott	75	Riley St. – Sutter St. to Figueroa St.	8	
			Sutter St. – Riley St. – Scott St.	13	
			Sutter St. – Scott St. – Bridge St.	10	
	Scalzi	51	Scott St. – Riley St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	17	
Subtotals:	126		51	177	
II	Trader Lane	116	Wool St. – Leidesdorff to Sutter St.	14	
			Wool St. – Sutter St. to Figueroa St.	16	
			Leidesdorff St. – Wool St. to Riley St.	13	
			Sutter St. – Wool St. to Riley St.	10	
	Subtotals:	116		53	
III	Rail Block Structure	330	Reading St. – Sutter St. to Figueroa St.	13	
	Leidesdorff / Gold Lake	28	Decatur St. – Sutter St. to Figueroa St.	18	
	Sutter / Wool	22	Leidesdorff St. – Gold Lake Dr. to Wool St.	13	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	13	
	Subtotals:	380		75	
Total Off-Street Spaces:		622	Total On-Street Spaces:		179
					801
<i>Kimley-Horn and Associates, Inc., October 2018</i>					

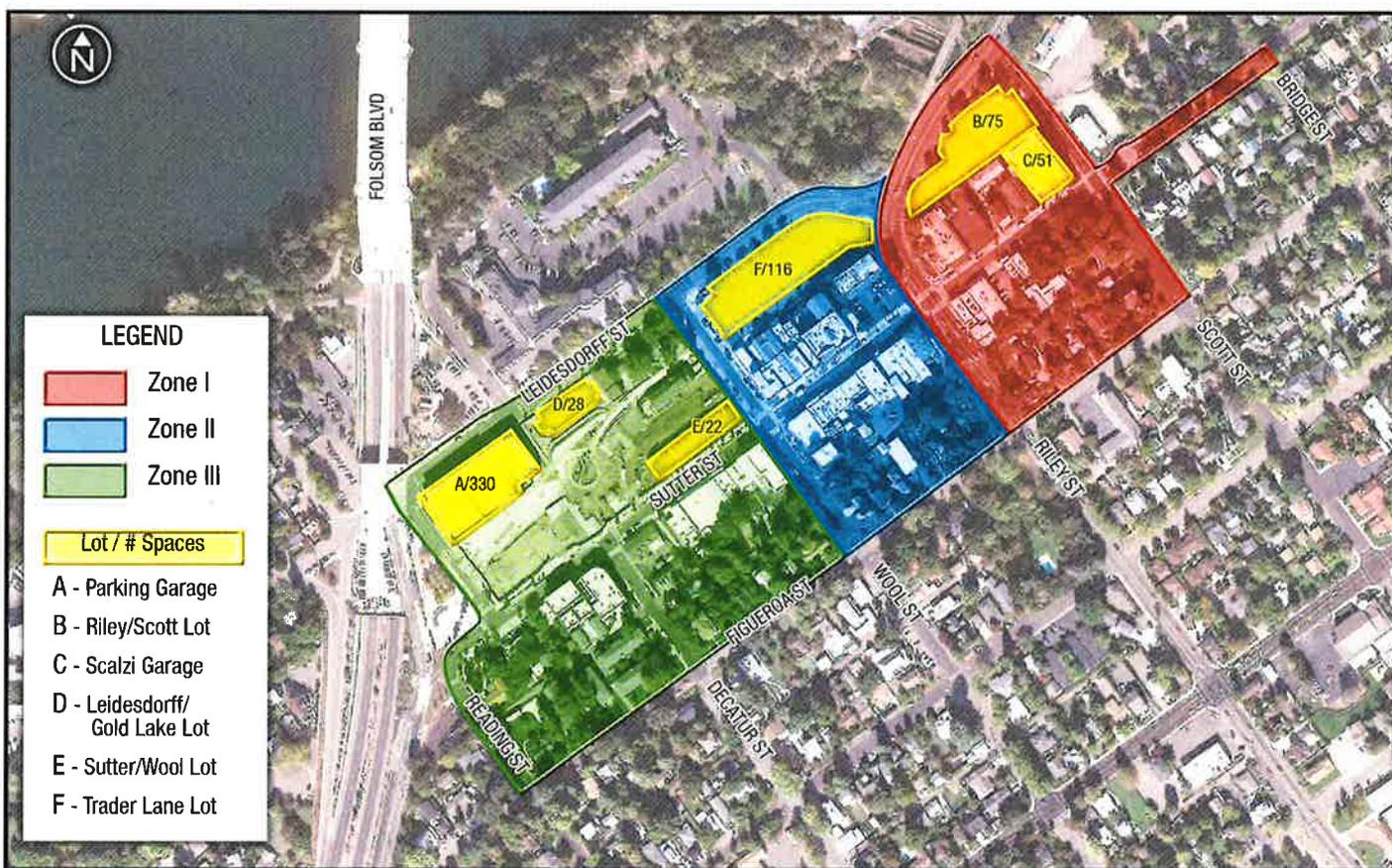
FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 1 — Parking Zones



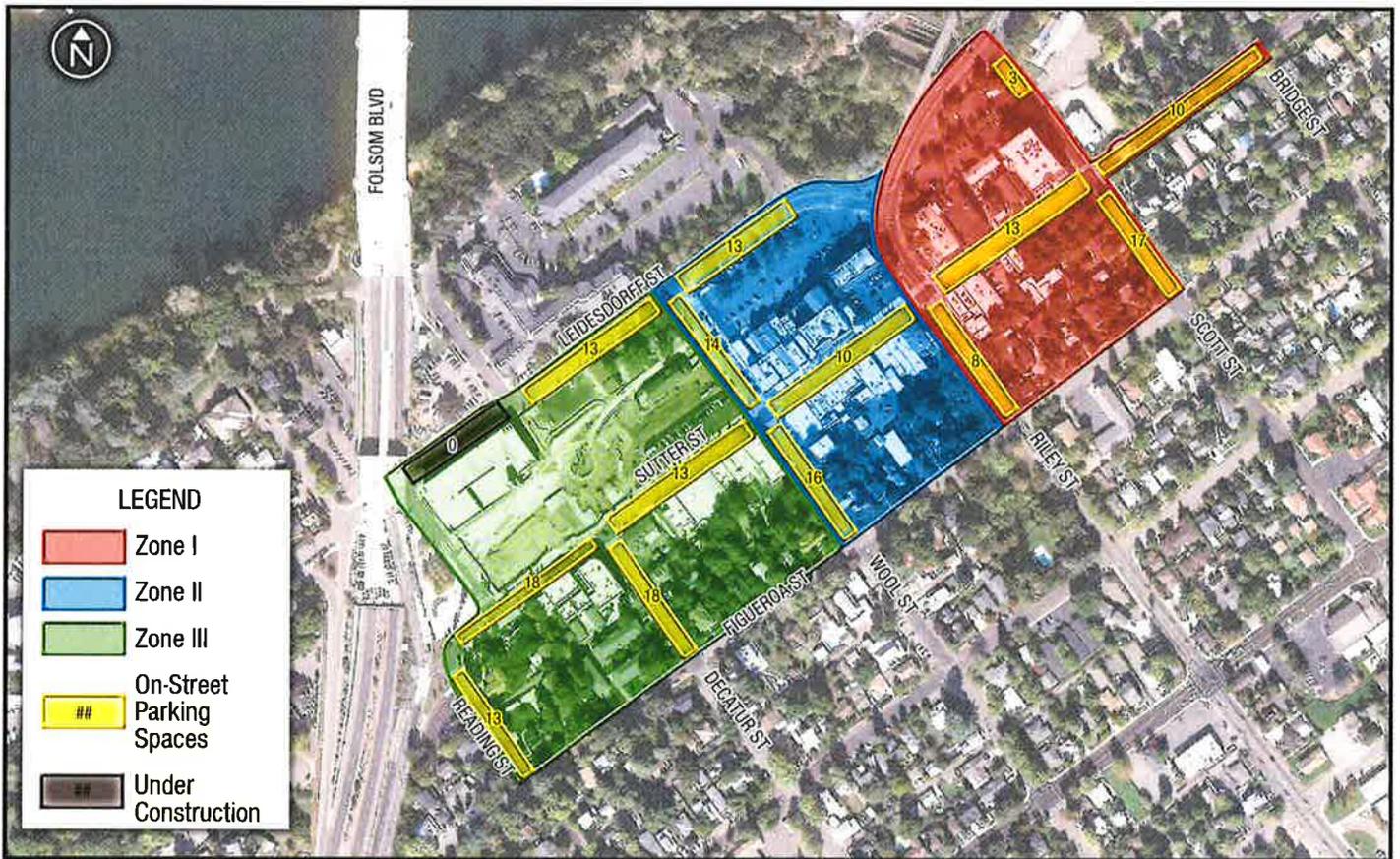
FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 2 — Existing Off-Street Parking Lots



FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 3 — Existing On-Street Parking Spaces



When compared to the data contained in our previous study¹, the off-street parking supply included in the study has stayed constant and on-street parking supply has decreased by five (179 vs. 184). In total, the current parking supply included in the study is five (5) spaces less than was documented in 2014 (801 vs. 806).

Parking occupancy data was collected on Thursday, October 4 and Friday, October 5, 2018. This data is included as **Attachment A** to this memorandum. When compared to the data contained in our previous study¹, it is apparent that parking behavior has changed in the Historic District. Unlike the 2014 data which reflected peak weekday occupancies (off- and on-street) of less than 40 percent combined occupancy, the current data peaks at 60 percent combined occupancy. Likewise, the weekend (Friday evening) data previously peaked at less than 50 percent occupancy with the current data reflecting 59 percent occupancy.

As previously discussed, we acknowledge that the most recent occupancy data includes vehicles that are parked in the Rail Block parking structure for the purposes of using Light Rail specifically, and not as a result of the land uses within the Historic District. In addition to removing the Light Rail off-street lots from the existing demand calculations, will also calculated the proportion of the Rail Block parking structure's parked vehicles that are not specific to Light Rail. The data contained in **Attachment A** reflects these assumptions.

Parking Model Development

As was the case with the previous study, the first step towards determining the updated future parking demand is to update and validate the Historic District parking model to ensure that it accurately predicts/mimics existing conditions. The parking model is considered to be "validated" if the difference in model-predicted peak parking demand and the observed peak parking demand is within ± 10 percent. Also, validation is considered to be achieved when the model-predicted time-of-day hourly profile closely matches observed profiles. Once validated for the updated existing conditions, the parking model was then used to project updated future parking demand.

Existing Land Uses

The existing Historic District land uses were obtained from the City of Folsom. Where appropriate, assumptions were made using the previous study and professional judgment. A detailed parcel-by-parcel list of District parcels and their assumed development status is provided in **Attachment B**.

Table 2 summarizes the existing land uses by Zone. Existing private land uses which provide parking exclusively for their patrons are excluded from the parking model.

¹ *Technical Memorandum #2 - Implementation Plan Update*, Kimley-Horn and Associates, Inc., January 17, 2014.

Table 2 – Existing Land Use Types and Square Footages

Land Use Type	Existing Square Footage			
	Zone 1	Zone 2	Zone 3	All Zones
Retail	12,786	30,975	9,460	53,221
Restaurant	15,298	2,700	3,600	21,598
Office	27,045	7,500	28,961	63,506
Club/Bar/Tasting Rooms	4,190	6,250	1,500	11,940
Theater (Seats)	0	115	0	115
Museum / Exhibit Space	0	0	15,703	15,703
Residential (Dwelling Units – D.U.)	2	-	-	2
Total	59,319 + 2 D.U.	47,425 + 115 Theater Seats	59,224	165,968 + 2 D.U. + 115 Theater Seats

Consistent with the original study, parking demand was estimated based on parking generation rates published by the Institute of Transportation Engineers’ (ITE) *Parking Generation, 3rd Edition, 2004* and the Urban Land Institute’s (ULI) *Shared Parking, 2nd Edition*. As ITE published *Parking Generation, 4th Edition* since the previous study, a comparison of rates was completed and for those that were significantly different, the more recent rate was used. However, because these rates are developed from isolated suburban land uses poorly served by transit, they do not represent the true parking demand generated by uses located in walkable, mixed-use districts such as Folsom’s Historic District. Therefore, the rates have been adjusted to reflect 1) the unique parking generation characteristics of the Historic District, 2) linked trips where people park once in a public parking space and then walk to multiple locations, 3) internal non-auto trips where people who reside in or near the Historic District walk to commercial establishments, 4) a reasonable level of transit use, and 5) the interaction of uses at sites with multiple land use types (mixed use internal capture). The adjusted parking demand generation rates used in this study include the following adjustment factors:

- Two (2) percent reduction for transit trips
- Three (3) percent reduction for bicycle trips
- Four (4) percent reduction for walk trips,
- Fifteen (15) percent reduction for captive trips

Parking Model Validation – Weekday

Following calibration of the parking model, existing weekday conditions were predicted. The results were compared to the observed weekday parking occupancy for existing land uses. The results of the weekday comparison are summarized in **Table 3**.

As shown in **Table 3**, the parking model predicts the weekday peak parking demand is 479 spaces while the observed peak parking demand using the occupancy survey is 522 spaces, a difference of 43 spaces, or a 9 percent difference. Based on this finding, the parking model is considered to be validated.

Table 3 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekday

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekday Parking Demand	479 spaces	522 spaces	9%
2	Existing Peak Hour	12:00 p.m.	2:00 p.m.	N/A
3	Existing Peak Demand Periods	12:00 p.m. to 2:00 p.m.	12:00 p.m. to 2:00 p.m., 5:00 p.m. and 7:00 p.m.	

Parking Model Validation – Weekend

Following calibration of the parking model, existing weekend conditions were predicted. The results were compared to the observed weekend parking occupancy for existing land uses. The results of the comparison are summarized in Table 4 below. It is important to note that weekend parking occupancy surveys were conducted only between 6:00 p.m. and 9:00 p.m. on a Friday night.

Table 4 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekend

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekend Parking Demand	472 spaces	514 spaces	9%
2	Existing Peak Hour	7:00 p.m.	6:00 p.m.	N/A
3	Existing Peak Demand Periods	6:00 p.m. to 8:00 p.m.	6:00 p.m. to 7:00 p.m.	

The model predicted weekend peak parking demand is 472 spaces while the observed peak parking demand is 514 spaces, a difference of 42 spaces, or 9 percent. Based on this finding, the parking model could be concluded as validated.

Future Parking Supply and Demand Analysis

Consistent with the City’s direction as part of the previous study, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot.

The purpose of this analysis was to estimate the amount of future available parking supply, and the corresponding amount of future development, which can be accommodated by the addition of a single new parking structure on the Trader Lane lot. Consistent with current Historic District design guidelines², this single structure would have a 50-foot height limitation. The amount of future available parking supply correlates into an amount of supported future development. The future parking supply is approximated as the sum of excess existing parking supply after accounting for parking demand generated by existing and planned/approved development, and the parking supply that could be accommodated in a new Trader Lane structure.

² *Historic District Design and Development Guidelines*, City of Folsom, October 1, 1998.

It is important to note that, per the City's direction the "planned/approved projects" includes the Historic Folsom Station (Zone III). Furthermore, because existing land uses (excluding the specialty uses such as Club/Bar/Tasting Rooms, Theater, Museum/Exhibit Space) within the Historic District are classified primarily as retail, restaurant, or office uses, future development was also similarly allocated across these three land use types.

Future Parking Supply

Future Off-Street Parking Supply

The future off-street parking supply is comprised of existing off-street parking facilities and planned public spaces as part of known new development. Loss of parking spaces from new development includes 50 spaces with development of the Rail Block, and 116 spaces with the development of a parking structure on the Trader Lane lot. The number of future off-street parking locations, as well as the number of spaces provided are shown in Figure 4.

Future On-Street Parking Supply

The future on-street parking supply is equal to the existing conditions. No on-street changes are anticipated or incorporated in this update. Consistent with the existing conditions, the study area contains a total of 179 on-street parking spaces.

Total Future On- and Off-Street Parking Supply

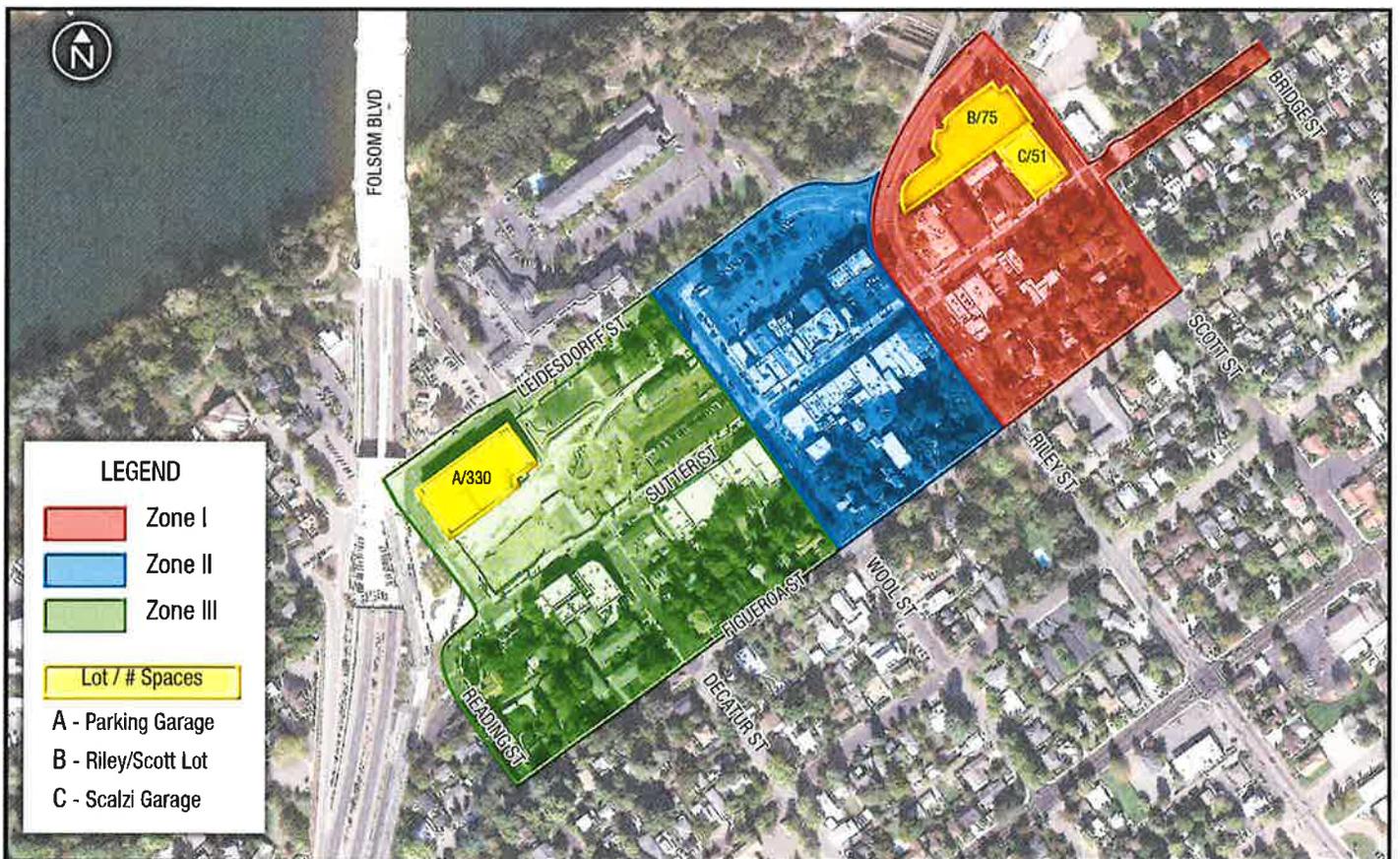
Table 5 summarizes the total future number of parking spaces by Zone and in total. There are 635 total future off- and on-street parking spaces within the study area. The future off- and on-street parking supply of 635 spaces is 166 spaces less than the existing parking supply.

Table 5 – Summary of Future Off-Street and On-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Public Parking Supply		Total Existing Supply
I	Riley / Scott	75	Riley St. – Sutter St. to Figueroa St.	8	
			Sutter St. – Riley St. – Scott St.	13	
			Sutter St. – Scott St. – Bridge St.	10	
	Scalzi	51	Scott St. – Riley St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	17	
Subtotals:	126		51	177	
II			Wool St. – Leidesdorff to Sutter St.	14	
			Wool St. – Sutter St. to Figueroa St.	16	
			Leidesdorff St. – Wool St. to Riley St.	13	
			Sutter St. – Wool St. to Riley St.	10	
	Subtotals:	0		53	
III	Rail Block Structure	330	Reading St. – Sutter St. to Figueroa St.	13	
			Decatur St. – Sutter St. to Figueroa St.	18	
			Leidesdorff St. – Gold Lake Cr. to Wool St.	13	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	13	
	Subtotals:	330		75	
Total Off-Street Spaces:		456	Total On-Street Spaces:		179
					635
<i>Note: Excludes off-street parking supply gained in proposed Trader Lane parking structure.</i>					

FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 4 — Future Off-Street Parking Lots



Existing plus Future Parking Demand

In context of this study, future parking demand is defined as a demand for parking that cannot be accommodated by individual on-site, private supply. Therefore, this demand must be accommodated by the municipal parking supply, either on-street or off-street. The purpose of this analysis is to estimate existing plus future parking demand and determine whether the existing and planned public parking supply (including the proposed Trader Lane parking structure) is sufficient.

For this study, the demand generated by future Historic District residential uses is assumed to be accommodated on-site. Residential visitors, and employees and patrons of the commercial uses, are assumed to park off-site and rely on the public parking supply. Based on these assumptions, the future parking demand is estimated.

Future Land Uses

As previously stated, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot and incorporate ground floor retail. Based on a preliminary schematic and feasibility evaluation, 442 spaces can be accommodated in this structure. The net available parking spaces within the District, after accounting for existing and planned/approved parking demand and practical capacity, is 343 spaces for the weekdays and 347 spaces for the weekends. This level of parking supply (343/347 spaces) was determined to accommodate 21,350 square feet of retail, 15,250 square feet of restaurant, and 24,400 square feet of office uses in addition to the planned/approved projects and ground floor retail within the Trader Lane parking structure. This determination is discussed in more detail in the section below

The future square footages were estimated using the existing proportion of square footages within the District. The total future development that could be accommodated is 126,480 square feet, including 19,850 square feet of ground floor retail within the proposed parking structure. **Table 6** shows the land use categories and square footages representing future land uses.

Existing plus Future Parking Supply and Demand

Using the adjusted parking generation demand rates and the trip reduction percentages for transit, bike, walk, and captive trips, the parking model predicts existing plus future weekday and weekend parking demand. **Table 7** presents the results of the determination of the amount of future development which can be accommodated by the available District parking supply with the addition of a Trader Lane parking structure.

As shown in **Table 7**, based on the future parking supply limitations (343 weekday and 347 weekend), a future development scenario of 21,350 square feet of retail, 15,250 square feet of restaurant, and 24,400 square feet of office uses should be assumed and utilized in future planning efforts for the District.

Accounting for assumed construction timelines and logical, sequential implementation of District development, the anticipated parking supply and demand were plotted to graphically depict parking conditions in the District over time for conditions both with and without a new parking structure on the Trader Lane lot. This information is provided in **Figures 5-8**. For this analysis it was assumed that the Trader Lane lot would not be completed for eight years from the beginning of the analysis period due to financial and other constraints. An assumed 12-month construction timeline was also used and thus, parking was reduced for that construction timeline. As shown in **Figure 5** and **Figure 7**, the delay in construction of the Trader Lane lot constrains available development for 24 months until

construction is completed. This constraint and two-year delay for further development results in future development not being achieved for either the weekday or weekend. This constraint only allows between 82 and 84 percent of the total future achievable development.

Table 6 – Future Land Use Types and Square Footages

Land Use Type	Future Square Footage or Dwelling Units			
	Planned / Approved Projects ¹	Trader Lane Structure Ground Floor Retail	Additional Development Accommodated by 442 Space Trader Lane Structure	Total Future Development
Retail	25,350	19,850	21,350	66,550
Restaurant	8,500	-	15,250	23,750
Office	11,780	-	24,400	36,180
Club/Bar/Tasting Rooms	-	-	-	-
Theater (Seats)	-	-	-	-
Museum / Exhibit Space	-	-	-	-
Residential (Dwelling Units – D.U.)	60	-	-	60
Total	45,630 + 60 D.U.	19,850	61,000	126,480 60 D.U.

¹ Includes Historic Folsom Station Project

Table 7 – Permissible Future Development Based on Future Parking Supply

Step #	Steps	Weekday	Weekend	
1	Estimated Parking Spaces in Trader Lane structure	442 spaces	442 spaces	
2a	Parking Demand for Planned/Approved Projects	151 spaces	168 spaces	
2b	Existing Parking Demand	479 spaces	479 spaces	
3	Total Parking Demand	630 spaces	647 spaces	
4a	Future Parking Supply (excludes the existing surface and proposed structure parking spaces in Trader Lane Lot) ¹	635 spaces	635 spaces	
4b	Excess Parking Spaces	5 spaces	-12 spaces	
5a	Available Parking Supply for Future Development (step 1 + step 4b)	447 spaces	430 spaces	
5b	Parking Demand for Wrap-Around Retail	66 spaces	45 spaces	
5c	Total Available Parking Supply for Future Development	381 spaces	385 spaces	
6a	Practical Capacity Reduction	10%	10%	
6b	Net Total Available Parking Supply for Future (90% of step 5c)	343 spaces	347 spaces	
	Future Land Uses	Quantity	Peak Weekday Demand	Peak Weekend Demand
7	Retail	21,350 SF	96 spaces	96 spaces
	Restaurant	15,250 SF	136 spaces	227 spaces
	Office	24,400 SF	110 spaces	9 spaces
	Total	61,000 SF	342 spaces	333 spaces
¹ The future parking supply includes 179 on-street spaces and 456 off-street spaces for a total of 635 spaces. The off-street parking spaces includes the following: <ul style="list-style-type: none"> - Riley/Scott Lot = 75 spaces - Scalzi = 51 spaces - Rail Block Parking Structure = 330 spaces 				

Attachments:

- A – Parking Occupancy Data
- B – District-Wide Parcel-by-Parcel Land Use Assumptions

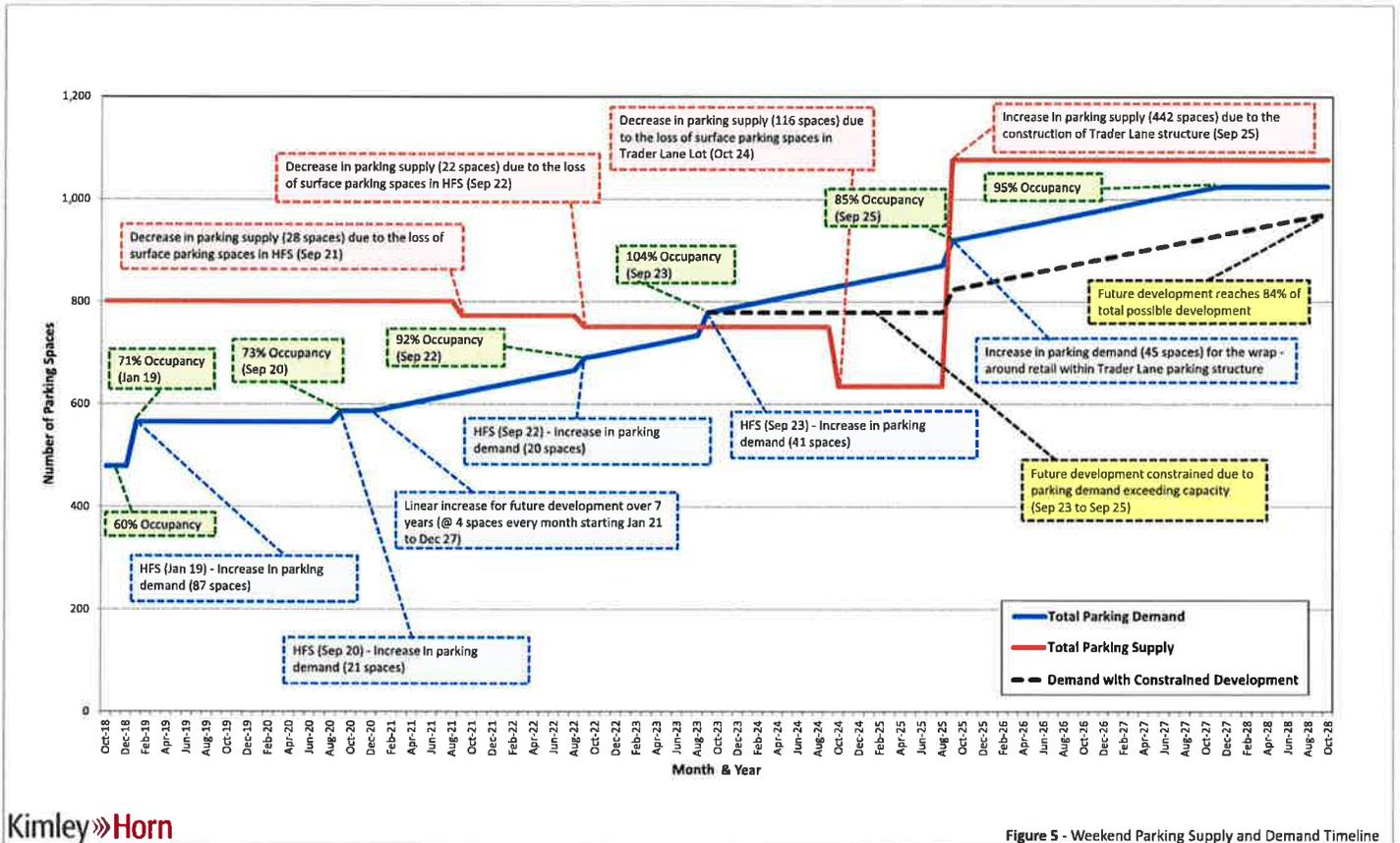


Figure 5 - Weekend Parking Supply and Demand Timeline

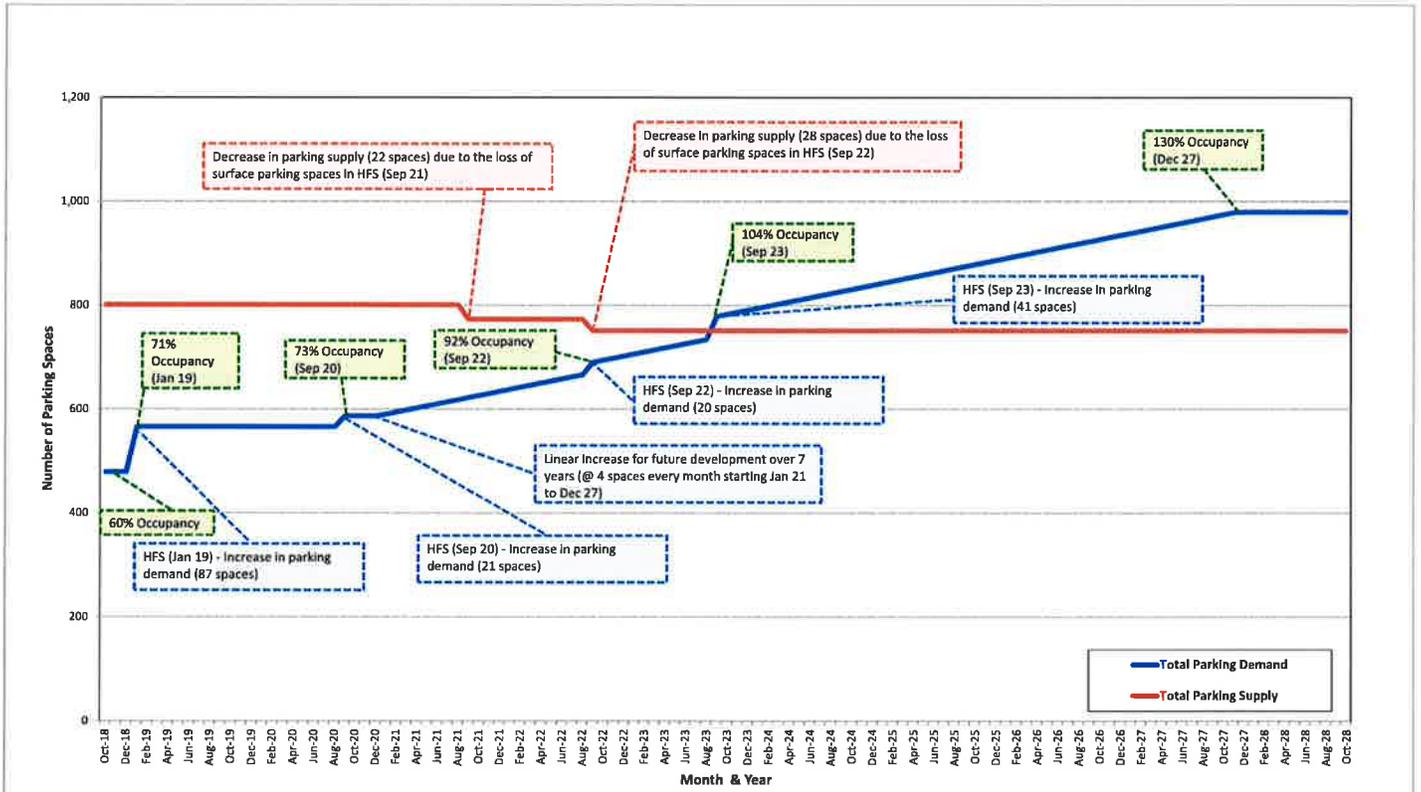


Figure 6 - Weekend Parking Supply and Demand Timeline (No Trader Lane Structure)

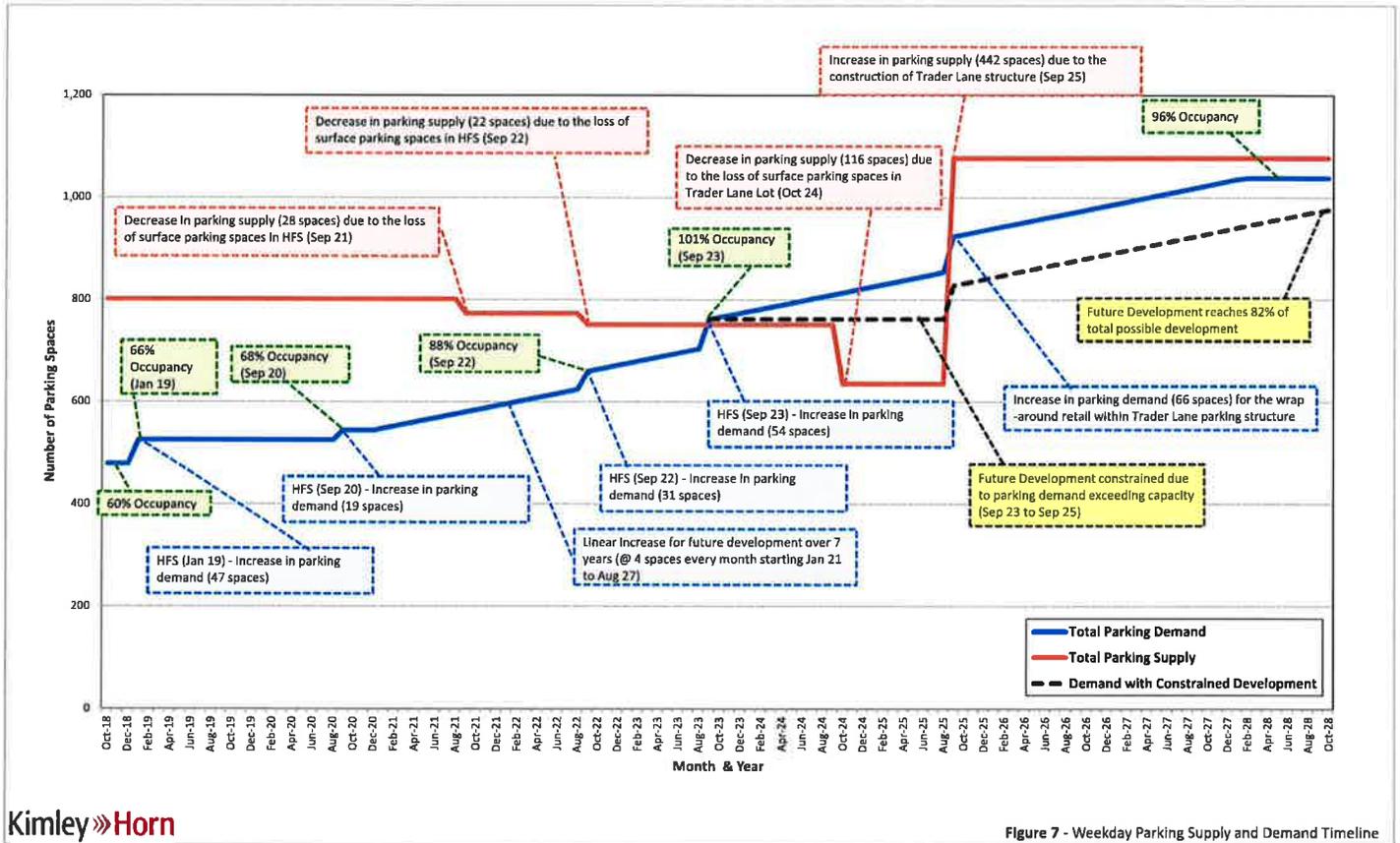


Figure 7 - Weekday Parking Supply and Demand Timeline

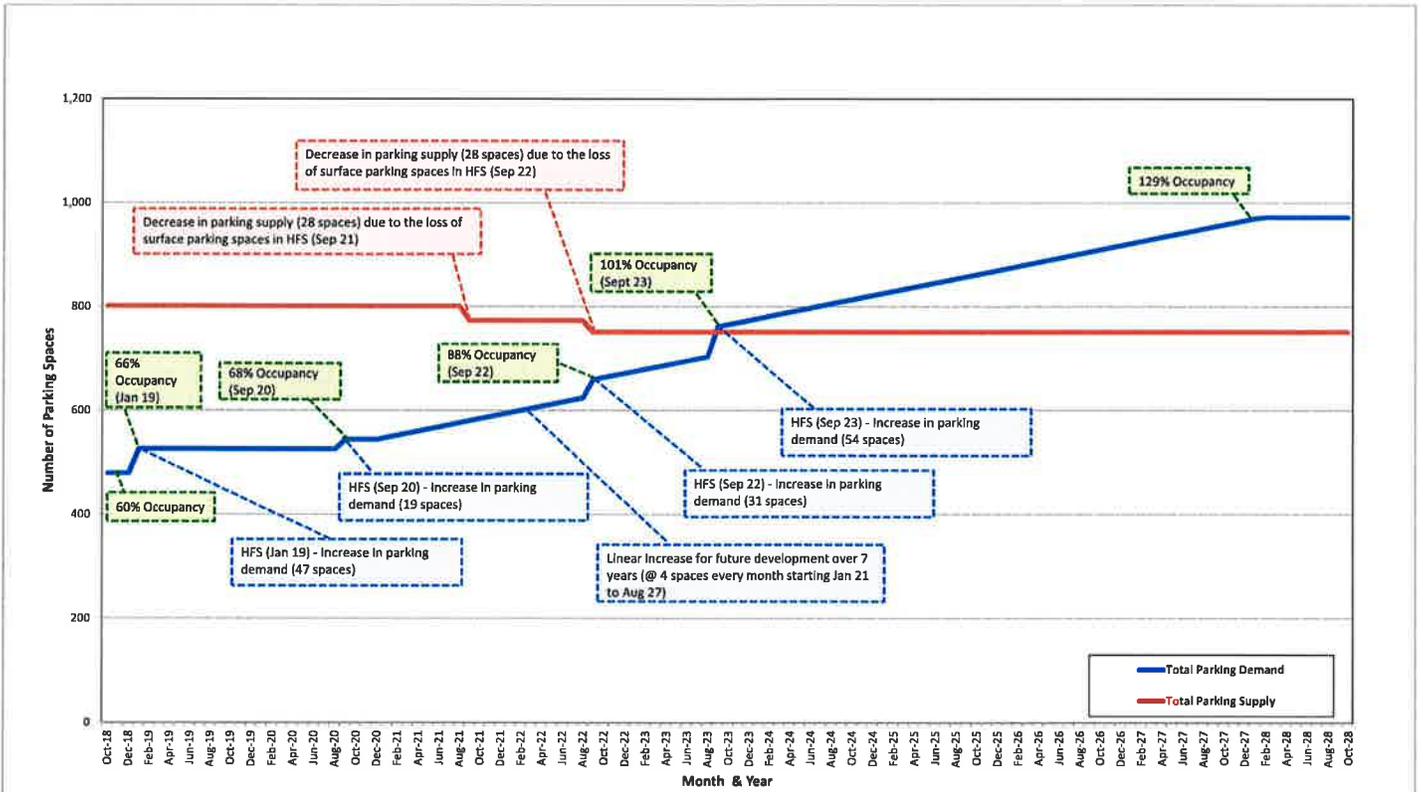
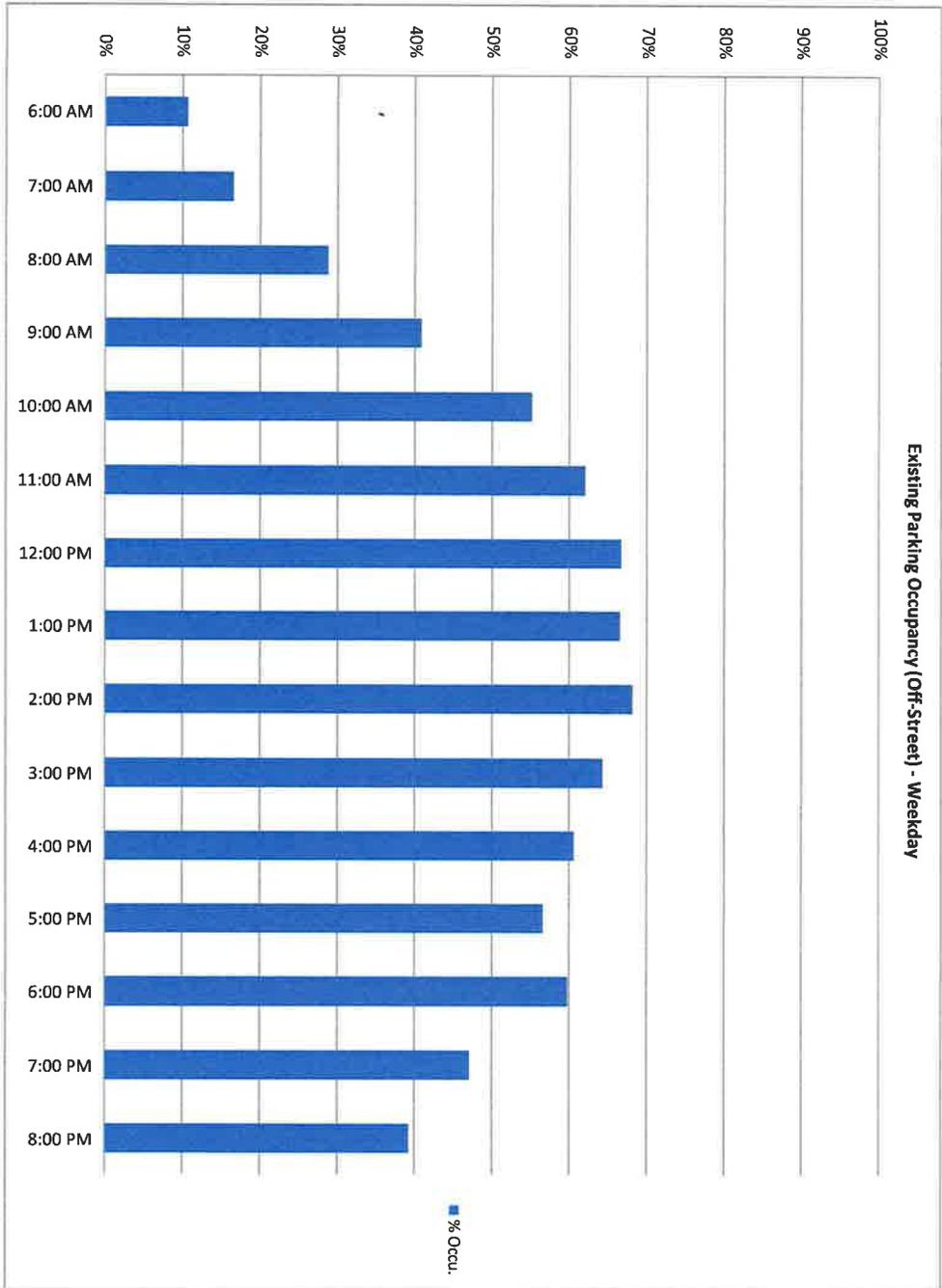
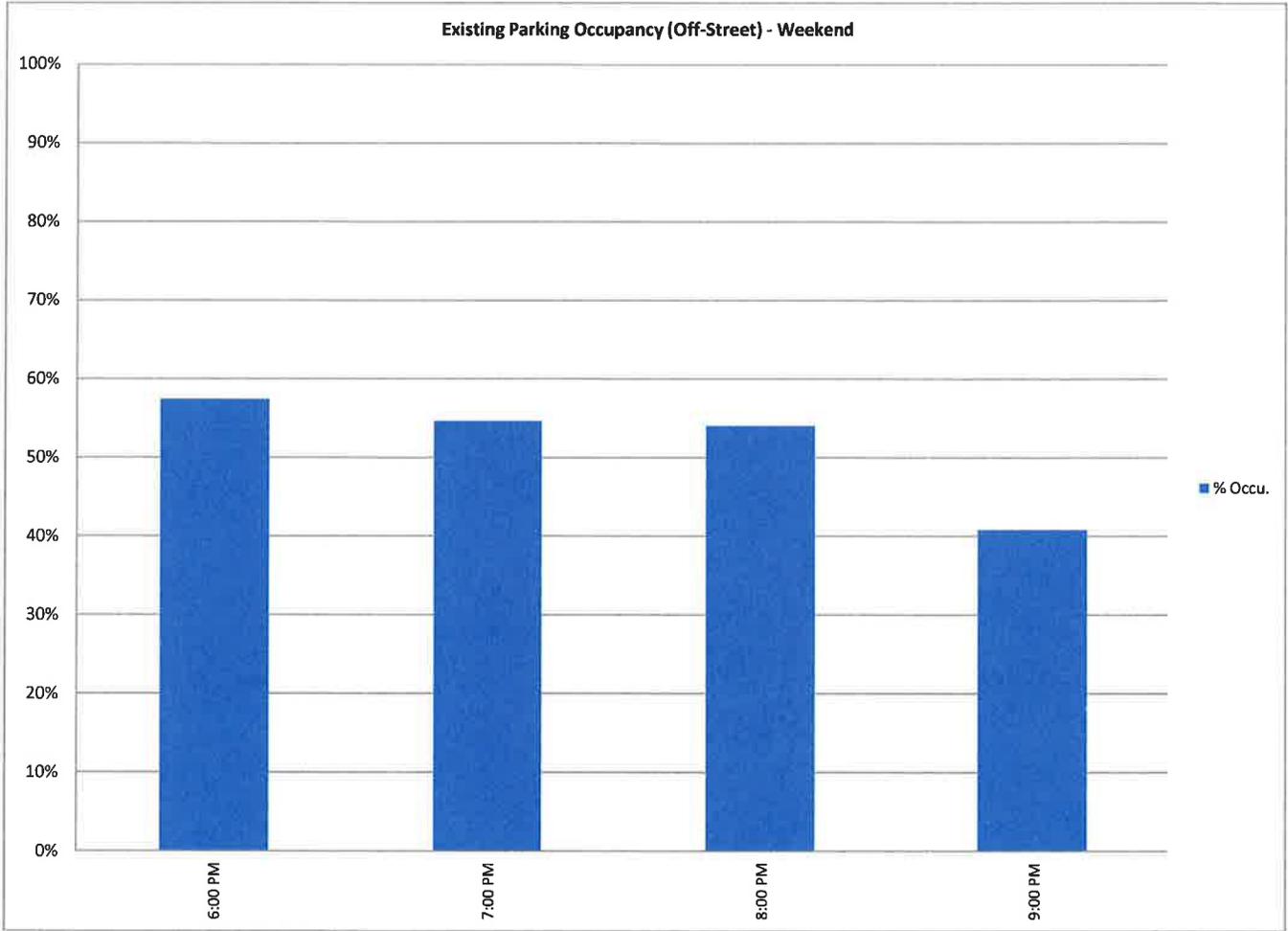
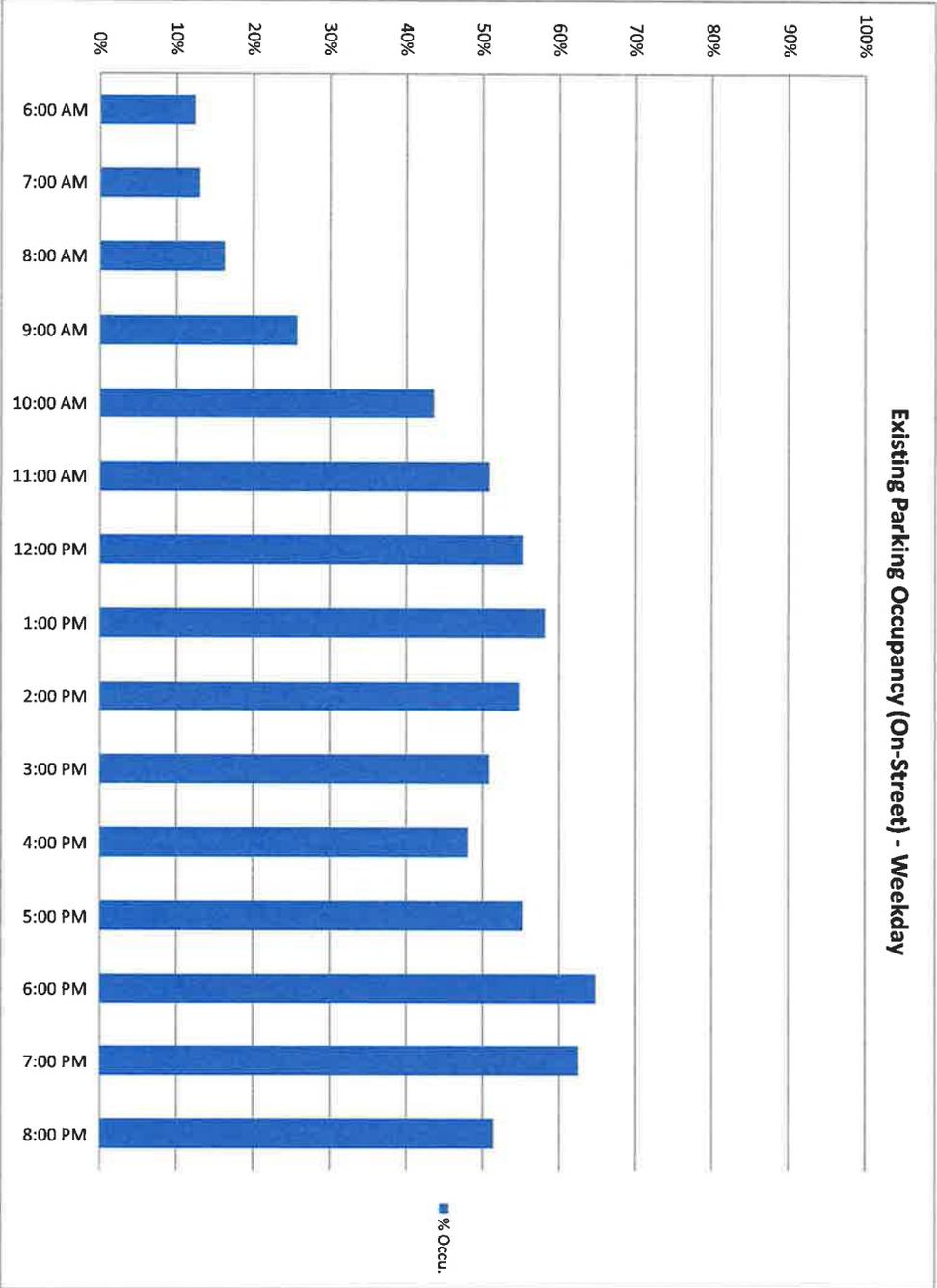


Figure 8 - Weekday Parking Supply and Demand Timeline (No Trader Lane Structure)

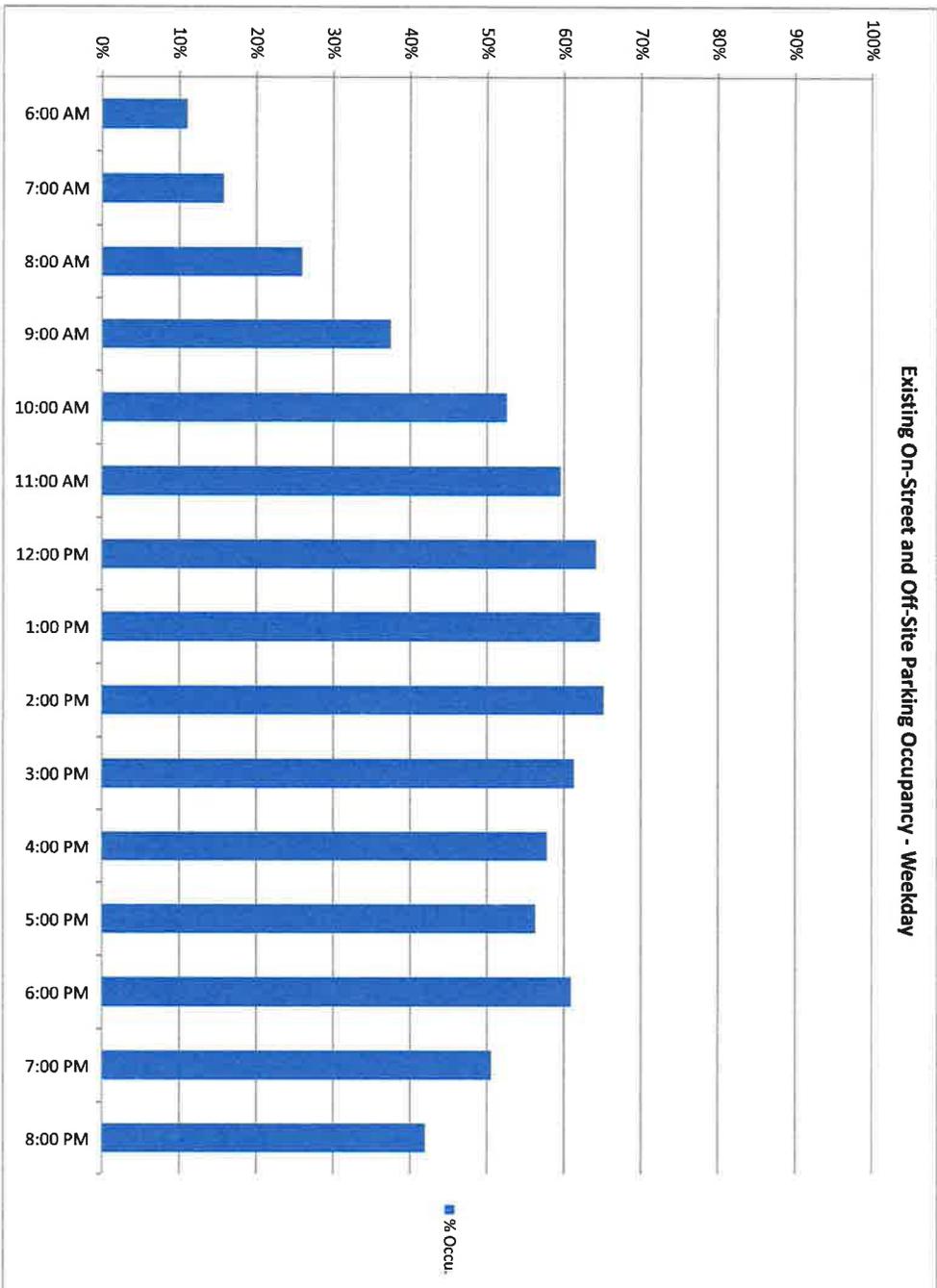
Attachment A – Parking Occupancy Data

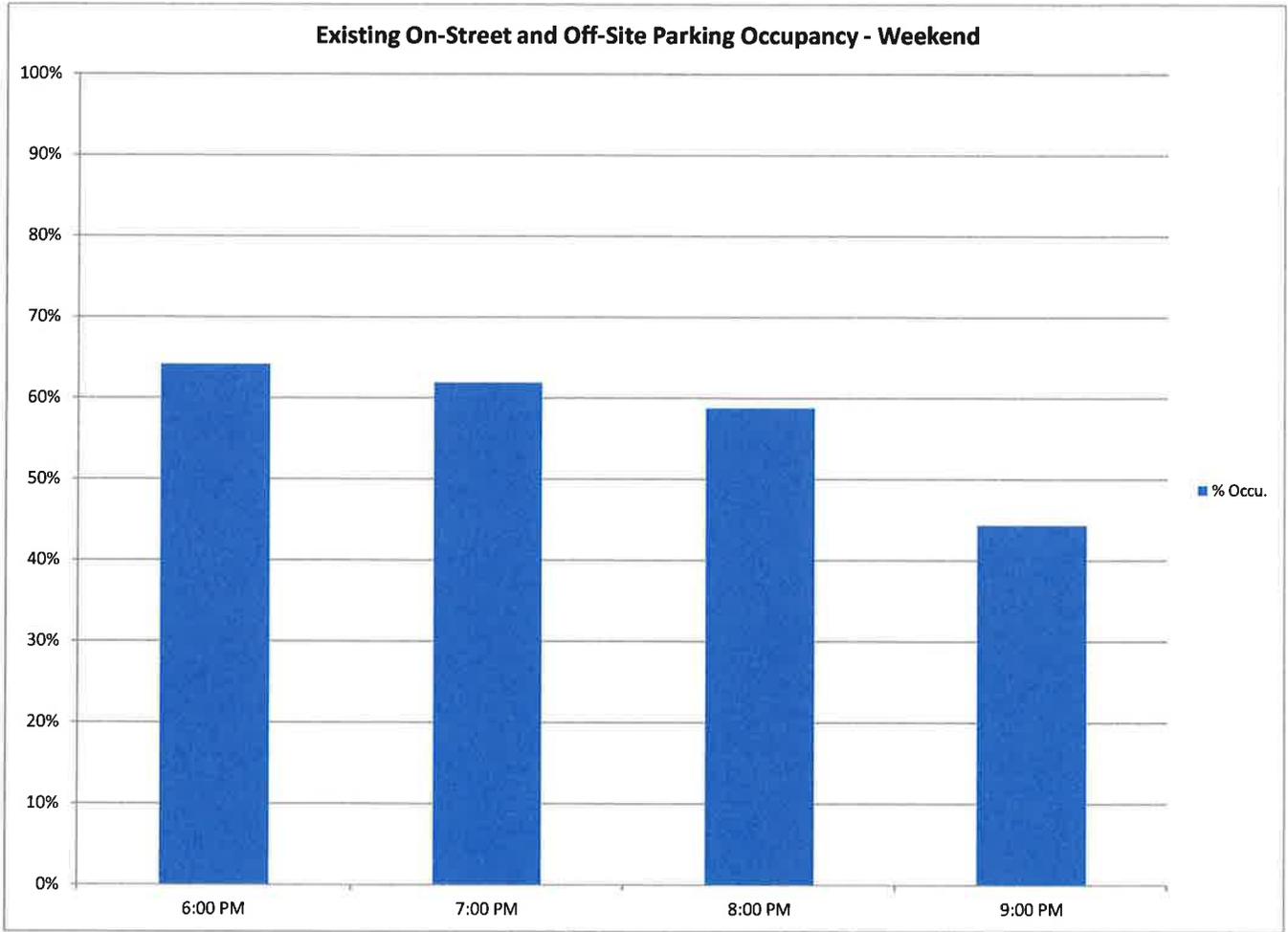


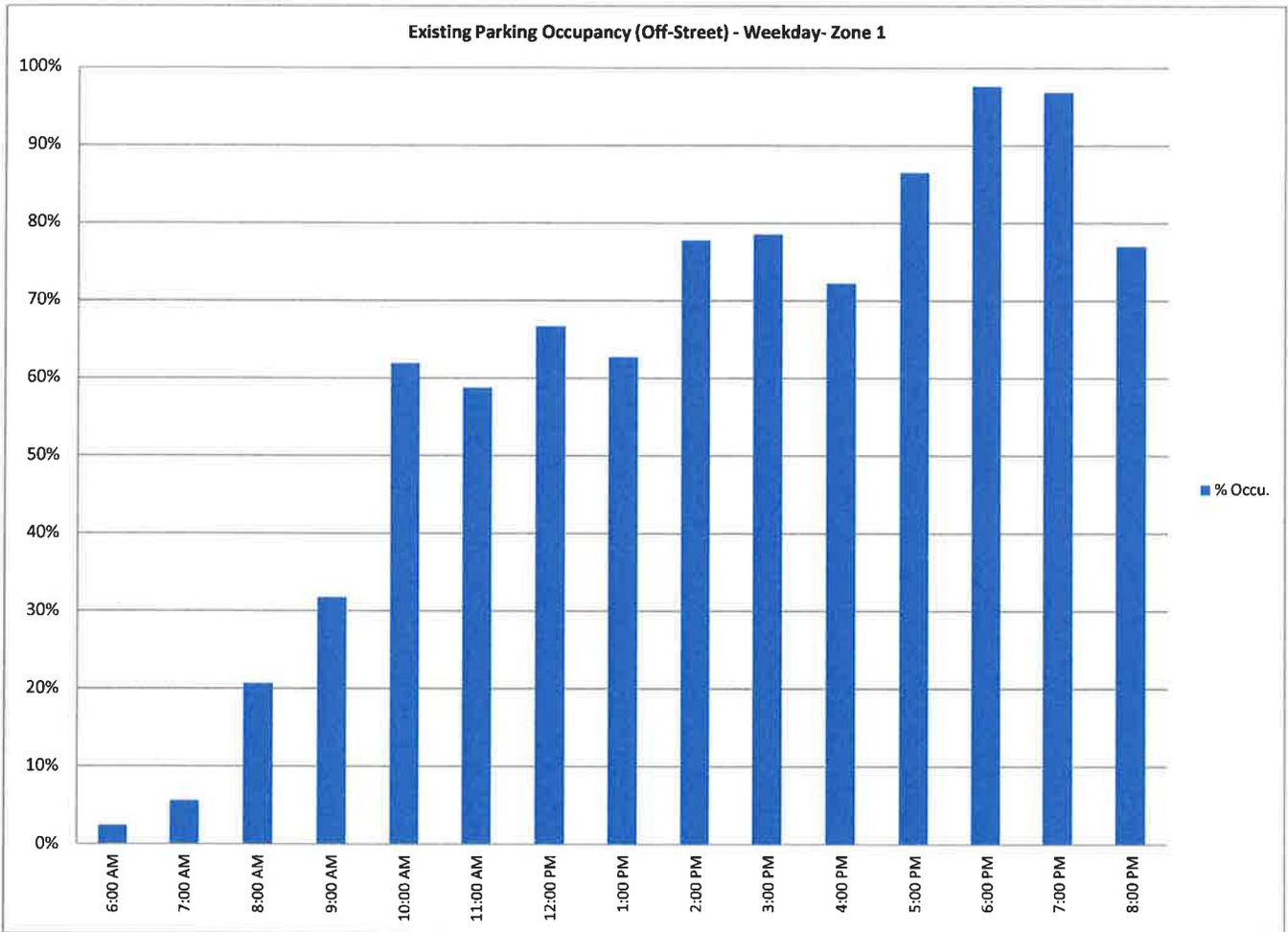


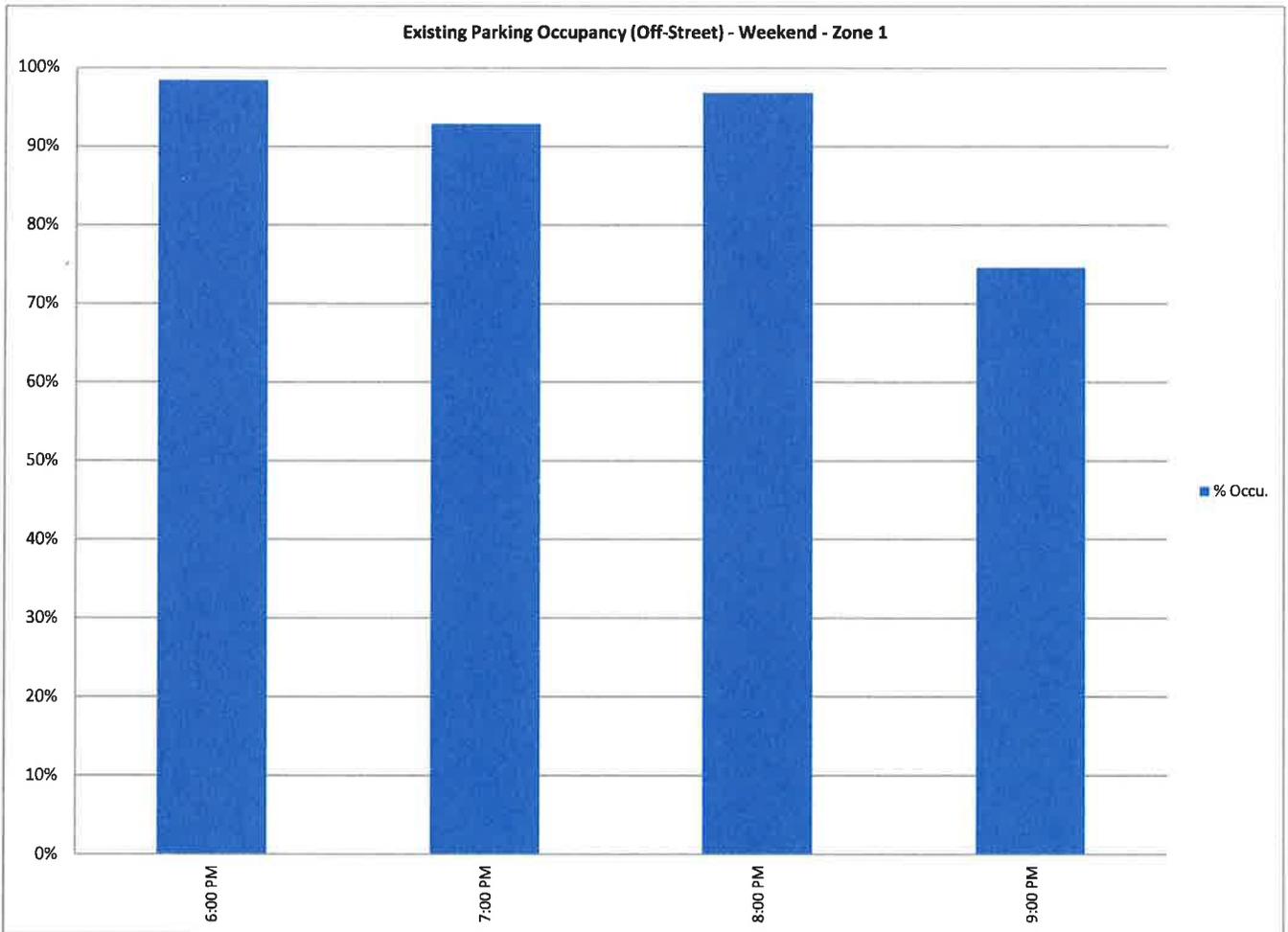


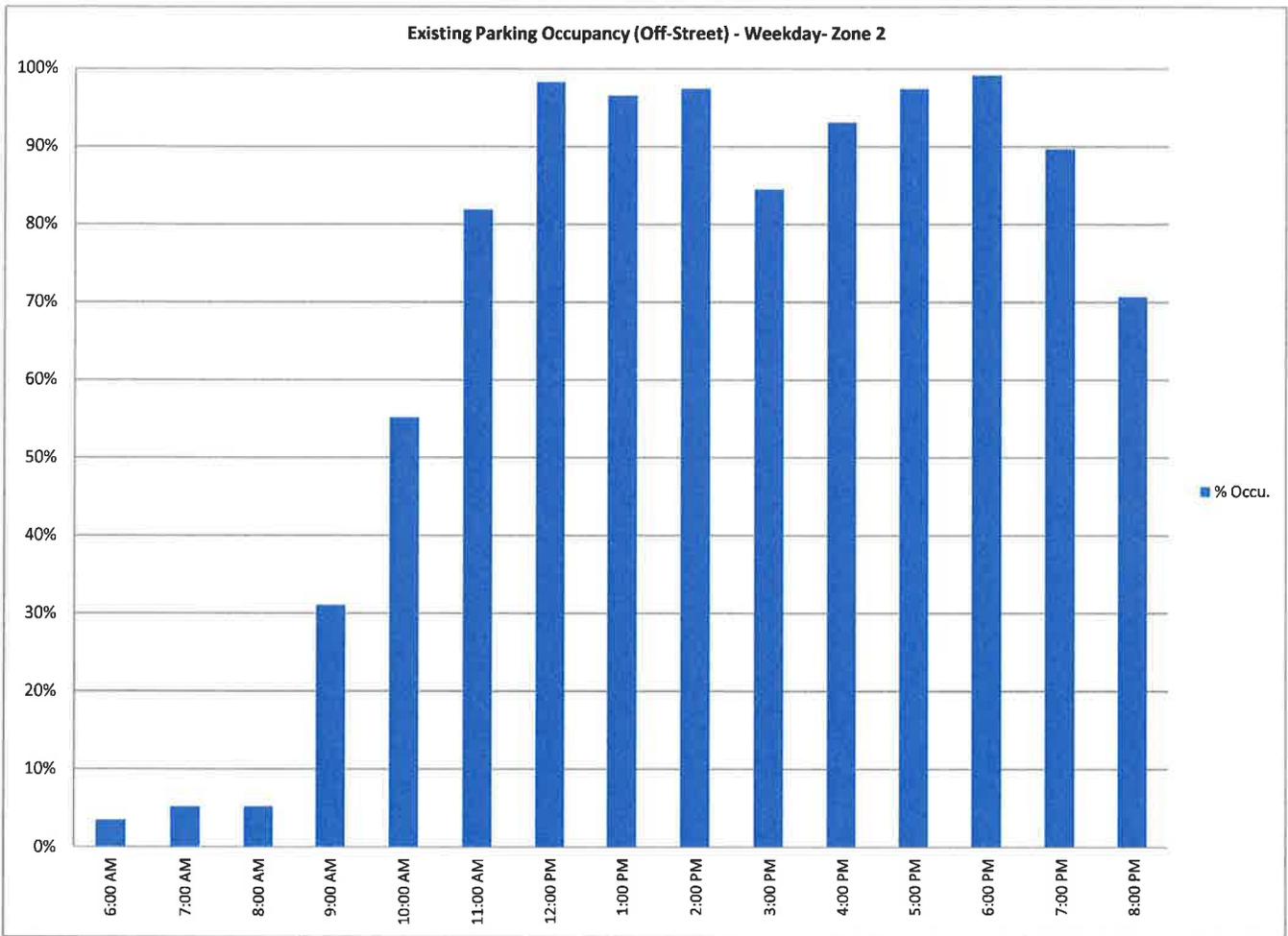


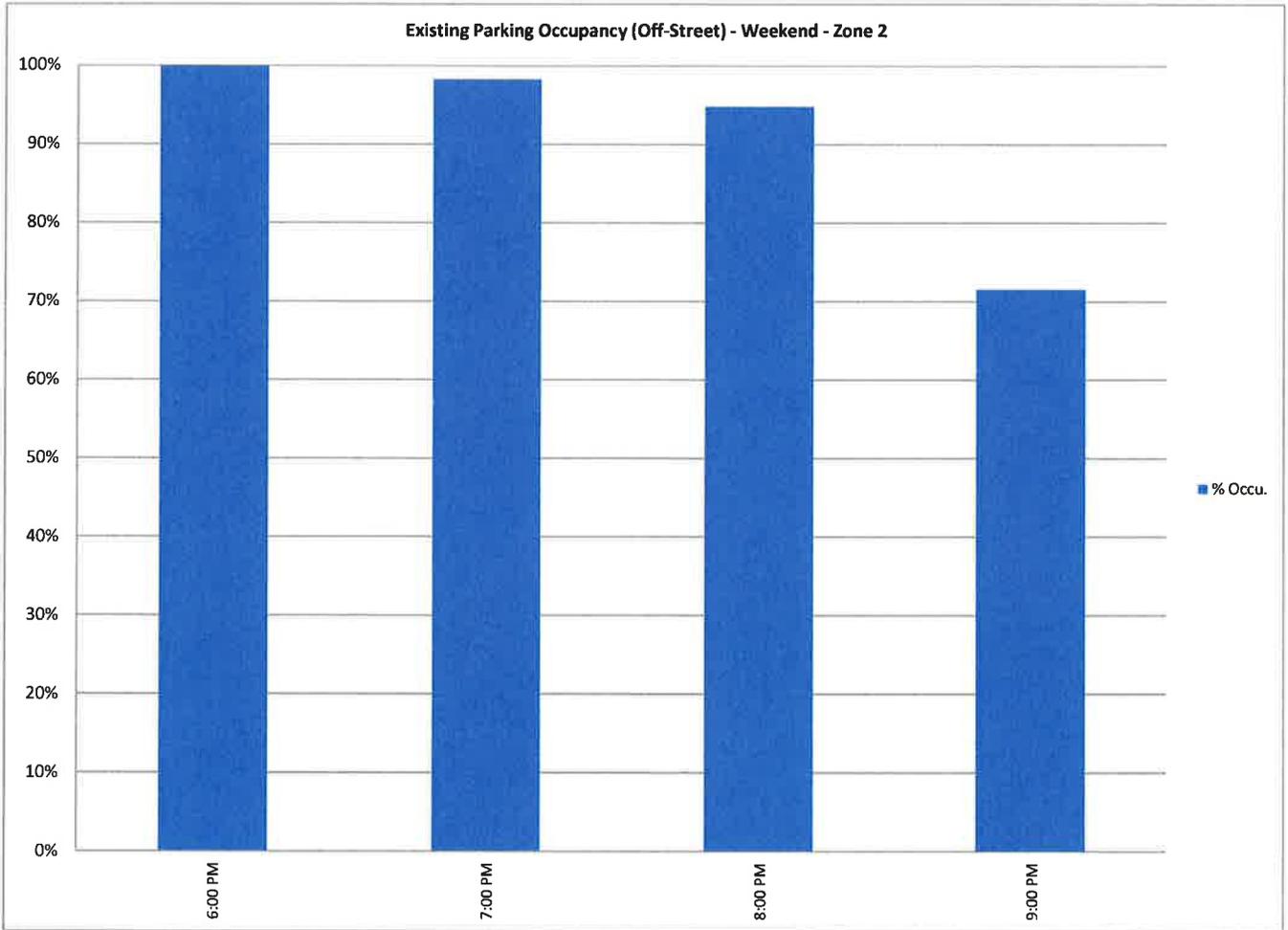


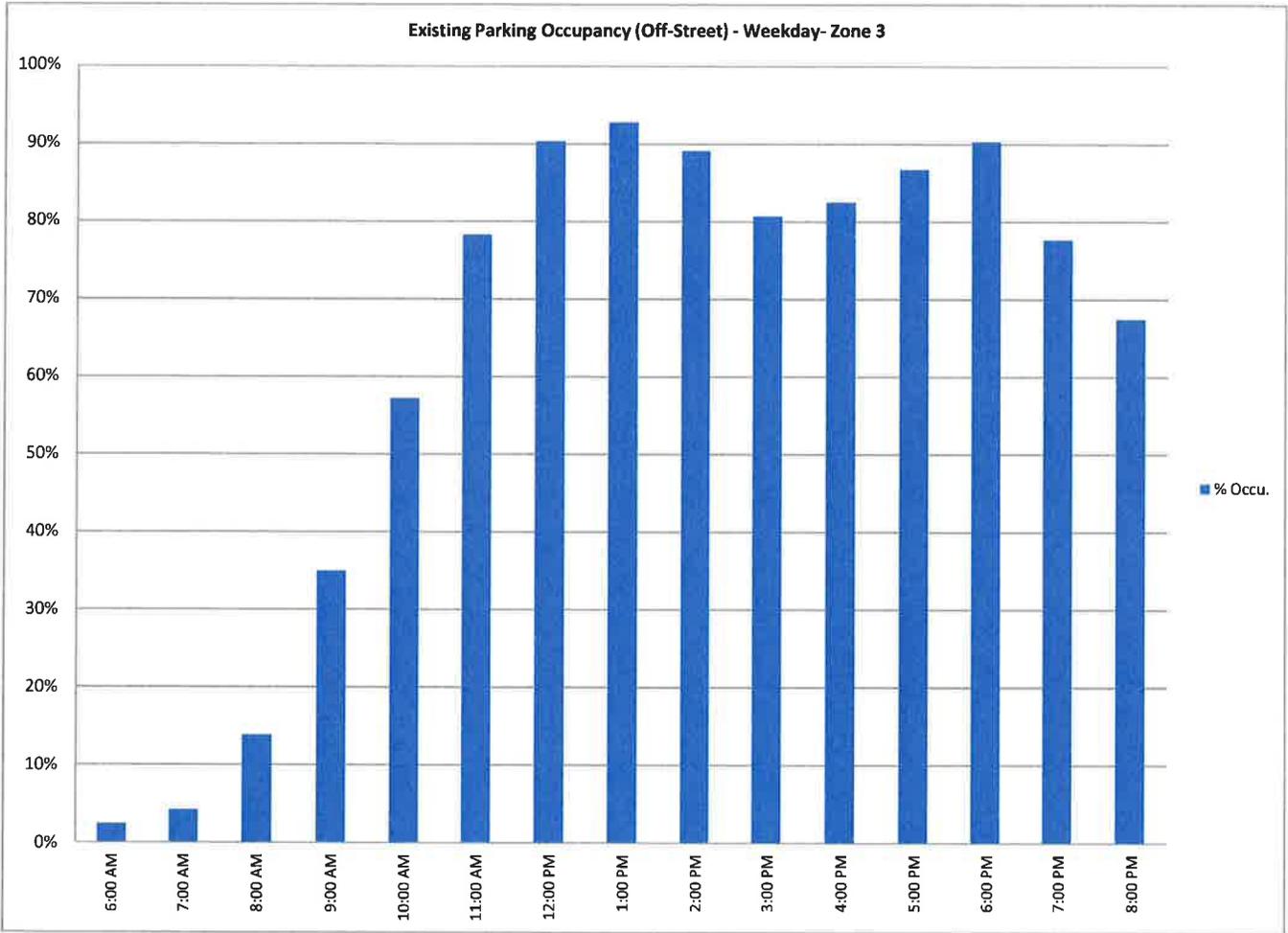


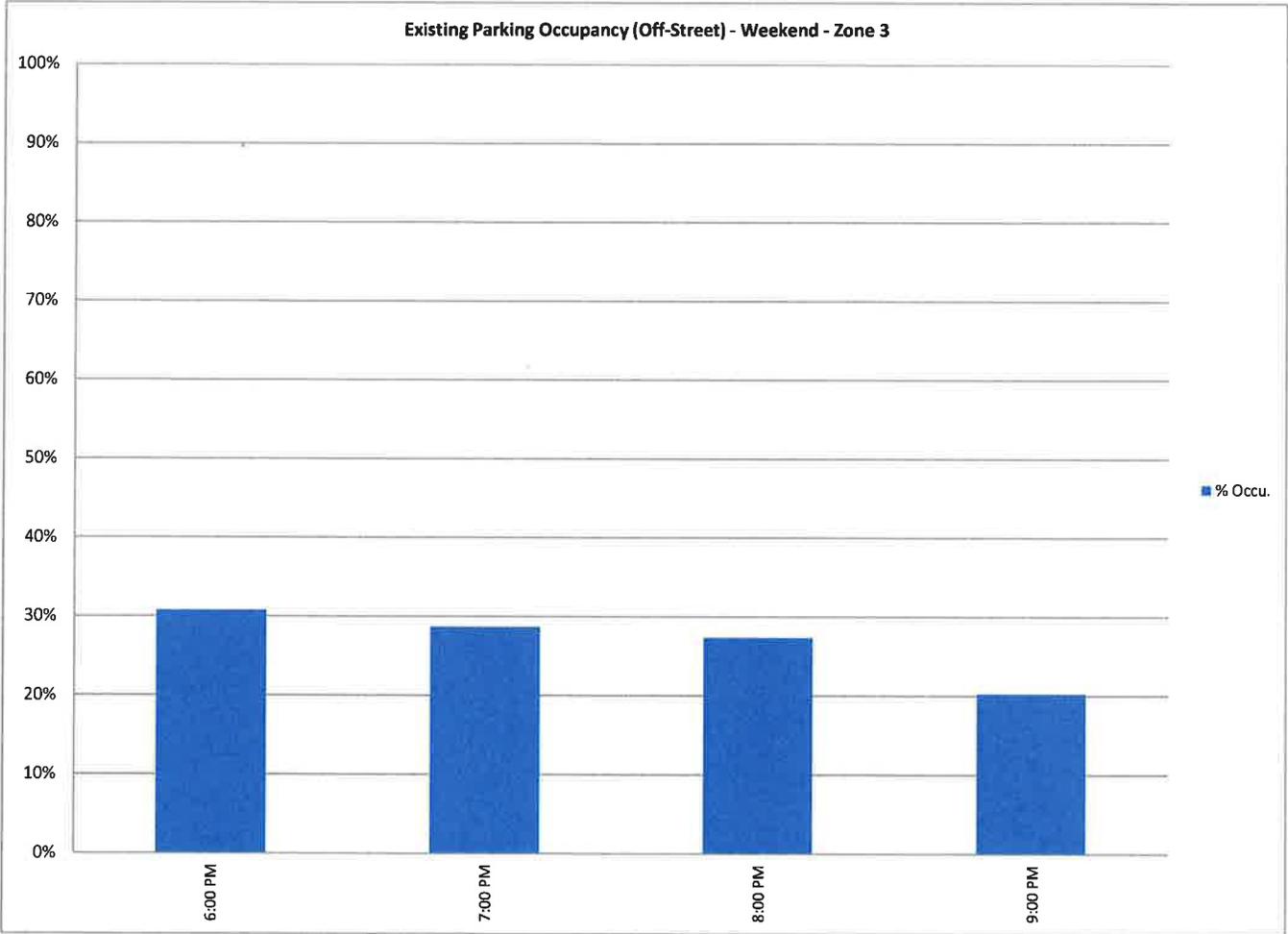












Attachment B – District-Wide Parcel-by-Parcel Land Use Assumptions

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Basement					
303	Riley St		500						500	Novelties/Gifts	The Bag Lady	1	
307	Riley St		1200						1200	Novelties/Gifts	Melange	1	
203	Scott St									Club/bar/tasting room	Moose Lodge	1	A
215	Scott St									Club/bar/tasting room	Eagles Lodge	1	A
605	Sutter St		750						750	Health/Beauty	District 605 A Hair Boutique	1	
606	Sutter St		2100					900	3000	Office	Coyne Maur Bane Design	1	
607	Sutter St		3000						3000	General Retail	Fire Rain	1	
607	Sutter St				2623				2623	Office	Fire Rain	1	
607	Sutter St								2	Residential Units	Fire Rain 2 two-bed apts	1	
608	Sutter St		1298		1209				2507	Restaurant	Hampton's on Sutter	1	
608	Sutter St							1091	1091	Restaurant	Hampton's on Sutter	1	
608 1/2	Sutter St		4800						4800	Art Studio	Cloud's studio	1	
609	Sutter St									Vacant		1	
611	Sutter St		1386						1386	Novelties/Gifts	Gracefully Vintage	1	
614	Sutter St		3040						3040	Club/bar/tasting room	Powerhouse Pub	1	
614	Sutter St									Restaurant	Chicago Fire Pizza	1	A
614	Sutter St									Club/bar/tasting room	Scarlet's Saloon	1	A
625	Sutter St									Novelties/Gifts	Planet Earth Rising	1	A
627	Sutter St		1150						1150	Club/bar/tasting room	Petra Vineyard Wine Gallery	1	
627	Sutter St		1150						1150	Art Gallery	Sutter Street Artists	1	
629	Sutter St		1586		1586				3172	Office	Sierra West Valuation	1	
600	Sutter St								11700	Restaurant	Scalzi	1	
600	Sutter St								18250	Office	Scalzi	1	
306	Riley St		500						500	Novelties/Gifts	Burlap & Bees	2	
305	Wool St		2500						2500	Art Gallery	Pacific Western Traders	2	
731	Trader Lane		1250		1250				2500	Church	Church of Scientology	2	
722	Trader Lane		750						750	Health/Beauty	Karen Kay's Salon	2	
701	Sutter St		500						500	Novelties/Gifts	Katrina's	2	
702	Sutter St									Health/Beauty	Heather Alyece	2	A
702	Sutter St									Health/Beauty	Pedgett Chiropractic	2	A
702	Sutter St									Office	Atlantic & Pacific Real Estate	2	A
702	Sutter St									Restaurant	Hacienda Del Rio	2	A
702	Sutter St									Restaurant	Pizzeria Classico	2	A
702	Sutter St									Office	Carrington Mortgage Services, LLC	2	A
702	Sutter St									Health/Beauty	Maribou Salon on Sutter	2	A
703	Sutter St		1200						1200	Club/bar/tasting room	Folsom Hotel	2	
703	Sutter St				2400	1280		2400	6080	Hotel	Folsom Hotel	2	A
703	Sutter St		1200						1200	Restaurant	Folsom Hotel	2	
705	Sutter St		2800						2800	Art Gallery	American Vision Gallery	2	
707	Sutter St									Vacant		2	
709	Sutter St		1680						1680	Furniture	Snyders House of Jade	2	
710	Sutter St		1325						1325	Clothing	The Firehouse	2	
711	Sutter St		1600						1600	Novelties/Gifts	Starlight Starbright	2	

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Basement					
713	Sutter St		2000						2000	Novelties/Gifts	We Olive	2	
715	Sutter St								750	General Retail	Outdoor Link	2	
715	Sutter St								750	Health/Beauty	Alchemy Day Spa and Boutique	2	
715	Sutter St								750	Health/Beauty	Indie Salon	2	
715	Sutter St								750	Health/Beauty	Liberty Tattoo	2	
717	Sutter St		3210		989				4199	Theatre	Stage Nine (115 seats)	2	
718	Sutter St								1500	Restaurant	Beach Hut Deli	2	
718	Sutter St								2000	Office	Roost Vintage Living	2	
718	Sutter St								1500	Office	Stanfield Systems Inc.	2	
718	Sutter St								750	Office	Capital Equity Group Real Estate	2	
718	Sutter St								1000	Health/Beauty	Tre Salon Spa	2	
718	Sutter St								1500	Club/bar/tasting room	Lockdown Brewing Co.	2	
718	Sutter St								750	Office	CMC Gaming Systems	2	
719	Sutter St		1800						1800	Club/bar/tasting room	Samuel Homes Tavern	2	
720	Sutter St		1750						1750	Club/bar/tasting room	Sutter Club	2	
721	Sutter St		1250						1250	Jewelry	Rainbow Bridge Jewelers	2	
722	Sutter St								1000	Sports/recreation	Mama Bootcamp	2	
722	Sutter St								1750	Health/Beauty	Psychic Gallery	2	
722	Sutter St								1000	Health/Beauty	Shannon's Skin Studio	2	
723	Sutter St		1600						1600	Jewelry	Precious Gem Jewelers	2	
723	Sutter St								750	General Retail	Vasilij Watch, Clock and Jewelry R	2	
726	Sutter St				6500				6500	Vacant		2	
727	Sutter St		1800						1800	Club/bar/tasting room	Cellar Wine and Cheese Bar	2	
728	Sutter St		1450						1450	Antiques	Williams Carriage House	2	
729	Sutter St		2370						2370	Novelties/Gifts	Not Too Shabby	2	
731	Sutter St		3100						3100	Candy	Snooks	2	
732	Sutter St								750	General Retail	Princess Academy	2	
732	Sutter St		1300						1300	Antiques	Emily's Corner	2	
300/302	Reading St		1500						1500	Restaurant	Guido's Deli	3	
198	Wool St		10000						10000	Museum	Interpretive Center	3	
200	Wool St								2500	Office	Folsom Tourism Bureau	3	
200	Wool St		6000						3000	Office	Chamber of Commerce	3	
801	Sutter St		1400						1400	Novelties/Gifts	Dorothea's	3	
801	Sutter St				1000				1000	Novelties/Gifts	Curiosity Shoppe	3	
801	Sutter St								1500	Club/bar/tasting room	Painted Cork	3	
802	Sutter St								750	Health/Beauty	Mellow Moments	3	
802	Sutter St								750	Office	Adam Reeder Studios	3	
805	Sutter St								750	Office	Vida Mia Photography	3	
805	Sutter St				300				300	Office	Mark Roberts	3	
805	Sutter St		1600						1600	Restaurant	Hop Sing Palace	3	
807	Sutter St		1150						1150	Restaurant	Black Rooster	3	
809	Sutter St		1150						1150	Antiques	Gray's Place/Dai Bello	3	
811	Sutter St		2100						2100	Restaurant	Sutter Street Grill	3	

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Base ment					
813	Sutter St								1000	Health/Beauty	American Barber Shop	3	
813	Sutter St		650						650	Novelties/Gifts	Charming Jules	3	
813	Sutter St		650						650	Jewelry	Gem N I Jewelry Gallery	3	
813	Sutter St		660						660	General Retail	Shanei	3	
813	Sutter St								650	Novelties/Gifts	Timeless Passion	3	
813	Sutter St								650	Novelties/Gifts	It's Just Your Style and Friends	3	
815	Sutter St								650	Novelties/Gifts	Betty's House of Turquoise	3	
815	Sutter St								650	Novelties/Gifts	Sutter St Pastels	3	
823	Sutter St		3357		2346				5703	Museum	Folsom History Museum	3	
825	Sutter St		3200						3200	Restaurant	Fat Rabbit	3	
800 Future (HFS)									23350	General Retail	Historic Folsom Station	3	B
800 Future (HFS)									8500	Restaurant	Historic Folsom Station	3	B
800 Future (HFS)									11780	Office	Historic Folsom Station	3	B
800 Future (HFS)									60	Residential Units	Historic Folsom Station	3	B
905	Sutter St	100	5000						5000	Office	Folsom Lake Bank	3	
905	Sutter St	200			5661				5661	Office	REY Engineering	3	
905	Sutter St								1250	Office	Sutter Court, LLC	3	
915	Sutter St								750	General Retail	UnWined	3	
915	Sutter St								750	Office	ID Solutions	3	
915	Sutter St								750	Office	Bernau Development Corp	3	
915	Sutter St								750	Office	Essex Mortgage	3	
915	Sutter St								750	Office	Folsom Historic District Association	3	
915	Sutter St								750	Office	Historic Folsom Station	3	
915	Sutter St								750	Office	Kensington Homes, Inc.	3	
915	Sutter St								750	Office	Today's Specials App.com	3	
921	Sutter St								1250	Office	Capital Equit Group Corporate Offic	3	
921	Sutter St								1250	Office	Folsom Telegraph	3	
929	Sutter St								1250	Office	Hampton Photography	3	
929	Sutter St								750	Office	Jiva Wellness	3	
TOTALS													
Existing									165,968	+ 115 Theater Seats + 2 D.U.			
Future									45,630	+ 60 D.U.			
Existing + Future									211,598	+ 115 Theater Seats + 62 D.U.			

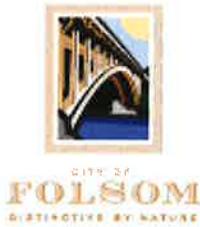
Notes:

A - These existing developments provide small, private off-street parking exclusively for their patrons, and do not rely on the public parking supply. Therefore, they were not surveyed and are excluded from the model validation process.

B - Approved/Pending Project

Attachment 16

Historic District Parking Solutions Ad Hoc Committee Findings and Recommendations Dated July 23, 2020



Folsom City Council Staff Report

MEETING DATE:	6/23/2020
AGENDA SECTION:	New Business
SUBJECT:	Presentation of Findings and Recommendations from the Historic District Parking Solutions Ad Hoc Committee and Possible Direction to Staff
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council receive a presentation of findings and recommendations from the Historic District Parking Solutions Ad Hoc Committee and provide direction to staff if desired.

BACKGROUND / ISSUE

In response to existing parking problems in the City of Folsom Historic District, the City Council passed Resolution 10253 in March 2019, forming an Ad Hoc Committee (Committee) to find parking solutions to alleviate traffic and parking concerns in the residential and commercial portions of the Folsom Historic District. The eleven-person Committee included the following members appointed by the City Council:

- FHDA Members: Karen Holmes, Jim Snook, and Murray Weaver
- HFRA Members: Shannon Brenkwitz, Paul Keast, and Cindy Pharis
- Historic District business owner not affiliated with FHDA or HFRA: Charles Knuth
- Historic District resident not affiliated with FHDA or HFRA: Phil Rotheram
- Folsom resident who lives outside the Historic District: Kyle Middleton
- Folsom business owner whose business is outside the Historic District: Steve Heard
- Professional planner or licensed engineer who is a Folsom resident and has professional expertise working on transportation-related projects: Kenton Ashworth

The Committee was tasked with finding solutions to resolve a current parking spaces deficit and developing a set of parking strategy recommendations for City Council within a one-year timeline. Committee members met monthly from August 2019 to March 2020 with staff, interested members of the public, and professional meeting facilitators to discuss parking problems and solutions in both the residential and commercial areas of the City’s Historic District. The Committee recommends parking solutions as a comprehensive program for parking demand management with individual components working together over time with a series of shorter term solutions, longer term solutions, and ongoing implementation and monitoring as listed below and detailed in the attached report. The recommendation is that short term items are solutions that would be addressed within two years while longer term items would be addressed within five years.

Short Term High Priority

Establish designated loading zones for ridesharing and Smart RT

Establish an In-Lieu fee for parking

Improve and expand wayfinding signage to encourage use of parking garage

Design, implement and enforce residential parking permit program

Enhance pedestrian safety to and from the Railroad Block parking garage

Increase frequency and scope of parking enforcement

Short Term Low Priority

Create a special district to fund parking improvements

Provide shuttle options to parking garage and Light Rail

Educate Historic District employees about parking options

Long Term High Priority

Offer incentives to reward beneficial parking behavior

Build an additional public parking garage

Long Term Low Priority

Consider establishing valet parking services at key locations

Improve overall circulation design for access to the Historic District

Consider use of small undeveloped or underdeveloped lots for infill parking

Ongoing and Existing Solutions

Continue to improve bicycle and pedestrian access to Historic District

Promote ways to get in and around the Historic District

Work with Special Event organizers to manage parking demand

Address parking standards for Historic District through Zoning Code update

Adaptively manage Historic District parking

Committee members selected four members to present the recommendations to City Council for consideration and potential direction to staff.

ATTACHMENT

1. Historic District Parking Solutions Ad Hoc Committee Recommendations dated May 8, 2020

Submitted,

A handwritten signature in blue ink, appearing to read "Pam Johns", with a long horizontal flourish extending to the right.

Pam Johns, Community Development Department



City of Folsom
Historic District Parking Solutions
Ad Hoc Committee Recommendations

Report to Council

May 8, 2020

Committee Members

FHDA Members

Karen Holmes

Jim Snook

Murray Weaver

HFRA Members

Shannon Brenkwitz

Paul Keast

Cindy Pharis

Historic District business owner not affiliated with FHDA or HFRA

Charles Knuth

Historic District resident not affiliated with FHDA or HFRA

Phil Rotheram

Folsom resident who lives outside the Historic District

Kyle Middleton

Folsom business owner whose business is outside the Historic District

Steve Heard

Professional planner or licensed engineer who is a Folsom resident and has professional expertise working on transportation-related projects

Kenton Ashworth

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Committee Purpose and Process..... 6
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Committee Recommendations..... 9
Funding 14

Introduction

In response to existing parking problems in the City of Folsom Historic District, the City Council passed Resolution 10253 in March 2019, forming an Ad Hoc Committee (Committee) to find parking solutions to alleviate traffic and parking concerns in the residential and commercial portions of the Folsom Historic District. Ultimately, the Committee was tasked with finding solutions to resolve a current parking spaces deficit and developing a set of parking strategy recommendations for City Council by April 2020. The recommendations found herein are the result of deliberation by an eleven-member committee representing the interests of both Historic District residents and the business community. City staff assisted in providing engineering, planning and legal expertise to support Committee research and decision-making.

Folsom's Historic District is a treasured community resource deserving of adequate protection and preservation to be enjoyed by current residents, visitors and for generations to come.

The Committee's scope centered broadly on parking problems and solutions in both the residential and commercial areas of the City's Historic District. Parking related issues considered included existing conditions, traffic flow, wayfinding and special events. Recommendations were developed in alignment with the City of Folsom Historic District municipal code and to ensure preservation and enhancement of the district's historic, small-town atmosphere and to respect the quality of life for residents.

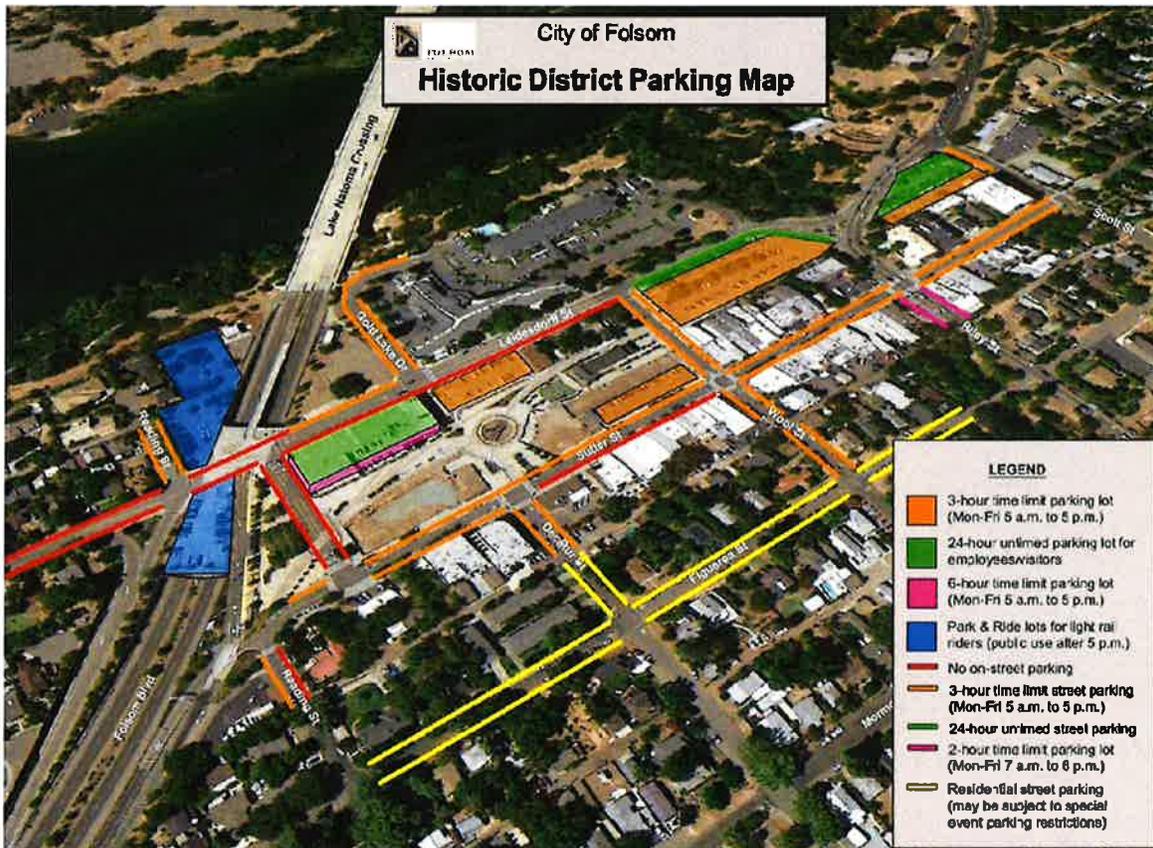
This report's recommendations outline both short term and long term solutions. This approach recognizes the variety of resources and implementation complexities necessary to address existing and future parking needs. An overview of recommendations begins on page 7 of this report.

Problem Statement

Employees, patrons and visitors to Historic District destinations are occupying on-street parking spaces in the adjacent residential areas throughout the day and into the early morning hours, resulting in constrained parking options for residents along with many associated nuisance factors which adversely impact residential quality of life. Specific areas of the residential district experience different and sometimes greater impacts, depending on their proximity to Sutter Street.

The future of Folsom's residential and commercial Historic District depends upon solving the problem of the limited parking supply to ensure visitors have a reasonable chance of finding convenient parking, while still meeting the needs of residents, patrons, employees, light rail riders, etc. With recent and projected Historic District commercial and residential growth and the anticipated addition of Accessory Dwelling Units resulting from newly enacted State laws, parking-related issues are becoming more acute. Parking solutions are necessary to address current and future issues including the overall limited parking supply as well as specifically addressing parking for residents, patrons, employees, light rail riders and visitors.

Existing Conditions Historic District Context



Parking needs and issues in Folsom's Historic District comprise a unique suite of challenges for various stakeholder groups.

Employee Parking Demand

Historic District businesses require parking for employees and patrons throughout the day and night. The limited availability of parking spaces near business locations (specifically in the 600-700 blocks) is putting greater demand on existing spaces and pushing business patron and employee parking out into residential areas.

Based on the results of recent parking surveys (Kimley Horn, October 2018), it has been found that employee parking demand peaks during the second half of the week and into the weekend. Parking demand occurs throughout regular business hours as well as late into the night (approximately 9 am to 2 am). While the survey data confirmed the trends that many residents, business owners, employees and patrons already observe, the survey was not comprehensive and the results should be considered alongside firsthand experience, particularly impacts to quality of life during weekends, evenings, and nights. Additionally, the Committee felt that the survey did not paint a comprehensive picture in part because it did not account for the impact of other destinations in the area, such as churches.

Limited Parking Supply

As the Historic District approaches build out, there will be a deficit of 522 parking spaces, a shortage that appears particularly acute during peak periods and special events (Kimley Horn, October 2018).

Recent parking studies show a total supply of 801 parking spaces, with 622 of those provided off-street and 179 existing on-street parking spaces (Kimley Horn, October 2018). However, the number of on-street parking spaces has since been reduced due to the Roundhouse construction project and the bicycle trail construction on Leidesdorff Street.

Historic District residents need timely action to address the swiftly growing traffic and parking issues in this unique neighborhood. Solutions should be implemented as quickly as possible.

In 2018, there were 50 special events permitted by the City of Folsom in the Historic District. In 2018, attendance at events ranged from 75 to 6500 people per event. Events have a significant impact on residential parking availability and quality of life. Special event organizers are responsible for addressing their own transportation impacts and demand. While some have done this effectively, many others could do more to help mitigate the impacts from events on the residential area of the Historic District.

The light rail line adjacent to the Historic district has resulted in commuters occupying parking spaces in the parking garage otherwise available for employees and customers.

The Historic District's existing 330-space parking structure, at the corner of Leidesdorff and Reading, is often not utilized to capacity despite its proximity to the district's businesses and current wayfinding efforts. However, after the completion of the Roundhouse Building and three additional construction projects pending in the Railroad Block, there will be additional demand for this capacity alongside fewer on-street parking spaces resulting from this development.

The City has previously analyzed new parking garage locations behind the Folsom Hotel, at Gold Lake Center, the Moose Eagles Lodges, Riley and Scott and Trader Lane. Each of these options was estimated to cost in excess of \$10 million dollars to develop, with estimates as high as \$16 million for some sites. While it has been previously estimated that there is a need for a second parking structure due to the overall growth trajectory of Folsom, funding sources have not been identified for garage construction and as a result, no additional parking structure has been developed.

Lack of Dedicated Enforcement

Existing parking time limits, particularly in the Railroad Block Garage, are not effectively enforced due to a lack of dedicated staff to ensure compliance.

Committee Purpose and Process

The City of Folsom recognizes data alone is not sufficient to understand the effects of existing parking conditions-input is required from residents and business owners both within and outside of the Historic District. To facilitate the successful implementation of parking solutions, considerable effort was made to proactively involve key stakeholders as members in the

formation of the Ad Hoc committee. The Committee met eight times between August 2019 and March 2020.

Committee members provided feedback on potential solutions and associated criteria to form consensus recommendations which meet the Folsom Historic District's unique parking needs. The strongest consensus amongst committee members included widespread recognition that the existing parking garage is underutilized and requires improved wayfinding, current parking management has resulted in difficulties finding convenient parking during peak hours and special events, and properly addressing parking challenges will require a variety of solution approaches in combination rather than a single solution.

The Committee also reached a mutual understanding that an additional garage is necessary, as the Historic District continues to attract new businesses and residents. Committee members often raised important questions regarding the implementation of parking solutions that went beyond the scope of this process to answer. For that reason, the recommendations in this report contain notes regarding implementation considerations and questions for further study.

Key Issues and Opportunities

Residential access to neighborhood parking

Residents of the Historic District have been adversely impacted by lack of available on-street parking in front of and near their homes, noise, litter and other nuisances of regular public parking in their neighborhood. While existing parking in the public right of way is available to all residents and visitors in the Historic District, visitors and employees should be directed to available parking in the existing Railroad Block structure. Additional opportunities exist to provide alternatives to private vehicle parking in the residential areas of the Historic District, such as the use of transportation network companies, public transit, or incentives for parking garage use for visitors.

Visitor access to short-term parking

Convenient, consistently available visitor parking is critical to the health of the Folsom Historic District. Key approaches to improving both real and perceived short-term parking availability include setting parking rates to reflect demand patterns across downtown, ensuring that all drivers know all their options, creating a public valet program, and creating mobile payment options for the parking structures.

Employee access to parking

Employee parking is displacing high-demand parking availability for residents and visitors. Approaches to ameliorate this issue include creating education or incentive programs for desirable parking behavior. For example, greater education of employees about the designated off-street employee parking in the Railroad Block Garage could encourage more employees to park there. Additionally, greater enforcement of employee parking in time-limited areas could encourage better parking behavior.

Underutilized parking garage capacity

The existing parking structure is underutilized due to location, wayfinding, and safety-related issues. These issues could be addressed through improving wayfinding signage, ensuring drivers

know their options, creating a shuttle program, and improving lighting along routes between the parking garage and Historic District destinations. Improving the lighting in the garage and installing security cameras or providing security guards or public safety ambassadors could help employees and patrons feel safer walking to and from the garage late at night.

Commuter access to parking

Commuter parking demand has placed more pressure on the Historic District's already limited parking capacity, exacerbating existing negative ramifications of spillover parking to residential areas. The Railroad Block garage was not originally intended to provide commuter parking to Regional Transit and greater enforcement of parking time limits may be needed. Additionally, education and encouragement programs for transportation alternatives like walking and biking to the Light Rail Station may be useful in converting vehicle parking demand for commuters to other modes.

Data collection and analysis

Investments can be made toward equipment and research to capture a robust data set that can be used to monitor parking system utilization and parking behavior. Making the most of these technologies and continually investing in upgrades will help Folsom capitalize on opportunities to improve parking system function and efficiency. Key opportunities to improve data collection and analysis include utilizing data collection capacity to support performance-based management as well as upgrading parking transaction and management software. Future monitoring of the parking situation is necessary to ensure parking issues are not being overlooked; however, data collection will not solve the parking problem alone.

Immediate and future growth

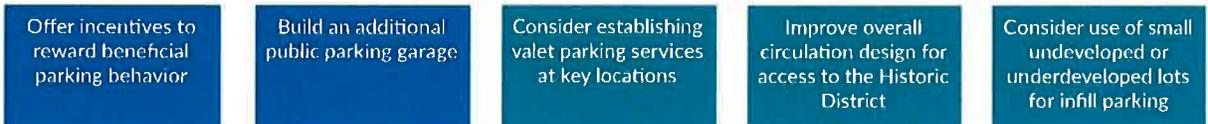
At build out, the City of Folsom is expected to include approximately 10,210 housing units and 3.5 million square feet of commercial development. New businesses are expected to open this spring in the Historic District. Future growth pressures can be addressed through key strategies including updating the city's zoning code, investing parking revenues in public improvements, and pursuing joint development opportunities *for parking solutions*.

Committee Recommendations A Portfolio Approach

Short Term High Priority



Long Term High Priority



Long Term Low Priority

Ongoing and Existing Solutions



Parking solutions need to be packaged into a comprehensive program for parking demand management. For example, increasing enforcement in the parking structure without implementing a permit parking program in the residential area will simply continue to burden the residential area with overflow parking.

No single parking solution will be successful if implemented independently.

For this reason, the Committee recommends that the City take a portfolio approach, which seeks to move a comprehensive package of parking solutions forward together, with attention to timeliness. The Committee recognizes the need to monitor, report and improve upon parking solutions as they are managed over time, as the landscape of the parking challenges may shift as elements of the portfolio are implemented.

The Committee's recommendations are depicted below, organized by the Committee's recommended timeframe. Short term items are solutions which will be addressed within two years while long term items will be addressed within five years.

Short Term High Priority Parking Solutions

Establish designated loading zones for ridesharing and Smart RT

Work with City Staff and ridesharing companies to determine how existing loading zones could be identified as late night rideshare and Smart RT pick up zones. Businesses may want to consider offering discounts to patrons who utilize these services, as a way to incentivize alternative transportation to the Historic District.

- Implementation*
- What location(s) would be most beneficial?
- Considerations*
- Ensure implementation does not limit the way people use ridesharing apps or limit the ability of residents to call for ridesharing from their homes.

Design, implement, and enforce residential parking permit program

Work with City Staff to determine program elements including initial boundaries, approval threshold, permits per address, visitor permits, and permit cost. Committee members expressed an interest in a program that would be residents only, allowing parking for each home to have 2 street parking spaces provided by the City at no cost while additional residential permits would cost a reasonably affordable sum. A Sunday church parking exception would need to be addressed in program implementation.

Committee members noted the opportunity for a residents-only pilot to initially be implemented along Figueroa Street to address the greatest impacts at this time. Members noted that while fees would be an additional cost for residents, they were estimated to be reasonable and it would be an investment in solving the more significant challenges to their quality of life from overflow parking. While Committee members acknowledged the complexity of designing and implementing a permit parking program, it was agreed that this solution has the potential to greatly improve residents' quality of life.

- Implementation*
- Implementation will require updates to City regulations and may not be broadly supported by residents who are not directly impacted.
- Considerations*
- Could push parking issues into adjacent areas if initial scope is limited.
 - Implementation will need to address parking for churchgoers.
 - Will require additional enforcement to be effective.

Establish an in-lieu fee for parking

Work with City Staff to determine policy details for desired impact and path for policy implementation. Implementation would require updates to City regulations and nexus study to determine fees.

- Implementation*
- Could contribute to a dedicated funding source for parking programs and facilities.
- Considerations*
- Timeframe for conducting nexus study and setting fees.
 - Impact to future development.

Enhance pedestrian safety to and from the Railroad Block garage

Work with City Staff to enhance real and perceived safety of existing parking garage. Examples include additional lighting, more foot traffic, and additional security presence.

Improve and expand wayfinding signage to encourage use of parking garage

Work with City Staff to place wayfinding signage in key locations to encourage preferred parking behavior.

- Implementation*
- Where is signage needed?
- Considerations*
- What type of signage?

Increase frequency and scope of parking enforcement

Increase frequency of parking enforcement to ensure access to residences for first responders and for other public safety situations. Consider dedicated parking enforcement position to enhance the current parking enforcement program.

Work with City Staff to improve enforcement of municipal code and all parking violations, to ensure access to public rights of way for parking.

- Implementation*
- How can volunteers from the CAPS program be leveraged to enhance parking enforcement?
- Considerations*

Creation of a special district for parking

Work with City Staff to evaluate the creation of a special district for parking that would provide a dedicated funding stream for future parking facilities and or programs.

- Implementation*
- Legal considerations and cost to implement.
- Considerations*

Short Term Low Priority Parking Solutions

Provide shuttle options to parking garage and Light Rail

Work with City Staff to identify opportunities for grant funding or partnership for shuttle services within the Historic District.

Committee members shared examples from other communities, such as the free ride system FRAN (Free Rides Around the Neighborhood), implemented in Anaheim, CA.

- Implementation*
- May not be financially feasible if partnership or private funding is not available.
- Considerations*
- What route would be most effective?

Educate employees about parking options

Distribute educational materials regarding Historic District parking to local business owners through Historic District Association meetings. Ask employers for help in incorporating parking information into their orientation process for new employees.

Long Term High Priority Parking Solutions

Offer behavioral incentives to reward beneficial parking behavior

Consider working with Historic District business to create incentives for commuters, employees and patrons. Incentives may differ for each group. For example, consider discounts for showing proof of parking garage use at events, or discount codes for ridesharing like Uber or Lyft.

- Implementation*
- What type of benefits to provide?
- Considerations*
- How would benefits be promoted?

Build an additional public parking garage

Work with City Staff and engineering consultant to determine prioritized locations to consider for parking garage. Previously considered location options include: on northwest corner of Leidesdorff Street and Gold Lake Drive; on southwest corner of Leidesdorff and Riley Streets; and on northwest corner of Canal Street and Scott Street.

Committee noted that previous evaluation criteria for parking garage locations may need updating.

- Implementation*
- Significant length of time needed to design, fund and construct another garage.
- Considerations*
- Significant concern from residents about continued development in the Historic District without an additional parking structure.

Long Term Low Priority Parking Solutions

Consider establishing valet parking services at key locations

Historic District businesses may wish to engage a valet company representative to determine appropriate locations and estimated costs for this type of service.

- Implementation Considerations*
- Meets patron desire for curbside access while placing vehicles in a location which mitigates adverse impacts.
 - Cost burden and administration considerations for private enterprise.

Improve overall circulation design for access to the Historic District

City Staff should continue to look for ways to improve traffic within the Historic District. Committee suggestions for future consideration included: no turns onto Riley, no left turn onto Sutter and instead direct traffic to Leidesdorff, and directing traffic north on Riley.

- Implementation Considerations*
- Substantial investments needed to change circulation with limited likelihood of improving parking situation.
 - Could exacerbate parking issues and negatively impact Historic District access during construction.

Consider use of small undeveloped or underdeveloped lots for infill parking

City staff should continue to monitor opportunities for infill parking on small undeveloped or underdeveloped lots in the Historic District.

- Implementation Considerations*
- Are landowners willing to consider this use?
 - Is the amount of parking provided by small infill lots worth the investment of time and effort on the part of the City?

Ongoing or Existing Parking Solutions

Zoning Code update that addresses Parking Standards and Variances

City staff should consider revising the existing parking space ratio (Kimley-Horn, February 2008), as well as additional enforcement criteria and/or finding for approval of variances for parking in the Historic District. Any additional criteria or finding would need to be in compliance with relevant State law.

Continue to improve pedestrian and bicycle access

City Staff and consultants will continue work to craft a multi-modal transportation plan which will decrease automobile dependency long-term in the Historic District.

Promote how to get in and around the Historic District

The City and businesses should continue to promote and encourage alternate modes of transportation (ridesharing, non-motorized transportation) to the Historic District beyond personal vehicle travel.

The City and businesses should continue to promote location and availability of parking in Railroad Block garage. Businesses may want to consider signage asking patrons to park in the garage rather than the residential district.

Continue to work with special event organizers to manage parking demand during events

Work with City Staff to continue to improve special event management to reduce adverse impacts to residents and businesses.

Implement adaptive management strategies

Work with City Staff to craft a parking management plan which institutionalizes periodic reviews and incorporates lessons learned to ensure continual updates and improvement of the Historic District parking situation.

Solutions Considered but Not Advanced at this Time

Through the course of the Committee's deliberation, many solutions were offered. The following were considered for a number of months, but ultimately did not advance to recommendations due to concerns about the return on investment that they might offer.

Create more designated employee parking zone(s).

The Committee initially considered the use of the vacant parcel on the west side of Riley St. between Sutter Alley and Figueroa St. for additional employee parking. Staff shared with the group that the costs to prepare the property for parking would be significant, and given the low number of potential parking spaces it might provide, the group withdrew support for this concept. The group discussed but had not come to consensus on whether designated employee zones would be appropriate in alternate locations.

Consider angled parking and a change to a one-way from Leidesdorff to Sutter on Wool and from Wool to Decatur on Sutter.

The Committee initially considered creative ways to develop more parking on Sutter Street by modifying the circulation and parking design. Staff shared with the group that the cost to do this may be significant and the estimated number of parking spaces that might result would be low. The group withdrew their support for this concept due to concerns over the return on investment.

Funding

No solution mentioned above will take shape without funding. Committee members expressed a desire for dedicated funding to solve parking problems in the Historic District. Among the ideas they contributed were suggestions for a Parking Benefit District (or Special District), use of parking fees from permit programs, seeking grant funding for parking improvements, using fines from parking enforcement, additional fees on downtown purchases, hotel stays and development and fees from parking meters or paid parking programs. The use of paid parking (meters or garage) and additional fees in the Historic District was a point of disagreement between Committee members, with concern being expressed by some that it would discourage patronage of local business and suggestions from others that a pilot program could be investigated. Despite that concern, there was broad agreement that solving the parking issues the Historic District is experiencing will take additional investment by business owners,

residents, visitors, developers. In other words, investment by the Community as a whole. The Committee recommends that any funding mechanisms be monitored and adjusted as necessary.

To advance opportunities for funding, it is recommended that a funding strategy for Historic District parking solutions be developed by City Staff within six months of the Council's receipt of this report.



CITY OF
FOLSOM

City of Folsom
Historic District Parking Solutions
Ad Hoc Committee Recommendations

Report to Council

June 23, 2020

Problem Statement



CITY OF
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Employees, patrons and visitors from the commercial portion of the Historic District are occupying available on-street parking spaces in the adjacent residential areas at all times of the day and night, resulting in constrained parking options for residents along with many associated nuisance factors which adversely impact residential quality of life. Different areas of the residential district experience different and sometimes greater impacts, depending on their proximity to Sutter Street.

Committee Purpose & Process



FOLSOM

- Formed in March 2019 by Council Resolution
- 11 members
- To explore possible solutions to alleviate traffic and parking concerns in the residential and commercial portions of the Historic District

Key Issues



FOLSOM

- Impacts to residential area quality of life
- Access to parking for Historic District patrons
- Employee and commuter access to parking
- Underutilized parking garage capacity
- Lack of dedicated parking enforcement
- Special event parking impacts
- Immediate and future growth and parking demands

Committee Recommendations



CITY OF
FOLSOM

- A portfolio approach:
 - ✓ Implement a comprehensive solution package
 - ✓ Enact solutions in timely manner
 - ✓ Monitor, report and improve upon solutions

Committee Recommendations



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Short Term High Priority

Establish designated loading zones for ridesharing and Smart RT

Establish an In-Lieu fee for parking

Improve and expand wayfinding signage to encourage use of parking garage

Create a special district to fund parking improvements

Provide shuttle options to parking garage and Light Rail

Design, implement and enforce residential parking permit program

Enhance pedestrian safety to and from the Railroad Block parking garage

Increase frequency and scope of parking enforcement

Educate Historic District employees about parking options

Short Term Low Priority

Long Term High Priority

Offer incentives to reward beneficial parking behavior

Build an additional public parking garage

Long Term Low Priority

Consider establishing valet parking services at key locations

Improve overall circulation design for access to the Historic District

Consider use of small undeveloped or underdeveloped lots for infill parking

Ongoing and Existing Solutions

Continue to improve bicycle and pedestrian access to Historic District

Promote ways to get in and around the Historic District

Work with Special Event organizers to manage parking demand

Address parking standards for Historic District through Zoning Code update

Adaptively manage Historic District parking

Committee Recommendations



CITY OF
FOLSOM

Short Term High Priority

- Establish designated loading zones for ridesharing and Smart RT
- Design, implement, and enforce residential parking permit program
- Establish an in-lieu fee for parking
- Enhance pedestrian safety to and from the Railroad Block garage

Committee Recommendations

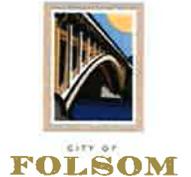


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Short Term High Priority (continued)

- Improve and expand wayfinding signage to encourage use of parking garage
- Increase frequency and scope of parking enforcement
- Creation of a special district for parking

Committee Recommendations



Short Term Low Priority

- Provide shuttle options to parking garage and Light Rail
- Educate employees about parking options

Committee Recommendations

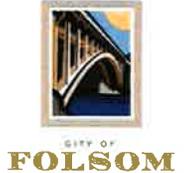


CITY OF
FOLSOM

Long Term High Priority

- Offer behavioral incentives to reward beneficial parking behavior
- Build an additional public parking garage

Committee Recommendations



Long Term Low Priority

- Consider establishing valet parking services at key locations
- Improve overall circulation design for access to the Historic District
- Consider use of small undeveloped or underdeveloped lots for infill parking

Funding



CITY OF
FOLSOM

- Parking Benefit District
- Permit program parking fees
- Grant funding for parking improvements
- Parking enforcement fines
- Additional fees on downtown purchases, hotel stays and development
- Fees from parking meters or paid parking programs

Committee Members



CITY OF
FOLSOM

FHDA Members

Karen Holmes

Jim Snook

Murray Weaver

HFRA Members

Shannon Brenkwitz

Paul Keast

Cindy Pharis

*Historic District business owner
not affiliated with FHDA or HFRA*

Charles Knuth

*Historic District resident
not affiliated with FHDA or HFRA*

Phil Rotheram

*Folsom resident who lives
outside the Historic District*

Kyle Middleton

*Folsom business owner whose business
is outside the Historic District*

Steve Heard

*Professional planner or licensed engineer
who is a Folsom resident and has professional expertise
working on transportation-related projects*

Kenton Ashworth

Attachment 17

Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program Dated June, 2020

**INITIAL STUDY
AND MITIGATED NEGATIVE DECLARATION
FOR THE
603 SUTTER STREET
COMMERCIAL BUILDING PROJECT**



**CITY OF FOLSOM
COMMUNITY DEVELOPMENT DEPARTMENT**

Prepared with the Technical Assistance of:
Environmental Planning Partners, Inc.

JUNE 2020

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NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

The City of Folsom proposes to adopt a Mitigated Negative Declaration pursuant to the California Environmental Quality Act for the project listed below:

PROPOSED PROJECT: 603 Sutter Street Mixed-Use Building.

PROJECT LOCATION: The project site is located on the southwest corner of the intersection of Sutter Street and Scott Street in the City of Folsom. The project site consists of an undeveloped rectangular plot of land measuring 0.17 acres (7,400 square feet). The parcel is identified as Sacramento County Assessor's Parcel Number (APN) 070-0111-010, and is located in an unsurveyed portion of the Rancho de Los Americanos land grant, at latitude/longitude 38°40'41.88"N, 121°10'30.66"W.

PROJECT DESCRIPTION: The project assessed in the Mitigated Negative Declaration is the development of a three-story mixed-use building (retail and office) totaling 14,811 square feet on an undeveloped site on the southwest corner of Sutter and Scott Streets in the Historic District of the City of Folsom. To allow the implementation of the proposed project, the applicant has submitted an application to obtain Variances to Folsom Municipal Code requirements for height and parking, an encroachment permit to allow project construction within the City right-of-way, and Design Review from the City of Folsom. The proposed project includes both the construction and operation of the mixed-use building.

AVAILABILITY OF THE DOCUMENT: Copies of the Mitigated Negative Declaration are available for review at the City of Folsom Planning Department, 50 Natoma Street, Folsom CA 95630, Monday through Thursday from 8:30 a.m. to 1:00 p.m. The document can also be downloaded from the City of Folsom website at <https://www.folsom.ca.us>.

REVIEW PERIOD: The City of Folsom is providing a 20-day public review period for the Draft Mitigated Negative Declaration. The review period begins on 11th day, June, 2020 and ends at 5:00 p.m. on 30th day, June, 2020.

COMMENTS ON THE MITIGATED NEGATIVE DECLARATION: The City of Folsom welcomes and encourages public review and comment on the proposed Mitigated Negative Declaration. Anyone wishing to make formal comments on the environmental document must do so in writing, by mailing comments to the address listed below, or submitting them by fax or email. The full name and physical mailing address of the agency, individual, or organization must be included in the comment. Please use the phrase "603 Sutter Street Commercial Building Mitigated Negative Declaration Comment" in the subject line.

Send comments by email to: sbanks@folsom.ca.us.

Send comments by regular mail or fax to:

Steven Banks
City of Folsom Planning Department
50 Natoma Street, Folsom, CA 95630
Fax: (916) 355-7274

All written comments must be received by the City of Folsom no later than 5:00 pm on 30th day, June, 2020.

PUBLIC MEETINGS: The proposed project and the Mitigated Negative Declaration will be presented in a public hearing before the City of Folsom Historic District Commission at its regularly scheduled meeting beginning at 5:00 p.m. on Wednesday, July 15, 2020 at Folsom City Hall, 50 Natoma Street, Folsom, CA.

Please refer to the Historic District Commission Agenda for ways to participate in this meeting remotely.

Additional information may be obtained by contacting Steven Banks, Principal Planner, City of Folsom at (916) 461-6207, Monday through Thursday, between the hours of 9:00 a.m. and 1:00 p.m.

Publish date: June 11, 2020, Folsom Telegraph

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INITIAL STUDY AND ENVIRONMENTAL EVALUATION

Project Title: 603 Sutter Street Commercial Building

Entitlement Requested: Design Review
Building Height Variance
Parking Variance
Encroachment Permit

Lead Agency Name and Address: City of Folsom
Community Development Department
50 Natoma Street, Folsom, CA 95630

Contact Person and Phone Number: Steven Banks
Principal Planner
City of Folsom Community Development Department
Phone: (916) 461-6207
sbanks@folsom.ca.us

General Plan Designation: Historic Folsom Mixed Use (HF) **Zoning:** Historic District (HD)

Historic District Designation: Historic Commercial Primary Area - Sutter Street Subarea

This Initial Study evaluates the potential effects of constructing and operating a mixed-use commercial building at 603 Sutter Street. The proposed project evaluated in this Initial Study is consistent with the policies and requirements of the City of Folsom General Plan (2035 General Plan) and Chapter 17.52 of the Folsom Municipal Code (FMC), both of which have been subject to the preparation and certification of Environmental Impact Reports (EIR) consistent with California Environmental Quality Act (CEQA) requirements. The proposed project is also consistent with the City's General Plan land use and zoning district designations of the project site. Section 21083.3 of the California Public Resources Code permits CEQA environmental documents prepared for proposed projects that are consistent with all relevant planning and zoning designations and policies to be focused on the environmental effects that are peculiar to the project or to the parcel on which the project would be located, and that were not previously evaluated in an applicable General Plan EIR. The project assessed in this Initial Study meets these statutory requirements for focused review.

Therefore, this Initial Study focuses on whether the proposed project may cause significant effects on the environment that were not addressed or analyzed as significant effects in the Folsom General Plan 2035 EIR. The Initial Study also assesses any effects for which substantial new information shows that identified effects would be more significant than described in the previous EIR. The Initial Study is also intended to assess whether any environmental effects of the project are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or by other means [Section 15152(b)(2) of the Guidelines for the California Environmental Quality Act]. If such revisions, conditions or other means are identified, they will be included in the project as mitigation measures.

This Initial Study relies on State CEQA Guidelines Sections 15064 through 15065 in its determination of the significance of environmental effects. According to Section 15064, the finding as to whether a project may have one or more significant effects shall be based on substantial evidence in the record, and that controversy alone, without substantial evidence of a significant effect, does not trigger the need for an EIR.

1. DESCRIPTION OF PROPOSED PROJECT

The project applicant plans to develop a three-story mixed-use building (retail and office) totaling 18,965 square feet of useable area on an undeveloped site on the southwest corner of Sutter and Scott Streets in the Historic District of the City of Folsom. To allow the implementation of the proposed project, the applicant has submitted an application to obtain Variances to FMC requirements for height and parking, an encroachment permit to allow project construction within the City right-of-way, and Design Review from the City of Folsom. The “proposed project” as assessed in this Initial Study includes both the construction and operation of the mixed-use building. The project components are described in more detail below.

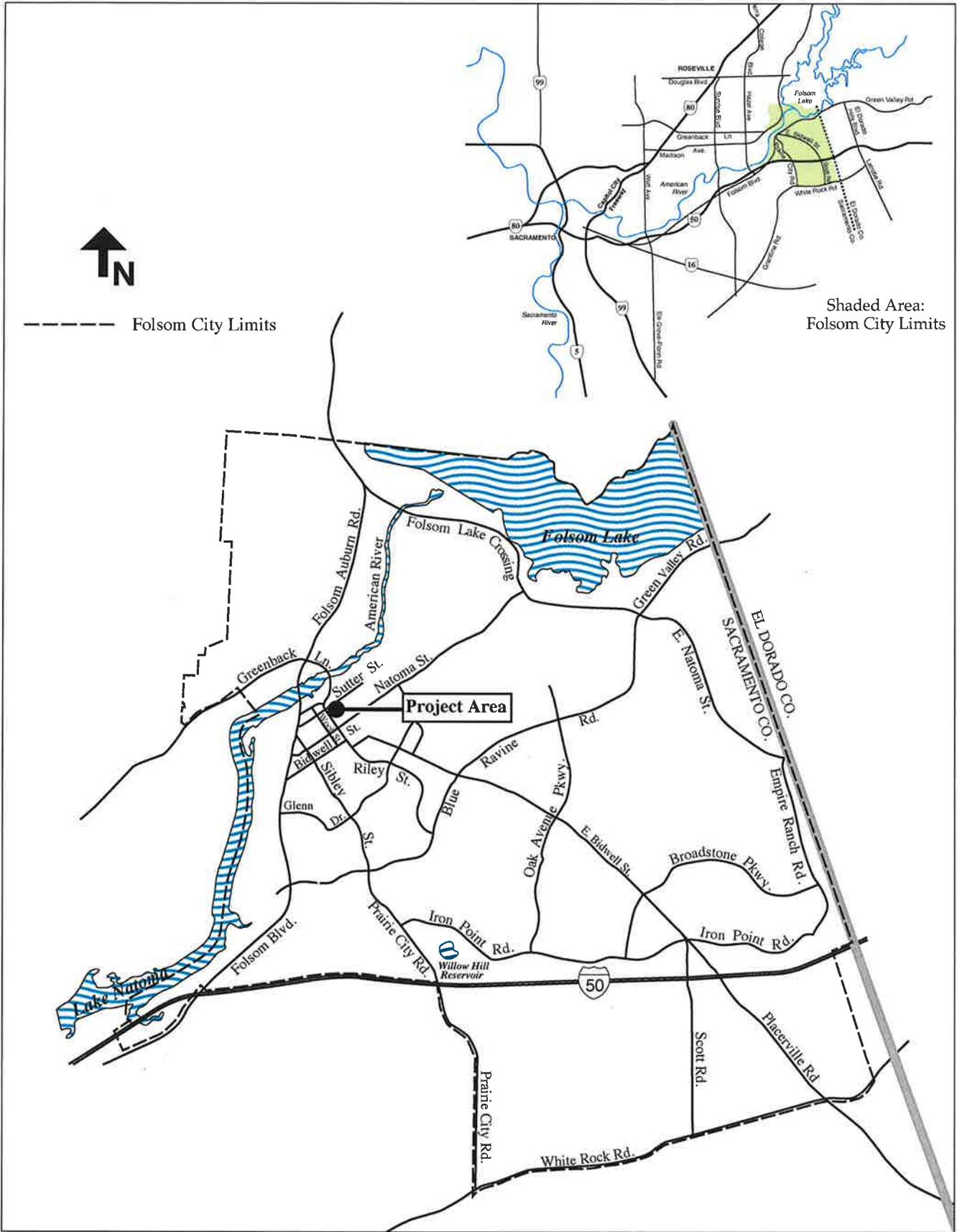
PROJECT LOCATION AND ENVIRONMENTAL SETTING

The project site is located on the southwest corner of the intersection of Sutter Street and Scott Street in the City of Folsom (see Figures 1, 2, and 3). The project site consists of an undeveloped rectangular plot of land measuring 0.17 acres (7,400 square feet). The parcel is identified as Sacramento County Assessor’s Parcel Number (APN) 070-0111-010 (Sacramento County 2019). The project site is located in an unsurveyed portion of the Rancho de Los Americanos land grant, at latitude/longitude 38°40’41.88”N, 121°10’30.66”W.

The site is an infill parcel surrounded by developed land uses as indicated in Table 1.

Table 1 Project Site and Surrounding Developed Uses – 603 Sutter Street Commercial Building				
	Existing Use	General Plan Designation	Zoning Designation	Historic District Designation
Project Site	Vacant	Historic Folsom Mixed Use - HF	Historic District - HD	Sutter Street Subarea of Historic Commercial Primary Area
North	Sutter Street; Mixed use (restaurant / office) 3-story building with parking below	Historic Folsom Mixed Use - HF	Historic District - HD	Sutter Street Subarea of Historic Commercial Primary Area
East	Scott Street; Cohn House (National Register of Historic Places listed)	Historic Folsom Mixed Use - HF	Historic District - HD	Sutter Street Subarea of Historic Commercial Primary Area
South	Single-family residential	Historic Folsom Mixed Use - HF	Historic District - HD	Sutter Street Subarea of Historic Commercial Primary Area
West	Commercial (historic library building)	Historic Folsom Mixed Use - HF	Historic District - HD	Sutter Street Subarea of Historic Commercial Primary Area

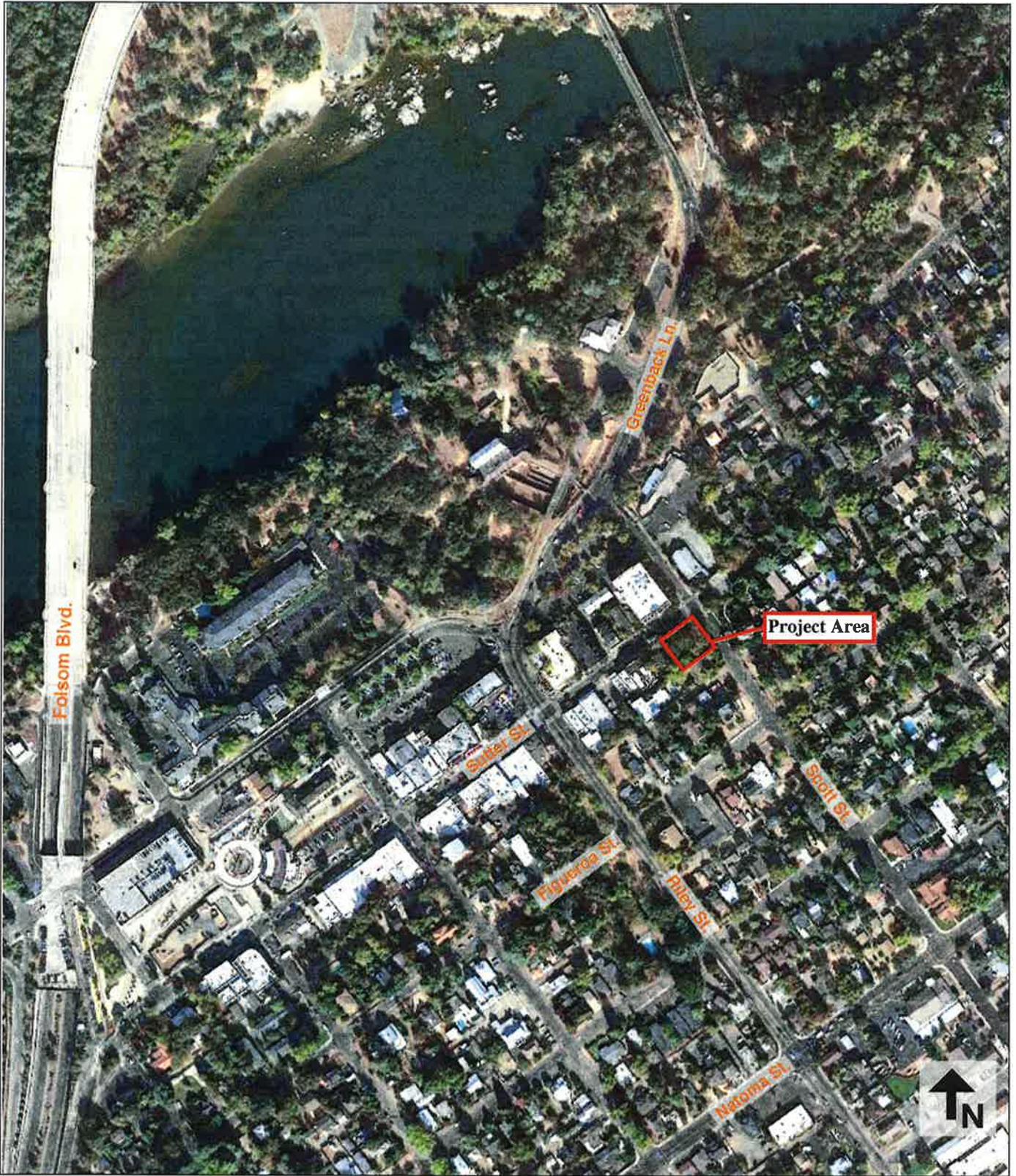
Source: Planning Partners 2019.



SOURCE: Planning Partners, 2019

603 Sutter Street Project

Figure 1
Regional Location

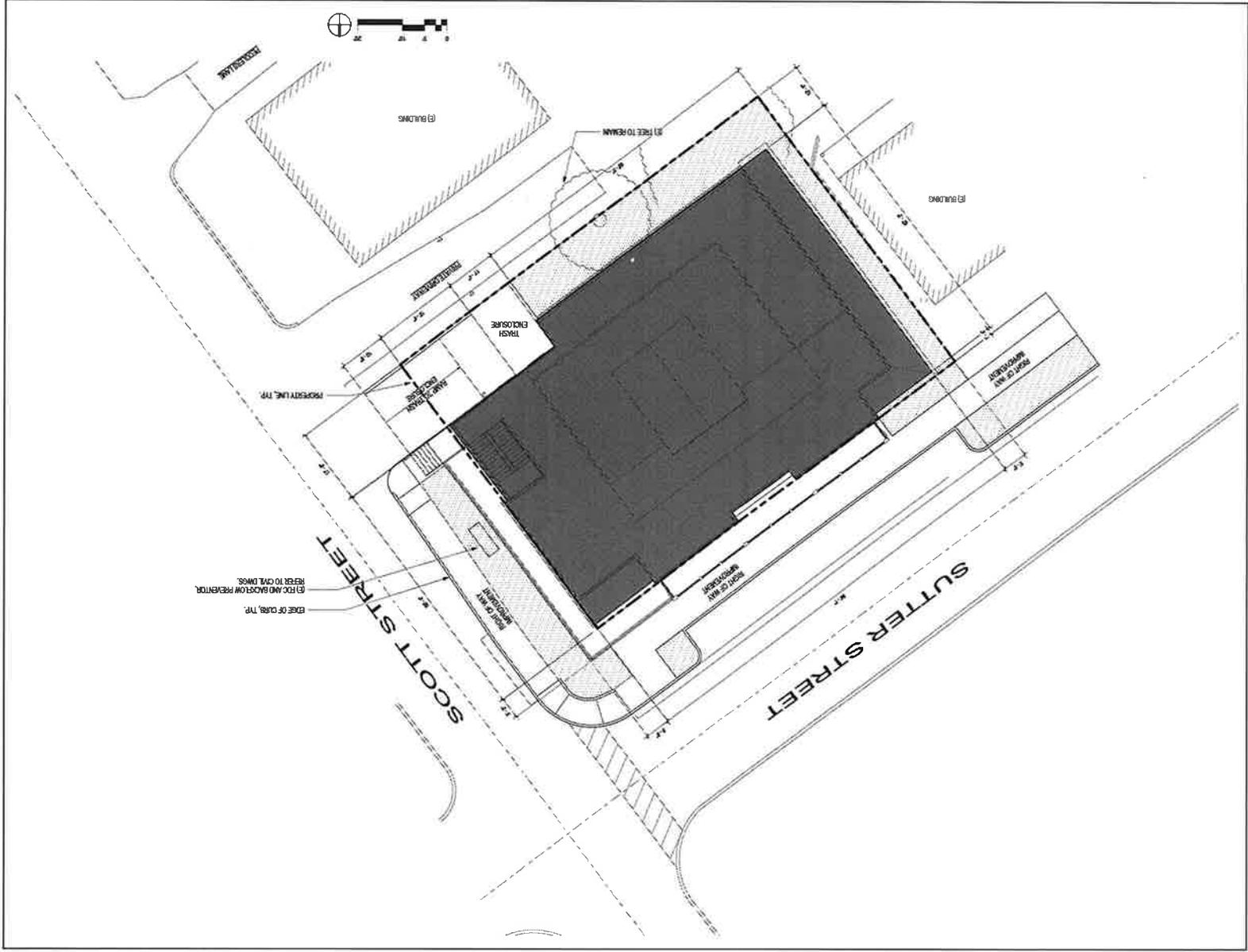


SOURCE: Planning Partners, 2019; City of Folsom, 2019

603 Sutter Street Project

Figure 2
Project Vicinity

603 Sutter Street Project
Figure 3
Proposed Site Plan



The vegetation community present onsite is a mix of ruderal (weedy) grassland, mainly consisting of bamboo, vinca, nonnative annual grasses, and woodland that is a mixture of native and horticultural trees. The parcel contains 17 native oak trees and 2 non-native fruit trees. Sixteen of the native oak trees meet the definition of “Protected Trees” under the Folsom Tree Preservation Ordinance. One oak tree does not meet the definition of “Protected Tree” because its diameter at breast height¹ (DBH) is less than six inches. (Planning Partners 2019, ECORP 2019)

Subsurface soil conditions include silty sand overlaying silty sands, underlain by bedrock as shallow as 8 feet below the ground surface. Bedrock underlying the site can be characterized as highly to moderately weathered, and soft to moderately hard. (Youngdahl 2017)

The site slopes from southeast to northwest, with the lowest elevations located adjacent to Sutter Street. Existing elevations on the project site range from 251 feet above mean sea level (MSL) to 234 feet MSL. From south to north along the west side of the project site, the slope is approximately 19 percent.

Public utilities (domestic water, wastewater, stormwater drainage, natural gas, and electricity) are available from existing service lines within Sutter and Scott Streets or their adjacent public rights-of-way.

PROPOSED PROJECT

The following discussion is based upon the amended application package submitted by the applicant in March 2019 as amended through May 21, 2019.

The applicant, ZGlobal, proposes to construct and operate a mixed-use (retail/restaurant/office), three-story building on the southwest corner of Sutter Street and Scott Street within the Folsom Historic District. Figures 4, 5 and 6 illustrate the proposed building and exterior elevations.

Proposed uses and the area of each floor are set forth in Table 2.

Table 2 Proposed Uses and Areas – 603 Sutter Street Commercial Building				
	Floor 1	Floor 2	Floor 3	Roof Deck
Use Area	Restaurant / Retail	Office	Office	Private Activity Area
Total Square Feet	5,550	5,600	5,230	2,585
Floor Area (sqft)	4,885	5,268	4,658	-----
Deck Area (sqft)	665	332	572	2,585
Total Building Area w/o Roof Deck			14,811 square feet	
Total Building Area w/ Roof Deck			18,965 square feet	
Lot Area			7,400 square feet	

Source: Williams + Paddon Architects +Planners 2019.

¹ DBH is defined as trunk diameter at 4.5 feet above ground level.

An outdoor dining patio would be located on the proposed building's first floor. The building would feature balconies on the north and west sides of the building for floors 2 and 3, and a roof deck. The roof deck would occupy the northern and eastern portions of the roof adjacent to Sutter and Scott Streets.

According to the applicant, the roof deck would be accessible to building tenants, although the general public potentially could attend private events in this area. The private activity area would be set back 18 feet from the rear of the building and separated from the adjacent residence to the south by elevator and air conditioning equipment, except on the easterly side of the building where the deck would be extended to the south to access an emergency access stairwell (see Figure 3).

The primary entrance to the building, including first floor retail and restaurant uses, would be provided at a common entrance and entry court/lobby accessed from Sutter Street. A secondary entrance would be provided on the east side of the building for emergency access (see Figure 5). The proposed project would include developed uses within the public rights-of-way of surrounding streets, including outdoor seating and a second floor balcony on the Sutter Street frontage, and a concrete walkway, stairs, and trash enclosure access ramp on the Scott Street frontage. Implementation of the project also would result in the construction within the right-of-way of a landscaped buffer and public sidewalk along Scott Street and landscaping at the northwest and northeast corners of the building.

As proposed, the building height would be a maximum of 50 feet, 6 inches from the ground (building pad) to the roof parapet. Building features associated with the elevator and air conditioning equipment would be mounted on the roof in excess of this height, but would be located 18 feet, 10 feet and 14-21 feet from the front, rear and sides of the building to reduce visibility from surrounding areas and streets.

The front of the building would be constructed on the Sutter Street property line with no setback. Similarly, the building's east side would have no property line setback. Building setbacks from the west side and rear property lines would be 5 ½ feet and 10 ½ feet respectively. The trash enclosure near the northeast corner of the building would be constructed to the property line with no setback. The distance from the rear of the building to the nearest structure would be approximately 34 feet, while the distance from the trash enclosure to this structure would be 23 feet. The distance from the westerly building facade to the nearest structure, a small single-story commercial building, would be approximately 9 feet.

No onsite parking would be provided. Pedestrian circulation improvements would include the installation of a public sidewalk on the Scott Street frontage of the project site.

With respect to energy efficiency, the buildings would be compliant with the Energy Code and Green Building Standards Code adopted by the City.

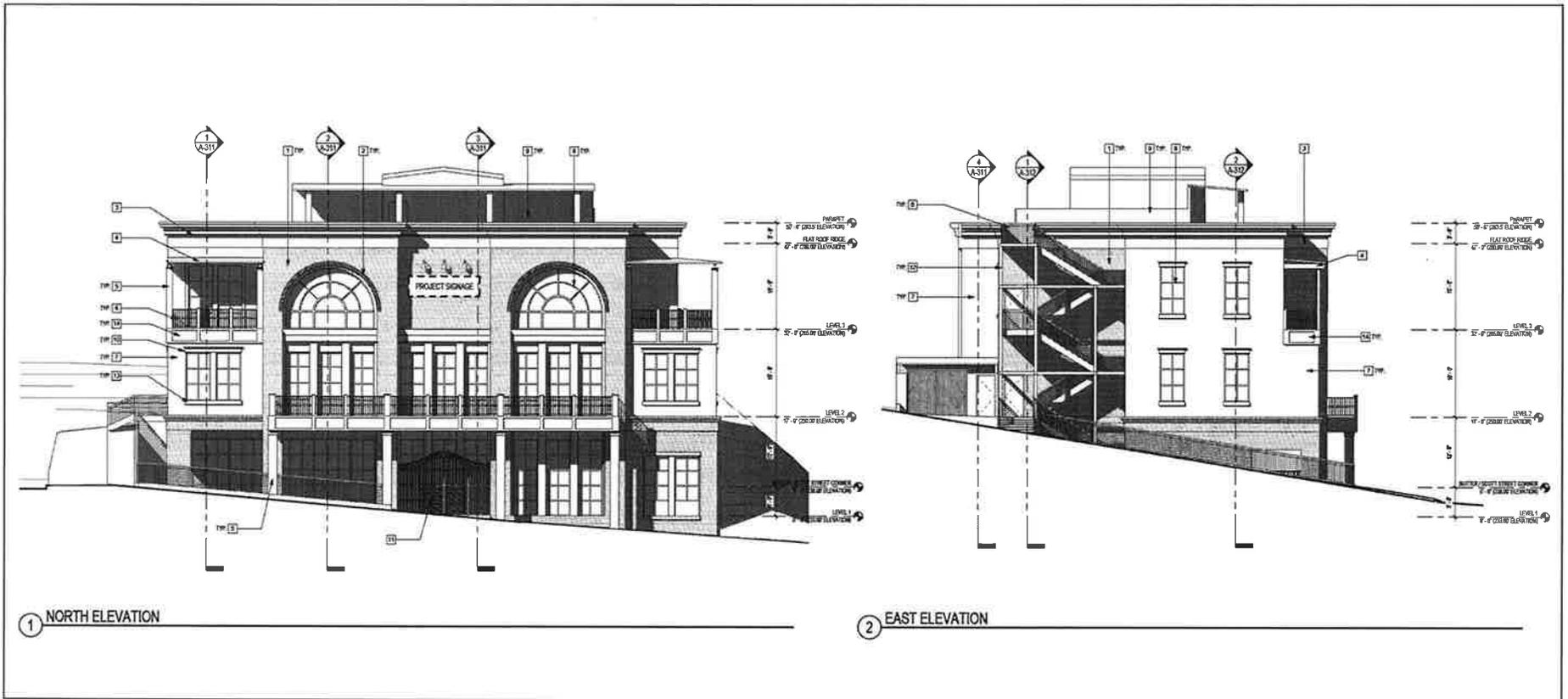
The applicant's intent is that the proposed building would appear similar to other commercial projects recently developed on the 600 block of Sutter Street and elsewhere within the Historic District consistent with the Historic District Design and Development Guidelines. All building-attached mechanical equipment would be screened from public view.



SOURCE: Williams + Paddon, 2019; Planning Partners, 2019

603 Sutter Street Project

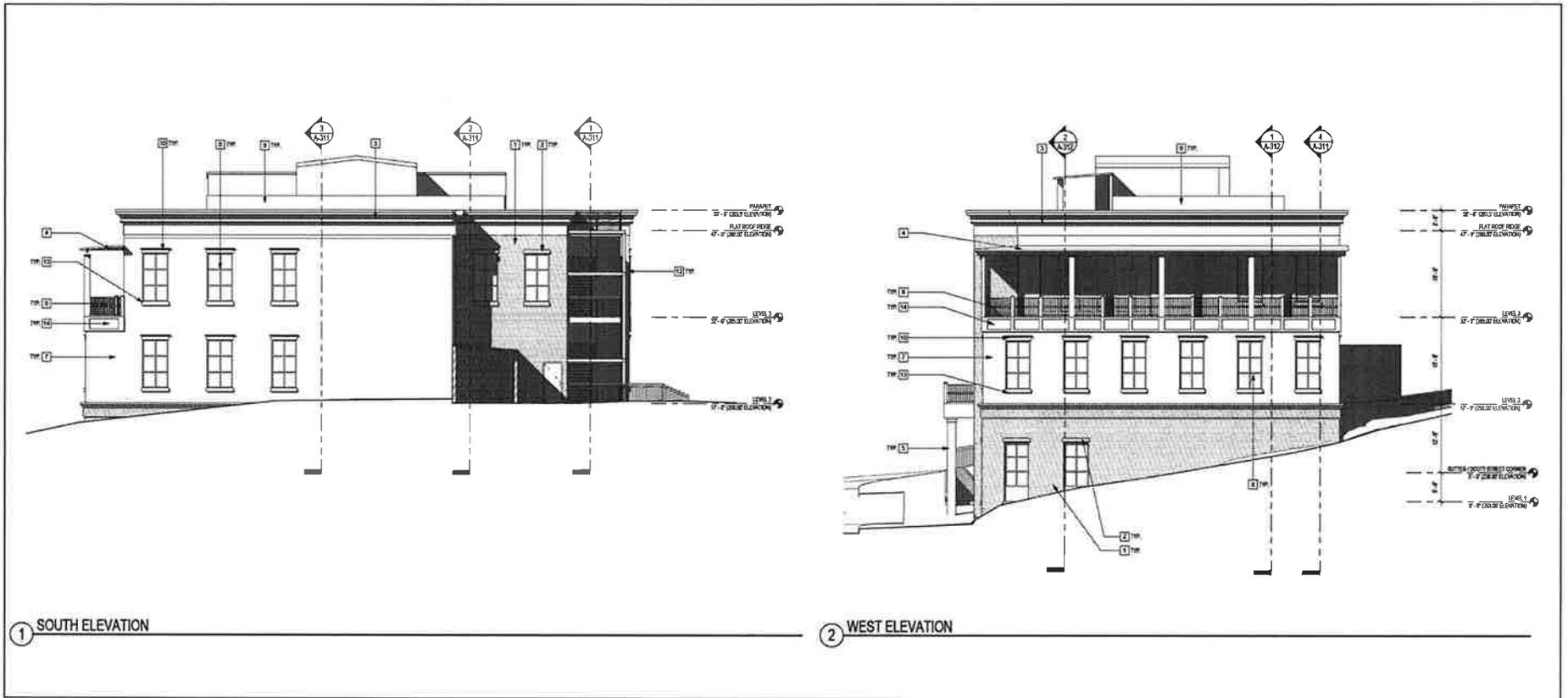
Figure 4
Proposed Project



SOURCE: Williams + Paddon, 2019; Planning Partners, 2019

603 Sutter Street Project

Figure 5
North and East Exterior Elevations



SOURCE: Williams + Paddon, 2019; Planning Partners, 2019

603 Sutter Street Project

Figure 6

South and West Exterior Elevations

GRADING AND CONSTRUCTION

As indicated on Figure 7, the existing site slopes from its southeast corner to the northwest corner, with elevations ranging from 251 feet MSL at the site’s southeast corner adjacent to Scott Street to 234 feet MSL at the northwest corner adjacent to Sutter Street. With implementation of the project, the site would be excavated and levelled to an elevation of 231 feet MSL to permit the construction of footings and subgrade. After the installation of footings and subgrade, a uniform building pad at 233 feet MSL would be constructed. Establishment of foundations, subgrade, and the building pad at this elevation would require cutting back into the hillside. Preliminary calculations indicate that approximately 2,800 cubic yards of fill would be removed from the site for disposal as land fill daily cover. As estimated by the applicant, transport of this amount of fill would require filling 280± large dump trucks (560 trips including return trips).

Grading of the project site to establish the foundations, subgrade and building pad would require cuts on the project site ranging from up to 20 feet in depth at the rear of the building to 3 feet at the building’s northwest corner adjacent to Sutter Street. Because bedrock would likely be encountered approximately 10 feet below the ground surface, special construction techniques that could include ripping and blasting would be used. Exposed cut slopes would be protected by temporary shoring and soil nails. In addition to the dump trucks cited above, equipment used during the grading phase could include dozers, backhoes, frontloaders, and smooth wheeled rollers although the precise mix of equipment would be determined by the building contractor.

To permanently maintain the stability of the cut slopes, retaining walls would be constructed at the rear of the site and along the western site boundary. Retaining walls would act to prevent collapse or settlement of existing structures both south and west of the site in addition to protecting the proposed building from the potential failure of surrounding slopes.

Retaining walls would be incorporated into the first floor of the building at both locations; in the rear of the building, a portion of the second floor and the trash enclosure would also be used to retain the slope. Excavation and construction activities associated with incorporated retaining walls on the west side and the rear of the building could encroach into the planned building setbacks. However, these areas would be backfilled and leveled at the completion of construction.

Freestanding retaining walls would be constructed near the northeast corner of the project site adjacent to the intersection of Sutter and Scott Streets, and along the Scott Street frontage of the proposed project. These retaining walls would be separated from the building to provide an outdoor seating area and a walkway. (See Figure 7, and also Figures 3, 5, and 6.) The proposed dimensions of the retaining walls are set forth in Table 3.

Table 3 Proposed Retaining Wall Dimensions – 603 Sutter Street Commercial Building				
	Front	Rear	West Face	East Face
Height (feet)	2 - 5	13 - 18	1 – 11½	5 - 15
Length(feet)	22	100	62	55
Type	Freestanding	Incorporated into building	Incorporated into building	Freestanding

Source: Williams + Paddon Architects +Planners 2019.

PROJECT PHASING

Construction of the proposed project is scheduled to begin upon project approval. Based on the applicant's proposed schedule, the project would be constructed in a single phase lasting approximately 12½ months. The initial grading phase of project development is expected to last 2½ months within the overall 12½ month schedule.

2. CITY REGULATION OF URBAN DEVELOPMENT

GENERAL PLAN

The City of Folsom updated and adopted its current comprehensive 2035 General Plan in August 2018. The General Plan is a long-term planning document that guides growth and land development in the City of Folsom. It provides the foundation for establishing community goals and supporting policies, and directs appropriate land uses for all land parcels within the city. The General Plan land use designation for the proposed project is Historic Folsom Mixed Use (HF). According to the 2035 General Plan, the HF designation provides for a mixture of commercial and residential uses designed to preserve and enhance the historic character of Folsom's old town center. As set forth in the 2035 General Plan, the floor area ratio² (FAR) for uses within the HF designation should range from 0.5 to 2.0.

FOLSOM HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES

The City of Folsom adopted the Historic District Design and Development Guidelines (Guidelines) in 1998. In more detail than the General Plan, the Guidelines provide policies and regulate land uses within the Folsom Historic District. The Guidelines establish community goals and supporting policies at a local level in response to community and environmental concerns, and direct appropriate land uses for all parcels within the Historic District area. The Guidelines' designation of the proposed project is Sutter Street Subarea of Historic Commercial Primary Area. According to Section 5.02.01(d)(1) of the Guidelines there are no requirements that regulate lot area, lot width, or lot coverage within the Historic Commercial Primary Area.

Appendix D of the Guidelines sets forth Design Criteria for all areas of the Historic District, including the Sutter Street Subarea of Historic Commercial Primary Area. Section B of this Appendix regulates many aspects of building design. Compliance with the design requirements of the Design Criteria are subject to review by the Historic District Commission in its consideration of the Design Review application submitted by the project applicant. Within the Historic District, the Guidelines work in tandem with the City of Folsom Zoning Code as discussed below.

² **Floor Area-Ratio (FAR).** Standards of building intensity for nonresidential uses, such as mixed-use, commercial, and industrial development, are stated as a range (i.e., minimum and maximum) of FARs. A FAR is the gross building area on a site, excluding structured parking, compared to the net developable area of the site. The net developable area is the total area of a site excluding portions that cannot be developed (e.g., right-of-way). For example, on a lot with 25,000 square feet of land area, a FAR of 0.50 will allow 12,500 square feet of useable building floor area to be built, regardless of the number of stories in the building (e.g., 6,250 square feet per floor on two floors or 12,500 square feet on one floor). On the same 25,000- square-foot lot, a FAR of 1.00 would allow 25,000 square feet of useable floor area, and a FAR of 2.00 would allow 50,000 square feet of useable floor area. While FAR provides for the overall development size and intensity, it does not specify the form or character of the building. Different interpretations of the same FAR can result in buildings of very different character.

ZONING CODE

Developed land uses in the City of Folsom are regulated by the City's Zoning Code (Title 17 of the FMC, in addition to the other adopted regulations and programs that apply to all proposed development within the City. In more detail than the General Plan, the Zoning Code regulates land uses on a parcel-by-parcel basis throughout the City. In order to achieve this regulation, the City assigns each parcel within the City to a zoning district: for example, a district for single-family homes. Regulations for each district apply equally to all properties within the district.

FMC Chapter 17.52 regulates land uses within the Historic District (H-D) zoning district. The 603 Sutter Street Commercial Building project site is located within the H-D zoning district, and specifically the Sutter Street subarea of the Historic commercial primary area (FMC 17.52.150 and 17.52.160). Specific regulations for this area are set forth in FMC Section 17.52.510, Sutter Street Subarea Special Use and Design Standards. With exceptions, Section 17.52.510.A.1 permits a mixture of retail, service, and office uses in a single building, such as those proposed by the 603 Sutter Street Commercial Building project

Land uses developed within the H-D zoning district must meet a limitation on building height as set forth in Section 17.52.510.C:

Building heights shall not exceed 35 feet adjacent to the sidewalk area on Sutter or Leidesdorff Street and 50 feet in other sections of the subarea. Towers, spires, or other similar architectural features may extend up to 15 feet above the building height.

Section 17.52.510.F requires that retail, offices, restaurants, museum, and similar uses must provide 1 parking space per 350 square feet of building space.

OTHER CITY REGULATION OF URBAN DEVELOPMENT

The City of Folsom further regulates urban development through standard construction conditions and through mitigation, building, and construction requirements set forth in the FMC. Required of all projects constructed throughout the City, compliance with the requirements of the City's standard conditions and the provisions of the Municipal Code avoids or reduces many potential environmental effects. City procedures to minimize negative environmental effects and disruptions include analysis of existing features, responsible agency and public input to the design process, engineering and design standards, and construction controls. The activities that mitigate typical environmental impacts to be implemented by the City during the project review, design, and construction phases are described in greater detail below.

COMMUNITY DEVELOPMENT DEPARTMENT STANDARD CONSTRUCTION CONDITIONS

The requirements are set forth in the City of Folsom, Community Development Standard Construction Specifications as amended through January 2017. A summary of these requirements is set forth below, and hereby incorporated by reference into the Project Description as though fully set forth herein. Copies of these documents may be reviewed at the City of Folsom; Community Development Department; 50 Natoma Street; Folsom, California 95630. (City of Folsom 2017)

Any contractor constructing a public or private project within the City must comply with standard construction specifications. Standards that regulate aspects of the environment are summarized below:

Use of Pesticides – Requires contractors to store, use, and apply a wide range of chemicals in a manner that is consistent with all local, state, and federal rules and regulations.

Air Pollution Control - Requires compliance with all Sacramento Metropolitan Air Quality Management District (SMAQMD) and City air pollution regulations.

Water Pollution - Requires compliance with City water pollution regulations, including National Pollution Discharge Elimination System (NPDES) provisions. Also requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to control erosion and the siltation of receiving waters.

Noise Control – Requires that all construction work comply with the Folsom Noise Ordinance (discussed further below), and that all construction vehicles be equipped with a muffler to control sound levels.

Naturally Occurring Asbestos (NOA) - Requires compliance with all SMAQMD and City air pollution regulations, including preparation and implementation of an Asbestos Dust Mitigation Plan consistent with the requirements of Section 93105 of the State Government Code.

Weekend, Holiday, and Night Work – Prohibits construction work during evening hours, or on Sunday or holidays, to reduce noise and other construction nuisance effects.

Public Convenience - Regulates automobile, bicyclist, and pedestrian traffic and access through the work area, the operation of existing traffic signals, roadway cuts for pipelines and cable installation, and the notification of adjacent property owners and businesses.

Public Safety and Traffic Control - Regulates signage and other traffic safety devices through work zones.

Existing Utilities - Regulates the location, relocation, and protection of utilities, both underground and overhead.

Preservation of Property - Requires the preservation of trees and shrubbery, and prohibits adverse effects to adjacent property and fixtures.

Cultural Resources - Requires contractors to stop work upon the discovery of unknown cultural or historic resources until such time that a qualified archaeologist can evaluate the significance of the resource and make recommendations to the State Historic Preservation Officer for further direction.

Protection of Existing Trees - Specifies measures necessary to protect both ornamental trees and native oak trees.

Clearing and Grubbing - Specifies construction specifications for signs, mailboxes, underground structures, survey monuments, drainage facilities, sprinklers and lights, trees and shrubbery, fencing, and concrete. Also requires the preparation of a SWPPP to control erosion and the siltation of receiving waters.

Reseeding - Specifies seed mixes and methods for the reseeding of graded areas.

CITY OF FOLSOM MUNICIPAL CODE

The City regulates many aspects of construction and development through requirements and ordinances established in the FMC. These requirements are set forth below, and hereby incorporated by reference into the Project Description as though fully set forth herein. Copies of these documents may be reviewed at the City of Folsom; City Clerk; 50 Natoma Street; Folsom, California 95630.

Table 4 City of Folsom Municipal Code Sections Regulating Urban Development within the City		
Code Section	Code Name	Effect of Code
8.42	Noise Control	Establishes interior and exterior noise standards that may not be exceeded within structures, including residences; establishes time periods for construction operations.
8.70	Stormwater Management and Discharge Control	Establishes conditions and requirements for the discharge of urban pollutants and sediments to the storm-drainage system; requires preparation and implementation of SWPPPs.
9.34	Hazardous Materials Disclosure	Defines hazardous materials; requires filing of a Hazardous Material Disclosure Form by businesses that manufacture, use, or store such materials.
9.35	Underground Storage of Hazardous Substances	Establishes standards for the construction and monitoring of facilities used for the underground storage of hazardous substances, and establishes a procedure for issuance of permits for the use of these facilities.
12.16	Tree Preservation	Regulates the cutting or modification of trees, including oaks and specified other trees; requires a Tree Permit prior to cutting or modification; establishes mitigation requirements for cut or damaged trees.
13.26	Water Conservation	Prohibits the wasteful use of water; establishes sustainable landscape requirements; defines water use restrictions; regulates the use of water for construction.
14.19	Energy Code	Adopts the California Energy Code, 2016 Edition, published as Part 6, Title 24, C.C.R. to require energy efficiency standards for structures.
14.20	Green Building Standards Code	Adopts the California Green Building Standards Code (CALGreen Code), 2016 Edition, excluding Appendix Chapters A4, A5 and A.6.1, published as Part 11, Title 24, C.C.R. to promote and require the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices.
14.29	Grading Code	Requires a grading permit prior to the initiation of any grading, excavation, fill or dredging; establishes standards, conditions, and requirements for grading, erosion control, stormwater drainage, and revegetation.
14.32	Flood Damage Prevention	Restricts or prohibits uses that cause water or erosion hazards, or that result in damaging increases in erosion or in flood heights; requires that uses vulnerable to floods be protected against flood damage; controls the modification of floodways; regulates activities that may increase flood damage or that could divert floodwaters.

Source: Folsom Municipal Code 2019.

3. REQUIRED APPROVALS

A listing and brief description of the regulatory permits and approvals required is provided below. This environmental document is intended to address the environmental impacts associated with all of the following decision actions and approvals:

- **Design Review:** The proposed project would be sited within the Folsom Historic District; thus, the project requires Design Review by the Historic District Commission as set forth in FMC Section 17.52.300.
- **Building Height Variance:** Because the project's planned 50.5-foot height exceeds the maximum 35-foot height allowed by FMC Section 17.52.510.C within the Sutter Street subarea of the Historic District, implementation of the project would require a variance to this Zoning Code section. This request would be considered by the Historic District Commission.
- **Parking Variance:** As proposed, the project includes no on-site or offsite parking. FMC Section 17.52.510.F requires that retail, offices, restaurants, museum, and similar uses within the Sutter Street subarea of the Historic District must provide 1 parking space per 350 square feet of building space. Because no parking is provided, a variance to Zoning Code Section 17.52.510.F would be necessary. This request would be considered by the Historic District Commission.
- **Encroachment Permit:** As proposed, the project includes developed uses associated with the building in the public right-of-way. These uses include outdoor seating and a second floor balcony on the Sutter Street frontage, and a concrete walkway, stairs, and trash enclosure access ramp on the Scott Street frontage.

The City of Folsom has the following discretionary powers related to the proposed 603 Sutter Street Commercial Building project:

- **Certification of the Environmental Document:** The Historic District Commission will act as the lead agency as defined by CEQA, and will have authority to determine if the environmental document is adequate under CEQA.
- **Consider Project:** The Historic District Commission will consider approval of the project and all entitlements as described above.

4. PREVIOUS RELEVANT ENVIRONMENTAL ANALYSIS

CITY OF FOLSOM GENERAL PLAN

The EIR for the City of Folsom 2035 General Plan (2018) provides relevant environmental analysis and conclusions for the environmental analysis set forth in this Initial Study. The site is located within the planning boundaries of the 2035 General Plan, including the project site, was assessed in the General Plan EIR. Thus, the 2035 General Plan EIR provides the foundational environmental document for evaluating development throughout the City.

TIERING

“Tiering” refers to the relationship between a program-level EIR (where long-range programmatic cumulative impacts are the focus of the environmental analysis) and subsequent environmental analyses such as the subject document, which focus primarily on issues unique to a smaller project within the larger program or plan. Through tiering a subsequent environmental analysis can incorporate, by reference, discussion that summarizes general environmental data found in the program EIR that establishes cumulative impacts and mitigation measures, the planning context, and the regulatory background. These broad based issues need not be reevaluated subsequently, having been previously identified and evaluated at the program stage.

Tiering focuses the environmental review on the project-specific significant effects that were not examined in the prior environmental review, or that are susceptible to substantial reduction or avoidance by specific revisions in the project, by the imposition of conditions, or by other means. Section 21093(b) of the Public Resources Code requires the tiering of environmental review whenever feasible, as determined by the Lead Agency.

In the case of the proposed 603 Sutter Street Commercial Building project, this Initial Study is tiered from the EIR for the City of Folsom 2035 General Plan. The City of Folsom adopted the 2035 General Plan in 2018. The 2035 General Plan underwent environmental review in the form of a Program EIR. The Folsom City Council adopted the Folsom 2035 General Plan (Resolution 10148) and its environmental documents (Resolution 10147) on August 28, 2018.

The 2035 General Plan EIR contained a comprehensive evaluation of the effects of implementing the Folsom General Plan. The Folsom 2035 General Plan EIR is comprehensive in its analysis of the environmental impacts associated with development of the City, including the area that makes up the proposed site of the 603 Sutter Street Commercial Building project. This includes discussion of a full range of alternatives and growth inducing impacts associated with urban development in the City, and the proposed 603 Sutter Street Commercial Building project site.

Therefore, the Folsom 2035 General Plan is a project that is related to the proposed 603 Sutter Street Commercial Building project and, pursuant to Section 15152 of the State CEQA Guidelines, tiering of environmental documents is appropriate. State CEQA Guidelines Section 15152(g) specifically provides that,

“[w]hen tiering is used, the later EIRs or Negative Declarations shall refer to the prior EIR and state where a copy of the prior EIR may be examined. The later [environmental document] should state that the Lead Agency is using the tiering concept and that the [environmental document] is being tiered with the earlier EIR.

The Folsom General Plan and the EIR for the General Plan can be reviewed at the following location:

City of Folsom
50 Natoma Street, Folsom, California 95630
Contact: Steve Banks, Principal Planner
(916) 461-6207

INCORPORATION OF THE FOLSOM 2035 GENERAL PLAN EIR BY REFERENCE

The EIR for the Folsom 2035 General Plan is a comprehensive document. Due to various references to the Folsom 2035 General Plan EIR in this proposed 603 Sutter Street Commercial Building project Initial Study, and to its importance relative to understanding the environmental analysis that has occurred to date with respect to development in the Folsom area, the document is hereby incorporated by reference as though fully set forth herein pursuant to State CEQA Guidelines Section 15150.

SUMMARY OF FOLSOM 2035 GENERAL PLAN EIR

The Folsom 2035 General Plan EIR analyzed the environmental impacts associated with adoption of the City of Folsom 2035 General Plan allowing for development, open space preservation, and provision of services for approximately 17,430± acres of land in the City of Folsom.

Buildout of the area subject to the Folsom General Plan envisions construction of up to 15,250 new dwelling units and 3,993 acres of residential, commercial and industrial uses. The Folsom 2035 General Plan contemplates the full range of land uses that would constitute a balanced community, including residential uses at a variety of densities, as well as commercial, office, employment, and open space uses. Additionally, public or quasi-public uses are contemplated by the Folsom 2035 General Plan, including schools, parks, fire stations, government offices, and other uses.

The 2035 General Plan EIR identified citywide significant impacts arising from urban development pursuant to the General Plan for the following issue areas³:

- **Aesthetics and Visual Resources**- Adverse effects on a scenic vista or substantial degradation of scenic character, damage to scenic resources within a scenic corridor, creation of a new source of light or glare;
- **Agricultural and Forestry Resources** - Potential conflicts with existing agricultural operations and Williamson Act Contracts adjacent to the 2035 Plan Evaluation Area;
- **Air Quality** - Increase in operational emissions of criteria air pollutants and precursors associated with 2035 General Plan buildout that could contribute to a violation of air quality standards, Increase in health risks associated with exposure of sensitive receptors to emissions of toxic air contaminants, Increase in exposure of sensitive receptors to emissions of odors;
- **Biological Resources** - Have a substantial adverse effect on special-status species, Have a substantial adverse effect on federally protected wetlands;
- **Cultural Resources** - Cause a substantial adverse change in the significance of a historical resource, Cause a substantial adverse change in the significance of an archaeological resource, *Damage or destruction of previously unknown unique paleontological resources during construction-related activities*;
- **Geology, Soils, and Mineral Resources** - Result in the loss of availability of a locally-important mineral resource recovery site;
- **Global Climate Change** - *Potential to conflict with an applicable plan, policy, or regulation adopted for reducing GHG emissions*, Potential to conflict with long-term statewide GHG emissions reduction goals for 2050.

³ Identified effects listed in “normal” type were identified by the 2035 General Plan EIR as being significant and unavoidable. Effects listed in “*italics*” were determined to be less than significant after the implementation of adopted mitigation measures set forth in the 2035 General Plan EIR.

- **Hazards and Hazardous Materials** - Expose people or structures to a significant risk of loss, injury, or death involving wildland fires.
- **Hydrology and Water Quality** - Alter the course of a stream or river increasing runoff resulting in flooding, Contribute runoff that exceeds stormwater drainage capacity or contributes additional polluted runoff, Place housing or other structures within 100-year flood hazard area;
- **Noise** - Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies; or a substantial permanent increase in ambient noise levels in the project vicinity above levels without the project, For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, exposure of people residing or working in the area to excessive noise levels resulting from the proposed project,
- **Public Services and Recreation Resources** - Require construction or expansion of recreational facilities that might have an adverse physical effect on the environment – State and Regional facilities,
- **Transportation/Circulation** - Traffic level of service on local intersections, Traffic level of service on US Highway 50;
- **Tribal Cultural Resources** - Interference with tribal cultural resources;
- **Utilities and Service Systems** - None; and
- **Cumulative Impacts** - Aesthetics and Visual Resources, Agricultural and Forestry Resources, Air Resources, Biological Resources, Cultural Resources, Geology, Soils, and Mineral Resources, Global Climate Change, Noise and Vibration, Transportation and Circulation, and Tribal Cultural Resources.

Additionally, the 2035 General Plan EIR identified the following topics as having no impact or a less than significant impact.

Table 5 Potential City-wide Impacts Determined to be Less-than-significant or No Impact by the 2035 General Plan EIR		
Potential Impact	Less-than-Significant Impact	No Impact
Agriculture and Forestry Resources		
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?		X
d) Result in the loss of forest land or conversion of forest land to non-forest use?		X
Biological Resources		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X	

Table 5 Potential City-wide Impacts Determined to be Less-than-significant or No Impact by the 2035 General Plan EIR

Potential Impact	Less-than-Significant Impact	No Impact
Geological Resources		
a) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (VI.e)	X	
Hazards and Hazardous Materials		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?		X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?		X
Hydrology and Water Quality		
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	X	
j) Inundation by seiche, tsunami, or mudflow?	X	
Noise and Vibration		
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.	X	
f) For a project within the vicinity of a private airstrip, exposure of people residing or working in the project area to excessive noise levels.		X
Traffic and Circulation		
a) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	X	
b) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	X	
c) Result in inadequate emergency access?	X	
d) Eliminate or adversely affect an existing bikeway, pedestrian facility, or transit facility in a way that would discourage its use	X	
e) Interfere with the implementation of a planned bikeway or planned pedestrian facility, or be in conflict with a future transit facility	X	
f) Result in unsafe conditions for bicyclists or pedestrians including conflicts with other modes	X	
g) Result in demands to transit facilities greater than available capacity	X	

5. ENVIRONMENTAL SETTING AND EVALUATION OF POTENTIAL IMPACTS

PURPOSE AND LEGAL BASIS FOR THE INITIAL STUDY

As a public disclosure document, this Initial Study provides local decision makers and the public with information regarding the environmental impacts associated with the proposed project. According to Section 15063 of the CEQA Guidelines, the purpose of an Initial Study is to:

1. Provide the Lead Agency with information to use as the basis for deciding whether to prepare an EIR or a Negative Declaration.
2. Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration.
3. Assist in the preparation of an EIR, if one is required by:
 - a. Focusing the EIR on the effects determined to be significant,
 - b. Identifying the effects determined not to be significant,
 - c. Explaining the reasons for determining that potentially significant effects would not be significant, and
 - d. Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.
4. Facilitate environmental assessment early in the design of a project.
5. Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment.
6. Eliminate unnecessary EIRs.
7. Determine whether a previously prepared EIR could be used with the project.

INITIAL ENVIRONMENTAL CHECKLIST

Following each major category in the Initial Study, there are four determinations by which to judge the project's impact. These categories and their meanings are shown below:

“No Impact” means that it is anticipated that the project will not affect the physical environment on or around the project area. It therefore does not warrant mitigation measures.

“Less-than-Significant Impact” means the project is anticipated to affect the physical environment on and around the project area, however to a less-than-significant degree, and therefore not warranting mitigation measures.

“Less than Significant with Mitigation Incorporated” applies to impacts where the incorporation of mitigation measures into a project has reduced an effect from “Potentially Significant” to “Less Than Significant.” In such cases, and with such projects, mitigation measures will be provided including a brief explanation of how they reduce the effect to a less-than-significant level.

“Potentially Significant Impact” means there is substantial evidence that an effect is significant, and no mitigation is possible.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, including several impacts that are “Less than significant with Mitigation Incorporated” as indicated by the checklist on the following pages.

	Aesthetics		Agriculture and Forestry Resources		Air Quality
X	Biological Resources	X	Cultural Resources		Energy
X	Geology / Soils	X	Greenhouse Gas Emissions		Hazards & Hazardous Materials
	Hydrology / Water Quality	X	Land Use / Planning		Mineral Resources
X	Noise		Population and Housing		Public Services
	Recreation	X	Transportation	X	Tribal Cultural Resources
	Utilities / Service Systems		Wildfire	X	Mandatory Findings of Significance

EVALUATION OF POTENTIAL IMPACTS

Responses to the following questions and related discussion indicate if the proposed project would have or would potentially have a significant adverse impact on the environment, either directly or indirectly, or individually or cumulatively with other projects. All phases of project planning, implementation, and operation are considered. Mandatory Findings of Significance are located in Section XXI below.

I. AESTHETICS

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) In non-urban areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

ENVIRONMENTAL SETTING

Folsom Lake and the American River, including the accompanying parkway and trail that connect Sacramento and Folsom, are two of the major scenic resources in Folsom. The green corridors that follow the city's creeks are another major visual resource, as are views to the Sierra Nevada foothills and certain scenic roadways. The Historic District, within which the project is sited, is located to the south of the American River and Lake Natoma.

The Sutter Street corridor, including the project site, is located was the heart of the Folsom business district from the 1850s until the 1950s, when businesses moved uptown to East Bidwell Street. Most of the oldest surviving buildings on and adjacent to Sutter Street date from the 1890s and are constructed of brick and stone. (Folsom 1998a)

VIEWPOINTS AND VISTAS

The City of Folsom is located along the western edge of the Sierra Nevada foothills. The surrounding area to the east of the City includes residences, commercial uses, and grassy rolling hills at varying elevations. To the west is the substantially urbanized Sacramento metropolitan area. The area in the vicinity of the project site is considerably developed with urban land uses. Developed uses in the project vicinity include single family residences to the south and east, and commercial uses to the north and west. The Cohn House, listed on the National Register of Historic Places, is immediately east of the project site, separated by Scott Street. Lake Natoma and the American River Parkway are located to the north, beyond the commercial corridor of Sutter Street. The existing urban visual character of the project vicinity is defined by the nearby commercial and residential uses. See Figures 2, and 8 through 12).

Scenic vistas within the City and in the project vicinity vary from short-range to long-range views, depending upon the topography, intervening buildings, and the presence of mature vegetation. Elevations in the project area decrease from south to north along Scott Street from 284 MSL at Natoma Street to 126 feet MSL at Lake Natoma, and from east to west along Sutter Street from approximately 297 feet MSL at the east end of the Street to 193 feet MSL near Folsom Boulevard. Because views are truncated by intervening commercial and residential structures and vegetation,

these changes in elevation do not provides panoramic views from the residences to the south and east of the site.

Views into the project site tend to be short-range, and activities on the site are potentially visible by several residents of the surrounding homes (especially those immediately to the south and east), patrons of nearby commercial uses, or motorists on Sutter Street, Scott Street, and Riley Street on its approach to the Rainbow Bridge. Views from the site are limited to views of nearby residential and commercial uses, motorists on surrounding roadways, and, more distantly, Lake Natoma, the Folsom Lake State Recreation Area (FLSRA), and the Folsom Powerhouse State Historic Park. See Figure 2. (Environmental Planning Partners 2019, Folsom 1998b)

Since the City characterized the visual resources of the Historic District in 1998, several changes have occurred within the District's viewshed that have altered views of the Historic District as seen by outside viewers and by viewers within the Historic District itself. These changes include: construction of the Folsom Crossing bridge across Lake Natoma; construction of new public and private structures along and adjacent to Sutter Street, including the new three-story buildings adjacent to the proposed project at 604 and 607 Sutter Street, and modification of the building facades along Sutter Street west of Riley Street. (Environmental Planning Partners 2019)

PROJECT SITE

The site is an infill parcel surrounded by developed land uses as indicated in Table 1. The appearance of the existing site is one of an unmaintained vacant lot within a primarily urban setting. The site is heavily vegetated. The vegetation community present onsite is a mix of ruderal (weedy) grassland, mainly consisting of bamboo, vinca, nonnative annual grasses, and woodland that is a mixture of native and horticultural trees. The parcel contains 17 native oak trees and several ornamental trees. Developed uses on the site are limited to sidewalks, retaining walls, and gutters along Sutter and Scott Streets. See Figures 8 through 12.

The project site slopes from southeast to northwest, with the lowest elevations located adjacent to Sutter Street. Existing elevations on the project site range from 251 feet MSL to 234 feet MSL. From south to north along the west side of the project site, the slope is approximately 19 percent.

REGULATORY SETTING

Neither the project site, nor the views to or from the site, have been designated as an important scenic resource by the City of Folsom or any other public agency (Folsom 2018). Folsom Municipal Code (FMC) Chapter 15.59.040.H (Signage or Sign Ordinance) does lists Greenback Lane north and west of the Rainbow Bridge and Folsom Boulevard west of, and including, the Folsom Crossing bridge as scenic corridors within the context of the City's regulation of signage (Folsom 2019b). The project site is not visible from either of these scenic corridors. No state or locally designated scenic highway has been identified in the vicinity of the project site (Folsom 2018a).

The City of Folsom through its Zoning Code regulates street level aesthetics and character throughout the city and in particular areas by specialized documents such as the Historic District Design and Development Guidelines. The Folsom Lake State Recreation Area General Plan (2010) and the American River Parkway Plan (2008), undertaken by federal and state agencies, and Sacramento County and other local agencies respectively, address the preservation and enhancement of the scenic resources in the Recreation Area and the Parkway. (Folsom 2018a)



Figure 8a Existing View



Figure 8b Proposed View

SOURCE: Williams + Paddon, 2019; Planning Partners, 2019

603 Sutter Street Project

Figure 8
Existing and Proposed Views – Sutter Street Looking West



Figure 9a Existing View



Figure 9b Proposed View

SOURCE: Williams + Paddon, 2019; Planning Partners, 2019

603 Sutter Street Project

Figure 9

Existing and Proposed Views – Scott Street Looking North



Figure 10a Existing View



Figure 10b Proposed View

SOURCE: Williams + Paddon, 2019; Planning Partners, 2019 603 Sutter Street Project

Figure 10

Existing and Proposed Views – Scott/Riley Streets Looking South



Figure 11a Existing View



Figure 11b Proposed View

SOURCE: Williams + Paddon, 2019; Planning Partners, 2019

603 Sutter Street Project

Figure 11

Existing and Proposed Views – Sutter/Scott Streets Looking South



Figure 12a Existing View



Figure 12b Proposed View

SOURCE: Williams + Paddon, 2019; Planning Partners, 2019

603 Sutter Street Project

Figure 12
Existing and Proposed Views – Sutter Street Panorama

City of Folsom

General Plan

The following policies from the proposed 2035 General Plan address aesthetics and visual resources.

Natural and Cultural Resources Element

Policy NCR 1.1.7: Fugitive Light. Encourage measures to limit fugitive light from outdoor sources, including street lighting.

Policy NCR 5.1.6: Historic District Standards. Maintain and implement design and development standards for the Historic District.

Policy NCR 2.1.2: Complementary Development. Through the planned development permit process, require new development to be located and designed to visually complement the natural environment along Folsom Lake, the American River, nearby hillsides, and major creek corridors such as Humbug, Willow, Alder, and Hinkle.

Policy NCR 2.1.3: Light Pollution Reduction. The City shall minimize obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary, and requiring light for development to be directed downward to minimize overspill and glare onto adjacent properties and reduce vertical glare

Implementation Measure NCR 6: Lighting Design Standards. Establish consistent lighting standards for outdoor lighting of city development to reduce high-intensity nighttime lighting and glare. These standards shall be consistent with the Folsom Plan Area Specific Plan Community Design Guidelines. Additional standards shall be considered, including the use of automatic shutoffs or motion sensors for lighting features to further reduce excess nighttime light.

To reduce impacts associated with light and glare, the City will require the following lighting standards:

- Shield or screen lighting fixtures to direct the light downward and prevent light spill on adjacent properties.
- Place and shield or screen flood and area lighting needed for construction activities and/or security so as not to disturb adjacent residential areas and passing motorists.
- For public street, building, parking, and landscape lighting in residential neighborhoods, prohibit the use of light fixtures that are of unusually high intensity or brightness (e.g., harsh mercury vapor, low-pressure sodium, or fluorescent bulbs) or that blink or flash. For public parks and sports facilities, the City will use the best light and glare control technology feasible, along with sensitive site design.
- Use appropriate building materials (such as low-glare glass, low-glare building glaze or finish, neutral, earth-toned colored paint and roofing materials), shielded or screened lighting, and appropriate signage in the office/commercial areas to prevent light and glare from adversely affecting motorists on nearby roadways.

Folsom Municipal Code

17.52.300 Design review.

The historic district commission shall have final authority relating to the design and architecture of the following structures within the historic district boundaries:

1. All new office, industrial, commercial and residential structures; ...

17.52.400 Design standards.

- A. The design standards specified in Sections 17.52.410 through 17.52.590 (*including 17.52.510, which applies to the Sutter Street subarea where the project is located*) shall be applicable to all new structures and alterations to existing structures within the historic district. Design review is required for all new structures and alterations to existing structures, unless otherwise specified in this chapter.
- D. Exceptions to the design standards stated herein or in any subsequently adopted design and development guidelines may be permitted by the historic district commission when unique individual circumstances require the exception in order to comply with the purposes of this chapter or when necessary to allow for historical reconstruction of a previously existing structure or feature. (Ord. 890 § 2 (part), 1998)

17.52.510 Sutter street subarea special use and design standards.

A. Permitted Uses.

1. Retail, service, public/quasi-public and office uses permitted in Folsom's modern central business district (C-2 zone) are permitted, with the following exceptions and limitations:
 - a. Uses not in scale with a small downtown, such as large discount stores and supermarkets, are not permitted.
 - b. Uses which are so intrinsically modern that they cannot be successfully integrated, through design, into the plan's historic time frame, such as non-antique auto sales with outdoor display, are not permitted.
3. Residential uses are permitted, with the following exceptions and limitations:
 - b. In assessing compatibility between residential and commercial uses, a residential use located within this subarea will be expected to tolerate greater impacts from commercial uses than if it were located in a primarily residential area. Commercial and residential uses may each be expected to make reasonable physical or operational modifications to improve compatibility between them.

B. Design Concept.

The design concept for this subarea is to preserve existing pre-1900 buildings, and require new or replacement structures to be of a pre-1900 design, unless a post-1900 building is unique and/or representative of 1850-1950 architectural styles. The historic district commission may approve new construction of post-1900 design, on an exception basis, if it finds that the architecture is an outstanding design which represents a structure or use which formerly existed in historic Folsom or which represents a typical design and use extant in similar California towns between 1900 and 1950.

-
- C. Height. Building heights shall not exceed 35 feet adjacent to the sidewalk area on Sutter or Leidesdorff Street and 50 feet in other sections of the subarea. Towers, spires, or other similar architectural features may extend up to 15 feet above the building height.
 - D. Setbacks. Contiguous shops on Sutter Street frontage shall maintain continuity of facades along public sidewalk.

California Department of Parks and Recreation

The State Department of Parks and Recreation manages that portion of the Folsom Lake State Recreation Area (FLSRA) and the Folsom Powerhouse State Historic Park within the city limits (CSPRC 2009). The FLSRA General Plan includes the portion of the American River Parkway administered by the State. The majority of the policies and programs set forth in the FLSRA General Plan are directed to State management actions or other activities within the FLSRA boundaries. Policies directed to activities outside of the FLSRA including within the Historic District include:

Folsom Lake State Recreation Area / Powerhouse State Historic Park General Plan / Resource Management Plan

C. Unit-Wide Management Goals and Guidelines

f. Visual Resources and Aesthetics

Viewshed Protection

VISUAL-2: Work with local jurisdictions in the land use planning and development process to protect key views in the SRA from continued visual intrusion from surrounding development. This will include appropriate general plan land use designations, zoning to regulate such matters as building height and setbacks, ridgeline protection ordinances that help protect visual resources of the SRA, and rigorous development review and enforcement.

Lighting

VISUAL-9: Work with local jurisdictions in the land use planning and development process to protect the SRA from existing and future ambient light sources in development adjacent to the SRA. This will include zoning to regulate lighting, submittal of lighting plans, and “dark sky” ordinances that help protect the visual resources of the SRA.

American River Parkway

In 1985, the California legislature acknowledged the statewide significance of the American River Parkway by adopting the American River Parkway Plan (ARPP) through the passage of the Urban American River Parkway Preservation Act (Public Resources Code Section 5840). The ARPP has authority over the land uses within the Parkway that extends from Downtown Sacramento at the confluence with the Sacramento River to Folsom Dam within the FLSRA. The ARPP includes land use designations and policies that direct all recreation, restoration, preservation and development of facilities.

As noted, the geographic scope of the ARPP includes Lake Natoma, an area that is formally managed in compliance with the 2010 Folsom Lake State Recreation Area General Plan. The ARPP incorporates the Folsom Lake General Plan by reference thereby acknowledging its validity as the land use plan for Lake Natoma.

The following policy of the ARPP would apply to the actions within the vicinity of the proposed project:

- 7.24 In order to minimize adverse visual impacts on the aesthetic resources of the parkway, local jurisdictions shall regulate adjacent development visible from the parkway. These local regulations shall take into account the extent to which the development is visible from the parkway. Regulations may include tools to address design, color, texture and scale, such as:
- a. Setbacks or buffers between the parkway and the development.
 - b. Structures to be stepped away from the parkway or limits on building scale.
 - c. Screening of structures visible from the parkway with landscaping, preferably native vegetation or other naturally-occurring features.
 - d. Use of colors and materials including non-reflective surfaces, amount of glass, and requiring medium to dark earth tone colors that blend with the colors of surrounding vegetation, particularly in sensitive bluff or river's edge locations.
 - e. Guidelines to discourage intrusive lighting and commercial advertising.

PROPOSED PROJECT

The applicant, ZGlobal, proposes to construct and operate a mixed-use (retail/restaurant/office), three-story building on the southwest corner of Sutter Street and Scott Street within the Folsom Historic District. Figures 4, 5 and 6 illustrate the proposed building and exterior elevations.

An outdoor dining patio would be located on the proposed building's first floor. The building would feature balconies on the north and west sides of the building for floors 2 and 3, and a roof deck. The roof deck would occupy the northern and eastern portions of the roof adjacent to Sutter and Scott Streets.

The primary entrance to the building, including first floor retail and restaurant uses, would be provided at a common entrance and entry court/lobby accessed from Sutter Street. A secondary entrance would be provided on the east side of the building for emergency access (see Figure 5). The proposed project would include developed uses within the public rights-of-way of surrounding streets, including outdoor seating and a second floor balcony on the Sutter Street frontage, and a concrete walkway, stairs, and trash enclosure access ramp on the Scott Street frontage. Implementation of the project also would result in the construction within the right-of-way of a landscaped buffer and public sidewalk along Scott Street and landscaping at the northwest and northeast corners of the building.

As proposed, the building height would be a maximum of 50 feet, 6 inches from the ground (building pad) to the roof parapet. Building features associated with the elevator and air conditioning equipment would be mounted on the roof in excess of this height, but would be located 18 feet, 10 feet and 14-21 feet from the front, rear and sides of the building to reduce visibility from surrounding areas and streets.

The front of the building would be constructed on the Sutter Street property line with no setback. Similarly, the building's east side would have no property line setback. Building setbacks from the west side and rear property lines would be 5 ½ feet and 10 ½ feet respectively. The trash enclosure near the northeast corner of the building would be constructed to the property line with no setback. The distance from the rear of the building to the nearest structure would be approximately 34 feet, while the distance from the trash enclosure to this structure would be 23 feet. The distance from the westerly building facade to the nearest structure, a small single-story commercial building, would be approximately 9 feet.

Pedestrian circulation improvements would include the installation of a public sidewalk on the Scott Street frontage of the project site.

The applicant's intent is that the proposed building would appear similar to other commercial projects recently developed on the 600 block of Sutter Street and elsewhere within the Historic District consistent with the Historic District Design and Development Guidelines.

As indicated on Figure 7, the existing site slopes from its southeast corner to the northwest corner, with elevations ranging from 251 feet MSL at the site's southeast corner adjacent to Scott Street to 234 feet MSL at the northwest corner adjacent to Sutter Street. With implementation of the project, the site would be excavated and leveled to an elevation of 231 feet MSL to permit the construction of footings and subgrade.

Grading of the project site to establish the foundations, subgrade and building pad would require cuts on the project site ranging from up to 20 feet in depth at the rear of the building to 3 feet at the building's northwest corner adjacent to Sutter Street. To permanently maintain the stability of the cut slopes, retaining walls would be constructed at the rear of the site and along the western site boundary. Retaining walls would act to prevent collapse or settlement of existing structures both south and west of the site in addition to protecting the proposed building from the potential failure of surrounding slopes.

Retaining walls would be incorporated into the first floor of the building at both locations; in the rear of the building, a portion of the second floor and the trash enclosure would also be used to retain the slope. Excavation and construction activities associated with incorporated retaining walls on the west side and the rear of the building could encroach into the planned building setbacks. However, these areas would be backfilled and leveled at the completion of construction.

Freestanding retaining walls would be constructed near the northeast corner of the project site adjacent to the intersection of Sutter and Scott Streets, and along the Scott Street frontage of the proposed project. These retaining walls would be separated from the building to provide an outdoor seating area and a walkway. See Figure 7, and also Figures 3, 5, and 6. Planned retaining walls would range from 1-foot to 15-feet in height. For additional information regarding the proposed dimensions of the retaining walls see Table 3.

The proposed 603 Sutter Street building would be visible from viewpoints immediately adjacent to the project, including from within several single-family dwellings and the Cohn House to the south and east (see Figures 8-12). This photo essay illustrates the existing views of the project site from several short-range viewpoints, as well as photosimulations of visual conditions after construction of the project.

ENVIRONMENTAL ANALYSIS

California Public Resources Code (PRC), Section 21099 sets forth the following standards with respect to infill projects to be constructed within a Transit Priority Area (TPA):

PRC § 21099.

- (a) For purposes of this section, the following terms mean the following:
- (1) “Employment center project” means a project located on property zoned for commercial uses with a floor area ratio of no less than 0.75 and that is located within a transit priority area.
 - (2) “Floor area ratio” means the ratio of gross building area of the development, excluding structured parking areas, proposed for the project divided by the net lot area.
 - (3) “Gross building area” means the sum of all finished areas of all floors of a building included within the outside faces of its exterior walls.
 - (4) “Infill site” means a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses.
 - (5) “Lot” means all parcels utilized by the project.
 - (6) “Net lot area” means the area of a lot, excluding publicly dedicated land and private streets that meet local standards, and other public use areas as determined by the local land use authority.
 - (7) “Transit priority area” means an area within one-half mile of a major transit stop that is existing or planned, ...
- (d) (1) Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.
- (2) (A) This subdivision does not affect, change, or modify the authority of a lead agency to consider aesthetic impacts pursuant to local design review ordinances or other discretionary powers provided by other laws or policies.
 - (B) For the purposes of this subdivision, aesthetic impacts do not include impacts on historical or cultural resources¹.

¹ For an evaluation of the project’s potential effects on historical or cultural resources, see Section V, Cultural Resources of this Initial Study. Additional evaluation of the project’s influence on the historical context of the Historic District will be evaluated by the Historic District Commission in its consideration of the project.

EVALUATION OF APPLICABILITY OF SECTION 21099

The General Plan land use designation for the project site is Historic District – Mixed Use, and the zoning is Historic District (HD). The project lies within the Sutter Street subarea of the Historic District. Section 17.52.510 expressly permits mixed-use commercial/office projects within the subarea such as that proposed by the 603 Sutter Street Commercial Building project. The floor area ratio (FAR) of the project exceeds 0.75. See Table 2. Thus, the project qualifies as an Employment Center Project.

The project site is surrounded by other urban uses, either adjoining the site or separated from it by improved public rights-of-way, thereby qualifying as an Infill Site.

The project is within one-half mile of the Historic Folsom Light Rail Station, designated by the Sacramento Area Council of Governments as a major transit stop. The proposed 603 Sutter Street Commercial Building project is located within the Transit Priority Area surrounding the station.

Based on the foregoing, consistent with the requirements of PRC Section 21099, this Initial Study finds that the aesthetic effects of the proposed project are not considered to be significant. Thus, the following discussion qualitatively assesses the implementation of the proposed project on visual resources. The analysis does not evaluate whether the proposed project meets the City's design guidelines and criteria for the Historic District or the Sutter Street subarea of the District, nor whether the building is attractive. The evaluation of these topics is the exclusive responsibility of the Historic District Commission (FMC 17.52.300).

Question (a) Scenic vista: Less-than-significant Impact. No designated scenic vistas are identified by the City of Folsom or Caltrans within the viewshed of the project site. Similarly, the proposed project would not place signage within the Folsom Boulevard or Greenback Lane corridors, and hence, would not be subject to the special sign rules pertaining to the corridors. There would be a less-than-significant impact to these protected scenic resources.

Question (b) Scenic resources: No Impact. No state or locally designated scenic highways are located within the project's viewshed or in the vicinity of the proposed project (Folsom 2018a). Therefore, implementation of the proposed project would not adversely affect scenic resources within a designated scenic highway. No impact would occur, and no mitigation would be necessary.

Question (c) Visual character: Less-than-significant Impact. The short- to medium-range visual character of the project site is defined by urban and natural elements, including dense commercial and residential uses surrounding the site and the natural visual elements of the American River Parkway and Lake Natoma.

Though no scenic vistas in the project area that could be affected by the project have been designated by the City of Folsom or any other governmental agency, several residents to the south and east of the project site currently enjoy short-range views of a heavily vegetated site. See Figures 8 through 12. Because portions of these views can be enjoyed from backyards and from inside residences, residents would be sensitive to modifications of these views. Motorists on adjacent roadways and shoppers at surrounding commercial uses would not be considered to be sensitive viewers.

Implementation of the proposed project would change the visual character of the project site from an undeveloped lot to a developed mixed-use building with landscape improvements. The majority of the trees on the project site would be removed. For the closest residential neighbors, the building would represent an intrusion into the immediate-range viewshed. However, the building as proposed would be consistent with the commercial uses planned for the project site by the City's Zoning Code (FMC Section 17.52.510). This section of the Code (Section 17.52.510.A.1.b) establishes that, "In assessing compatibility between residential and commercial uses, a residential use located within this subarea will be expected to tolerate greater impacts from commercial uses than if it were located in a primarily residential area." Based on the foregoing, and in consideration of PRC Section 21099, the effect of constructing and operating the proposed building would be less-than-significant. However, consistency with the design requirements of the Folsom Municipal Code and the Historic District Design and Development Guidelines will be considered by the Historic District Commission in its decision on approval or disapproval of the proposed project.

Question (d) Light and glare: Less-than-significant Impact. As an undeveloped lot, the project site features no existing day or nighttime lighting. Implementation of the proposed project would result in new exterior lighting, such as security, signage, walkway, and landscape lighting, and interior lighting from the building windows. Because there is currently no development on the project site, the proposed lighting would result in a new or increased source of light and glare that would be visible to motorists on perimeter streets, and to viewers from nearby residences and commercial uses. As a condition of approval and consistent with the General Plan and Historic District Design Guidelines, the City requires that the proposed project to comply with lighting standards that ensure that lighting on the site would be focused within the project boundary, and shielded away from adjacent roadways and properties. City standards also require that lights be placed on a timer or photo electronic cell capable of turning the lights on and off one-half hour prior to dawn and one-half-hour past dusk.

By requiring compliance with the City's lighting standards, this impact would be less than significant.

II. AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined in Public Resources Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

The project site is an infill parcel surrounded by developed land uses in the Historic District of the City of Folsom. This area of the city does not contain any land that supports commercial agricultural operations; no agricultural activities or timber management occur on the project site or in adjacent areas, nor is the site designated or zoned for agricultural or timberland uses. The site is not subject to a Williamson Act Contract (Folsom 2018; CDFW 2018).

The Important Farmlands Map prepared for Sacramento County by the California Resources Agency classifies the project site as Urban and Built-Up Land. According to the Farmland Mapping and Monitoring Program, Urban and Built-Up lands are defined to be land occupied by structures or infrastructure to accommodate a building density of at least one unit to one and one-half acres, or approximately six structures to 10 acres. Appropriate uses within the Urban and Built-Up Land category include residential, industrial, and commercial uses, in addition to institutional facilities and other uses (DOC 2018).

The United States Department of Agriculture Natural Resources Conservation Service (NRCS) designates soils in the area of the proposed project as Not Prime Farmland (NRCS 2019).

ENVIRONMENTAL ANALYSIS

Questions (a) and (b) Convert farmland to non-agricultural use/Conflict with zoning for agricultural use: No Impact. The project site is located on land classified by the California Resources Agency as Urban and Built-Up Land, and by the NRCS as Not Prime Farmland. The City of Folsom General Plan designates the project site as Historic Folsom Mixed Use, and it is zoned by the City of Folsom as Historic District.

No prime or important farmlands are located on the site or in the adjacent area, nor are any agricultural crops currently grown. Also, the proposed project site is not held in a Williamson Act contract. Because no important agricultural resources or activities exist within the City or on the project site, no impact would occur, and no mitigation would be necessary.

Questions (c) through (e) Conflict with zoning for, or loss of farmland, forest land, or timber land: No Impact. There is no merchantable timber on the project site. Additionally, no timber management activities occur on the project site or elsewhere within the City of Folsom. No areas within the City or the project site are designated as forest land or timberland, or zoned for Timberland Production. Because no important timberland resources or activities exist within the City or on the project site, no significant impact would occur, and no mitigation would be necessary.

III. AIR QUALITY

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

ENVIRONMENTAL SETTING

Air quality influences public health and welfare, the economy, and quality of life. Air pollutants have the potential to adversely impact public health, the production and quality of agricultural crops, visibility, native vegetation, and buildings and structures.

Criteria pollutants are those that are regulated by either the state or federal Clean Air Acts. Non-criteria pollutants are not regulated by these Acts, but are a concern as precursors to criteria pollutants and/or for their potential for harm or nuisance.

Climate in the Folsom area is characterized by hot, dry summers and cold, rainy winters. During summer's longer daylight hours, plentiful sunshine provides the energy needed to fuel photochemical reactions between oxides of nitrogen (NO_x) and reactive organic gases (ROG), which result in ozone (O₃) formation. High concentrations of O₃ are reached in the Folsom area due to intense heat, strong and low morning inversions, greatly restricted vertical mixing during the day, and daytime subsidence that strengthens the inversion layer. At this time, the greatest air pollution problem in the Folsom area is from NO_x.

REGULATORY SETTING

The U.S. Environmental Protection Agency (EPA) has set National Ambient Air Quality Standards (NAAQS) for ozone, nitrogen dioxide, carbon monoxide, sulfur dioxide, respirable particulate matter (PM₁₀), and airborne lead. Similarly, the California Air Resources Board (ARB) has established California Ambient Air Quality Standards (CAAQS) to protect public health and welfare. CAAQS for criteria pollutants equal or surpass NAAQS, and include other pollutants for which there are no NAAQS. The ARB is responsible for control program oversight activities, while regional Air Pollution Control Districts and Air Quality Management Districts are responsible for air quality planning and enforcement. The ARB is also responsible for assigning air basin attainment and non-attainment designations for state criteria pollutants.

Under the federal Clean Air Act, state and local agencies in areas that exceed the NAAQS are required to develop state implementation plans (SIP) to show how they will achieve the NAAQS for ozone and particulate matter by specified dates (42 USC 7409, 7411). The EPA's responsibility to

control air pollution in individual states is primarily to review submittals of SIPs that are prepared by each state.

The City of Folsom lies within the eastern edge of the Sacramento Valley Air Basin (SVAB). The SMAQMD is responsible for implementing emissions standards and other requirements of federal and state laws in the project area. As required by the California Clean Air Act (CCAA), SMAQMD has published various air quality planning documents to address requirements to bring the SMAQMD into compliance with the federal and state ambient air quality standards.

The City of Folsom regulates urban development through standard construction conditions and through mitigation, building, and construction requirements set forth in the F. Required of all projects constructed throughout the city, compliance with the requirements of the City's standard conditions and the provisions of the Municipal Code avoids or reduces many potential environmental effects. The proposed project would be subject to the City's standard construction requirement that all construction be in compliance with applicable SMAQMD and City air pollution requirements.²

State and national air quality standards consist of two parts: an allowable concentration of a pollutant, and an averaging time over which the concentration is to be measured. Allowable concentrations are based on the results of studies on the effects of the pollutants on human health, crops and vegetation, and, in some cases, damage to paint and other materials. The averaging times are based on whether the damage caused by the pollutant is more likely to occur during exposures to a high concentration for a short time (i.e., one hour), or to a relatively lower average concentration over a longer period (i.e., eight hours, 24 hours, or one month). For some pollutants, there is more than one air quality standard, reflecting both its short-term and long-term effects. Ambient air quality is described in terms of compliance with state and national standards, and the levels of air pollutant concentrations considered safe to protect the public health and welfare. These standards are designed to protect people most sensitive to respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. CAAQS and NAAQS are listed in Table 6.

The ARB is required to designate areas of the state as attainment, non-attainment, or unclassified for any state standard. An "attainment" designation for an area signifies that pollutant concentrations do not violate the standard for that pollutant in that area. A "non-attainment" designation indicates that a pollutant concentration violated the standard at least once, excluding those occasions when a violation was caused by an exceptional event, as defined in the criteria. An "unclassified" designation signifies that data does not support either an attainment or non-attainment status. An area where the standard for a pollutant is exceeded is considered in non-attainment and is subject to planning and pollution control requirements that are more stringent than normal requirements. The CCAA divides districts into moderate, serious, and severe air pollution categories, with increasingly stringent control requirements mandated for each category. Of the criteria pollutants, the project area is in non-attainment for federal and state ozone, state PM₁₀, and federal PM_{2.5} standards (see Table 6).

² The SMAQMD regulates construction and other activities in areas with naturally occurring asbestos. As documented in Section IX, *Hazards and Hazardous Materials*, of this Initial Study, the 603 Sutter Street project is located in an area that is least likely to contain naturally occurring asbestos.

Table 6 Federal and California Ambient Air Quality Standards and Attainment Status

Pollutant	Averaging Time	California Standards Concentration	Federal Primary Standards Concentration
Ozone (O ₃)	8-hour	0.07 ppm (137 µg/m ³)	0.070 ppm (137 µg/m ³)
	1-hour	0.09 ppm (180 µg/m ³)	---
Respirable Particulate Matter (PM ₁₀)	24-hour	50 µg/m ³	150 µg/m ³
	Annual Arithmetic Mean	20 µg/m ³	---
Fine Particulate Matter (PM _{2.5})	24-hour	---	35 µg/m ³
	Annual Average	12 µg/m ³	12 µg/m ³
Carbon Monoxide	8-hour	9.0 ppm (10 mg/m ³)	9 ppm (10 mg/m ³)
	1-hour	20 ppm (23 mg/m ³)	35 ppm (40 mg/m ³)
Nitrogen Dioxide	Annual Average	0.03 ppm (57 µg/m ³)	0.053 ppm (100 µg/m ³)
	1-hour	0.18 ppm (339 µg/m ³)	0.100 ppm (188 µg/m ³)
Lead	30 day Average	1.5 µg/m ³	---
	Rolling 3-Month Average	---	0.15 µg/m ³
	Quarterly Average	---	1.5 µg/m ³
Sulfur Dioxide	24-hour	0.04 ppm (105 µg/m ³)	0.14 ppm (for certain areas)
	3-hour	---	---
	1-hour	0.25 ppm (655 µg/m ³)	0.075 ppm (196 µg/m ³)
Sulfates	24-hour	25 µg/m ³	No Federal Standard
Hydrogen Sulfide	1-hour	0.03 ppm (42 µg/m ³)	No Federal Standard
Vinyl Chloride	24-hour	0.01 ppm (26 µg/m ³)	No Federal Standard

Notes: ppm = parts per million; mg/m³ = milligrams per cubic meter; µg/m³ = micrograms per cubic meter
 Shaded areas indicate that Sacramento County is in non-attainment for that air pollutant standard

Source: EPA 2019, EPA 2018, SMAQMD 2019, ARB 2016, EPA 2016.

CRITERIA AIR POLLUTANTS

Ozone is not emitted directly into the environment, but is generated from complex chemical reactions between ROG, or non-methane hydrocarbons, and NO_x that occur in the presence of sunlight. ROG and NO_x generators in Sacramento County include motor vehicles, recreational boats, other transportation sources, and industrial processes. Ozone exposure causes eye irritation and damage to lung tissue in humans. Ozone also harms vegetation, reduces crop yields, and accelerates deterioration of paints, finishes, rubber products, plastics, and fabrics. Research also shows that children exposed to unhealthy levels of ozone suffer decreased lung function growth and increased asthma.

PM₁₀, or inhalable particulate matter, is a complex mixture of primary or directly emitted particles, and secondary particles or aerosol droplets formed in the atmosphere by precursor chemicals. The main sources of fugitive dust are unpaved roads, paved roads, and construction. Additional sources of PM₁₀ include fires, industrial processes, mobile sources, fuel combustion, agriculture, miscellaneous sources, and solvents. Health studies link particulate pollution to sudden death in infants as well as adults with heart and lung ailments, shortening lives by years. Exposure to airborne particles also aggravates respiratory illnesses like asthma, bronchitis, emphysema, and pneumonia.

PM_{2.5} is atmospheric particulate matter having a particle size less than 2.5 microns (µm) in diameter. These particles are so small they can be detected only with an electron microscope. Sources of fine particles include all types of combustion, including motor vehicles, power plants, residential wood burning, forest fires, agricultural burning, and some industrial processes. These small particles can be inhaled into the lungs and have the potential to cause health-related impacts in sensitive persons.

AIR QUALITY MONITORING

The SMAQMD's air quality monitoring network provides information on ambient concentrations of air pollutants. The SMAQMD operates several monitoring stations in the SVAB where the air quality data for ozone, PM_{2.5}, and PM₁₀ were obtained. Table 7 compares a five-year summary of the highest annual criteria air pollutant emissions collected at two area monitoring stations with applicable CAAQS, which are more stringent than the corresponding NAAQS. Due to the regional nature of these pollutants, ozone, PM_{2.5}, and PM₁₀ are expected to be fairly representative of the project site.

As indicated in Table 7, the O₃, PM_{2.5} and PM₁₀ standards have been exceeded in Sacramento County over the past five years.

Table 7 Annual Air Quality Data for Sacramento County Air Quality Monitoring Stations					
Pollutant	2014	2015	2016	2017	2018**
Ozone (O₃) 1-hour: Monitoring location: Folsom – Natoma Street					
Maximum Concentration (ppm)	<u>0.100</u>	<u>0.114</u>	<u>0.111</u>	<u>0.107</u>	<u>0.105</u>
Days Exceeding State Standard (1-hr avg. > 0.09 ppm)	7	3	6	4	5
Ozone (O₃) 8-hour: Monitoring location: Folsom – Natoma Street					
Maximum Concentration (ppm)	<u>0.085</u>	<u>0.093</u>	<u>0.095</u>	<u>0.087</u>	<u>0.094</u>
Days Exceeding State and Federal Standard (8-hr avg. > 0.070 ppm)	35	11	24	19	19
PM₁₀: Monitoring location: Sacramento – Branch Center Road 2					
Est. Days Exceeding State Standard (Daily Standard 50 µg/m ³)	0.0	0.0	0.0	<u>18.4</u>	<u>24.1</u>
Maximum State 24-Hour Concentration (µg/m ³)	46.0	45.0	44.0	<u>81.0</u>	<u>212.0</u>
Days Exceeding Federal Standard (Daily Standard 150 µg/m ³)	0.0	0.0	0.0	0.0	<u>6.1</u>
Maximum Federal 24-Hour Concentration (µg/m ³)	45.0	44.0	45.0	79.0	<u>200.0</u>
PM_{2.5}: Monitoring location: Folsom – Natoma Street					
Est. Days Exceeding National 2006 Standard (Daily Standard 35 µg/m ³)	<u>1.0</u>	<u>1.1</u>	0.0	0.0	<u>9.0</u>
Maximum National 24-Hour Concentration (µg/m ³)	<u>52.0</u>	<u>38.1</u>	25.7	33.2	<u>104.5</u>

Notes: Underlined Values in excess of applicable standard; ppm = parts per million; µg/m³ = micrograms per cubic meter; Est. = Estimated

*Insufficient data to determine the value

**2018 is the latest year of data available as of preparation of this section (July 2019, updated June 2020).

Source: California Air Resources Board, 2020. *Air Quality Trend Summaries*. Accessed at <www.arb.ca.gov/adam>.

SIGNIFICANCE THRESHOLDS

The SMAQMD has published thresholds of significance for new projects in its *Guide to Air Quality Assessment in Sacramento County* (CEQA Guide) (originally published in 2009 with some sections most recently updated in June 2020 (as of June 2020)) (SMAQMD 2020). These thresholds are used to determine whether the potential air quality impacts of a proposed project are significant. The SMAQMD procedure is to quantify pollutant emissions from a project and compare the results to the significance threshold. The following emission levels have been established as the significance thresholds for those air quality impacts quantitatively assessed:

	Construction Phase	Operational Phase
<i>Reactive Organic Gases (ROG):</i>	None	65 pounds per day (lbs/day)
<i>Oxides of Nitrogen (NO_x):</i>	85 lbs/day	65 lbs/day
<i>Particulate Matter (PM₁₀):</i>	Zero (0). If all feasible BACT/BMPs are applied, then 80 pounds/day and 14.6 tons/year	
<i>Particulate Matter (PM_{2.5}):</i>	Zero (0). If all feasible BACT/BMPs are applied, then 82 pounds/day and 15 tons/year	

Additionally, the SMAQMD requires that emissions concentrations from all phases of project activities not exceed the applicable CAAQS. A project is considered to contribute substantially to an existing or projected violation of a CAAQS if it emits pollutants at a level equal to or greater than five percent of the applicable CAAQS.

ENVIRONMENTAL ANALYSIS

Potential air quality impacts are assessed for both construction and operational phases of the 603 Sutter Street Commercial Building project:

- Construction includes site grading, cut and fill activities, building of structures, and paving. Construction activities resulting in air emissions include employee commute trips, exhaust from construction equipment, fugitive dust from earthmoving activities and vehicle movement on the project site, evaporative emissions from paving of surfaces, and the application of architectural coatings to the buildings. Construction of the proposed facility is scheduled to begin upon project approval and would be constructed in a single phase of approximately 12½ months.
- Operation activities resulting in air emissions include vehicular trips generated by the restaurant, retail, and office uses; area sources (architectural coating, consumer products, and landscaping); and energy use. Based on construction phasing, the proposed mixed-use facility is anticipated to become operational in 2021.

Construction and operation related emissions were calculated using the California Emissions Estimator Model (CalEEMod) Version 2016.3.2. Output files and assumptions are attached as Appendix A).

Table 8 presents an estimate of maximum daily and annual construction and operation emissions of criteria air pollutants and precursors of primary concern for the proposed mixed use project. These air pollutants include ozone precursors (ROG and NO_x) and particulate matter (PM₁₀ and PM_{2.5}) (other pollutants of less concern are included in Appendix A).

Table 8 Unmitigated Construction and Operation Related Emissions

	ROG	NO_x	PM₁₀	PM_{2.5}
Construction Emissions (summer)	14.43 lbs/day	9.73 lbs/day	1.43 lbs/day	0.91 lbs/day
Construction Emissions (winter)	14.43 lbs/day	9.81 lbs/day	1.43 lbs/day	0.92 lbs/day
Construction Emissions (annual)	0.14 tons/yr	1.20 tons/yr	0.10 tons/yr	0.07 tons/yr
Operation Emissions (summer)	1.54 lbs/day	3.34 lbs/day	1.65 lbs/day	0.46 lbs/day
Operation Emissions (winter)	1.22 lbs/day	3.50 lbs/day	1.65 lbs/day	0.46 lbs/day
Operation Emissions (annual)	0.20 tons/yr	0.51 tons/yr	0.23 tons/yr	0.07 tons/yr

Note: lbs = pounds; yr = year; ROG = reactive organic gases; NO_x = oxides of nitrogen; PM₁₀ = respirable particulate matter; PM_{2.5} = fine particulate matter

Source: Planning Partners 2019. See Appendix A.

Questions (a) and (c) Conflict with air quality plan / Expose sensitive receptors to substantial pollutant concentrations: Less-than-significant Impact. Construction - NO_x Emissions. The SMAQMD has developed a screening process to assist in determining if NO_x emissions from constructing a project in Sacramento County would exceed the District’s construction significance threshold for NO_x. Construction of a project that does not exceed the screening level and meets all the screening parameters will be considered to have a less-than-significant impact on air quality. However, all construction projects regardless of the screening level are required to implement the District’s Basic Construction Emission Control Practices (Guide section updated April 2020). (SMAQMD 2020)

Projects that are 35 acres or less in size generally will not exceed the District’s construction NO_x threshold of significance. This screening level was developed using default construction inputs in the CalEEMod. This screening level cannot be used to determine a project’s construction emissions will have a less-than significant impact on air quality unless all of the following parameters are met. The project *must not*:

- Include buildings more than 4 stories tall;
- Include demolition activities;
- Include major trenching activities;
- Have a construction schedule that is unusually compact, fast-paced, or involves more than 2 phases (i.e., grading, paving, building construction, and architectural coatings) occurring simultaneously;
- Involve cut-and-fill operations (moving earth with haul trucks and/or flattening or terracing hills); and
- Require import or export of soil materials that will require a considerable amount of haul truck activity. (SMAQMD 2020) (Guide section updated April 2020)

The proposed 603 Sutter Street Commercial Building project does not meet all of the screening level parameters. While the project site is only 0.17 acres, construction would include cut and fill operations and export of soil materials. Construction emissions were estimated using CalEEMod.2016.3.2 (output files attached as Appendix A), and NO_x emissions from construction activities of approximately 9.73 lbs/day (summer) and 9.81 lbs/day winter) would be less than the SMAQMD significance threshold of 85 lbs/day. Thus, according to CalEEMod results, the project

would be expected to result in less-than-significant construction NO_x emissions. This would be a less-than-significant impact, and no mitigation would be necessary.

Questions (b) and (c) Net increase of criteria pollutant / Expose sensitive receptors to substantial pollutant concentrations: Less-than-significant Impact. Construction - PM₁₀ and PM_{2.5} Emissions. During typical construction projects the majority of particulate matter emissions (i.e., PM₁₀ and PM_{2.5}) are generated in the form of fugitive dust during ground disturbance activities, most of which is generated during the grading phase. PM emissions are also generated in the form of equipment exhaust and re-entrained road dust from vehicle travel on paved and unpaved surfaces.

The SJVAPCD uses the same screening level as the NO_x emission screening level to assist a lead agency in determining if PM emissions from constructing a project in Sacramento County will exceed the District's construction significance thresholds for PM₁₀ and PM_{2.5}. Construction of a project that does not exceed the screening level, meets all the screening parameters, and implements the SJVAPCD's Basic Construction Emission Control Practices (also known as BMPs) would be considered to have a less-than-significant impact on air quality. (SMAQMD 2020) (Guide section updated April 2020)

While the project site is only 0.17 acres, construction would include cut and fill operations and export of soil materials. As estimated using CalEEMod.2016.3.2 (output files attached as Appendix A), PM₁₀ construction emissions would be reduced from 1.43 to 0.10 lbs/day and PM_{2.5} construction emissions would be reduced from 0.92 to 0.69 lbs/day by cleaning up trackout mud and watering exposed surfaces two times daily. This would be less than the SMAQMD significance thresholds of 80 lbs/day PM₁₀ and 82 lbs/day PM_{2.5}. Thus, the project would be expected to result in less-than-significant construction PM emissions, and no mitigation would be necessary.

Section 6.07 of the City's Standard Construction Specifications and Details, General Provisions requires that construction contractors comply with all air pollution control rules and regulations. The proposed projects would be required to comply with all SMAQMD rules and regulations for construction, including, but not limited to, Rule 403 (Fugitive Dust) and Rule 404 (Particulate Matter). Prior to initiation of project construction, the project applicant shall confirm applicable SMAQMD rules with the Air District. In addition, all construction projects are required to implement the District's Basic Construction Emission Control Practices (SMAQMD 2020), as applicable. These practices include the following:

Basic Construction Emission Control Practices (SMAQMD Guide section updated July 2019)

- Control of fugitive dust is required by District Rule 403 and enforced by District staff.
- Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.
- Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.
- Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
- Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).

- All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
- Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1]. For more information contact CARB at 877-593-6677, doors@arb.ca.gov, or www.arb.ca.gov/doors/compliance_cert1.html.
- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.

Questions (a) through (c) Conflict with air quality plan / Net increase of criteria pollutant / Expose sensitive receptors to substantial pollutant concentrations: Less-than-significant Impact. Ozone Precursor Emissions from Operations.

The District has developed screening levels to help lead agencies analyze operational ROG and NO_x and PM₁₀ and PM_{2.5} emissions from projects in Sacramento County (SMAQMD Guide section updated June 2020). As set forth by the District, the screening levels shall not be used to evaluate operational emissions from projects that have one or more of the following characteristics:

- The project will include wood stoves or wood-burning appliances;
- The project does not include BMPs for PM emissions;
- Project trip generation rates are expected to be greater than the default trip rates in CalEEMod. The default trip rates in CalEEMod, which can be viewed in the Operational-Mobile Vehicle Trips tab, are based on standard rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual;
- The vehicle fleet mix for the project is expected to be substantially different from the average vehicle fleet mix for Sacramento County. For example, the fleet mix associated with an industrial land use project will likely consist of a high portion of heavy-duty trucks;
- The project will include mixed-use development; or
- The project will include any industrial land use types (possibly including stationary sources of emissions).

As included in the list above, the project includes mixed-uses of office, retail, and restaurant, and the SMAQMD Operational Screening Levels for would not apply (SMAQMD Guide section updated April 2020). In order to support the use of the SJVAPCD's non-zero thresholds of significance for operational PM emissions, the SJVAPCD provides guidance on Best Management Practices (BMP) to reduce operational PM emissions from land use development projects (SMAQMD Guide section updated August 2016). As required by existing regulations, the following BMPs provided by the SJVAPCD will be included by the City of Folsom as Conditions of Approval:

1. Compliance with District rules that control operational PM and NO_x emissions. Reference rules regarding wood burning devices, boilers, water heaters, generators and other PM

control rules that may apply to equipment to be located at the project. Current rules can be found on the District's website: <http://www.airquality.org/Businesses/Rules-Regulations>

2. Compliance with mandatory measures in the California Building Energy Efficiency Standards (Title 24, Part 6) that pertain to efficient use of natural gas for space and water heating and other uses at the proposed project. The current standards can be found on the California Energy Commissions website: <http://www.energy.ca.gov/title24/>
3. Compliance with mandatory measures in the California Green Building Code (Title 24, Part 11). The California Building Standards Commission provides helpful checklists showing the required and voluntary measures for residential and non-residential projects on its website:

<http://www.bsc.ca.gov/Home/CALGreen.aspx>.

Current mandatory measures related to operational PM include requirements for bicycle parking, parking for fuel-efficient vehicles, electric vehicle charging, and fireplaces for non-residential projects.

4. Compliance with anti-idling regulations for diesel powered commercial motor vehicles (greater than 10,000 gross vehicular weight rating). The current requirements include limiting idling time to 5 minutes and installing technologies on the vehicles that support anti-idling. Information can be found on the California Air Resources Board's website:

<http://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm>.

Additionally, the California Air Resources Board adopted a regulation that applies to transport refrigeration units (TRU) that are found on many delivery trucks carrying food. Information on the TRU regulation can be found on the California Air Resources Board's website:

<http://www.arb.ca.gov/diesel/tru/tru.htm>.

Since the proposed project may not have control over the anti-idling technologies installed on commercial vehicles coming to the project, the BMP is to provide notice of the anti-idling regulations at the delivery/loading dock and to neighbors. The notice to the neighbors should also include who at the proposed project can be contacted to file a complaint regarding idling and the California Air Resources Vehicle Complaint Hotline 1-800-363-7664.

The proposed emissions from the project were estimated using CalEEMod.2016.3.2 (output files attached as Appendix A). Operational emissions of ozone precursors including ROG, NO_x, PM₁₀, and PM_{2.5} are reported in Table 8 above. The calculated ROG emissions of 1.54 lbs/day (summer)/1.22 lbs/day (winter) and NO_x emissions of 3.34 lbs/day (summer)/3.50 lbs/day (winter) would not exceed SMAQMD thresholds of 65 lbs/day. The calculated PM₁₀ emissions of 1.65 lbs/day (summer)/1.65 lbs/day (winter)/0.46 tons/year would not exceed SMAQMD thresholds of 80 lbs/day and 14.6 tons/year. The calculated PM_{2.5} emissions of 0.46 lbs/day (summer)/0.46 lbs/day (winter)/0.07 tons/year would not exceed SMAQMD thresholds of 82 lbs/day and 15 tons/year. This would be a less-than-significant impact, and no mitigation would be necessary.

Questions (b) and (c) Net increase of criteria pollutant / Expose sensitive receptors to substantial pollutant concentrations: Less-than-significant Impact. In general, land use development projects do not typically have the potential to result in localized concentrations of criteria air pollutants that expose sensitive receptors to substantial pollutant concentrations. This is because criteria air pollutants are predominantly generated in the form of mobile-source exhaust from vehicle trips associated with the land use development project. These vehicle trips occur throughout a paved network of roads, and, therefore, associated exhaust emissions of criteria air

pollutants are not generated in a single location where high concentrations could be formed (SMAQMD Guide section updated June 2020). Pollutants such as carbon monoxide (CO), sulfur dioxide, and lead are of less concern because operational activities are not likely to generate substantial quantities of these criteria air pollutants and the Sacramento Valley Air basin has been in attainment for these criteria air pollutants for multiple years (SMAQMD 2020).

Thus, according to SMAQMD guidance, the project would not be expected to result in substantial pollutant emissions. This would be a less-than-significant impact, and no mitigation would be necessary. Further, the proposed project is consistent with the City of Folsom General Plan. Therefore, cumulative traffic impacts, including those of the proposed project, have previously been addressed in detail within the environmental documentation prepared in connection with that document. Therefore, no further project-specific analysis of cumulative conditions are necessary.

Question (d) Result in other emissions: Less-than-significant Impact. While offensive odors rarely cause physical harm, they can be unpleasant, leading to considerable annoyance and distress among the public and can generate citizen complaints to local governments and air districts. Any project with the potential to create objectionable odors affecting a substantial number of people would be considered to have a significant impact under CEQA Guidelines Appendix G. In addition, the District's Rule 402 (Nuisance) also prohibits any person or source from emitting air contaminants that cause detriment, nuisance, or annoyance to a considerable number of persons or the public. (SMAQMD 2019)

Sensitive receptors are defined as areas where young children, chronically ill individuals, the elderly, or people who are more sensitive than the general population reside. Existing sensitive land uses immediately surrounding the project site include single-family residential uses.

The nature of operational activities and the types of odiferous compounds they produce (e.g., odor emissions from a wastewater treatment process, rendering plant, or coffee roaster) can affect the number of complaints differently depending on the type of odor produced. For example, odiferous compounds generated by a wastewater treatment plant or landfill are more likely to be perceived more offensive to receptors than those generated by a coffee roaster or bakery. (SMAQMD Guide section updated June 2016)

During construction, some odors could result from vehicles and equipment using diesel fuels. Construction vehicles would be required to limit idling time compliant with the ARB guidelines. Because the level of overall emissions would be low, and the duration of emissions would be temporary, odors from diesel exhaust during construction would be considered less than significant.

During operation, the project would consist of the operation of a mixed-use building including office, retail, and restaurant facilities. While the proposed restaurant could result in odor emissions, these odors are generally not considered objectionable and offensive to most individuals. Further, similar mixed uses, including a restaurant, are located immediately to the north of the project site. Therefore, potential effects due to odors would be less than significant, and no mitigation would be necessary.

NATURALLY OCCURRING ASBESTOS

Naturally occurring asbestos is not a potential concern in the project area. For more information and analysis, see Section IX, *Hazards and Hazardous Materials*.

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery site?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

REGULATORY SETTING

FEDERAL ENDANGERED SPECIES ACT

The United States Fish and Wildlife Service (USFWS) has jurisdiction over projects that may result in take of a species listed as threatened or endangered under the federal Endangered Species Act (ESA). Under the ESA (Title 16 of U.S. Code, Section 153 et seq. [16 USC 153 et seq.]), the definition of “take” is to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” USFWS has also interpreted the definition of “harm” to include significant habitat modification that could result in take.

MAGNUS-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT

The National Marine Fisheries Services (NMFS) administers the Magnuson-Stevens Fishery Conservation and Management Act (MSA) (16 USC 1801 et seq.). The MSA is the primary law governing marine fisheries management in U.S. Federal waters. Amendments to the 1996 MSA require the identification of Essential Fish Habitat (EFH) for federally managed species and the implementation of measures to conserve and enhance this habitat. The EFH provisions of the MSA offer resource managers a means to heighten consideration of fish habitat in resource management. Pursuant to section 305(b)(2), Federal agencies are required to consult with the NMFS regarding any action they authorize, fund, or undertake that might adversely affect EFH.

MIGRATORY BIRD TREATY ACT

The Migratory Bird Treaty Act (MBTA) (16 USC 703–711) prohibits the killing, possessing, or trading of migratory birds except in accordance with regulations prescribed by the U.S. Secretary of the Interior. Most native bird species fall under the jurisdiction of this Act.

SECTION 404 OF THE CLEAN WATER ACT

Section 404 of the Clean Water Act (33 USC 1252–1376) requires a project applicant to obtain a permit before engaging in any activity that involves any discharge of dredged or fill material into waters of the United States, including wetlands. Waters of the United States include navigable waters of the United States, interstate waters, all other waters where the use or degradation or destruction of the waters could affect interstate or foreign commerce, tributaries to any of these waters, and wetlands that meet any of these criteria or that are adjacent to any of these waters or their tributaries.

CALIFORNIA ENDANGERED SPECIES ACT

The California Endangered Species Act (CESA) (California Fish and Game Code Section 2050 et seq.) is the state policy to conserve, protect, restore, and enhance endangered or threatened species and their habitats. CESA mandates that state agencies should not approve projects that would jeopardize the continued existence of endangered or threatened species if reasonable and prudent alternatives are available that would avoid jeopardy. Definitions of endangered and threatened species in the CESA parallel those defined in the ESA. Take authorizations from California Department of Fish and Wildlife (CDFW) are required for any unavoidable impact on state-listed species resulting from proposed projects.

NATIVE PLANT PROTECTION ACT

California’s Native Plant Protection Act (Fish and Game Code Sections 1900–1913) requires all state agencies to establish criteria for determining whether a species, subspecies, or variety of native plant is endangered or rare. Provisions of this act prohibit the taking of listed plants from the wild and require that CDFW be notified at least 10 days in advance about any change in land use that would adversely affect listed plants. This requirement allows CDFW to salvage listed plant species that would otherwise be destroyed.

PROTECTION OF BIRD NESTS AND RAPTORS

The California Fish and Game Code (Section 3503) states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. The Code specifically mentions that it is unlawful to take, possess, or destroy any raptors (i.e., hawks, owls, eagles, and falcons), including their nests or eggs. Examples of code violations include destruction of active nests resulting from removal of vegetation in which the nests are located. Violation of Section 3503.5 could also include failure of active raptor nests resulting from disturbance of nesting pairs by nearby project construction.

TREE PROTECTION ORDINANCE

Chapter 12.16 of the City of FMC provides regulations for the protection, preservation, and maintenance of protected trees in Folsom. The ordinance protects native oak trees, heritage trees, street trees and landmark trees. Protected trees are defined as shown in Table 9. (Folsom 2019c)

Table 9 Definition of Protected Trees Pursuant to FMC Section 12.16

Protected Tree Class	Definition
Native Oak Tree	Any tree over 6 inches (DBH) of the genus quercus and species lobata (valley oak), douglasii (blue oak), wislizenii (interior live oak), or hybrids, thereof; or a multitrunked native oak tree having an aggregate diameter of 20 inches (DBH) or more.
Heritage Tree	A native oak tree over 19 inches in diameter at breast height or a multitrunked native oak tree having an aggregate diameter of 38 inches or more at breast height.
Street Tree	Any tree growing within the tree maintenance strip and contained on the master tree list.
Landmark Tree	A tree or group of trees determined by the city council to be a significant community benefit

Note: DBH indicates the diameter at breast height. See the footnote on this page for further definition.³

Source: *City of Folsom Municipal Code Section 12.16, 2019.*

ENVIRONMENTAL SETTING

The project site is located in the Historic District of the City of Folsom, Sacramento County, California at the intersection of Sutter Street and Scott Street. The 0.17-acre (7,400 square feet) project site is located in an unsurveyed portion of the Rancho de Los Americanos land grant as indicated on the “Folsom, California” 7.5-minute quadrangle (U.S. Geological Survey [USGS] 1980), at latitude/longitude 38°40’41.88”N, 121°10’30.66”W. The approximate center of the site is located at 38.678237° North and -121.175185° West within the Lower American Watershed (Hydrologic Unit Code #18020111, USGS 2019).

The previously disturbed project site is located within a sloping ruderal urban lot situated at an elevation of approximately 250 feet above mean sea level in the Sacramento Valley Subregion of the Great Central Valley floristic region of California. The vegetation community present onsite is a mix of ruderal grassland, mainly consisting of nonnative annual grasses, and woodland that is a mixture of native and horticultural trees. The surrounding land uses are developed commercial and residential uses within the context of a densely developed urban area. (LSA 2017, ECORP 2019) The nearest undeveloped habitat is located within the American River Parkway, approximately 425 feet west/northwest of the project site, separated from the project by buildings, parking lots, and multi-lane roadways. The nearest point on the American River (Lake Natoma) is approximately 1,000 feet northwest of the site, again separated by intervening urban development. Wildlife use of the site is limited to species that are adapted to urban environments.

Tree surveys of the project site were completed in 2017 and 2019 (Arborwell 2017, ECORP 2019). The most recent (2019) survey concluded that within the proposed building footprint there are 16 native oak trees representing three species: eight valley oaks, five blue oaks, and three interior live oaks. Additionally, there are four horticultural trees within the building footprint, which are all species of Prunus (fruit trees). Outside of the footprint there is one valley oak and one horticultural camphor tree. The project parcel contains 17 native oak trees. Sixteen of the native oak trees meet the definition of “Protected Trees” under the Folsom Tree Preservation Ordinance. One oak tree (tree tag #919) does not meet the definition of “Protected Tree” because its DBH is less than six inches. (Folsom 2019c, ECORP 2019)

³ Diameter at Breast Height (DBH) is a method of expressing the diameter of the trunk of a standing tree. Under this protocol, measures of tree diameters are to be taken 1.3 meters (four feet, four inches) above the ground surface.

ENVIRONMENTAL ANALYSIS

Research completed to determine the biological resources associated with the proposed project included: (1) a query of the California Natural Diversity Database (CNDDDB) to identify occurrences of special-status species within one mile of the Project site; (2) a query of federally listed Threatened and Endangered species from the USFWS and the California Native Plant Society's (CNPS) Electronic Inventory; and (3) a review of the USFWS National Wetland Inventory (NWI) map to identify the presence of wetlands within the project area.

This special-status species evaluation considers those species identified as having relative scarcity and/or declining populations by the USFWS or CDFW. Special-status species include those formally listed as threatened or endangered, those proposed for formal listing, candidates for federal listing, and those classified as species of special concern by CDFW. Also included are those plant species considered to be rare, threatened, or endangered in California by the CNPS, and those plant and animal taxa meeting the criteria for listing under Section 15380 of the State CEQA Guidelines.

According to the USFWS and CNDDDB records searches, there are 5 plant, 3 crustaceans, 1 insect, 1 fish, 2 amphibian, 1 reptile, and 1 bird special-status species that have the potential to occur in the vicinity of the project site. Additionally, 15 bird species protected by the MTBA have the potential to seasonally occur in the project vicinity. Because the proposed project would be constructed within an existing disturbed lot surrounded by developed urban uses, suitable habitat to support the majority of the listed species is not present. There is habitat, however, to support several of the bird species.

Sensitive natural habitats are those that are considered rare within the region, support sensitive plant or wildlife species, or function as corridors for wildlife movement. No sensitive natural habitats were identified by the CNDDDB and CNPS lists for the proposed project area. A review of the USFWS National Wetland Inventory Map was completed to identify the presence of wetlands within the vicinity of the project. There are no wetland features identified on the NWI map within the project area.

Question (a) Adverse effect on special-status species: Less-than-significant Impact with Mitigation Incorporated. The project applicant proposes to develop a mixed-use commercial building that would result in the conversion of the entirety of the site from its existing state to a developed use. All existing ruderal vegetation, shrubs, and trees would be lost. Except for 17 native oak trees and several ornamental trees, there are no riparian or other sensitive habitats existing on, or adjacent to, the project site. Trees on the site may provide nesting habitat for special status bird species, or for species protected by the Migratory Bird Treaty Act. If construction occurred during the nesting season, nesting birds could be disturbed, leading to nest abandonment. Therefore, development of the project could have significant potential impacts on biological resources during the period of active construction.

Swainson's hawk. The State-threatened Swainson's hawk has occurred in the project vicinity. There is a single occurrence within 0.5 miles of the project site. Swainson's hawks generally forage within 10 miles of their nest tree, and more commonly within 5 miles; however, there is no foraging habitat on the project site. Existing trees within the project parcel may serve as nesting trees.

Ground clearing, tree cutting, and construction activities could impact nesting Swainson's hawk. Although there are no known, recent nesting occurrences in the vicinity of the project site, there is

the potential that construction activities in the vicinity of Swainson's hawk nesting areas could disrupt breeding activities.

Protected Nesting Birds. The valley oak and ornamental trees on the project site could provide nesting habitat for bird species found in the vicinity of the project. Tree-cutting and excavation activities could potentially impact nesting birds that are protected under the federal MBTA of 1918 (16 USC 703-711) and California Department of Fish and Game (CDFG) codes (Sections 3503, 3503.5, and 3800). The laws and regulations prohibit the take, possession, or destruction of birds, their nests, or eggs. Disturbance that causes nest abandonment and/or loss of reproductive effort could be considered a "take." This would be a significant impact.

If construction activities are conducted during the nesting season (from March to September), nesting birds could be directly impacted by tree removal, and indirectly impacted by noise, vibration, and other construction related disturbance. The following mitigation measure would be required.

Mitigation Measure BIO-1: Avoid nesting season or conduct pre-construction surveys.

Avoid construction or tree removal during the nesting season (usually from March through September). If construction activities will occur during the nesting season and trees on the site have not been removed, no more than 30 days prior to the initiation of construction, pre-construction surveys for the presence of special-status bird species or any nesting bird species shall be conducted by a qualified biologist within a 500 foot radius of the proposed construction area. If active nests are identified in these areas, construction should be delayed until the young have fledged, or the CDFW should be consulted to develop measures to avoid the take of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing, or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site.

Implementation of Mitigation Measure BIO-1 would ensure that the nests of birds protected by the MBTA and other State and federal requirements, if any, would be avoided or identified prior to the start of construction, and that appropriate mitigation would be implemented to avoid disturbance. A less-than-significant impact would result, and no additional mitigation would be required.

Questions (b) and (c) Adverse effect on riparian habitat, sensitive natural communities, or wetlands: Less-than-significant Impact. Implementation of the proposed project would not have an adverse affect on any riparian habitat or sensitive natural community, since no such resources are located within the project area. There would be no substantial adverse effect on wetlands, as no wetlands occur on the project site.

Because no riparian habitat, sensitive natural communities, or wetlands exist on site, impacts to riparian habitat, sensitive natural communities, and wetlands would be considered less than significant with implementation of the proposed project, and no mitigation would be required.

Question (d) Interfere with species movement, wildlife corridors, or native wildlife nursery sites: Less-than-significant Impact. The project site is surrounded existing urban development. The nearest undeveloped habitat is located within the American River Parkway, approximately 425 feet west/northwest of the project site, separated from the project site by buildings, parking lots, and multi-lane roadways. The nearest point on the American River (Lake Natoma) is approximately

1,000 feet northwest of the site, again separated by intervening urban development. Riparian habitat associated with these waterways could act as a wildlife corridor for various species. However, the proposed project would not affect riparian habitat or the wildlife corridor associated with the American River (Lake Natoma). This would be a less-than-significant impact, and no mitigation would be required.

Question (e) Conflict with policies or ordinances protecting biological resources: Less-than-significant Impact with Mitigation Incorporated. The proposed project is subject to the City of Folsom Tree Ordinance, and would require review and approval of a tree permit by the City Arborist. An arborist report prepared by ECORP Environmental Consultants, Inc. dated March 12, 2019 identified 16 protected trees that would be affected by project implementation. Additional trees may be damaged by project construction. Appendix B, *Tree Survey Data*, lists all protected trees on the project site, their condition as indicated in the arborist report, and whether or not they are to be removed. It also includes a map of each tree's location on the project site.

Protected trees (according to City of Folsom Tree Preservation Ordinance (FMC Chapter 12.16 as amended in January 2020) that would be removed under the current tree removal plan include 16 oak trees that may meet the definition of *protected native oak tree*. Project site grading and/or construction may damage additional trees. Removal or damage of protected trees could constitute a conflict with the Folsom Tree Preservation Ordinance, and the following mitigation would be required.

Mitigation Measure BIO-2: Comply with Tree Preservation Ordinance.

Prior to the initiation of ground disturbance, the owner/applicant or any successor in interest shall comply with City's Tree Preservation Ordinance by obtaining a Tree Removal Permit and implementing a City-approved Tree Protection and Mitigation Plan. Compensatory mitigation under the Plan shall consist of one of the following mitigation measures:

- On-Site Replacement Planting. Replacement trees shall be planted on the same property as the Protected Tree proposed for removal, subject to review by the Approving Authority. Where the subject property is not able to accommodate the required number of replacement trees on-site, the payment of in-lieu fees shall be required in accordance with Section 12.16.150(B)(2).
 - Replacement Tree Species. Trees planted as replacement trees shall be the same species as those removed or a species that is acceptable to the Approving Authority, with consideration given to species diversity.
- Payment of In-Lieu Fee. Payment of in-lieu fees may be allowed where the subject property is not able to accommodate the required number of replacement trees on-site. The in-lieu fee shall be calculated as a dollar amount for each DSH inch of Protected Tree removed, as adopted by City Council resolution.
- Combination of Planting and Fee Payment. A combination of on-site replacement planting and payment of in-lieu fees may be used where the number of replacement trees cannot be accommodated on-site. The in-lieu payment shall be reduced based on the number of DSH inches of the replacement trees planted onsite.
 - Tree Preservation Credit. Protected Trees, including Native Oaks measuring one inch DSH or greater, may be preserved in order to receive a Tree Preservation Credit

(TPC). Credit of one-half inch DSH shall be granted for every inch DSH preserved. However, required mitigation cannot be entirely satisfied using Tree Preservation Credit alone. Even when credit is granted, in no case can mitigation for Protected Tree removal be less than either:

- The replanting, maintenance and monitoring for 3 years of one 15-gallon tree from a species of similar size at maturity that is listed on the Folsom Master Tree List; or
 - The in-lieu fee equivalent to the replacement of the Protected Tree at one-inch DSH
- Other Strategies. Other strategies as may be determined appropriate by the Approving Authority and that meet the intent of mitigation for removal of the Protected Tree(s).

The following standard Conditions of Approval shall be included with the project to mitigate for any potential impacts to native oak trees:

- The project is subject to the Tree Preservation Ordinance and any mitigation required as a result of impacts to oak trees. The owner/applicant shall retain a certified arborist for the project. The project arborist will oversee tree removal and the preservation of the trees on site during and after construction. The owner/applicant shall provide funding for this arborist.
- The owner/applicant shall place high-visibility orange mesh protective fencing and signing every 50 feet around the Tree Protection Zone of any existing trees on the project site that are identified for preservation pursuant to FMC Chapter 12.16. The fencing shall remain in place throughout the construction process to assure that the protected trees are not damaged. Placement of the fencing shall be subject to the review and approval of staff prior to the issuance of any improvement, grading, or building permits. Simply protecting the area within the Tree Protection Zone may not always save the tree(s), so other tree protection measures may be required.

Obtaining a City Tree Permit and implementing compensatory mitigation would reduce adverse impacts on tree resources to a less-than-significant level.

Question (f) Conflict with existing conservation plans: Less-than-significant Impact.

Because no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan has been approved for the City of Folsom, implementation of the proposed 603 Sutter Street Commercial Building project would not conflict with any conservation plan. No impact would result, and no mitigation would be necessary.

V. CULTURAL RESOURCES

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?		X		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		

A Cultural Resources Study was conducted for the project site and surrounding area by LSA Associates, Inc. in March 2017. The following discussion summarizes that report.

Records of the known cultural resources found in Sacramento County are included in the files of the Office of Historic Preservation, California Historical Resources Information System. The North Central Information Center (NCIC), housed at California State University, Sacramento, locally administers these records. A cultural resources records search was conducted at the NCIC for the project site and surrounding area to determine its historic and cultural sensitivity (LSA 2017). The Cultural Resources Study also outlines results of Native American consultation and outreach, a field survey, and an archaeology sensitivity assessment.

The NCIC Records Search parameters included a 200-foot radius around the project site. The records search of the NCIC database did not identify any previously conducted studies on the project site, nor any previously recorded cultural resources in or adjacent to the site. One investigation has been conducted within the 200-foot study radius. That study included an inventory of historic-period built environment resources associated with the Folsom Historic District, including the Cohn House at 305 Scott Street, and the original location of the Folsom Library building located immediately adjacent to the proposed project site. While the original library building still stands, located at 605 Sutter Street, it is not included on the City of Folsom list of Significant Historic Built Environment Resources. (Folsom 2014)

Non-privileged portions of the records search are available for review by request through the City of Folsom Community Development Department, 50 Natoma Street, Folsom, CA 95630. Requests should be directed to the attention of Steven Banks, Principal Planner.

REGULATORY SETTING

FEDERAL AND STATE

State and federal legislation requires the protection of historical and cultural resources. In 1971, President's Executive Order No. 11593 required that all federal agencies initiate procedures to preserve and maintain cultural resources by nomination and inclusion on the National Register of Historic Places. In 1980, the Governor's Executive Order No. B-64-80 required that state agencies inventory all "significant historic and cultural sites, structures, and objects under their jurisdiction which are over 50 years of age and which may qualify for listing on the National Register of Historic Places." Section 15064.5(b)(1) of the CEQA Guidelines specifies that projects that cause "...physical demolition, destruction, relocation, or alteration of the resource or its immediate

surroundings such that the significance of an historic resource would be materially impaired” shall be found to have a significant impact on the environment.

For the purposes of CEQA, a historical resource is a resource listed in, or determined eligible for listing in the California Register of Historical Resources. When a project could impact a site, it needs to be determined whether the site is a historical resource, which is defined as any site which:

- (A) Is historically or archeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political or cultural annals of California; and,
- (B) Meets any 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; or
 - 4. Has yielded, or may be likely to yield, information important in prehistory or history.

LOCAL

City of Folsom 2035 General Plan. The General Plan includes goals and policies regarding cultural resources in Chapter 6, *Natural and Cultural Resources*. Goal NCR 5.1 encourages “... the preservation, restoration, and maintenance of cultural resources, including buildings and sites, to enrich our sense of place and our appreciation of the city’s history.” Policy NCR 5.1.4, *Applicable Laws and Regulations*, requires the proposed project to comply with City, State, and federal historic preservation laws, regulations, and codes to protect and assist in the preservation of historic and archaeological resources. Policy NCR 5.1.6, *Historic District Standards*, requires that the proposed project maintain and implement design and development standards for the Historic District. (Folsom 2018)

Historic District Ordinance. FMC Chapter 17.52 defines the City’s Historic District and establishes standards and regulations for development of property within specific subareas of the Historic District. The proposed project lies within the Sutter Street Subarea. (Folsom 2019)

Historic District Design and Development Guidelines. The Design and Development Guidelines provide a comprehensive policy manual to assist with the implementation of the regulations contained in the FMC. In addition to design review standards, the guidelines set forth criteria to guide future development within the Historic District; policy direction concerning private and public development; and policy direction concerning public infrastructure and circulation improvements. (Folsom 1998)

Standard Construction Specifications and Details. The City of Folsom developed a Standard Construction Specification and Details document in 2004, and updated it in January 2017. The document includes Article 11 - Cultural Resources, which provides direction on actions to be taken in the event that materials are discovered that may ultimately be identified as a historical or archaeological resource, or human remains (Folsom 2017).

ENVIRONMENTAL SETTING

HISTORIC RESOURCES

The project is located within the Historic District of Folsom. Situated in the lower foothills, the project site's nearest water source is the lower American River, located approximately 1,000 feet to the north. Topographically, the property slopes gently downward to the northwest, ranging in elevation between 251 to 234 feet above mean sea level.

The City of Folsom has been a key site in significant early California history. The City played an important role in the gold rush, railroading, and the development of hydropower in California. Additionally, the early development of Folsom was accomplished by a diversity of ethnic groups found in few other places in California.

The Native Americans who occupied the area of the City, at the time of Euro American contact (ca. 1845), are known as the Southern Maidu or Nisenan. Ethnographers who have studied these Penutian-speaking people generally agree that their territory included the drainages of the Bear, American, Yuba, and southern Feather Rivers. Permanent settlements were on ridges separating parallel streams, or on crests, knolls, or terraces located part way up the slope (Kroeber 1925). Several gravel bars situated along the American River were rich in gold. Stores of gold were located at Slate Bar, across from Folsom State Prison, in the early 1850s. During the 1880s and 1890s, mining occurred within Folsom's city limits.

During the late 19th century Folsom experienced a surge of residential and infrastructure development. The State of California chose Folsom as the ideal site for a prison, and by 1880 Folsom State Prison opened its gates to its first inmates. State engineers finished construction on the city's historic truss bridge in 1893 to transport people and livestock across the American River. In 1895 the Folsom Powerhouse was constructed, facilitating the first long-distance transmission of electricity: 22 miles from Folsom to Sacramento. The powerhouse operated continuously from 1895 to 1952. Today, both the original powerhouse building and the distribution point in Sacramento are listed as California Historical Landmarks. Additionally, many buildings constructed in Folsom during the 1860s remain today, including the Wells Fargo building, built in 1860, and historic houses such as the Cohn House, which is listed as a National Landmark, and the Burnham Mansion and the Hyman House, both constructed during the late 19th century. By 1917, the Rainbow Bridge opened to accommodate automobiles. Folsom's Chamber of Commerce filed incorporation papers with the Secretary of State in 1946, officially establishing Folsom as a city. During the late 20th century, Folsom experienced continual residential and community growth. (Folsom 2014)

ARCHAEOLOGICAL RESOURCES

The proposed project site is located on a Pre-Pleistocene to Older Pleistocene landform which is composed of Argonaut-Auburn-Urban land complex situated on 3 to 8 percent slopes. This landform is considered to be of very low sensitivity for encountering buried archaeological deposits (LSA 2017)

ENVIRONMENTAL ANALYSIS

Questions (a) through (c) Historical and archaeological resources, human remains: Less-than-significant Impact with Mitigation Incorporated. Results of the records search conducted by the NCIC show one historic district and nine historic-period resources that lie within the 200-

foot radius of the project site. According to all available information, the proposed project site is in a highly sensitive area related to the possible discovery of subsurface historic resources. While the project site is considered to be low sensitivity for archaeological resources, project construction could result in the destruction or degradation of unknown cultural, historic, or archaeological resources. Project construction could also result in the destruction or degradation of human remains. This would be a potentially significant impact.

The following mitigation measures would facilitate actions to reduce potential impacts to unknown prehistoric resources, historic resources, and human remains to a less-than-significant level.

Mitigation Measure CUL-1:

Prior to initiation of construction on the project site, all construction personnel that will work on the proposed project site shall be provided with Cultural Sensitivity Training. The training shall include information regarding cultural resources, their recognition, avoidance, and treatment in the event of fortuitous discovery. Project plans shall also contain a notation requiring that if any archaeological, cultural, historical resources, artifacts, or other features are discovered during the course of construction anywhere on the project site, work shall be immediately suspended in that location.

Mitigation Measure CUL-2:

In the event that undiscovered cultural resources are found in the area of direct impact of the proposed project, for example, during foundation and building pad excavation, the responsible field manager shall order discontinuation of all activities on the project site. A qualified archaeologist, the Folsom Historical Society, City staff, and the Heritage Preservation League shall be promptly contacted regarding evaluation of the find. The archaeologist will consult with all interested parties, including Native Americans, and develop a recovery or mitigation plan that shall be implemented by the City of Folsom.

Mitigation Measure CUL-3:

Pursuant to §5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of discovery of human skeletal remains, however fragmentary or disturbed from their original context, the Sacramento County Coroner and the Native American Heritage Commission are to be notified of the discovery immediately. All work in the vicinity of the find is to cease, and there shall be no further excavation or disturbance of the find site or any nearby area reasonably suspected to overlie adjacent remains until the coroner has determined whether the remains are those of a Native American.

If the remains are determined to be those of a Native American, the coroner must contact that California Native American Heritage Commission. CEQA Guidelines (Public Resources Code Section 5097) specify the procedure to be followed in the event of discovery of human remains on non-Federal land. The disposition of Native American burials is within the jurisdiction of the Native American Heritage Commission. Upon request, the NAHC will provide project leaders with a list of Most Likely Descendants, who will specify treatment and disposition of any Native American remains found within the Area of Potential Effects of a project. Human remains and associated grave goods are protected under Section 5097.94 of the California Public Resources Code and Section 7050.5 of the California Health and Safety Code.

With implementation of the above mitigation measures, no additional effects to cultural resources are expected to occur, and no additional mitigation would be required.

VI. ENERGY

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

ENVIRONMENTAL SETTING

STATE AND LOCAL ENERGY PLANS

California Long-Term Energy Efficiency Strategic Plan

California's first Long Term Energy Efficiency Strategic Plan presents a single roadmap to achieve maximum energy savings across all major groups and sectors in California. This comprehensive Plan for 2009 to 2020 is the state's first integrated framework of goals and strategies for saving energy, covering government, utility, and private sector actions, and holds energy efficiency to its role as the highest priority resource in meeting California's energy needs. The Plan includes strategies to investigate energy and green building codes that would apply to the proposed mixed use project.

California Building Efficiency Standards (Title 24, Part 6)

Buildings in California are required to comply with California's Energy Efficiency Standards for Residential and Nonresidential Buildings established by CEC regarding energy conservation standards and found in Title 24, Part 6 of the California Code of Regulations. Energy efficient buildings require less electricity. In the case of the 603 Sutter Street Commercial Building project, the City will require as a condition of approval that the most updated Building Efficiency Standards (2019 as of June 2020) be met consistent with General Plan policies.

As discussed more extensively in Section VIII, *Greenhouse Gas Emissions*, below, the City of Folsom has adopted a Greenhouse Reduction Strategy in August 2018 that contains policies to reduce energy use (and thereby greenhouse gas emissions) from new development projects in the City.

ENVIRONMENTAL ANALYSIS

Question (a) Wasteful consumption of energy resources: Less-than-significant Impact.

Development of the proposed mixed use project would entail energy consumption that includes both direct and indirect expenditures of energy. Indirect energy would be consumed by the use of construction materials for the project (e.g., energy resource exploration, power generation, mining and refining of raw materials into construction materials used, including placement). Direct energy impacts would result from the total fuel consumed in vehicle propulsion (e.g., construction vehicles, heavy equipment, and other vehicles using the facility). No unusual materials, or those in short supply, are required in the construction of the project.

As stated in the project description, the proposed buildings would be compliant with the Energy Code and Green Building Standards Code adopted by the City. These codes require increasingly strict energy efficiency standards for new development in the City. Further, there are several project details that would result in energy use reductions, including: reduced vehicle miles travelled because the project is located in an area with a variety of land use types in close proximity (mixed use); within ½ mile of both local and regional transit service; no onsite parking; and an improved pedestrian network.

While implementation of the project would represent an increase in energy use during construction, over the life of the project, energy would not be consumed in a wasteful or inefficient manner. This would be a less-than-significant impact, and no mitigation would be required.

Question (b) Conflict with state or local energy efficiency plans: Less-than-significant Impact. The proposed project would not result in wasteful or inefficient consumption of energy. Further, the project would be consistent with existing energy efficiency regulations and policies in adopted energy plans directly applicable to the proposed 603 Sutter Street Commercial Building project. Because the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, this would be a less-than-significant impact, and no mitigation would be required.

VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		X		
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

ENVIRONMENTAL SETTING

Folsom is located within the Great Valley geomorphic province, composed of the San Joaquin and Sacramento Valleys. The province is generally bounded by the Sierra Nevada Mountains to the east, Coast Ranges to the west, Transverse Ranges to the south, and Klamath Mountains to the north. The region has been determined by the California Division of Mines and Geology (CDMG) as generally being underlain on the west with alluvium, lake, playa, and terrace deposits and on the east with Pliocene or Pleistocene sandstone, shale, and gravel deposits.

The soil of the project site consists of Argonaut-Auburn-Urban land complex, 3 to 8 percent slopes. Although the individual components of this soil complex have different characteristics, in general the soil has high shrink-swell potential and a slight hazard of water erosion. The potential for water erosion is increased by excavation during construction and the creation of steep cut slopes. The soil is shallow with bedrock located near the soil surface. (NRCS 1993)

A geotechnical engineering study has been prepared on behalf of the project applicant (Youngdahl 2017). According to this Study, subsurface soil conditions include silty sand overlaying silty sands, underlain by bedrock as shallow as 8 feet below the ground surface. Bedrock underlying the site can be characterized as highly to moderately weathered, and soft to moderately hard.

SEISMICITY

The only “active” fault in the Sacramento area is the Dunnigan Hills fault, located northwest of Woodland. This fault has shown activity in the last 11,000 years but not in the past 200 years. The West Branch of the Bear Mountain fault is located approximately five miles northeast of the Folsom city limits. The CDMG classifies this fault as Late Quaternary, with movement sometime in the last 700,000 years, but not in the last 11,000 years. (California Geological Survey [CGS] 2003).

The eastern edge of Folsom is the location of the inactive Mormon Island Fault, which extends in the city for around two miles before crossing into El Dorado County. The fault zone was evaluated for earthquake activity in 1983 and it was concluded that it has not undergone displacement during the last 65,000 to 70,000 years at minimum.

The United States Geological Survey (USGS)/CGS Probabilistic Seismic Hazards Assessment Model, revised in 2008, places Folsom in the second lowest category for seismic shaking potential out of nine zones.⁴ (USGS 2018, CGS 2018) These levels of ground shaking would equate to a maximum VI intensity earthquake on the Mercalli scale, with strong perceived shaking and light potential damage (USGS 2006).

UNSTABLE SOILS

Seismic activity, flooding, heavy rain, and seasonal changes can create instabilities in the ground that can damage built structures such as buildings, roads, and utilities. Liquefaction, landslides, land subsidence, and shrinking or swelling of the soil are the major forms of ground instability that can result.

LIQUEFACTION

Liquefaction occurs when shaking from an earthquake causes loose soil to be saturated with ground water, transforming it from solid ground to a fluid mix. The resulting liquefaction can result in the warping or collapse of built structures that lie on top of affected ground. Likelihood of liquefaction is a factor of soil type, water table level, and intensity and type of shaking. Sacramento County has not yet been mapped by the Seismic Hazards Zonation Program to determine the possibility of liquefaction during a seismic event, but Folsom’s soils are generally not prone to liquefaction. (CGS 2017)

LANDSLIDES

Landslides usually occur in locations with steep slopes and unstable soils. As with liquefaction, Sacramento County has not yet been mapped by the Seismic Hazards Zonation Program to determine landslide potential, but Folsom generally lacks steep slopes in its populated areas and there are no known landslide hazards. In 2011, the State Department of Conservation issued a map showing Susceptibility to Deep-Seated Landslides in California. The map takes previously known landslides, average annual rainfall, and earthquake shaking potential, as well as rock strength and slope class into account. The map is at a statewide scale, but it appears that Folsom is mostly rated as having no landslide susceptibility, with a few pockets of low to moderate susceptibility. The eastern portion of the city contains steep slopes; however, no landslides have been recorded in the city or vicinity. (CGS 2011a)

⁴ Data from http://www.quake.ca.gov/gmaps/PSHA/psha_interpolator.html. Ground motion values are also modified by the local site soil conditions and each value has a ten percent probability of being exceeded in 50 years.

SUBSIDENCE

Land subsidence is defined by the USGS as “a gradual settling or sudden sinking of the Earth’s surface owing to subsurface movement of earth materials...The principal causes are aquifer-system compaction, drainage of organic soils, underground mining, hydrocompaction, natural compaction, sinkholes, and thawing permafrost.” Sinkholes are a dramatic example of subsidence. Based on data compiled by the NRCS, no part of Folsom is likely to experience subsidence. (USGS 2017)

SHRINK/SWELL POTENTIAL

Soils that expand by shrinking or swelling can create a hazard, possibly causing structural damage over a long period of time. Expansive soils are largely comprised of clays, which expand in volume when water is absorbed and shrink as the soil dries, stressing building foundations, roads, and other structures. None of the soils underlying Folsom have high shrink/swell potential.

SOIL EROSION

Soil erosion creates a potential hazard for land development, both to on-site structures and waterways and structures downstream of eroding soil. The soil on the project site has a medium susceptibility to erosion.

PALEONTOLOGICAL RESOURCES

Paleontological resources (fossils) are the remains and/or traces of prehistoric life. Fossils are typically preserved in layered sedimentary rocks, and the distribution of fossils is a result of the sedimentary history of the geologic units within which they occur. The Society of Vertebrate Paleontology has established three categories of sensitivity for paleontological resources: high, low, and undetermined. Areas where fossils have been previously found are considered to have a high sensitivity and a high potential to produce fossils. Areas that are not sedimentary in origin and that have not been known to produce fossils in the past typically are considered to have low sensitivity. Areas that have not had any previous paleontological resource surveys or fossil finds are considered to be of undetermined sensitivity until surveys and mapping are performed to determine their sensitivity. (Society of Vertebrate Paleontology 1995)

REGULATORY SETTING

Two laws have affected how earthquake faults and seismic hazards are evaluated. The Alquist-Priolo Earthquake Fault Zoning Act, passed in 1972, is intended to prevent the construction of buildings meant for human occupation on the surface traces of active faults. The law requires the establishment and mapping of Earthquake Fault Zones around the surface traces, to be used by local agencies in the regulation of development projects. The City of Folsom is not located in an Alquist-Priolo Earthquake Fault Zone.

The Seismic Hazards Mapping Act addresses earthquake hazards not associated with surface ruptures, such as landslides and liquefaction. To support the Act, the CDMG has a program to map liquefaction and landslide potential in various parts of the state (the Seismic Hazards Zonation Program) and provides policies and criteria regarding the responsibilities of cities, counties, and state agencies pursuant to development in designated seismic hazard areas. The Act mandates that prior to approval of development within hazard zones, a geotechnical report on the site must be prepared and evaluated pursuant to these policies and criteria. Sacramento County, including Folsom, has not yet been mapped by the Seismic Hazards Zonation Program.

The City of Folsom regulates the effects of soils and geological constraints on urban development primarily through enforcement of the California Building Code (CBC), which requires the implementation of engineering solutions for constraints to urban development posed by slopes, soils, and geology. Additional requirements are found in the FMC and in the City's Standard Construction Specifications.

GRADING ORDINANCE (FMC CHAPTER 14.29)

Requires a grading permit prior to the initiation of any grading, excavation, fill or dredging. Regulates grading citywide to require revegetation and to control erosion, stormwater drainage, and ground movement.

STANDARD CONSTRUCTION SPECIFICATIONS

Requirements of the City's Design and Procedures Manual and Improvement Standards related to soil erosion during grading include:

- 10.4 Erosion and Sedimentation Control
- 20.3 Landscape, Erosion Control

Requirements of the City's Standard Construction Specifications and Details, General Provisions related to soil erosion include:

- 9.1 Clearing and Grubbing

ENVIRONMENTAL ANALYSIS

Question (a) Direct and indirect seismic hazards: Less-than-significant Impact. The 603 Sutter Street Commercial Building project site is not located within an Alquist-Priolo Special Studies Zone, nor has it been designated as a regulatory earthquake fault zone. The primary site hazard associated with seismic activity would involve minor ground shaking from more distant faults. The proposed building on the project site would be required by the City of Folsom to conform to the seismic building standards contained in the CBC and enforced by the City.

Soil liquefaction is a phenomenon in which saturated soil loses shear strength and deforms from ground shaking during an earthquake. The geotechnical engineering study prepared for the project indicates that, due to the absence of permanently elevated groundwater, the relatively low seismicity of the area, and the relatively shallow depth to bedrock, the potential for seismically induced damage due to liquefaction or settlement is negligible.

As stated in the geotechnical engineering study, the existing slopes on the project site have adequate vegetation on the slope face, appropriate drainage away from the slope face, and no tension cracks or slumps in the slope face or at the head of the slope. Other indications of slope instability on the project site such as seeps or springs are absent. Due to the absence of permanently elevated groundwater, the relatively low seismicity of the area, and the relatively shallow depth to bedrock, the potential for seismically induced slope instability for existing slopes is considered negligible.

This would be a less-than-significant impact, and no additional mitigation is required beyond compliance with adopted building and construction standards.

Question (b) Soil erosion: Less-than-significant Impact. The native soil found on the project site is identified as the Argonaut-Auburn-Urban land complex, 3 to 8 percent slopes. Although the individual components of this soil complex have different characteristics, in general the soil complex has a slight hazard of water erosion. The potential for water erosion is increased by excavation during construction and the creation of steep cut slopes. Although the hazard of erosion is slight, grading and construction proposed on the project site could result in erosion and sedimentation during the construction period.

Construction of the proposed project in accordance with the requirements of the CBC would reduce or avoid potential effects from water erosion hazards. Compliance with the City's Grading Ordinance and standard conditions of approval would further minimize impacts related to soil erosion. As a condition of approval, prior to the issuance of a grading or building permit, the City will require the applicant to prepare a soils report, a geotechnical report⁵, and a detailed grading plan by a qualified and licensed engineer. The soils and geotechnical report would provide information on soil hazards, including measures necessary to reduce potential soil erosion impacts. As another condition of approval, prior to the initiation of construction activities, the City will be required to prepare an erosion control plan based on the State of California Department of Conservation's "Erosion and Sediment Control Handbook." The erosion control plan would identify protective measures to be taken during excavation, temporary stockpiling, disposal, and revegetation. After review and approval of the erosion control plan, the applicant will be required to implement all identified erosion control measures.

With compliance with existing City standards and requirements, including the preparation and implementation of an erosion control plan, this would be a less-than-significant impact, and no mitigation would be required.

Question (c) Unstable geology and/or soils: Less-than-significant Impact with Mitigation Incorporated. The existing site slopes from its southeast corner to the northwest corner, with elevations ranging from 251 feet MSL at the site's southeast corner adjacent to Scott Street to 234 feet MSL at the northwest corner adjacent to Sutter Street. With implementation of the project, the site would be excavated and leveled to an elevation of 231 feet MSL to permit the construction of footings and subgrade. After the installation of footings and subgrade, a uniform building pad at 233 feet MSL would be constructed. Establishment of foundations, subgrade, and the building pad at this elevation would require cutting back into the hillside.

Grading of the project site to establish the foundations, subgrade and building pad would require cuts on the project site ranging from up to 20 feet in depth at the rear of the building adjacent to an existing residence to 3 feet at the building's northwest corner adjacent to Sutter Street. The cut bank adjacent to Scott Street would range from 5-15 feet. As recommended by the geotechnical engineering report, exposed cut slopes would be protected by temporary shoring and soil nails.

To permanently maintain the stability of the cut slopes, retaining walls would be constructed at the rear of the site and along the western site boundary. Retaining walls would act to prevent collapse or

⁵ As discussed in the preceding paragraphs, a geotechnical engineering report, including a soils study, has already been prepared. Detailed grading plans would be prepared for approval by the City prior to issuance of a grading or building permit.

settlement of existing structures both south and west of the site in addition to protecting the proposed building from the potential failure of surrounding slopes.

Retaining walls would be incorporated into the first floor of the building at both the rear and west side of the building; in the rear of the building, a portion of the second floor and the trash enclosure would also be used to retain the slope. Excavation and construction activities associated with incorporated retaining walls on the west side and the rear of the building could encroach into the planned building setbacks. However, these areas would be backfilled and leveled at the completion of construction.

Freestanding retaining walls would be constructed near the northeast corner of the project site adjacent to the intersection of Sutter and Scott Streets, and along the Scott Street frontage of the proposed project. These retaining walls would be separated from the building to provide an outdoor seating area and walkway. The proposed dimensions of the retaining walls are set forth in Table 3 in Section 1 of this Initial Study.

Because of the depth of cut and the proposed height of retaining walls, retaining walls could be subject to a variety of constraints such as lateral pressure and poor drainage that could lead to failure of retained slopes. This would be a significant potential impact. Implementation of Mitigation Measure GEO-1 would ensure that all retaining walls would be designed and constructed to meet site conditions and conform to adopted City standards and requirements.

Mitigation Measure GEO-1:

Prior to the issuance of a grading permit, a qualified engineering geologist or firm shall revise the Geotechnical Engineering Report dated March 16, 2017 prepared by Youngdahl and Associates to assess the project as currently proposed. The project applicant or any successor in interest shall implement all design and construction measures contained in the revised Geotechnical Engineering Report. To the extent that the design and construction measures set forth in the revised Geotechnical Engineering Report differ from adopted City standards and requirements, the more stringent of the measures or standards and requirements shall be implemented.

Because implementation of Mitigation Measure GEO-1 would require that cut slopes would be adequately protected from collapse during both the construction and operational phases of the project, implementation of the project would not result in landslides lateral spreading, subsidence, liquefaction, or collapse. After mitigation, this would be a less-than-significant impact.

Question (d) Expansive soils: Less-than-significant Impact. The proposed project site is located in an area with known expansive soils. The soil of the project site consists of Argonaut-Auburn-Urban land complex, 3 to 8 percent slopes. In general the soil has high shrink-swell potential. The soil is shallow with bedrock located near the soil surface. However, the materials encountered on the project site during explorations in support of the geotechnical engineering report were generally non-expansive (rock, sand, and non-plastic silt). These materials are generally considered to be non-expansive. Additionally, grading of the project site to provide a level foundation would remove the majority of soil found on the project site.

The proposed project would employ all project specific construction practices as identified in the geotechnical engineering report and comply with California Building Code requirements for the State of California to avoid or implement engineering methods to address expansive soils. For this reason, the project would not be located on an expansive soil that could create a risk to life or property. This would be a less-than-significant impact and no additional mitigation would be required beyond compliance with adopted standards.

Question (e) Septic systems: No Impact. The proposed project does not include the use of septic tanks or alternative waste water disposal systems. No impacts from or to soil and groundwater from septic systems would occur. There would be no impact, and no mitigation would be required.

Question (f) Paleontological resources: Less-than-significant Impact. According to all available information, because of shallow depth of non-sedimentary bedrock and the past disturbance of the site by the construction of buildings, streets, and utilities, the proposed project site is in an area of low sensitivity related to the possible discovery of paleontological resources. This would be a less-than-significant impact.

VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Global Warming is a public health and environmental concern around the world. As global concentrations of atmospheric greenhouse gases increase, global temperatures increase, weather extremes increase, and air pollution concentrations increase. Global warming and climate change has been observed to contribute to poor air quality, rising sea levels, melting glaciers, stronger storms, more intense and longer droughts, more frequent heat waves, increases in the number of wildfires and their intensity, and other threats to human health (IPCC 2013). The average global temperature during 2018 was 1.42 degrees F above the 20th-century average. This marks the 42nd consecutive year (since 1977) with an above-average global temperature. Nine of the 10 warmest years have occurred since 2005, with the last five years comprising the five hottest, with 2016 ranking as the warmest year on record (NOAA 2019). Hotter days facilitate the formation of ozone and increases in smog emissions, leading to increases in adverse public health effects (e.g., premature deaths, hospital admissions, asthma attacks, and respiratory conditions) (EPA 2016a). Averaged global combined land and ocean surface temperatures have risen by roughly 0.85°C from 1880 to 2012 (IPCC 2013). Because oceans tend to warm and cool more slowly than land areas, continents have warmed the most. If greenhouse gas emissions continue to increase, climate models predict that the average temperature at the Earth's surface is likely to exceed 1.5°C by the year 2100 relative to the period from 1850 to 1900 (IPCC 2013).

THE GREENHOUSE EFFECT (NATURAL AND ANTHROPOGENIC)

The Earth naturally absorbs and reflects incoming solar radiation and emits longer wavelength terrestrial (thermal) radiation back into space. On average, the absorbed solar radiation is balanced by the outgoing terrestrial radiation emitted to space. A portion of this terrestrial radiation, though, is itself absorbed by gases in the atmosphere. The energy from this absorbed terrestrial radiation warms the Earth's surface and atmosphere, creating what is known as the "natural greenhouse effect." Without the natural heat-trapping properties of atmospheric gases, the average surface temperature of the Earth would be below the freezing point of water (IPCC 2007). Although the Earth's atmosphere consists mainly of oxygen and nitrogen, neither plays a significant role in this greenhouse effect because both are essentially transparent to terrestrial radiation. The greenhouse effect is primarily a function of the concentration of water vapor, carbon dioxide, methane, nitrous oxide, ozone, and other trace gases in the atmosphere that absorb the terrestrial radiation leaving the surface of the Earth (IPCC 2007). Changes in the atmospheric concentrations of these greenhouse gases can alter the balance of energy transfers between the atmosphere, space, land, and the oceans. Radiative forcing is a simple measure for both quantifying and ranking the many different influences on climate change; it provides a limited measure of climate change as it does not attempt to represent the overall climate response (IPCC 2007). Holding everything else constant, increases in greenhouse gas concentrations in the atmosphere will likely contribute to an increase in global average temperature and related climate changes (EPA 2016a).

GREENHOUSE GASES

Naturally occurring greenhouse gases include water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and ozone (O₃). Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also greenhouse gases, but they are, for the most part, emitted solely by human activities. There are also several gases that, although they do not have a direct radiative forcing effect, do influence the formation and destruction of ozone, which does have such a terrestrial radiation absorbing effect. These gases, referred to here as ozone precursors, include carbon monoxide (CO), oxides of nitrogen (NO_x), and non-methane volatile organic compounds (NMVOC). Aerosols (extremely small particles or liquid droplets emitted directly or produced as a result of atmospheric reactions) can also affect the absorptive characteristics of the atmosphere.

Carbon is stored in nature within the atmosphere, soil organic matter, ocean, marine sediments and sedimentary rocks, terrestrial plants, and fossil fuel deposits. Carbon is constantly changing form on the planet through the a number of processes referred to as the carbon cycle, which includes but is not limited to degradation and burning, photosynthesis and respiration, decay, and dissolution. When the carbon cycle transfers more carbon to the atmosphere this can lead to global warming. Over the last 300 years atmospheric levels of carbon have increased by more than 30 percent, of which approximately 65 percent is attributable to fossil fuel combustions and 35 percent is attributed to deforestation and the conversion of natural ecosystems to agricultural use (Pidwirny 2006). Carbon stored in plants and rocks is referred to as being sequestered. Within the United States, forest sequestration of carbon offsets approximately 13 percent of the fossil fuel GHG emissions in 2011, and from 10 to 20 percent of U.S. emissions each year (USDA 2019).

REGULATORY SETTING

The U. S. EPA is the federal agency responsible for implementing the CAA. The U.S. Supreme Court ruled on April 2, 2007 that CO₂ is an air pollutant as defined under the CAA, and that EPA has the authority to regulate emissions of GHGs. However, there are no federal regulations or policies regarding GHG emissions thresholds applicable to the proposed project at the time of this Initial Study.

The ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California, and for implementing the CCAA. Various statewide and local initiatives to reduce the state's contribution to GHG emissions have raised awareness that, even though the various contributors to and consequences of global climate change are not yet fully understood, global climate change is under way, and there is a real potential for severe adverse environmental, social, and economic effects in the long-term. Because every nation emits GHGs, and therefore makes an incremental cumulative contribution to global climate change, cooperation on a global scale will be required to reduce the rate of GHG emissions to a level that can help to slow or stop the human-caused increase in average global temperatures and associated changes in climatic conditions.

In September 2006, then-Governor Schwarzenegger signed AB 32, the California Climate Solutions Act of 2006. AB 32 established regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and a cap on statewide GHG emissions. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. In 2011, the ARB adopted the cap-and-trade regulation. The cap-and-trade program covers major sources of GHG emissions in the State such as refineries, power plants, industrial facilities, and transportation fuels. The cap-and-trade

program includes an enforceable emissions cap that will decline over time. The State will distribute allowances, which are tradable permits, equal to the emissions allowed under the cap.

The initial main strategies and roadmap for meeting the 1990 emission level reductions are outlined in a Scoping Plan approved in December 2008 and updated every five years (the Scoping Plan was most recently updated in 2014 and finalized in 2017). The Scoping Plan includes regulations and alternative compliance mechanisms, such as monetary and non-monetary incentives, voluntary actions, and market-based mechanisms, such as a cap-and-trade program. The Climate Change Scoping Plan also includes a breakdown of the amount of GHG reductions the ARB recommends for each emissions sector of the state's GHG inventory. In January 2017, ARB issued the proposed 2017 Climate Change Scoping Plan Update to reflect the 2030 target set by Executive Order B-30-15.

As the sequel to AB 32, Senate Bill (SB) 32 was approved by the Governor on September 8, 2016. SB 32 would require the state board to ensure that statewide greenhouse gas emissions are reduced to 40 percent below the 1990 level by 2030. The 2030 target acts as an interim goal on the way to achieving reductions of 80 percent below 1990 levels by 2050, a goal set by former Governor Schwarzenegger in 2005 with Executive Order S-3-05.

FOLSOM GREENHOUSE GAS REDUCTION PLAN

As part of the 2035 General Plan, the City of Folsom prepared an integrated Climate Action Plan (CAP) (approved August 28, 2018). The purpose of the Greenhouse Gas Emissions Reduction Strategy (GHG Strategy) is to identify and reduce current and future community GHG emissions and those associated with the City's municipal operations. The GHG Strategy includes GHG reduction targets to reduce GHG emissions (with a 2005 baseline year) by 15 percent in 2020, 51 percent in 2035, and 80 percent in 2050. The GHG Strategy identifies policies within the City of Folsom General Plan that would decrease the City's emissions of greenhouse gases. The GHG Strategy also satisfies the requirements of CEQA to identify and mitigate GHG emissions associated with the General Plan Update as part of the environmental review process. At the same time, the GHG Strategy serves as the City's "plan for the reduction of greenhouse gases", per Section 15183.5 of the CEQA Guidelines, which provides the opportunity for tiering and streamlining of project-level emissions for certain types of discretionary projects subject to CEQA review that are consistent with the General Plan.

There are numerous policies included in the City of Folsom General Plan and GHG Strategy that encourage infill development and promote reductions in vehicle miles traveled (VMT) through the mix and density of land uses, walkable neighborhood design, public transportation facilities and infrastructure. Many of these policies apply to the proposed mixed use, infill project under evaluation in this Initial Study, and the proposed project would be considered consistent with the GHG Strategy.

SIGNIFICANCE THRESHOLDS

The City of Folsom 2035 General Plan Policy NCR 3.2.8 and GHG Strategy include criteria to determine whether the potential greenhouse gas emissions of a proposed project are significant. As stated in *Policy NCR 3.2.8: Streamlined GHG Analysis for Projects Consistent with the General Plan*:

Projects subject to environmental review under CEQA may be eligible for tiering and streamlining the analysis of GHG emissions, provided they are consistent with the GHG

reduction measures included in the General Plan and EIR. The City may review such projects to determine whether the following criteria are met:

- Proposed project is consistent with the current general plan land use designation for the project site;
- Proposed project incorporates all applicable GHG reduction measures (as documented in the Climate Change Technical Appendix to the General Plan EIR) as mitigation measures in the CEQA document prepared for the project; and,
- Proposed project clearly demonstrates the method, timing and process for which the project will comply with applicable GHG reduction measures and/or conditions of approval, (e.g., using a CAP/GHG reduction measures consistency checklist, mitigation monitoring and reporting plan, or other mechanism for monitoring and enforcement as appropriate).

ENVIRONMENTAL ANALYSIS

Question (a) Generation of GHG Emissions: Less-than-significant Impact. Greenhouse gas emissions would be generated from the proposed mixed-use project during construction and operation. Temporary GHG emissions would occur during construction activities, predominantly from heavy-duty construction equipment exhaust and worker commute trips. Operational GHG emissions would result from energy use associated with heating, cooling, and lighting the office, retail, and restaurant uses; emissions associated with landscaping and maintenance activities; and from mobile sources associated with future visitor and employee vehicle trips. Indirectly, project operations would also result in greenhouse gas emissions from wastewater treatment, water conveyance to the project site, and solid waste disposal.

GHG emissions associated with the proposed project were calculated using the California Emissions Estimator Model (CalEEMod.2013.2.2). CalEEMod provides default parameters based on land use inputs, or allows for the input of project-specific information, if available. Additional information specific to the mixed use project was used to modify the CalEEMod inputs and refine GHG emissions resulting from the project (as included in Table 10 notes and Appendix A).

Implementation of the proposed project would result in the removal of approximately 17 native oak trees and 2 non-native fruit trees. Removal of trees, replanting of trees, and disturbance of soil can affect the amount of CO₂ sequestered on the project site and result in the release stored CO₂. In addition, the gasoline-powered equipment used to remove the trees would generate additional CO₂ emissions through the burning of fossil fuels. The removal of approximately 19 trees would initially (prior to replanting) reduce the rate of carbon sequestration on the project site. While 16 of the oak trees would be replaced by mitigation, planting mitigation oaks contributes negligible CO₂ mitigation because they don't begin to sequester significant carbon for at least 20 years. Conversion of the vegetation on the project site was considered in the assumptions used for CalEEMod (see Appendix A).

The estimated construction and operation-related GHG emissions are summarized in Table 10 (see Appendix A for CalEEMod Model output).

Table 10 Summary of Estimated Greenhouse Gas Emissions from the 603 Sutter Street Commercial Building Project

Emissions Source		Greenhouse Gas Emissions (metric tons CO ₂ e/year)
		Unmitigated
Construction-Related Emissions	2020	156.4
	2021	0.92
Total Construction-Related Emissions		157.3 metric tons CO₂e
Operation (Year 2021)	<i>Area</i>	0.0004
	<i>Energy</i>	107.6
	<i>Mobile</i>	267.7
	<i>Waste</i>	21.1
	<i>Water</i>	6.6
Total Operational-Related Emissions		403.1 metric tons CO₂e/year

Notes: CO₂e = carbon dioxide equivalent; GHG = greenhouse gas; numbers may not add up exactly due to rounding.

Source: *Planning Partners 2019. See Appendix A for modeling results and assumptions used for calculations.*

Construction activities associated with the proposed project are estimated to result in a maximum annual emission of 156.4 metric tons of CO₂e per year, or a total of 157.3 metric tons of CO₂e over the entire construction period. Operation of the proposed project is estimated to result in 403.1 metric tons of CO₂e annually (see Table 10). These numbers represent a conservative estimate of GHG emissions, which would be further reduced by project design, and City of Folsom and SMAQMD requirements. For example, all construction projects are required to implement the District's Basic Construction Emission Control Practices, including minimizing idling time of construction equipment and maintaining construction equipment in proper working condition. These measures would reduce construction-related GHG emissions. Operational-related GHG emissions would be reduced by implementation of the City's Green Building Standards Code, which includes compliance with Title 24 and water conservation strategies, among other GHG emission reducing measures. Additional GHG emission reducing attributes included as part of the project as required by California Green Code include low-flow plumbing fixtures; water efficient irrigation; and recycling during construction. Further, there are several project details that would result in GHG emission reductions, including: reduced vehicle miles travelled because the project is located in an area with a variety of land use types (mixed use) in close proximity; within ½ mile of both local and regional transit service; no onsite parking, which would act to encourage alternative modes of travel; and an improved pedestrian network. These GHG emission-reducing measures were not quantified with CalEEMod because of the relative low-level of estimated GHG emissions from the proposed project.

Based on the City's criteria for streamlined GHG analysis, the City has determined the following additional GHG emissions reduction measures as set forth by the General Plan and its GHG Strategy are applicable to the project and would be required as mitigation:

Mitigation Measure GHG-1:

In order to comply with General Plan Program LU-6, the project applicant, or any successor in interest, shall adopt and incorporate green building features included in the CALGreen Tier 1 checklist into the project design. Prior to the issuance of the first building permit, the project applicant shall seek LEED rating and certification that would meet equivalent CALGreen Tier 1 standards or better. All measures required by the Tier 1 standards to meet LEED rating and certification requirements shall be implemented during building construction and operation.

Mitigation Measure GHG-2:

In order to comply with General Plan Program PFS-26, all construction contractors shall use high-performance renewable diesel during construction, such that high-performance renewable diesel would comprise 50 percent of construction equipment diesel usage.

With implementation of the mitigation measures above, the proposed mixed-use project would be considered consistent with the City of Folsom General Plan, including the GHG Strategy. Therefore, GHG emissions from the proposed 603 Sutter Street Commercial Building project would not be expected to be significant, and the project would not be expected to make a substantial contribution to the cumulatively significant impact of global warming. No significant impact would result, and no additional mitigation would be necessary.

Question (b) Conflict with GHG emissions reduction plans: Less-than-significant Impact.

The City of Folsom has adopted the Greenhouse Gas Emissions Reduction Strategy as an integrated part of the 2035 General Plan. The GHG Strategy was developed consistent with the goals of AB 32, SB 32, the Scoping Plan, and Executive Order B-30-15 goals (described in the Regulatory Setting, above). The proposed mixed use project would be considered consistent with the City of Folsom General Plan, and would not conflict with or obstruct implementation of ARB's Scoping Plan for achieving GHG reductions consistent with AB 32.

Because transportation is the largest sector of greenhouse gas emissions, many reduction strategies focus on reducing travel and making transportation more efficient. Therefore, many of the transportation and land use strategies contained in regional air quality and transportation plans act to reduce greenhouse gas emissions as well. The proposed 603 Sutter Street Commercial Building project is a mixed use, infill project located near transit service that would be consistent with all applicable provisions of the Ozone Attainment Plan, the 2035 Metropolitan Transportation Plan, and the Sacramento Region Preferred Blueprint Scenario adopted by the SMAQMD and the Sacramento Area Council of Governments. This would be a less-than-significant impact, and no mitigation would be necessary.

IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?			X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?			X	

ENVIRONMENTAL SETTING

Construction of the proposed project would include the use, storage, transport, and disposal of oil, diesel fuel, paints, solvents, and other hazardous materials. The City of Folsom 2035 General Plan includes goals and policies on the proper handling of hazardous materials, and on emergency preparedness in the event of an accident, in the vicinity of the proposed project. (Folsom 2018)

A database search of various environmental agency lists was conducted for the project site and the surrounding area to identify potential hazardous contamination sites. Based on the database search, the project site is not listed as a hazardous waste site according to the SWRCB Geotracker website database (CA SWRCB 2019). Also, the project site is not listed on the California Department of Toxic Substance Control's (DTSC) Hazardous Waste and Substances Sites List (known as the Cortese List) (CA DTSC 2019), or the U.S. EPA's Superfund National Priorities List (EPA 2019a).

There are no schools located within one-quarter mile of the proposed project. The nearest school, Sutter Middle School, is located approximately 0.30 miles southeast of the proposed project (Folsom 2014a, Google Earth 2019). The Airport Land Use Commission for Sacramento, Sutter, Yolo and Yuba Counties has developed the Mather Airport Comprehensive Land Use Plan for Mather Airport in Rancho Cordova. Located approximately 10 miles to the northeast of that facility, the proposed project site is not situated within any flight zones identified in the Plan (SACOG 1997). There are no private airstrips in the vicinity of the proposed project.

The Sacramento County Department of Water Resources has developed a Countywide Local Hazard Mitigation Plan with hazard mitigation planning elements specific to the City of Folsom (Folsom 2016). The City of Folsom Emergency Operations Plan provides evacuation plans for distinct sections of the city, including Area 6 – Historic Folsom (Folsom 2004). Evacuation routes identified for this area include Folsom Boulevard (southbound), Riley Street (northbound), Natoma Street (eastbound), and East Bidwell Street (eastbound).

According to California Fire and Resource Management Program (FRAP), the proposed project site is located within the Moderate Fire Hazard Severity Zone within the Local Responsibility Area. The proximity of the vegetation along the rough and steep terrain of the American River Canyon contributes to this designation. The threat of wildfire hazard in the project area is determined to be moderate (CalFIRE 2019).

The proposed project site is not in an area identified by the California Geological Survey as having soils that are likely to contain naturally occurring asbestos (CGS 2011b). Therefore, no naturally occurring asbestos is expected in on-site soils that could be disturbed during construction.

ENVIRONMENTAL ANALYSIS

Question (a) Routine use, transport, or handling of hazardous materials: Less-than-significant Impact. Construction of the proposed project would include the use, storage, transport, and disposal of oil, diesel fuel, paints, solvents, and other hazardous materials. If spilled, these substances could pose a risk to the environment and to human health. Both federal and state laws include provisions for the safe handling of hazardous substances. According to federal health and safety standards, applicable federal Occupational Safety and Health Administration (OSHA) requirements would be in place to ensure worker safety. Construction activity must also be in compliance with the California Occupational Safety and Health Administration regulations (Occupational Safety and Health Act of 1970). Because the routine transport, use, and disposal of these materials are subject to stringent local, state, and federal regulations, this impact would be considered less than significant, and no mitigation would be required.

Question (b) Upset and accident conditions involving the release of hazardous materials: Less-than-significant Impact. As discussed above, standard construction techniques would be used to construct the proposed project. During construction, oil, diesel fuel, paints, solvents, and other hazardous materials would be used at the site. If spilled, these substances could pose a localized risk to the environment and to human health. However, all construction activities must comply with the California OSHA regulations that would protect construction workers and the environment for potential spills or releases. Compliance with CalOSHA, City of Folsom, and Sacramento County requirements would reduce the risk of hazards related to accident conditions would be reduced to a less-than-significant level. No mitigation would be required.

Question (c) Hazardous emissions or materials near a school: Less-than-significant Impact. Because the nearest school to the project site, Sutter Middle School, is more than 0.25 miles from the project site, implementation of the proposed project would not affect the school. There would be a less-than-significant impact, and no mitigation would be required.

Question (d) Included on list of hazardous materials sites: No Impact. According to queries of the GeoTracker and Envirostor Data Management Systems, the project would not be located on a site identified on a list of hazardous materials sites compiled pursuant to California Government Code Section 65962.5. As a result, implementation of the project would not create a significant hazard to the public or the environment. No impact would result, and no mitigation would be required.

Question (e) Safety hazard or excessive noise near airports: Less-than-significant Impact. The Mather Airport is located approximately 10 miles to the southwest of the project site. There are no existing airports within two miles of the proposed project site. The proposed project site may experience infrequent over-flights from airplanes traveling to or from regional airports; however, the project does not include facilities or processes that create hazards to aircraft. Project facilities, employees, and customers would not be exposed to or contribute to air safety hazards or unhealthful levels of aircraft noise. No aspect of the proposed project would result in excessive noise following construction of the proposed multi-use building. This would be a less-than-significant impact, and no mitigation would be required.

Question (f) Impair or interfere with an adopted emergency response/evacuation plan: Less-than-significant Impact. Utility connections associated with the proposed project would be constructed within Sutter and Scott Streets. Evacuation routes identified for this area include Folsom Boulevard (southbound), Riley Street (northbound), Natoma Street (eastbound), and East Bidwell Street (eastbound). These facilities would be unaffected by the proposed project. Construction activities would result in temporary lane closures that could cause delays in traffic and emergency response. However, emergency vehicles would be expedited through the construction zone, and emergency service providers would be informed of the project so they could choose alternate routes as needed. All impacts related to lane closures would cease after project completion. Further, the proposed project would not result in an increased concentration of large numbers of persons in an at-risk location. This would be a less-than-significant impact, and no mitigation would be required.

Question (g) Exposure to risk involving wildland fires: Less-than-significant Impact. For a discussion of this impact and its environmental conclusion, please refer to Environmental Topic XX, *Wildfire*, Questions (a) through (d) in this Initial Study.

X. HYDROLOGY AND WATER RESOURCES

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) result in substantial erosion or siltation on- or off-site;			X	
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;			X	
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
(iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

ENVIRONMENTAL SETTING

The project site consists of a rectangular plot of land totaling 0.17 acres (7,400 square feet). The are no permanent water features on the project site. The nearest surface water feature in the project vicinity is the American River (Lake Natoma), approximately 1,000 feet northwest of the site. Street improvements on Sutter Street adjacent to the project site include full curb, gutter and sidewalk along the entire project frontage. Frontage improvements along Scott Street are limited to a concrete curb. City storm drains are present in both Sutter and Scott Streets adjacent to the project site.

Because no storm drainage facilities are provided within the project site, stormwater quality treatment controls must be incorporated into the site design, and connected to the existing City storm drainage facilities. The City currently requires that on-site treatment control measures be designed consistent with the Stormwater Quality Design Manual for the Sacramento Region (Sacramento County 2018). If the project is approved, it may be required to comply with the 2018 Stormwater Quality Design Manual, which would require the implementation of certain source control and Low Impact Development (LID) techniques. Once the stormwater treatment controls are installed, all stormwater collected in the public storm drainage system would eventually be discharged to the American River or its tributaries.

The project site and area are not located within a 1 percent (100-year) flood plain or 0.2 percent (500-year) floodplain as identified by the Federal Emergency Management Agency (FEMA). (FEMA 2012)

Within Folsom, major rivers, creeks, streams, flood corridors, riparian habitat, and other land that may accommodate floodwater are identified as locations of groundwater recharge. None of these features are located on the project site or in its vicinity. Although the American River (Lake Natoma) is located approximately 1,000 feet northwest of the site, it would be unaffected as a source of recharge by the project. Because domestic water in this area of the City of Folsom is provided solely from surface water sources, implementation of the proposed project would not involve either withdrawals of groundwater for domestic purposes, or discharges to groundwater.

The Folsom area is served by two purveyors of water. The City of Folsom serves the area within the City limits located east of the American River, including the proposed project site. The San Juan Water District serves the area of Folsom west of the river.

REGULATORY SETTING

The City is a signatory to the Sacramento County-wide NPDES permit for the control of pollutants in urban stormwater. Since 1990, the City has been a partner in the Sacramento Stormwater Quality Partnership, along with the County of Sacramento and the Cities of Sacramento, Citrus Heights, Elk Grove, Galt, and Rancho Cordova. These agencies are implementing a comprehensive program involving public outreach, construction and industrial controls (BMPs), water quality monitoring, and other activities designed to protect area creeks and rivers (Sacramento Stormwater Quality Partnership 2019). The project would be required to implement all appropriate program requirements.

In addition to these activities, the City maintains the following requirements and programs to reduce the potential impacts of urban development on stormwater quality and quantity, erosion and sediment control, flood protection, and water use.

Standard construction conditions required by the City include:

- *Water Pollution* - requires compliance with City water pollution regulations, including NPDES provisions.
- *Clearing and Grubbing* - specifies protection standards for existing signs, mailboxes, underground structures, drainage facilities, sprinklers and lights, trees and shrubbery, and fencing. Also requires the preparation of a SWPPP to control erosion and siltation of receiving waters.
- *Reseeding* - specifies seed mixes and methods for reseeded of graded areas.

Additionally, the City enforces the requirements of the FMC summarized in Table 11.

Table 11 City of Folsom Municipal Code Sections Regulating the Effects on Hydrology and Water Quality from Urban Development within the City		
Code Section	Code Name	Effect of Code
8.70	Stormwater Management and Discharge Control	Establishes conditions and requirements for the discharge of urban pollutants and sediments to the storm-drainage system; requires preparation and implementation of SWPPPs.
13.26	Water Conservation	Prohibits the wasteful use of water; establishes sustainable landscape requirements; defines water use restrictions.
14.20	Green Building Standards Code	Adopts the California Green Building Standards Code (CALGreen Code), 2016 Edition, excluding Appendix Chapters A4, A5 and A6-1, published as Part 11, Title 24, C.C.R. to promote and require the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices.
14.29	Grading Code	Requires a grading permit prior to the initiation of any grading, excavation, fill or dredging; establishes standards, conditions, and requirements for grading, erosion control, stormwater drainage, and revegetation.
14.32	Flood Damage Prevention	Restricts or prohibits uses that cause water or erosion hazards, or that result in damaging increases in erosion or in flood heights; requires that uses vulnerable to floods be protected against flood damage; controls the modification of floodways; regulates activities that may increase flood damage or that could divert floodwaters.

Source: Folsom Municipal Code 2019.

ENVIRONMENTAL ANALYSIS

Question (a) Water quality: Less-than-significant Impact. Construction activities associated with project implementation would include grading, excavation, and site leveling. As proposed, post-construction stormwater would be conveyed to an existing storm drain in the Sutter Street sidewalk adjacent to the northwest corner of the proposed building. From this point, the project would be connected to the City’s stormwater drainage system.

The proposed project would be required to comply with various state and local water quality standards (including full capture and treatment of runoff from the trash area), which would ensure the proposed project would not violate water quality standards or waste discharge permits, or otherwise substantially degrade water quality. The project site would be subject to NPDES permit conditions, which include the preparation of a SWPPP. As described above, the proposed project would also be subject to all of the City’s standard Code and construction requirements (listed in Table 11), including conditions for the discharge of urban pollutants and sediments to the storm-drainage system and restrictions on uses that cause water or erosion hazards. (For stormwater controls necessary during the construction period, see Section VI, *Geology and Soils*, of this Initial Study.)

Further, prior to the issuance of grading and building permits, the applicant will be required to submit a drainage plan that shows how project BMPs capture and treat stormwater runoff during project operations. Compliance with these requirements would ensure that water quality standards and waste discharge requirements are not violated, and water quality is protected. Therefore, impacts would be less than significant, and no mitigation would be necessary.

Question (b) Groundwater supply: Less-than-significant Impact. Implementation of the proposed project would not result in the use of groundwater, and no groundwater wells would be drilled as part of the proposed project. Domestic water in this area of Folsom is provided solely from surface water sources obtained from Folsom Reservoir. While the proposed project would result in the addition of new impervious surfaces to the project site that could affect recharge, the proposed project area is not identified as important to groundwater recharge by the City. Because the proposed project would not rely on groundwater for domestic water or irrigation purposes, and the site is not an important area of groundwater recharge, the proposed project would not decrease groundwater supplies or interfere substantially with groundwater recharge. Therefore, impacts would be less than significant, and no mitigation would be necessary.

Questions (c.i) through (c.iv) Alter Existing Drainage Patterns or Runoff: Less-than-significant Impact. Implementation of the proposed project would have the potential to generate stormwater and contaminated runoff from developed areas of the project site. The 0.17-acre project site to be developed consists of a previously disturbed vacant lot. Developed community stormwater conveyance facilities are located in both Sutter and Scott Streets. Because the site is currently undeveloped, the construction of the proposed project would result in the addition of new impervious surfaces to the project site. No stormwater quality facilities currently are proposed. (For stormwater controls necessary after the placement of fill on the offsite parcel, see Section VI, *Geology and Soils*, of this Initial Study.)

While the majority of the developed project site would be covered with impervious surfaces, the remaining areas would be landscaped. On-site drainage improvements include drainage collection pipes within the interior and along the margins of the property.

The project site is within the existing urban area of the City served by urban stormwater facilities, and construction on the site would be subject to NPDES permit conditions, which would include the preparation of a SWPPP. As described above, the proposed project would also be subject to all of the City's standard Code and construction requirements (listed in Table 11), including requirements for the treatment of discharges of urban pollutants and sediments to the storm-drainage system, and restrictions on uses that cause water or erosion hazards.

The implementation of these requirements would ensure that no adverse effects due to stormwater generation or contamination would take place. Additionally, the proposed project drainage pattern would be designed to avoid impacts to adjoining properties, and all drainage would be conveyed into existing storm drain facilities and on-site drainage improvements to ensure that no increase in downstream flood hazards would occur. For these reasons, impacts to water quality, drainage patterns, and stormwater runoff would result in a less-than-significant impact. No mitigation measures would be required.

Question (d) Flood hazard, tsunami, or seiche zones: No Impact. The project site and area are not located within a 1 percent (100-year) flood plain or 0.2 percent (500-year) floodplain as identified by FEMA. The nearest source of flood flows is the American River (Lake Natoma) located approximately 1,000 feet northwest of the project site. The normal pool elevation of Lake Natoma is 126 feet; the lowest elevation on the project site is 234 feet, or 108 feet higher than Lake Natoma. Because of this difference in elevation, there would be no exposure of the site to flood flows on the American River.

The City of Folsom is located approximately 95 miles from the Pacific Ocean, at elevations ranging from approximately 140 feet to 828 feet above MSL. Elevations at the proposed project site range from 251 feet above mean sea level to 234 feet. Because of this, there would be no possibility of inundation by tsunami.

The City is located adjacent to Folsom Lake, a reservoir on the American River impounded by a main dam on the river channel and wing dikes. Areas of the City adjacent to the wing dikes could be adversely affected by a seiche as a result of an earthquake, either through sloshing within a full reservoir or by a massive landslide or earth movement into the lake. Although historic seismic activity has been minor, the potential for strong ground shaking exists. However, the possibility of a strong earthquake occurring when lake levels are high and creating a large enough wave to overtop or breach the wing dikes is considered to be remote.

Therefore, there would be no substantial risk to the site from inundation by flood flows, seiche, or tsunami that could release pollutants. This would be a less-than-significant impact, and no mitigation would be necessary.

Question (e) Conflict with water quality or sustainable groundwater management plans:
Less-than-significant Impact. The project would discharge stormwater from the site to the City's existing stormwater management network. As noted in the response to Question (a), the project would be required to comply with local, state, and federal standards and regulations regarding water quality, including compliance with the requirements of the Sacramento Stormwater Quality Partnership's Stormwater Quality Design Manual and the County-wide NPDES permit for urban stormwater discharge.

As noted in the response to Question (b), the project would not use groundwater or result in the construction of a groundwater well. The project site is not identified as a recharge area, and all stormwater generated at the site would be compliant with adopted rules and regulations that would maintain groundwater quality.

For these reasons, the project would not conflict with any plans or regulations to maintain water quality or manage ground water resources. This would be a less-than-significant impact, and no mitigation would be necessary.

XI. LAND USE AND PLANNING

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?			X	
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?		X		

The project site is located on the southwest corner of the intersection of Sutter Street and Scott Street in the City of Folsom (see Figures 1, 2, and 3). The project site consists of an undeveloped rectangular plot of land measuring 0.17 acres (7,400 square feet).

The site is an infill parcel surrounded by developed land uses, located at a transition point between commercial uses and residential uses. Commercial uses predominate the project vicinity on Sutter Street (west of Scott Street), while residential uses prevail on Scott Street and Sutter Street east of Scott Street, with a residence located immediately to the south of the project site. Table 1 in Section 1 of this Initial Study details the surrounding land uses, and corresponding General Plan and zoning designations. Figures 8, 9, 11, and 12 illustrate the transitional nature of the project’s setting.

REGULATORY SETTING

The project site is located within the incorporated city limits of Folsom, in Sacramento County. Land use in the project area is regulated by the City of Folsom General Plan, the Folsom Municipal Code (FMC), including the Zoning Code, and the Historic District Design and Development Guidelines.

The project site to be developed with the proposed mixed-use project is designated for Historic Folsom Mixed Use (HF) land uses by the City of Folsom 2035 General Plan (City of Folsom 2018). As defined by the General Plan, the HF designation “provides for a mixture of commercial and residential uses designed to preserve and enhance the historic character of Folsom’s old town center.” The development intensity for areas designated as HF is set forth in the General Plan is 20-30 dwelling units per acre for residential uses and a FAR of 0.5 to 2.0 for non-residential uses.⁶

The 603 Sutter Street Commercial Building project site is also within a Sacramento Area Council of Governments (SACOG) Transit Priority Area (TPA) as designated by the Folsom General Plan. Transit-oriented development (TOD) within TPAs is development that combines street patterns, parking management strategies, and building density to take advantage of nearby transit service. Typically, TOD works best with high-frequency transit lines such as light rail and frequent bus service. Folsom is served by Regional Transit’s Gold Line light rail that connects Historic Folsom to

⁶ Standards of building intensity for nonresidential uses, such as mixed-use, commercial, and industrial development, are stated as a range (i.e., minimum and maximum) of FARs. A FAR is the gross building area on a site, excluding structured parking, to the net developable area of the site. The net developable area is the total area of a site excluding portions that cannot be developed (e.g., right-of-way, public parks). For example, on a lot with 25,000 square feet of land area, a FAR of 0.50 will allow 12,500 square feet of useable building floor area to be built, regardless of the number of stories in the building (e.g., 6,250 square feet per floor on two floors or 12,500 square feet on one floor). On the same 25,000- square-foot lot, a FAR of 1.00 would allow 25,000 square feet of useable floor area, and a FAR of 2.00 would allow 50,000 square feet of useable floor area.

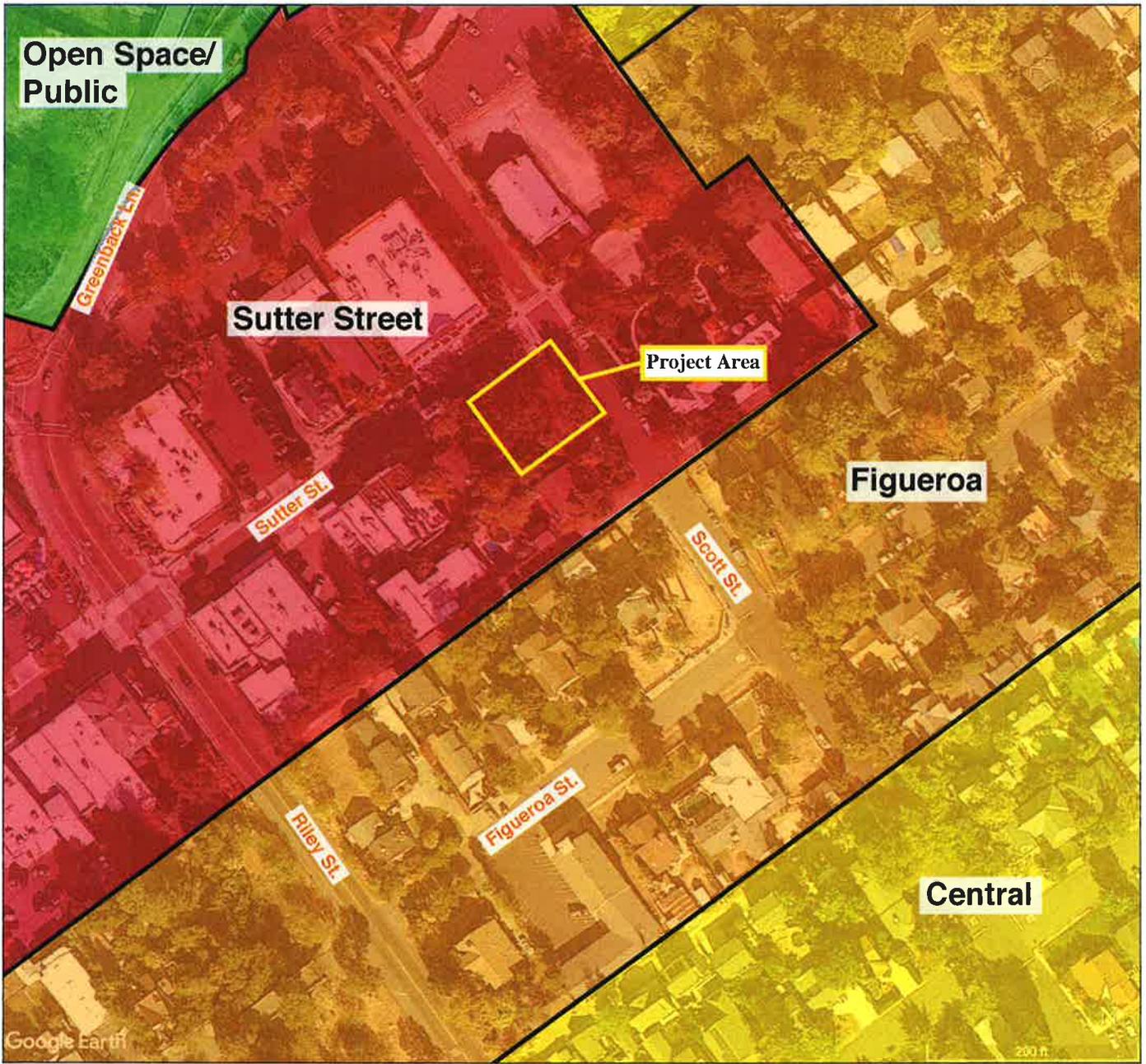
the Sacramento Valley Station in downtown Sacramento. At the west end of Sutter Street, the Historic Folsom Station serves a high-frequency light rail transit line. The 603 Sutter Street Commercial Building project site is located within one-half mile of this station.

The City of Folsom Zoning Code applies a Historic District (HD) designation to the site and general area of the proposed mixed-use project. This zoning district corresponds with the General Plan designation. The purposes of the HD zone are:

1. To preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950;
2. To maintain, restore, and reconstruct historic structures and sites within the historic district;
3. To encourage an active business climate which promotes the development of a diverse range of businesses compatible with the historic district as it developed between the years 1850 and 1950;
4. To retain the residential areas within the historic district;
5. To ensure that new residential and commercial development is consistent with the historical character of the historic district as it developed between the years 1850 and 1950;
6. To increase the awareness, understanding, and appreciation of the history of the city; and
7. To preserve and enhance open space areas.

The Zoning Code additionally identifies subareas of the Historic District zoning category. As shown in Figure 13, the project site and its surrounding area are located within the Sutter Street subarea. Permitted commercial uses within the Sutter Street subarea include, with some limitations: retail, service, public/quasi-public, and office uses permitted in the City's central business district (C-2) zone. Zoning regulations for the Sutter Street subarea designation also include a Design Concept for the subarea, height and setback standards, sign regulations, and parking standards.

In addition to the General Plan land use chapter and the City's Zoning Code, the City, State, federal, and regional agencies have adopted regulations and standards that act to protect environmental resources. These measures regulate all of the environmental topics assessed in this Initial Study with the exception of Agriculture and Forestry Resources, and Population and Housing. For each topic, the applicable policies, regulations, and requirements of all relevant agencies are set forth in the Regulatory Setting or in the body of the Environmental Setting. For a summary of which agency is responsible for regulating a particular resource, please consult Table 12 below.



603 Sutter Street Project

SOURCE: City of Folsom, 2019; Planning Partners, 2019

Figure 13

Folsom Historic District Subareas in the Project Vicinity

ENVIRONMENTAL ANALYSIS

Question (a) Physically divide an established community: Less-than-significant Impact. The proposed project would involve the construction of a mixed-use commercial/office building on a vacant, infill parcel within the Historic District of the City of Folsom. The project vicinity consists of both residential and commercial uses, and the project site is within a zone of transition between the two types of uses. Commercial uses predominate the project vicinity on Sutter Street (west of Scott Street), while residential uses prevail on Scott Street and Sutter Street east of Scott Street, with a residence located immediately to the south of the project site. The Cohn House is located east of Scott Street adjacent to the project site. Figures 8, 9, 11, and 12 illustrate the transitional nature of the project's setting. Implementation of the proposed project would not represent an encroachment into a residential area or divide an existing community. Rather, the project would represent the continuation of commercial and office uses on Sutter Street up to, but not within, adjacent residential areas. Siting of the project at this location would be consistent with City plans and policies encouraging infill development as set forth in the City's General Plan (Policy LU 2.1.1), Zoning Code, and Historic District Design Guidelines (Policy 6.2). This would be a less-than-significant impact, and no mitigation would be required.

Question (b) Conflict with land use plans or policies: Less-than-significant Impact with Mitigation. As noted previously, the proposed project would involve the construction of a mixed-use commercial/office building on a vacant, infill parcel within the Historic District of the City of Folsom. Implementation of the project would not affect land uses on adjacent parcels, nor would it conflict with established General Plan and zoning land use designations.

As proposed, the project would be inconsistent with the height and parking requirements of Section 17.52.510 of the Folsom Municipal Code. Due to this inconsistency, the project applicant has applied for variances from these requirements. Approval of the requested variances by the City's Historic District Commission would result in project compliance with FMC standards. However, the project's inconsistency with parking and height standards per se does not result in an environmental effect as defined by the CEQA statute and guidelines. Accordingly, no environmental conclusions are made with respect to the project's compliance or non-compliance with these requirements. Therefore, the height and parking requirements of the FMC are not considered further in this analysis. However, consistency with the requirements of the Folsom Municipal Code and the Historic District Design and Development Guidelines will be considered by the Historic District Commission in its decision on approval or disapproval of the proposed project.

The City, State, federal, and regional agencies have adopted regulations and standards that act to protect environmental resources. Environmentally-protective measures for applicable agencies are set forth for each environmental topic assessed in this Initial Study, with the exception of Agriculture and Forestry Resources, and Population and Housing for which there are no relevant standards. For Agriculture and Forestry, this is because there are no resources of this type located in the City.

Table 12 summarizes the consistency of the proposed project with identified environmentally protective policies and regulations of all relevant agencies. As set forth in each topical assessment in this Initial Study, the project would be consistent with the protective measures of all agencies, or consistent with implementation of the identified mitigation measures. These measures for biological resources, cultural resources, noise, and transportation include: BIO-1, BIO-2, CUL-1, CUL-2, CUL-3, GEO-1, NOI-1, NOI-2, NOI-3, NOI-4, and TR-1.

Table 12 Consistency of the Proposed Project with Environmentally Protective Policies, Regulations, and Requirements

Section	Environmental Topic	City	Regional	State	Federal
I	Aesthetics	√	√	√	√
II	Agriculture & Forestry Resources	n/a	n/a	n/a	n/a
III	Air Quality	n/a	√	√	√
IV	Biological Resources	√-M	n/a	√-M	√-M
V	Cultural Resources	√-M	n/a	√-M	√-M
VI	Energy	√	n/a	√	n/a
VII	Geology and Soils	√-M	n/a	√	n/a
VIII	Greenhouse Gas Emissions	√	√	√	n/a
IX	Hazards and Hazardous Materials	√	n/a	√	√
X	Hydrology and Water Resources	√	n/a	√	√
XI	Land Use and Planning	√ ¹	√	√	√
XII	Mineral Resources	√	n/a	√	n/a
XIII	Noise	√-M	n/a	n/a	n/a
XIV	Population and Housing	n/a	n/a	n/a	n/a
XV	Public Services	√	n/a	n/a	n/a
XVI	Recreation	√	n/a	√	n/a
XVII	Transportation	√-M	√	n/a	n/a
XVIII	Tribal Cultural Resources	√-M	n/a	√	n/a
XIX	Utilities and Service Systems	√	√	√	n/a
XX	Wildfire	√	n/a	√	n/a

Note: Because building height and parking requirements are not environmental topics within the purview of CEQA, the evaluation of land use and planning consistency does not consider these regulations.

Key √ = Consistent with policy, regulation, or requirement

√-M = Consistent with policy, regulation, or requirement with mitigation identified in this Initial Study

n/a = None Applicable – No applicable policies, regulations, or requirements

Source: *Planning Partners 2019.*

As indicated in Table 12, with implementation of the mitigation identified in this Initial Study, the project would be consistent with all identified environmentally protective policies. This would be a less-than-significant impact, and no additional mitigation would be necessary.

XII. MINERAL RESOURCES

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

The presence of mineral resources within the City of Folsom has led to a long history of gold extraction, primarily placer gold. The State of California, under the Surface Mining and Reclamation Act (SMARA), can designate certain areas as having mineral deposits of regional significance. According to the Sacramento County General Plan Background Report, the project site is located in an area classified as containing Significant Mineral Deposits by the California State Geologist (Sacramento County 2012). However, urbanized areas and public parks are typically excluded from this determination, effectively removing almost all of the City north of Highway 50, including the project site, from consideration for mineral resources. (City of Folsom 2014b). According to the City's General Plan, no areas of the City are currently designated for mineral resource extraction (City of Folsom 2018).

ENVIRONMENTAL ANALYSIS

Questions (a) and (b) Loss of mineral resources of value and/or delineated on land use plans: No Impact. The 603 Sutter Street Commercial Building project site is not located in an area designated for known or suspected mineral or aggregate resources. The area surrounding the project has been fully developed or is zoned for residential or commercial uses. No area of the City of Folsom is designated in the General Plan or zoned as a locally-important mineral resource recovery site, and no mining operations are present on or near the site. Although the proposed project would preclude mineral resource extraction, the City of Folsom has planned the area of the project for urban land uses, and mineral extraction has been deemed to be inappropriate. Therefore, implementation of the project would not alter the availability of known mineral resources, or result in the loss of availability of a locally-important mineral resource recovery site. There would be no impacts, and no mitigation would be necessary.

XIII. NOISE

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive ground-borne vibration or ground-borne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

ENVIRONMENTAL SETTING

The noise environment in the vicinity of the project site consists primarily of Sutter Street and Scott Street traffic noise and, to a lesser extent, Riley Street traffic noise. Lesser sources of noise in the project area include those arising from typical urban activities, including those associated with nearby commercial uses. There are no industrial noise sources located in the vicinity of the proposed project, and there are no airports located within two miles of project site. Persons and activities potentially sensitive to noise in the project vicinity include residents of homes to the south of the project site.

Noise in the daily environment fluctuates over time. Some fluctuations are minor, but some are substantial. Some noise levels occur in regular patterns, but others are random. Some noise levels fluctuate rapidly, but others slowly. Some noise levels vary widely, but others are relatively constant. Various noise descriptors have been developed to describe time-varying noise levels. The following are the noise descriptors used in this noise analysis:

Equivalent sound level (L_{eq}): L_{eq} represents an average of the sound energy occurring over a specified period. In effect, L_{eq} is the steady-state sound level that in a stated period would contain the same acoustical energy as the time-varying sound that actually occurs during the same period. The 1-hour A-weighted equivalent sound level ($L_{eq}[h]$) is the energy average of the A-weighted sound levels occurring during a 1-hour period.

Community noise equivalent level (CNEL): CNEL is the energy average of the A-weighted sound levels occurring during a 24-hour period, with 10 dB added to the A-weighted sound levels occurring between 10 p.m. and 7 a.m. and 5 dB added to the A-weighted sound levels occurring between 7 p.m. and 10 p.m.

Day-night level (L_{dn}): L_{dn} is the energy average of the A-weighted sound levels occurring during a 24-hour period, with 10 dB added to the A-weighted sound levels occurring between 10 p.m. and 7 a.m.

Under controlled conditions in an acoustics laboratory, the trained, healthy human ear is able to discern 1-decibel (dB) changes in sound levels when exposed to steady, single-frequency (“pure

tone”) signals in the midfrequency range. Outside such controlled conditions, the trained ear can detect 2-dB changes in normal environmental noise. However, it is widely accepted that the average healthy ear can barely perceive 3-dB noise level changes for similar sources. A 5-dB change is readily perceptible, and a 10-dB increase is perceived as being twice as loud. Doubling sound energy results in a 3-dB increase in sound; therefore, doubling sound energy (e.g., doubling the volume of traffic on a highway) would result in a barely perceptible change in sound level.

Vibration is the periodic oscillation of a medium or object with respect to a given reference point. Sources of vibration include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) and those introduced by human activity (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous, (e.g., operating factory machinery) or transient in nature (e.g., explosions).

The response of the human body to vibration relates well to average vibration amplitude; therefore, vibration impacts on humans are evaluated in terms of vibration velocity. Similar to airborne sound, vibration velocity can be expressed in decibel notation as vibration decibels (VdB).

Long-term (24-hour) ambient noise monitoring was completed in December 2017 to quantify existing background noise levels in the project vicinity in support of the preparation of the City’s 2035 General Plan. This study found that noise levels near the project site were 55 dB L_{dn} . Traffic noise from vehicles on Riley Street was measured at 64 dB L_{dn} at a point 100-feet from the centerline of the street; traffic noise had degraded to less than 60 dB L_{dn} at 199 feet from the street centerline. The project site is located approximately 400 feet from Riley Street. By the year 2035, these noise levels would increase to 65 dB L_{dn} at 100 feet from the centerline and the 60 dB L_{dn} contour would be located 218 feet away from the centerline. (Folsom 2018b)

A vibration survey was also conducted in the preparation of the 2035 General Plan. The General Plan survey determined that vibration in the project vicinity was 28 VdB RMS. (Folsom 2018b)

Both the noise and vibration values are within the average range of noise and vibration found in Folsom.

CITY REGULATION OF THE NOISE ENVIRONMENT

The City of Folsom General Plan Noise Element establishes land use compatibility criteria for both transportation noise sources, such as roadways, and for non-transportation (stationary) noise sources. For stationary noise sources, the City of Folsom has adopted a Noise Ordinance as Section 8.42 of the FMC (Folsom 2019d). The Noise Ordinance establishes hourly noise level performance standards. Table 13 shows the City of Folsom exterior noise level performance standards for stationary noise sources for both day and nighttime periods. The City’s General Plan Noise Element allows exterior noise levels up to 60 dB L_{dn} /CNEL for backyard decks or decks for single family residences, which means that the average 24-hour noise level must not exceed this standard, so long as interior noise levels of single family residences are maintained to meet General Plan requirements (45 dB L_{dn} /CNEL). (Folsom 2019d)

Section 8.42.060 C of the Noise Ordinance exempts construction noise from the provisions of the Code, provided such activities do not take place before 7:00 a.m. or after 6:00 p.m. on any day except Monday through Friday, or before 8:00 a.m. or after 5:00 p.m. on Saturday or Sunday.

Section 8.42.060 G exempts noise sources associated with the collection of waste or garbage from property devoted to commercial and industrial uses (Folsom 2019d).

Table 13 Exterior Noise Level Standards, dBA		
Cumulative Number of Minutes in Any 1-hour Time Period	Maximum Acceptable Noise Level, dBA	
	Daytime (7 a.m. - 10 p.m.)	Nighttime (10 p.m. - 7 a.m.)
30 (L ₅₀)	50	45
15 (L ₂₅)	55	50
5 (L _{8.3})	60	55
1 (L _{1.7})	65	60
0 (L _{max})	70	65

Note: Ln means the percentage of time the noise level is exceeded during an hour. L50 means the level exceeded 50% of the hour, L25 is the level exceeded 25% of the hour, etc.

Source: City of Folsom Municipal Code, Chapter 8.42, Table 8.42.040

As discussed in the Project Description in Section 1 of this Initial Study, the City has established Standard Construction Specifications as published in January 2017 (Folsom 2017). The standard construction specifications are required to be adhered to by any contractor constructing a public or private project within the City. Standards regarding the noise environment are summarized below.

- *Noise Control* – requires that all construction work comply with the Folsom Noise Ordinance, and that all construction vehicles be equipped with a muffler to control sound levels.
- *Weekend, Holiday, and Night Work* – Prohibits construction work during evening hours, or on Sunday or holidays to reduce noise and other construction nuisance effects.

As noted above, environmental noise levels in the vicinity of the project site are 55 dB Ldn, thus meeting the City’s standard of 60 dB Ldn discussed above.

ENVIRONMENTAL ANALYSIS

Potential noise impacts of the 603 Sutter Street Commercial Building project can be categorized as those resulting from construction and those from operational activities. Construction noise would have a short-term effect; operational noise would continue throughout the lifetime of the project.

Question (a) Substantial Temporary or Permanent Increase in Noise Levels: Less-than-significant Impact.

CONSTRUCTION NOISE

Noise generated during construction would vary, depending on the construction phase and the type and amount of equipment used at the construction site. Noise would be generated by trucks delivering and recovering materials at the site, grading and paving equipment, saws, hammers, the radios and voices of workers, and other typical provisions necessary to construct a medium sized commercial project. Construction activities that would generate noise include site grading, excavation, placement of fill, hauling and deliveries, foundation work, and to a lesser extent framing, and exterior and interior finishing. The highest noise levels would be generated during grading and leveling of the site, with lower noise levels occurring during building construction and finishing. See Table 14.

Table 14 Typical Noise Levels during Construction

Construction Activity	Noise Level at 50 feet (dBA, Leq) ^a	Approximate Distance (ft.) to Reduce Noise to Given Level (dBA, Leq) ^b		
		60	65	70
Ground Clearing	84	790	450	250
Excavation	89	1,400	800	450
Foundations	78	400	220	130
Erection	85	890	500	280
Finishing (exterior)	89	1,400	800	450
Blasting	90-105	1,450 +	840 +	460+

Notes:

^a U.S. Environmental Protection Agency, Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances, December 1971.

^b Calculations assume a 6 dBA reduction for each doubling of distance from the noise source.

Source: U.S. Environmental Protection Agency, Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances, 1971.

Although no pile driving is proposed, breaking up bedrock to provide a level foundation for the site could involve ripping by heavy equipment, and jack hammering. (For an evaluation of noise and vibration impacts and mitigation associated with blasting, see Question (b) below.)

When demolition, ground clearing, excavation, paving and foundation work are occurring near adjacent neighbors, daytime noise levels can be expected to exceed existing noise levels at the nearest residence located less than 35 feet from the site boundary. Construction activities associated with the proposed development have the potential to result in temporary noise levels that would impact adjacent homes periodically over the course of the construction period.

Construction related noise impacts are typically only occasionally intrusive, and cease once construction is complete. Nevertheless, this impact would be significant.

Mitigation Measure NOI-1:

Due to the proximity of sensitive receptors to the project site, the project applicant or any successor in interest shall include the following terms in all construction contracts prepared for project-related construction, and shall provide evidence of the inclusion of these terms to the City of Folsom:

1. Construction Hours/Scheduling: The following are required to limit construction activities to the portion of the day when occupancy of the adjacent sensitive receptors are at the lowest:
 - a. Construction activities for all phases of construction, including servicing of construction equipment shall only be permitted during the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and between 8:00 a.m. to 5:00 p.m. on Saturdays. Construction shall be prohibited on Sundays and on all holidays.
 - b. Delivery of materials or equipment to the site and truck traffic coming to and from the site is restricted to the same construction hours specified above.

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2. Construction Equipment Mufflers and Maintenance: All construction equipment powered by internal combustion engines shall be properly muffled and maintained.
 3. Idling Prohibitions: All equipment and vehicles shall be turned off when not in use. Unnecessary idling of internal combustion engines is prohibited.
 4. Equipment Location and Shielding: All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from adjacent homes. Acoustically shield such equipment when it must be located near adjacent residences.
 5. Quiet Equipment Selection: Select quiet equipment, particularly air compressors, whenever possible. Motorized equipment shall be outfitted with proper mufflers in good working order.
 6. Staging and Equipment Storage: The equipment storage location shall be sited as far as possible from nearby sensitive receptors.

OPERATIONAL NOISE

Traffic Noise

The noise environment in the vicinity of the project site consists primarily of Sutter Street and Scott Street traffic noise and, to a lesser extent, Riley Street traffic noise.

Traffic noise from vehicles on Riley Street were measured at 64 dB Ldn at a point 100-feet from the centerline of the street; traffic noise had degraded to less than 60 dB Ldn at 199 feet from the street centerline. The project site is located approximately 400 feet from Riley Street. By the year 2035, these noise levels would increase to 65 dB Ldn at 100 feet from the centerline and the 60 dB Ldn contour would be located 218 feet away from the centerline. As noted above, doubling sound energy results in a 3-dB increase in sound; therefore, doubling sound energy (e.g., doubling the volume of traffic on a highway) would result in a barely perceptible change in sound level. The traffic study prepared for this project indicates that increases in traffic as a result of the project would be minor, and substantially less than a doubling of traffic volumes at any location (Kimley-Horn 2019). Therefore, during operations the project would not noticeably increase traffic noise in the project vicinity.

Other Sources of Operational Noise

Operation of the proposed 603 Sutter Street Commercial Building project would result in several intermittent sources of noise one of which would be subject to the requirements of the City's Noise Ordinance (FMC Chapter 8.42): noise from trash pickup; and noise created by activities on the rooftop deck.

As proposed, the project would include a trash enclosure at the rear of the building with access to Scott Street. This trash enclosure, near the northeast corner of the proposed building, would be constructed at the property line with no setback. The distance from the trash enclosure to the nearest residence would be 23 feet.

Solid waste and organic waste removal services would be provided by the City of Folsom (solid waste) and a private hauler (organic waste). Organic waste would be placed in a separate bin from that used for solid waste. Depending upon the volume of waste generated by the restaurant, commercial, and office uses, trash and organic waste pickup could occur several times per week. During waste removal, noise would be generated by vehicle engines, collection operations, and backup alarms. Each collection event would last 15 minutes or less. Collection times could vary throughout the day, but would tend to occur most often during morning hours.

As noted above, Section 8.42.060 G of the Noise Ordinance exempts noise sources associated with the collection of waste or garbage from property devoted to commercial or industrial uses (Folsom 2019d). As set forth in the Project Description of this Initial Study, the project site is zoned for commercial uses (*as are the adjoining residences*), and the proposed 603 Sutter Street Commercial Building project would house commercial activities, including a restaurant, retailing, and offices. Thus, waste and garbage pickup would be exempt from Noise Ordinance requirements.

The second source of operational noise would be a roof deck that would occupy the northern and eastern portions of the roof adjacent to Sutter and Scott Streets. According to the applicant, the roof deck would be accessible to building tenants, although the general public potentially could attend private events in this area if sponsored by a building tenant. No access to the deck by restaurant patrons is proposed. The private activity area would be set back 18 feet from the rear of the building and separated from the adjacent residence to the south by elevator and air conditioning equipment, except on the easterly side of the building where the deck would be extended to the south to access an emergency access stairwell (see Figure 3).

Activities that could occur on the rooftop deck, their duration, or their frequency are currently unknown, but would be subject to the noise standards of the Noise Ordinance as set forth in Section 8.42 of the FMC, including the performance standards/limitations contained in Table 8.42.040 of the Ordinance (see Table 13 above). The limitations of the Ordinance would restrict noise generated by activities to the levels found to be acceptable by the City, and implementation of the proposed project would result in a less-than-significant impact.

Summary

In summary, potential noise levels generated by project activities from traffic in the vicinity of the project would not exceed the acceptable levels as set forth in the City of Folsom Noise Ordinance (FMC Chapter 8.42). With implementation of Mitigation Measure NOI-1, construction-related noise levels would be minimized, and excessive construction noise during sensitive periods of the day would be prohibited. With compliance with the City's Noise Ordinance, noise impacts to surrounding residents would be reduced to a less-than-significant level by: limiting noise levels produced by events to those found to be acceptable by the City of Folsom; and by regulating the frequency and duration of unacceptable noise levels. Thus, operational impacts would be reduced to less-than-significant levels.

Question (b) Noise Levels and Groundborne Vibration during Blasting or Ripping: Less-than-significant Impact with Mitigation. (For an evaluation of sources of construction noise other than blasting, see Question (a) above.)

As an undeveloped project site located within an existing commercial and residential area, there are no existing sources of vibration or groundborne noise on the project site or in the project vicinity. Because of the shallow depth to bedrock across much of the site, the leveling of the building pad would require ripping by heavy equipment, and may require blasting. Although not considered likely, according to a geotechnical report prepared for the project (Youngdahl 2017), blasting may be necessary if hard rock is encountered. As set forth in Table 14, blasting could result in noise levels of 90-105 dBA Leq at the nearest residences.

Blasting would also result in groundborne vibration. Groundborne vibration may cause annoyance in sensitive individuals. Annoyance is a subjective measure and vibrations may be found to be

annoying at very low levels depending on the level of activity or the sensitivity of the individual. To sensitive individuals, vibrations approaching the threshold of perception can be annoying. High levels of vibration can cause damage to buildings.

Because blasting may be necessary and could result in noise levels in excess of City standards and potentially annoying or damaging levels of groundborne vibration, this would be a significant impact. By limiting the time when blasting could occur, providing protection for construction personnel, requiring measures to reduce the adverse effects of blasting, and ensuring that any offsite damage caused by blasting is compensated and/or repaired, implementation of the following mitigation measures would reduce potential blasting effects to a less-than-significant level.

Mitigation Measure NOI-2:

Controlled blasting activities shall be limited to between the hours of 9:00 a.m. and 4:00 p.m. Monday through Friday. No blasting shall be permitted to occur on Saturday, Sunday or holidays. These hours are so defined because they include a period of time where noise sensitivity is at its lowest.

Mitigation Measure NOI-3:

In areas of controlled blasting, if proposed, the applicant, its successor in interest, or its contractor shall (prior to blasting):

- Provide 30-day and 5-day written notices to all residences, businesses, and utility owners within the zone of influence of the controlled blasting as determined by the City of Folsom.
- Inspect all structures within the zone of influence, no more than two weeks prior to commencement of controlled blasting.
- Proceed in accordance with the Construction Safety Orders of the Division of Industrial Safety of the California Department of Industrial Relations, and Federal Safety Requirements.
- Use best available technology, such as blast mats or other techniques, to minimize noise generated by blasting.
- Require all personnel in the controlled blasting area to wear ear and other appropriate protection during blasting excavation activities.
- Inspect all structures within the zone of influence, no more than two weeks after completion of controlled blasting, to assess any damage.
- The applicant or successor in interest shall be responsible for reimbursing nearby property owners for damages due to blasting.

Question (c) Airport Noise: No Impact. Since the project site is not located in an area for which an Airport Land Use Plan has been prepared, and no public or private airfields are within two miles of the project area, those working within or patronizing the proposed mixed-use project would not be exposed to adverse levels of noise due to aircraft overflights. Therefore, no impact related to airport or airstrip noise would occur, and no mitigation would be necessary.

XIV. POPULATION AND HOUSING

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

Question (a) Induce unplanned population growth: Less-than-significant Impact. The proposed project would develop a three-story mixed-use building, including retail and office space, on an undeveloped site in the Historic District of the City of Folsom. Implementation of the project would create short-term employment opportunities. While construction employment would be created during the project construction phase, the necessary employees could be expected to be provided by the local labor pool, without the importation of significant amounts of new labor given that there were 24,800 unemployed workers within Sacramento County in April 2019 (EDD 2019).

The population of the City of Folsom on July 1, 2018 was estimated to be 79,022 (USCB 2019). The proposed project would not result in an increase in the County’s population, nor would it provide any housing units. It would not exceed population projections or result in any direct growth inducing effects. There would be no change in zoning or General Plan land use designations that would lead to indirect growth inducement. New utility services being brought onto the site will serve only the proposed project. Therefore, the proposed project would not result in substantial direct or indirect growth inducement, and a less-than-significant impact would occur.

Question (b) Displace substantial numbers of people or housing: No Impact. Because the proposed project site is undeveloped, there would be no displacement of substantial numbers of existing people or housing units. No construction of new or replacement housing units would be required on the project site or elsewhere. There would be no impact, and no mitigation would be required.

XV. PUBLIC SERVICES

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives of any of the public services:				
a) Fire protection?				X
b) Police protection?				X
c) Schools?				X
d) Parks?				X
e) Other facilities?				X

Public services provided to the project site and vicinity include police, fire, school, park, and library services. The closest fire station is Folsom Fire Station #35 at 535 Glenn St., less than one mile from the project site. The nearest police station is located less than one mile from the project site at 46 Natoma Street. (Folsom 2019)

The Folsom Cordova School District (FCUSD) boundaries include the cities of Folsom and Rancho Cordova. The FCUSD operates 33 schools, 15 of which serve the residents of Folsom (FCUSD 2019). Folsom Lake Community College offers college level courses, and features the Harris Center, a regional arts center (Folsom 2019).

The Folsom Parks & Recreation Department provides and maintains a full range of recreational activities and park facilities for the community, including parks and trails; aquatic center; zoo sanctuary; and senior, art, and community centers. (Folsom 2019)

The Folsom Public Library provides resources to the community in a variety of formats, including print, media, and electronic. The Folsom Public Library also participates in cooperative regional services and resource-sharing, and provides free Wi-Fi access and online databases for research and learning. (Folsom 2019)

ENVIRONMENTAL ANALYSIS

Questions (a) through (e) New or physically altered governmental public service facilities:
No Impact. Because the project consists of a three-story mixed-use building, implementation of the project would not directly affect the provision or demand for any public services. Additionally, since the proposed project does not include any housing units, there would be no increase in population or the need for public services that would require the provision of new or physically altered governmental facilities. There would be no impact and no mitigation would be required.

XVI. RECREATION

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

The State of California manages two parks in the City of Folsom: Folsom Powerhouse State Historic Park and Folsom Lake State Recreation Area (CA Dept. of Parks and Recreation 2019; Sacramento County 2019a). The City of Folsom Parks and Recreation Department manages 46 developed parks in the city totaling 261 acres, and more than 50 miles of paved trails for walkers, joggers, and cyclists (City of Folsom 2019). The nearest public recreation area is Folsom Powerhouse State Historic Park and the Folsom Lake State Recreation Area's Lake Natoma area, located less than one-quarter mile to the northwest of the project site.

ENVIRONMENTAL ANALYSIS

Questions (a) and (b) Increase park use, construct or expand recreational facilities: No Impact. Because the project consists of the development of a three-story mixed-use (retail and office) building, implementation of the project would not directly affect the provision or demand for any recreation. Additionally, the proposed project does not directly involve construction of housing or facilities that could increase the demand for neighborhood or regional parks, or other recreational facilities. Development of the proposed project would not involve the creation of new recreation facilities, or adversely affect existing facilities. Thus, no significant adverse impacts to recreation would occur with implementation of the proposed 603 Sutter Street Commercial Building project, and no mitigation would be required.

XVII. TRANSPORTATION

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Would the project conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?		X		

A Traffic Impact Study, *Historic Sutter Mixed-Use Building, 603 Sutter Street, Folsom, California*, was completed for the project by Kimley Horn & Associates in July 2019 (see Appendix C). The study identifies a wide range of potential effects to transportation facilities, and this section of the Initial Study summarizes those portions of the Traffic Impact Study that are within the purview of CEQA. State environmental policy and direction have limited the required analyses of transportation issues to be evaluated in CEQA documents. However, local agencies such as the City of Folsom have the flexibility to include additional evaluations of transportation facilities within traffic impact studies beyond those required by CEQA. For the proposed 603 Sutter Street Commercial Building project, additional issues outside of CEQA such as parking demand and supply, and queuing at intersections are evaluated in the Traffic Impact Study, but are not reported in this Initial Study. For these additional issues, no environmental impacts are determined, and no CEQA mitigation measures are identified. To the extent that the evaluations of parking and queuing identify violations of City standards or requirements, the City will identify conditions of approval that would act to remedy such violations. These conditions would be imposed outside of the CEQA process. Consistency with the requirements of the Folsom Municipal Code and the Historic District Design and Development Guidelines regarding these issues will be considered by the Historic District Commission in its decision on approval or disapproval of the proposed project. For additional information regarding parking and vehicle queuing, please refer to Appendix C).

ENVIRONMENTAL SETTING

The proposed project is the development of a mixed-use building on the southwest corner of the intersection of Scott Street and Sutter Street in Folsom's Historic District. The building would include office, retail, and restaurant uses; the analysis is based on square footages as follows: 10,300 square feet (sf) of office space, 2,500 sf of retail space, and 2,500 sf of restaurant space.

Roadways in the project area include:

Riley Street, a north-south arterial roadway that runs through the center of the City of Folsom Historic District, and crosses Lake Natoma along the Rainbow Bridge. Riley Street is two-lanes through the study area to the westbound approach at the intersection of Greenback Lane and Folsom-Auburn Road.

Sutter Street, an east-west local roadway that provides access to the Folsom Historic District between Folsom Boulevard and east of Riley Street. Sutter Street provides two-way traffic without a painted centerline, and allows on-street parking.

Scott Street is a north-south local roadway that provides access to the eastern edge of the Folsom Historic District between Greenback Lane/Riley Street to Persifer Street. Scott Street provides two-way traffic without a painted centerline.

The City of Folsom offers bus transit service through the Historic District via Route 10, which provides service northbound along Riley Street, Natoma Street, Folsom Boulevard, Leidesdorff Street, and Riley Street/Greenback Lane. Southbound service is provided along Folsom Boulevard, Leidesdorff Street, and Riley Street. Bus stops are provided near the Riley Street intersection with Natoma Street, in the vicinity of the project. (Kimley-Horn 2019)

Sacramento Regional Transit (SacRT) provides light rail service to downtown Sacramento on the Gold Line. The project site is located within one-half mile of the Historic Folsom light rail station situated at the westerly end of Sutter Street. (SacRT 2019)

The only heavy rail facility in Folsom is the historic Sacramento-Placerville transportation corridor that runs generally southwest from the Historic District of Folsom Boulevard toward downtown Sacramento. The City of Folsom maintains the portion of the corridor that lies within City limits, and is a member of the Joint Powers Authority that administers the corridor. The rail line is currently out of service but not abandoned. (Folsom 2014c)

Pedestrian access to the project site is provided by sidewalks along the Sutter Street west of the site and Scott Street directly east of the project. No sidewalk is currently provided along the project frontage on Scott Street. No sidewalks exist on Sutter Street east of the project or on Scott Street south of the project site.

The City of Folsom has an extensive system of Class I and Class II bikeways and trails. The 2007 Bikeway Master Plan indicates approximately 35 miles of existing Class I off-street bikeways/trails, with an additional 21 miles planned. There are approximately 67 miles of existing on-street Class II bike lanes, with an additional 17 miles planned. (Folsom 2014c)

The City of Folsom Emergency Operations Plan provides evacuation plans for distinct sections of the city, including Area 6 – Historic Folsom (Folsom 2004). Evacuation routes identified for this area include Folsom Boulevard (southbound), Riley Street (northbound), Natoma Street (eastbound), and East Bidwell Street (eastbound).

REGULATORY SETTING

Roadways in the project vicinity are programmed by the City of Folsom 2035 General Plan and the Folsom Municipal Code (Folsom 2018). Appendix E, *Historic District Circulation Plan*, of the Historic District Design and Development Guidelines provides further guidance on circulation issues specific to the Historic District (Folsom 1998). Roadways throughout the City are maintained by the City of Folsom to adequately handle traffic generated by urban uses within the City of Folsom.

The following regulations of the City of Folsom govern various aspects of the transportation system.

Folsom 2035 General Plan

Policy M 1.1.3: Accessibility. Strive to ensure that all streets are safe and accessible to people with limited mobility and other disabilities. New and reconstructed facilities shall meet the requirements of the Americans with Disabilities Act.

Policy M 2.1.1: Pedestrian Master Plan. Maintain and implement a pedestrian master plan that guides the development of a network that links residential developments with employment centers, public open spaces, parks, schools, shopping districts, and other major destinations.

Policy M 2.1.4: Sidewalk Network. Strive to fill gaps in the city's existing sidewalk network.

Policy M 2.1.5: Bikeway Master Plan. Maintain and implement a bikeway master plan that guides the development of a network that links residential developments with employment centers, public open spaces, parks, schools, shopping districts, and other major destinations.

Policy M 3.1.1: Access to Public Transit. Strive to ensure that all residents have access to safe and convenient public transit options.

Policy M 4.1.3: Level of Service. Strive to achieve at least traffic Level of Service "D" throughout the city. Level of Service "E" conditions can be acceptable due to costs of mitigation or when there would be other unacceptable impacts, such as right-of-way acquisition or degradation of the pedestrian environment due to increased crossing distances or unacceptable crossing delays. Level of Service "E" may also be accepted during peak commute periods at major intersections within one-quarter mile of a freeway interchange or river crossing.

Policy M 4.2.1: Parking. Maintain and implement a comprehensive on- and off-street parking system that serves the needs of residents and businesses while supporting the use of multiple modes of transportation.

Policy M 4.2.2: Reduce Minimum Parking Standards. Consider reducing parking standards for private vehicles in transit-oriented developments, mixed-use developments and developments in high-density areas over time, while increasing parking for shared vehicles, alternative energy vehicles, bicycles, and other modes of transportation. Reduced parking standards must be supported by a demand analysis that supports the reduction.

Policy M 5.1.2: Off-Peak Deliveries. Encourage business owners to schedule deliveries at off-peak traffic periods in residential, commercial, or mixed-use areas.

Historic District Design Guidelines

Goal 4. Circulation - To facilitate movement of vehicles, transit systems, pedestrians, and bicycles through the historic district in such a way as to provide adequate access for local and through traffic without excessive traffic impacts on the character of the Historic district area and to facilitate adequate parking.

Policy 4.4 - Pedestrian and bicycle circulation shall be encouraged through construction and improvement of pathways and safety features. Such paths shall connect to existing and future routes to serve both tourists and commute needs.

Policy 4.6 - Adequate public parking shall be provided in proximity to commercial uses, including provision for tour buses. Such parking shall be designed and constructed to blend with historic structure or shall be screened.

The **pedestrian circulation plan** illustrated in Section 3.02.04.c.3 of the Design Guidelines indicates that Sutter Street west of Scott Street is considered to be a “major” sidewalk route.

Pedestrian Master Plan

The City of Folsom has an extensive network of sidewalks and off-street trails that benefit walkers, joggers, and cyclists. The City updated its Pedestrian Master Plan in 2014. The Plan includes goals/objectives, design considerations/principles and recommended project priorities. The Master Plan does not show any needed improvements adjacent to the project site, although alley pedestrian improvements are shown between Scott Street and Bridge Street to the south of the project. (Folsom 2014d)

Bikeway Master Plan

The City of Folsom maintains an existing comprehensive bikeway system that is extensive and connects to a vast number of historical and recreational attractions. The City of Folsom adopted its current Bikeway Master Plan in 2007 as amended through 2011. The Plan includes goals/objectives, a needs analysis, the recommended bikeway system, recommended improvements and an implementation strategy. Bicycle facilities are not currently provided along Sutter Street or Scott Street. There are Class II facilities along Leidesdorff Street and Natoma Street, and Class I bike paths with connections to the American River Trail and Lake Natoma Trail networks. (Folsom 2007)

ENVIRONMENTAL ANALYSIS

Project area intersections included in the Traffic Impact Study are:

- Riley Street/Greenback Lane at Folsom-Auburn Road
- Riley Street at Scott Street
- Riley Street at Leidesdorff Street
- Riley Street at Sutter Street
- Sutter Street at Scott Street.

The Traffic Impact Study consisted of the following sequential steps:

1. Determine the existing operating characteristics for the identified intersections, as well as projected operations in the year 2035
2. Determine the amount of traffic generated by the proposed project
3. Assign the new traffic to streets and intersections within the circulation system
4. Determine whether the addition of new traffic would adversely affect traffic operations at the identified intersections for both existing traffic and year 2035 traffic conditions.

This study protocol was completed for all five intersections during both time periods. The major findings of the analysis include the following:

1. Currently (2019), all identified intersections operate adequately except for the Riley Street/Greenback Lane at Folsom-Auburn Road

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2. The addition of project traffic to 2019 traffic volumes would cause minor decreases in intersection operations at all intersections studied, but would not cause any intersection operations to fail
 3. In 2035, the Riley Street/Greenback Lane at Folsom-Auburn Road intersection would continue to operate inadequately; three of the five identified intersections would see decreased traffic operations but they would meet the City's operational goals as set forth in Policy M 4.1.3 of the General Plan; and, the Sutter Street/Scott Street intersection would continue to operate adequately.
 4. The addition of project traffic to 2035 traffic volumes would cause minor decreases in intersection operations at all intersections studied, but would not cause any intersection operations to fail.

For a discussion of the technical aspects of the Traffic Impact Study and data supporting its conclusions, please refer to Appendix C. This Appendix also contains a study of parking demand and supply in the project area, and the effects of project implementation on queueing at intersections.

Question (a) Conflict with local circulation plans: Less-than-significant Impact. As noted above, implementation of the proposed project would increase traffic volumes on adjacent streets and at nearby intersections. However, while increases in traffic would decrease operations at studied intersections, all intersections would continue to meet General Plan and City operational goals and policies. With respect to transit and bicycle facilities, none are located within or adjacent to the project site, and the project would have no effect on such facilities or conflict with adopted City goals and policies for such facilities. Implementation of the project would result in the reconstruction of sidewalks along Sutter Street, and the new construction of a sidewalk on Scott Street. The improvement or addition of pedestrian facilities would implement General Plan, Historic District Design Guidelines, and Pedestrian Master Plan policies regarding the provision and improvement of pedestrian facilities within the Historic District. Because project implementation would not conflict with any adopted City policies with respect to transit, roadway, bicycle, or pedestrian circulation, this would be a less-than-significant impact and no mitigation would be necessary.

Question (b) Conflict with CEQA Guidelines regarding analysis of transportation impacts: Less-than-significant Impact. Section 15064.3, subdivision (b) of the CEQA Guidelines describes criteria for analyzing transportation impacts. According to Section 15064.3(b)(1), land use projects that...are located within one-half mile of an existing major transit stop ... should be presumed to cause a less-than-significant transportation impact. The proposed project is located within one-half mile of the Historic District light rail station located at the west end of Sutter Street. This light rail station is considered to be a major transit stop. Additionally, because the project does not provide for onsite vehicle parking, it would act to encourage alternative modes of travel (such as by transit, walking, or biking) thereby decreasing vehicle miles travelled from those that might be expected from a similar use. For these reasons, this impact would be less than significant, and no mitigation would be required.

Question (c) Increase hazards due to geometric design feature: Less-than-significant

Impact. As noted above, the project would not result in any modification to Sutter or Scott Streets except for the reconstruction of existing sidewalks and the construction of new sidewalks along the Scott Street property frontage. Following the completion of construction, the paved sections of both Sutter and Scott Streets would be returned to their original conditions. Implementation of the proposed project would not result in any permanent changes to the design features or uses of adjacent roadways. There would be no increase in hazards related to a geometric design feature, or due to incompatible uses. A less-than-significant impact would result, and no mitigation would be required.

Question (d) Inadequate emergency access: Less than significant with Mitigation

Incorporated. Project construction would involve trenching within Sutter and Scott Streets to connect the project to existing underground utilities. Additionally, construction operations could result in lane closures on both Streets that could cause delays and queuing of vehicle traffic, and thereby interfere with emergency services. These operations could include such activities as truck loading during site preparation to haul excess earth materials from the site or delivering construction materials during building erection and finishing. Consistent with standard City construction requirements, a detailed Traffic Control Plan (TCP) would be required to detail how the applicant, any successor in interest, and/or its contractor will manage continuous roadway access for both emergency and non-emergency uses, and will include best management practices such as covering the trenched areas after work hours. To ensure implementation of a TCP, the following mitigation measure will be required:

Mitigation Measure TR-1:

Prior to the initiation of construction, the applicant, any successor in interest, and/or its contractor shall obtain an encroachment permit from the City of Folsom for construction within Sutter and Scott Streets. The applicant, any successor in interest, and/or its contractor shall prepare a Traffic Control Plan that meets the requirements of the City. The TCP shall include all required topics, including: traffic handling during each stage of construction, maintaining emergency service provider access by, if necessary, providing alternate routes, repositioning emergency equipment, or coordinating with nearby service providers for coverage during construction closures, covering trenches during the evenings and weekends, pedestrian safety/access, and bicycle safety/access. A component of the TCP will involve public dissemination of construction-related information through notices to adjacent neighbors, press releases, and/or the use of changeable message signs. The project contractor will be required to notify all affected residences and businesses, post the construction impact schedule, and place articles and/or advertisements in appropriate local newspapers regarding construction impacts and schedules.

With implementation of Mitigation Measure TR-1, because construction effects on traffic and emergency circulation for the proposed project would be temporary and well managed, this would be a less-than-significant impact.

XVIII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historic Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X		
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		

REGULATORY SETTING

Effective July 1, 2015, Assembly Bill 52 (AB 52) amended CEQA to require that: 1) a lead agency provide notice to any California Native American tribes that have requested notice of projects proposed by the lead agency; and 2) for any tribe that responded to the notice within 30 days of receipt with a request for consultation, the lead agency must consult with the tribe. Topics that may be addressed during consultation include Tribal Cultural Resources (TCR), the potential significance of project impacts, type of environmental document that should be prepared, and possible mitigation measures and project alternatives.

Section 21074(a) of the Public Resource Code (PRC) defines TCRs for the purpose of CEQA as sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

- a. included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or
- b. included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; and/or
- c. a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

“Substantial evidence” is defined in Section 21080 of the Public Resources Code as “fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact.”

The criteria for inclusion in the California Register of Historical Resources (CRHR) are as follows [CCR Title 14, Section 4852(b)]:

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1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; and/or
 2. It is associated with the lives of persons important to local, California, or national history; and/or
 3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; and/or
 4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition, the resource must retain integrity, which is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association [CCR Title 14, Section 4852(c)].

ENVIRONMENTAL SETTING

The Native American Heritage Commission (NAHC) was contacted to request an examination of their Sacred Lands Files to determine whether the project is located on sacred land. The search was completed and no Sacred Lands files were identified for the vicinity of the proposed project site (NAHC 2017).

SUMMARY OF TRIBAL CONSULTATION

The City of Folsom has received written requests to be notified of projects in which the City is the Lead Agency under CEQA from Wilton Rancheria, United Auburn Indian Community (UAIC), and the Shingle Springs Band of Miwok Indians.

On April 11, 2019, the City sent project notification letters to those three tribes. The letters provided: a brief description of the proposed project and its location, maps, lead agency contact information, and a notification of a 30 day period during which the tribe could request consultation. The 30-day response period concluded on May 12, 2019.

No response was received from Wilton Rancheria within the 30 day period. Therefore, no tribal consultation with Wilton Rancheria was carried out for this project. On April 18, 2019, the Ione Band replied to provide new contact information for future project notices, but did not request consultation on the proposed project; therefore, no consultation with the Ione Band was carried out.

On May 10, 2019, the UAIC replied by email to request consultation, and copies of the technical studies and records search results. They provided suggested mitigation measures for unanticipated discoveries. The City subsequently received a formal letter by mail dated May 1, 2019 with the same request. No information about tribal cultural resources in the project area was provided to the City in either set of correspondence.

In a letter dated May 20, 2019, the City formally initiated consultation with the UAIC and provided a copy of the cultural resources technical study for the project. The City also requested availability of the tribe to participate in a consultation meeting, and stated its intention to adopt mitigation measures for contractor awareness training and unanticipated discovery procedures in the CEQA document. No response to the May 20 letter was received, and as of the release of this CEQA document, no information about tribal cultural resources has been provided to the City by the tribe.

Therefore, in accordance with Public Resources Code Section 21082.3(d)(2), on July 19, 2019, the City concluded consultation and notified the UAIC. Information about potential tribal cultural resources was drawn from the ethnographic record, records search information obtained from the California Historical Resources Information System and California Native American Heritage Commission, and from the cultural resources technical study that was prepared for this project.

ENVIRONMENTAL ANALYSIS

Questions (a) and (b) Affect CRHR resources, significant California Native American Tribe resource: Less-than-significant Impact with Mitigation. A sacred lands file search was conducted by the NAHC, and no sacred lands were identified for the vicinity of the project site. The City of Folsom offered consultation to all registered tribes pursuant to PRC Section 21080.3.1, and engaged in consultation with the UAIC. No information about TCRs in the project area was provided to the City. The consultation process was completed with the UAIC on July 19, 2019; the City of Folsom has therefore met the requirements of AB 52. However, project construction could result in the destruction or degradation of unknown TCRs. This would be a significant impact, and the following mitigation measures are recommended.

Mitigation Measure TCR-1:

The City shall ensure that a Worker Awareness Training Program is developed and delivered to train equipment operators about tribal cultural resources. The program shall be designed to inform workers about: federal and state regulations pertaining to cultural resources and tribal cultural resources; the subsurface indicators of resources that shall require a work stoppage; procedures for notifying the City of any occurrences; and enforcement of penalties and repercussions for non-compliance with the program. Worker training may be provided either in person or as a DVD with a training binder, prepared by a qualified professional archaeologist and reviewed by the City. The United Auburn Indian Community (UAIC) shall be afforded the option of attending the initial training in person or providing a video segment or clip for incorporation into the training video that appeals to the contractor's need to be respectful of tribal cultural resources and tribal participation in implementing unanticipated discovery protocols. All ground-disturbing equipment operators shall be required to receive the training and sign a form that acknowledges receipt of the training. A copy of the form shall be provided to the City as proof of compliance.

Mitigation Measure TCR-2:

If any potential tribal cultural resources, such as unusual amounts of bone or shell, artifacts, or human remains, are encountered during ground disturbing activities, work shall be suspended within 100 feet of the find, and the construction supervisor shall immediately notify the City representative, who shall ensure that a qualified professional archaeologist is retained to investigate the discovery. If the find includes human remains, then the City or its designee shall immediately notify the Sacramento County Coroner and the procedures in Section 7050.5 of the California Health and Safety Code and, if applicable, Section 5097.98 of the Public Resources Code, shall be followed. For resources that have the potential to be associated with Native American culture, the City shall notify any consulting tribes that requested notification of discoveries (treatment of non-tribal cultural resources is addressed under Mitigation Measures CUL-2 and CUL-3). As part of the investigation, the City shall consult to develop, document, and implement appropriate and feasible management recommendations, should potential

impacts to newly discovered tribal cultural resources be found by the City to be significant. Possible management recommendations could include documentation, data recovery, or (if deemed feasible by the City) preservation in place. The contractor shall implement any measures deemed by City staff to be necessary and feasible to avoid, minimize, or mitigate significant effects to the tribal cultural resources.

With implementation of the above mitigation measures, no additional effects to TCRs are expected to occur, and no additional mitigation would be required.

XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

ENVIRONMENTAL SETTING

The project site is fully served by urban levels of all utilities and services. Public utilities provided by the City within the project area include domestic water, wastewater collection, storm water drainage, and solid waste disposal. Private and public utilities other than the City provide electricity, natural gas, telephone, and cable television services. Wastewater treatment and disposal is provided to the City of Folsom by the Sacramento Regional County Sanitation District (Regional San or SRCSD) at the SRCSD's Wastewater Treatment Plant (SRWTP) in Elk Grove. According to the City of Folsom and major utility providers, all utility and service systems are currently adequate to serve the project. (Folsom 2018c, Folsom 2017a, SRCSD 2017, SMUD 2017)

According to the Utility Plan provided by the project applicant, the following utilities are located in the project vicinity:

Utility	Location	Position
Electricity	Scott Street	Overhead
Natural Gas	Sutter Street/Scott Street	Underground
Telecommunications	Scott Street	Underground
Storm Drainage	Sutter Street/Scott Street	Underground
Water (Domestic)	Sutter Street/Scott Street	Underground
Water (Fire Service)	Sutter Street/Scott Street	Underground
Sanitary Sewer	Sutter Street	Underground
Solid Waste/Organic Waste	Sutter Street/Scott Street	n/a

Source: Project Application, as amended, 2019.

As proposed, the project would connect to natural gas, fire service, and electricity from facilities on Scott Street; connections to domestic water and sanitary sewer facilities would be located on Sutter Street. As currently configured, the applicant would extend the existing overhead electrical service from the east side of Scott Street to the project site. The project's trash enclosure would be constructed at the rear of the proposed building with access to Scott Street.

The project applicant would be required to complete storm drainage system improvements as part of the proposed project. Stormwater drainage improvements, including on-site BMPs, would be installed and connected to the City of Folsom stormwater drainage system. No stormwater facilities have been proposed. However, under City requirements, stormwater from developed areas of the site would require collection, treatment, and transmission to a storm drain connection on Sutter Street. Stormwater quality control measures would be designed and constructed in accordance with the July 2018 edition of the Stormwater Quality Design Manual for the Sacramento Region.

Potable and fire supply water within the project area is provided by the City of Folsom. As required by the Urban Water Management Planning Act, (California Water Code, Section 10610 et seq) the City, as a large water purveyor, must prepare and adopt an Urban Water Management Plan (UWMP) every five years, and submit the plan for review by the California Department of Water Resources (DWR). The California Water Code requires that each UWMP assess the reliability of its water sources over a 20-year planning horizon, and report its progress on 20 percent reduction in per-capita urban water consumption by the year 2020, as required in the Water Conservation Act of 2009. A UWMP must also include a comparison of water supply and demand (using forecasts of constrained supplies and future demand under normal, single dry-year, and multiple dry-year conditions).

As set forth in the Draft Program EIR for the City's 2035 General Plan, comparisons of demand and supply as set forth in the City's 2010 UWMP are presented in Tables 19-2 to 19-4 of the DPEIR. The City of Folsom's UWMP additionally evaluated demand and supply at buildout of the 2035 General Plan (see Table 19-5 of the DPEIR). In each case, the evaluation concluded that sufficient water supplies would be available to serve all urban uses within the City's service area under normal, single dry year, and multiple dry year conditions. The City adopted a 2015 UWMP in June 2016. The conclusions of the demand and supply analysis set forth in the 2015 UWMP mirrored those described in the 2010 UWMP and the 2035 General Plan DPEIR. (Folsom 2018c, Folsom 2016)

The City of Folsom employs a design process that includes coordination with potentially affected utilities as part of project development. Identifying and accommodating existing utilities is part of the design process, and utilities are considered when finalizing public project plans. The City of Folsom coordinates with the appropriate utility companies to plan and implement any needed accommodation of existing utilities, including water, sewer, telephone, gas, electricity, and cable television lines.

REGULATORY SETTING

The City of Folsom has adopted ordinances and standard conditions to protect utilities and service systems during the construction and operation of urban development. These requirements are found in the FMC and in the City's Standard Construction Specifications.

ENVIRONMENTAL ANALYSIS

Question (a) Relocate or construct new service system facilities: Less-than-significant

Impact. Implementation of the proposed 603 Sutter Street Commercial Building project would not require the relocation or construction of major new or expanded facilities associated with the provision of utilities. In this context, major new or expanded facilities include those associated with the generation of electricity, the collection, transmission and treatment of wastewater, the acquisition, treatment, or distribution of potable and fire service water, the collection and treatment of storm water, the construction of a new or expanded landfill or other solid waste facilities, or the provision of other public utilities.

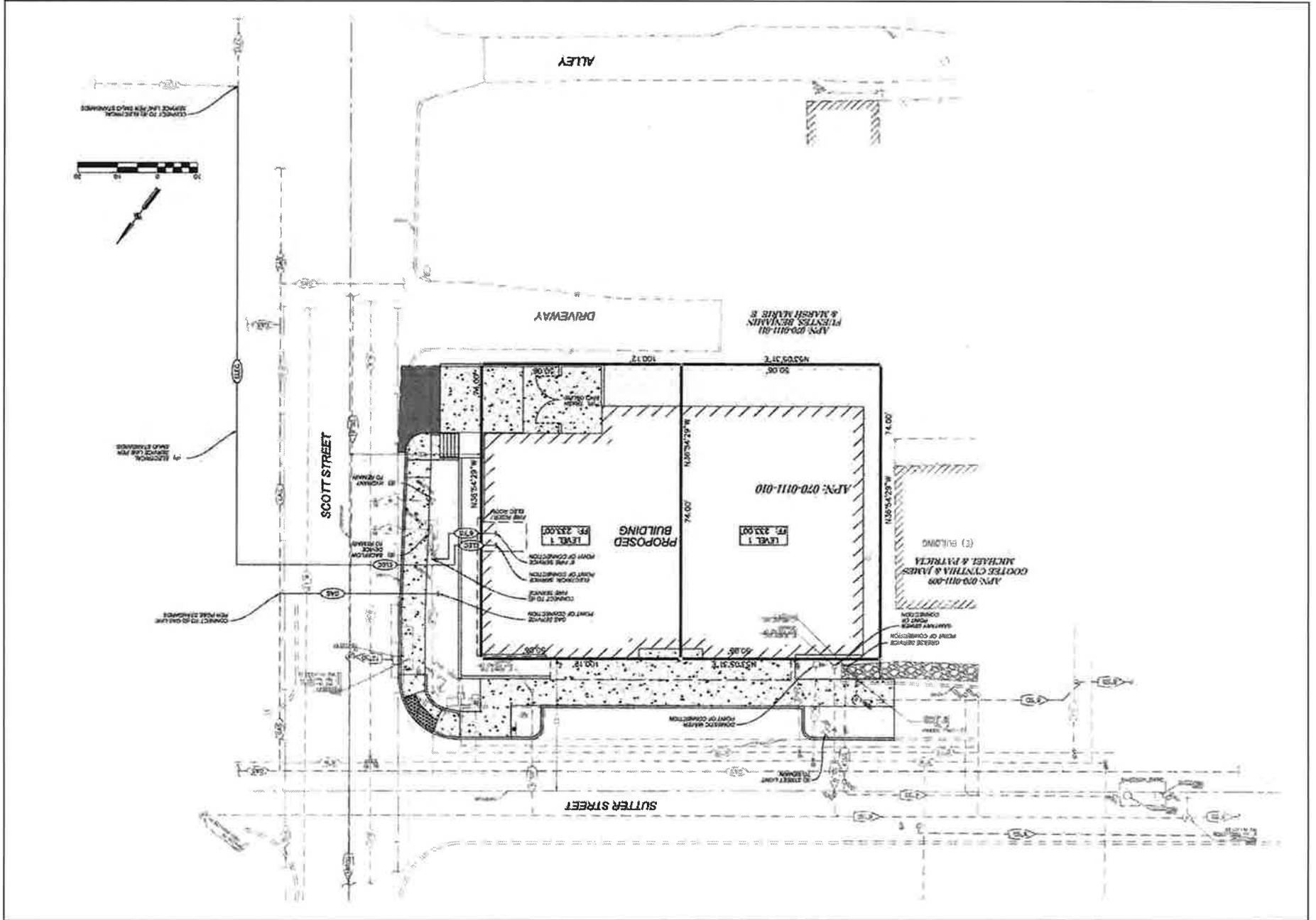
Implementation of the proposed project would require connection to utilities already present in the project area. As set forth in the 603 Sutter Street Commercial Building's utility and drainage plans (Figures 7 and 14), connection to existing utilities would require work within both Sutter and Scott Streets. Trenching associated with utility connection could result in construction period impacts to traffic and emergency vehicle circulation.

The City's Standard Construction Specifications and Details, General Provisions provide explicit requirements regarding traffic flow and public convenience during construction in City streets. Section 7.23 limits the hours and days of the week during which construction may occur. Section 10.05 sets forth a number of requirements to ensure that the public is inconvenienced as little as possible during construction within street, including maintaining routes for motorists, pedestrians, and cyclists, and ensuring continued access to residences and businesses. Section 10.06 specifies requirements for traffic control planning and implementation during the construction period to meet the requirements of Section 10.05, including maintaining access for emergency vehicles and busses. This section also addresses safety concerns regarding open trenches.

The project would be required to comply with the foregoing Standard Construction Specifications related to public safety and traffic control. This may include a detailed traffic plan for lane closures and written notice to residences and businesses along the route of work. Compliance with City of Folsom Standard Construction Specifications would reduce impacts to traffic circulation during the construction period to less-than-significant levels.

Additionally, project activities could interfere with or damage existing in-service or abandoned utilities within the cited roadways. Section 6.05F of the City's Standard Construction Specifications and Details, General Provisions requires that all public facilities adversely affected by project construction be replaced or restored. Similarly, Section 10.08 requires contractors to locate, relocate as necessary, and protect existing utilities. This Section also imposes a duty on contractors to maintain in service all drainage, water, gas, sewer lines, power, lighting, telephone and any other surface or subsurface utility structure that could be affected by construction. Compliance with state and City standards, and standard conditions of approval would ensure that any potential public service impacts would be reduced to less-than-significant levels.

Operation of the project would not be expected to result in changed or increased demands for any urban utilities, including wastewater transmission, treatment and disposal, potable water treatment and distribution, storm drainage, and solid waste disposal. All potential effects would be limited to those that could occur during the construction period as discussed above. Based on the foregoing, there would be no operational effects, and no mitigation would be required.



Question (b) Sufficient water supply: Less-than-significant Impact. As set forth in the DPEIR for the 2035 General Plan and the City's 2015 Urban Water Management Plan, the City would have sufficient water supplies to serve all planned urban development within the City, including the proposed project. (Folsom 2018c, Folsom 2016) This would be a less-than significant impact, and no mitigation would be necessary.

Question (c) Adequate wastewater treatment capacity: Less-than-significant Impact. The proposed project would not require or result in the construction of new wastewater treatment facilities, or the expansion of existing treatment facilities. The City of Folsom has sufficient capacity to accommodate the additional demands for wastewater collection that could result from implementation of the 603 Sutter Street Commercial Building project, and the City is in compliance with statutes and regulations related to wastewater collection and treatment. Information provided by the SRCSD to the City regarding the proposed project does not indicate that any improvements to District collection, treatment, or disposal facilities would be necessary to serve the proposed project (SRCSD 2017). This would be a less-than-significant impact, and no mitigation would be necessary.

Questions (d) and (e) Solid waste management: Less-than-significant Impact. The City of Folsom Solid Waste Division provides solid waste, recycling, and hazardous materials collection services to its residential and business communities. In order to meet the State-mandated 50 percent landfill diversion requirements stipulated under AB 939, the City has instituted several community-based programs, including the recycling of organic waste from restaurants, grocery stores, and multi-family dwellings. Solid waste and organic waste removal services would be provided by the City of Folsom (solid waste) and a private hauler (organic waste). Organic waste would be placed in a separate bin from that used for solid waste. Depending upon the volume of waste generated by the restaurant, commercial, and office uses, trash and organic waste pickup could occur several times per week.

The City offers a door-to-door collection program for household hazardous and electronic waste, curbside recycling, and a neighborhood clean-up program to meet the diversion targets.

After solid waste is sorted and processed for recycling, the remaining solid waste is taken to the Kiefer Landfill. The facility sits on 1,084 acres near the intersection of Kiefer Boulevard and Grant Line Road, and is surrounded by more than 3,000 acres of open space. A Gas-to-Energy Plant opened in 1999, and removes gases from decaying garbage. Gas generated at the landfill powers 8,900 homes in the Sacramento area.

Kiefer Landfill is the primary solid waste disposal facility in Sacramento County, and is operated by the County. It operates seven days a week, and is permitted to accept household waste from the public, businesses, and private waste haulers. The landfill also accepts recyclable material and hard to handle wastes. There is a Special Waste Facility Drop-Off Center on site that accepts common household hazardous waste. The landfill is permitted to receive a maximum of 10,815 tons per day. As of September 12, 2005 it had a remaining capacity of 112,900,000 cubic yards, with an estimated closure date of 2064. (Folsom 2018c)

Both project construction and operation of the proposed project would generate solid waste. Construction of the proposed project would involve site preparation activities that would generate solid waste (i.e., excess excavated soil, building material debris, cardboard, insulation, asphalt,

concrete). Once constructed, the employees and patrons of the retail and office uses would also generate solid waste. Because the City of Folsom complies with applicable federal, state, and local requirements regarding solid waste removal and diversion targets, and the landfill serving the project area has sufficient capacity to accommodate solid waste needs, no modification or expansion of solid waste facilities or operations would be necessary. Impacts to solid waste disposal would be less than significant, and no mitigation would be necessary.

XX. WILDFIRE

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evaluation plan?				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

The City of Folsom Emergency Operations Plan (Folsom 2004) includes a section that addresses wildfires: Threat Assessment 4: Urban/Wildland Fire. This section provides general information regarding potential wildfire situations, outlines our potential impact areas within the City, and describes potential impacts of a wildland/urban fire scenario. The City of Folsom has also prepared and adopted a Community Wildfire Protection Plan in cooperation with the California Department of Parks and Recreation. The plan meets United States Forest Service and Bureau of Land Management standards, and complies with requirements of the Health Forest Restoration Act of 2003. (Folsom 2013)

According to California Fire and Resource Management Program (FRAP), the proposed project area is located in the Moderate High Fire Hazard Severity Zone within the Local Responsibility Area. The threat of wildfire hazard in the project area is determined to be moderate (CalFIRE 2019).

Questions a) through (d): No Impact. The proposed project site is situated in an area with developed commercial and residential uses. It is not located in or near a State Responsibility Area, nor on land that is classified as a very high fire hazard severity zone. No aspect of the proposed project would substantially impair an adopted emergency response plan or emergency evacuation plan such as the Emergency Operations Plan or the Community Wildfire Protection Plan. The threat of wildland fire was determined to be moderate (CalFIRE 2019). Urban levels of fire protection would be provided to the project area. For these reasons, no impact would occur and no mitigation would be required.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Question (a) Degrade quality of the environment: As discussed above, the project has the potential to adversely impact biological resources (nesting birds, tree preservation), undiscovered cultural and paleontological resources, unstable geologic units or soils, greenhouse gas emissions, construction noise, noise associated with blasting activities, transportation (emergency access), and undiscovered tribal cultural resources. With the implementation of mitigation measures identified in this Initial Study (see below), all potential impacts would be reduced to a less-than-significant level. No significant or potentially significant impacts would remain.

Question (b) Cumulatively considerable impacts: The proposed project would accommodate long-term City of Folsom environmental goals to increase employment and encourage compact development patterns, mixed-use design, and infill development, and employment in the proposed project’s area of the City consistent with goals of the City’s General Plan. While the project would indirectly contribute to cumulative impacts associated with increased urban development in the city and region, these impacts have previously been evaluated by the City and considered in development of the City’s General Plan as set forth in this Initial Study. See Page 18 of this Initial Study for a discussion of the cumulative impacts of urban development within the City identified within the 2035 General Plan EIR.

Question (c) Adversely affect human beings: Because of existing regulation and monitoring of many potential environmental impacts, and with the implementation of mitigation measures identified in this report, the project would not have the potential to cause substantial adverse effects on human beings. This would be a less-than-significant impact, and no mitigation would be required.

MITIGATION MEASURES:

Mitigation Measure BIO-1: Avoid nesting season or conduct pre-construction surveys.

Avoid construction or tree removal during the nesting season (usually from March through September). If construction activities will occur during the nesting season and trees on the site have not been removed, no more than 30 days prior to the initiation of construction, pre-construction surveys for the presence of special-status bird species or any nesting bird species shall be conducted by a qualified biologist within a 500 foot radius of the proposed construction area. If active nests are identified in these areas, construction should be delayed until the young have fledged, or the CDFW should be consulted to develop measures to avoid the take of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing, or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site.

Mitigation Measure BIO-2: Comply with Tree Preservation Ordinance.

Prior to the initiation of ground disturbance, the owner/applicant or any successor in interest shall comply with City's Tree Preservation Ordinance by obtaining a Tree Removal Permit and implementing a City-approved Tree Protection and Mitigation Plan. Compensatory mitigation under the Plan shall consist of one of the following mitigation measures:

- On-Site Replacement Planting. Replacement trees shall be planted on the same property as the Protected Tree proposed for removal, subject to review by the Approving Authority. Where the subject property is not able to accommodate the required number of replacement trees on-site, the payment of in-lieu fees shall be required in accordance with Section 12.16.150(B)(2).
 - Replacement Tree Species. Trees planted as replacement trees shall be the same species as those removed or a species that is acceptable to the Approving Authority, with consideration given to species diversity.
- Payment of In-Lieu Fee. Payment of in-lieu fees may be allowed where the subject property is not able to accommodate the required number of replacement trees on-site. The in-lieu fee shall be calculated as a dollar amount for each DSH inch of Protected Tree removed, as adopted by City Council resolution.
- Combination of Planting and Fee Payment. A combination of on-site replacement planting and payment of in-lieu fees may be used where the number of replacement trees cannot be accommodated on-site. The in-lieu payment shall be reduced based on the number of DSH inches of the replacement trees planted onsite.
 - Tree Preservation Credit. Protected Trees, including Native Oaks measuring one inch DSH or greater, may be preserved in order to receive a Tree Preservation Credit (TPC). Credit of one-half inch DSH shall be granted for every inch DSH preserved. However, required mitigation cannot be entirely satisfied using Tree Preservation Credit alone. Even when credit is granted, in no case can mitigation for Protected Tree removal be less than either:
 - The replanting, maintenance and monitoring for 3 years of one 15-gallon tree from a species of similar size at maturity that is listed on the Folsom Master Tree List; or

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- The in-lieu fee equivalent to the replacement of the Protected Tree at one-inch DSH
 - Other Strategies. Other strategies as may be determined appropriate by the Approving Authority and that meet the intent of mitigation for removal of the Protected Tree(s).

Mitigation Measure CUL-1:

Prior to initiation of construction on the project site, all construction personnel that will work on the proposed project site shall be provided with Cultural Sensitivity Training. The training shall include information regarding cultural resources, their recognition, avoidance, and treatment in the event of fortuitous discovery. Project plans shall also contain a notation requiring that if any archaeological, cultural, historical resources, artifacts, or other features are discovered during the course of construction anywhere on the project site, work shall be immediately suspended in that location.

Mitigation Measure CUL-2:

In the event that undiscovered cultural resources are found in the area of direct impact of the proposed project, for example, during foundation and building pad excavation, the responsible field manager shall order discontinuation of all activities on the project site. A qualified archaeologist, the Folsom Historical Society, City staff, and the Heritage Preservation League shall be promptly contacted regarding evaluation of the find. The archaeologist will consult with all interested parties, including Native Americans, and develop a recovery or mitigation plan that shall be implemented by the City of Folsom.

Mitigation Measure CUL-3:

Pursuant to §5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of discovery of human skeletal remains, however fragmentary or disturbed from their original context, the Sacramento County Coroner and the Native American Heritage Commission are to be notified of the discovery immediately. All work in the vicinity of the find is to cease, and there shall be no further excavation or disturbance of the find site or any nearby area reasonably suspected to overlie adjacent remains until the coroner has determined whether the remains are those of a Native American.

If the remains are determined to be those of a Native American, the coroner must contact that California Native American Heritage Commission. CEQA Guidelines (Public Resources Code Section 5097) specify the procedure to be followed in the event of discovery of human remains on non-Federal land. The disposition of Native American burials is within the jurisdiction of the Native American Heritage Commission. Upon request, the NAHC will provide project leaders with a list of Most Likely Descendants, who will specify treatment and disposition of any Native American remains found within the Area of Potential Effects of a project. Human remains and associated grave goods are protected under Section 5097.94 of the California Public Resources Code and Section 7050.5 of the California Health and Safety Code.

Mitigation Measure GEO-1:

Prior to the issuance of a grading permit, a qualified engineering geologist or firm shall revise the Geotechnical Engineering Report dated March 16, 2017 prepared by Youngdahl and Associates to assess the project as currently proposed. The project applicant or any successor in interest shall implement all design and construction measures contained in the revised Geotechnical

Engineering Report. To the extent that the design and construction measures set forth in the revised Geotechnical Engineering Report differ from adopted City standards and requirements, the more stringent of the measures or standards and requirements shall be implemented.

Mitigation Measure GHG-1:

In order to comply with General Plan Program LU-6, the project applicant, or any successor in interest, shall adopt and incorporate green building features included in the CALGreen Tier 1 checklist into the project design. Prior to the issuance of the first building permit, the project applicant shall seek LEED rating and certification that would meet equivalent CALGreen Tier 1 standards or better. All measures required by the Tier 1 standards to meet LEED rating and certification requirements shall be implemented during building construction and operation.

Mitigation Measure GHG-2:

In order to comply with General Plan Program PFS-26, all construction contractors shall use high-performance renewable diesel during construction, such that high-performance renewable diesel would comprise 50 percent of construction equipment diesel usage.

Mitigation Measure NOI-1:

Due to the proximity of sensitive receptors to the project site, the project applicant or any successor in interest shall include the following terms in all construction contracts prepared for project-related construction, and shall provide evidence of the inclusion of these terms to the City of Folsom:

7. Construction Hours/Scheduling: The following are required to limit construction activities to the portion of the day when occupancy of the adjacent sensitive receptors are at the lowest:
 - a. Construction activities for all phases of construction, including servicing of construction equipment shall only be permitted during the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and between 8:00 a.m. to 5:00 p.m. on Saturdays. Construction shall be prohibited on Sundays and on all holidays.
 - b. Delivery of materials or equipment to the site and truck traffic coming to and from the site is restricted to the same construction hours specified above.
8. Construction Equipment Mufflers and Maintenance: All construction equipment powered by internal combustion engines shall be properly muffled and maintained.
9. Idling Prohibitions: All equipment and vehicles shall be turned off when not in use. Unnecessary idling of internal combustion engines is prohibited.
10. Equipment Location and Shielding: All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from adjacent homes. Acoustically shield such equipment when it must be located near adjacent residences.
11. Quiet Equipment Selection: Select quiet equipment, particularly air compressors, whenever possible. Motorized equipment shall be outfitted with proper mufflers in good working order.
12. Staging and Equipment Storage: The equipment storage location shall be sited as far as possible from nearby sensitive receptors.

Mitigation Measure NOI-2:

Controlled blasting activities shall be limited to between the hours of 9:00 a.m. and 4:00 p.m. Monday through Friday. No blasting shall be permitted to occur on Saturday, Sunday or holidays. These hours are so defined because they include a period of time where noise sensitivity is at its lowest.

Mitigation Measure NOI-3:

In areas of controlled blasting, if proposed, the applicant, its successor in interest, or its contractor shall (prior to blasting):

- Provide 30-day and 5-day written notices to all residences, businesses, and utility owners within the zone of influence of the controlled blasting as determined by the City of Folsom.
- Inspect all structures within the zone of influence, no more than two weeks prior to commencement of controlled blasting.
- Proceed in accordance with the Construction Safety Orders of the Division of Industrial Safety of the California Department of Industrial Relations, and Federal Safety Requirements.
- Use best available technology, such as blast mats or other techniques, to minimize noise generated by blasting.
- Require all personnel in the controlled blasting area to wear ear and other appropriate protection during blasting excavation activities.
- Inspect all structures within the zone of influence, no more than two weeks after completion of controlled blasting, to assess any damage.
- The applicant or successor in interest shall be responsible for reimbursing nearby property owners for damages due to blasting.

Mitigation Measure TR-1:

Prior to the initiation of construction, the applicant, any successor in interest, and/or its contractor shall obtain an encroachment permit from the City of Folsom for construction within Sutter and Scott Streets. The applicant, any successor in interest, and/or its contractor shall prepare a Traffic Control Plan that meets the requirements of the City. The TCP shall include all required topics, including: traffic handling during each stage of construction, maintaining emergency service provider access by, if necessary, providing alternate routes, repositioning emergency equipment, or coordinating with nearby service providers for coverage during construction closures, covering trenches during the evenings and weekends, pedestrian safety/access, and bicycle safety/access. A component of the TCP will involve public dissemination of construction-related information through notices to adjacent neighbors, press releases, and/or the use of changeable message signs. The project contractor will be required to notify all affected residences and businesses, post the construction impact schedule, and place articles and/or advertisements in appropriate local newspapers regarding construction impacts and schedules.

Mitigation Measure TCR-1:

The City shall ensure that a Worker Awareness Training Program is developed and delivered to train equipment operators about tribal cultural resources. The program shall be designed to inform workers about: federal and state regulations pertaining to cultural resources and tribal cultural resources; the subsurface indicators of resources that shall require a work stoppage; procedures for notifying the City of any occurrences; and enforcement of penalties and

repercussions for non-compliance with the program. Worker training may be provided either in person or as a DVD with a training binder, prepared by a qualified professional archaeologist and reviewed by the City. The United Auburn Indian Community (UAIC) shall be afforded the option of attending the initial training in person or providing a video segment or clip for incorporation into the training video that appeals to the contractor's need to be respectful of tribal cultural resources and tribal participation in implementing unanticipated discovery protocols. All ground-disturbing equipment operators shall be required to receive the training and sign a form that acknowledges receipt of the training. A copy of the form shall be provided to the City as proof of compliance.

Mitigation Measure TCR-2:

If any potential tribal cultural resources, such as unusual amounts of bone or shell, artifacts, or human remains, are encountered during ground disturbing activities, work shall be suspended within 100 feet of the find, and the construction supervisor shall immediately notify the City representative, who shall ensure that a qualified professional archaeologist is retained to investigate the discovery. If the find includes human remains, then the City or its designee shall immediately notify the Sacramento County Coroner and the procedures in Section 7050.5 of the California Health and Safety Code and, if applicable, Section 5097.98 of the Public Resources Code, shall be followed. For resources that have the potential to be associated with Native American culture, the City shall notify any consulting tribes that requested notification of discoveries (treatment of non-tribal cultural resources is addressed under Mitigation Measures CUL-2 and CUL-3). As part of the investigation, the City shall consult to develop, document, and implement appropriate and feasible management recommendations, should potential impacts to newly discovered tribal cultural resources be found by the City to be significant. Possible management recommendations could include documentation, data recovery, or (if deemed feasible by the City) preservation in place. The contractor shall implement any measures deemed by City staff to be necessary and feasible to avoid, minimize, or mitigate significant effects to the tribal cultural resources.

6. PREPARERS OF THE INITIAL STUDY / NEGATIVE DECLARATION

LEAD AGENCY

City of Folsom
Community Development Department
50 Natoma Street, Folsom, CA 95630

Steven Banks, Principal Planner

ENVIRONMENTAL CONSULTANT

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2934 Gold Pan Court, Suite 3
Rancho Cordova, California 95670
(916) 852-8830

Robert D. Klousner – Project Manager
Raadha Jacobstein – Professional Planner
Mary Wilson – Planner

ECorp (Tribal Cultural Resources)
Lisa Westwood

Kimley Horn (Transportation)
Matt Weir

TECHNICAL REPORTS PROVIDED BY APPLICANT

Arborwell Professional Tree Management
Arborist Report (Tree Survey)

ECorp Consulting, Inc.
Arborist Survey Report

LSA Associates, Inc.
Cultural Resources Report

Williams + Paddon, Architects + Engineers
Photo Simulations

Youngdahl Consulting Group, Inc.
Geotechnical Report

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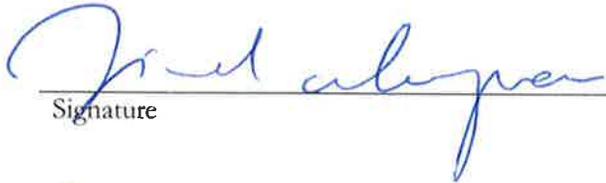
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8. APPLICANT AGREEMENT TO MITIGATION MEASURES

By the signature below, the project applicant agrees to implement and incorporate the Mitigation Measures outlined above as part of the 603 Sutter Street Commercial Building project.

 Signature	<u>8-26-19</u> Date
<u>ZIAD Alaywan</u> Printed Name	<u>8-26-19</u> Title

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ENVIRONMENTAL DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, or (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

The City of Folsom has determined that the subject project, further defined and discussed in the attached Environmental Checklist/Initial Study will not have significant effects on the environment. As a result thereof, the preparation of an Environmental Impact Report pursuant to the California Environmental Quality Act (Division 13 of the Public Resource Code of the State of California) is not required.

The City of Folsom prepared the attached Environmental Checklist/Initial Study on June 10, 2020. Further information, including the project file, supporting reports, and related studies, may be reviewed at the public offices of the Community Development Department, 50 Natoma Street, Folsom, California 95630.

MITIGATION MEASURES: Mitigation measures have been identified for the project.

Signature

Janet Johns

Printed Name

Date

For

6/10/20

City of Folsom

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Attachment 18

Applicant's Variance Statement Letter Dated July 7, 2020

Section 17.62.020

Application for a variance shall be made in writing on a form prescribed by the planning commission and shall be accompanied by a fee as established by resolution of the city council no part of which shall be returnable to the applicant, and by statement, plans and other evidence showing:

- 1. That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to other land, buildings, and/or uses in the district;*
- 2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner;*
- 3. That the granting of such application will not, under the circumstances of the particular case, materially affect the health or safety of persons, residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood. (Ord. 466 Exh. A (part), 1981; Ord. 323 § 29, 1975; prior code § 3123.02)*

Applicant Statement:

Several elements contribute to the unique and unusual circumstances that dictate the height and parking variances requested for the 603 Sutter Street proposed project (“Building”). The following is a statement submitted by the applicant that includes evidence showing why granting height and parking variances are needed and what specifically are the exceptional and extraordinary circumstances relating to those variances:

1. Topography:

1a. Steep Topography: There exists a steep 17 feet elevation change between Sutter and Scott Street at the proposed building site. The project site presents a major obstacle to ensure a careful balance between the historical requirements and the ability for the applicant to be granted substantial property rights. The initial 2017 design submitted for review¹ had a total proposed building height of 57.6 feet along the frontage of Sutter Street with an architectural feature extending an additional 6 feet beyond that. That design also contemplated a 23,486 sq. ft. building with 13 parking spots. The height variance of 57.6 feet allowed for a larger building footprint which was needed to justify the high cost of parking. The steep topography of the site requires special reinforcement with steel structures to ensure the two adjacent buildings and Sutter Street are not structurally affected while digging 20 feet below Sutter Street and 30 feet below Scott Street. An alternative design to the 2017 design was subsequently submitted. The new design reduced

¹ On June 21, 2017. 603 Sutter Street [proposed building was presented to the Folsom Historic District Commission (PN 17-145, 603 Sutter). <https://www.folsom.ca.us/civicax/filebank/blobdload.aspx?blobid=30103>

the building size from 23,486 sq. ft. to 14,811 sq. ft. in addition to reducing the height to 50.6 (by 8.6 feet); however, this reduction in height and square footage also made the project parking cost prohibitive. Additionally, any reduction in height from the proposed 50.6 feet would also negatively impact the substantial property rights. The new design did in fact (1) substantially reduce the size of the building and (2) reduce the height of the building, but still requires a height variance in order to accomplish these objectives and ensure that the final design preserves the historical nature of the proposed building and the substantial property rights of the petitioner.

1b. Height Measurement: Although the proposed building has a height of 50.6 feet from the Sutter Street side, the height from Scott Street is only 45.6 feet and 33.6 feet. The natural elevation difference between Sutter Street and Scott Street is about 17 feet. A reduction of the 50.6 foot height on the Sutter Street side would substantially reduce the height on the Scott Street side to below the 35foot height allowed by code thus undermining the right to use the property, which has been universally understood to be a fundamental attribute of real property ownership. Having a historical building with a height of 35 feet on Sutter and 50 feet on the back alley per code would look historically inappropriate and rather strange. The height measurement from Sutter Street represents the lowest elevation due to the topography, and if used without any consideration, would deny all reasonable beneficial or economic use of the property.

1c. Unique Condition applying to the land: There are no commercial sites on Sutter Street that have a 17-foot elevation change such as the 603 lot within its 7,500 sq. ft. (0.17 Acres or 100 ft. x 75 ft.). Leveling the 603 lot would require the removal of approximately

3,055 cubic yards of dirt. This volume would cover an area of 330,000 sq. ft. which is 44 times the lot size at 3 inches deep. To put this into perspective, this much dirt would cover nearly 5 regulation size soccer fields (110 yards x 70 yards) 3 inches deep. Underground parking would add an additional 20 feet and would result in the removal of a total of approximately 8,611 cubic yards that could cover an area of 930,000 sq. ft., which is 124 times the lot size. This is truly unique and there are no other comparisons on Sutter Street, or any other commercial lots, in the Folsom Historical District.

1d. The Folsom Municipal Code (FMC, Section 17.52.510 C Height)

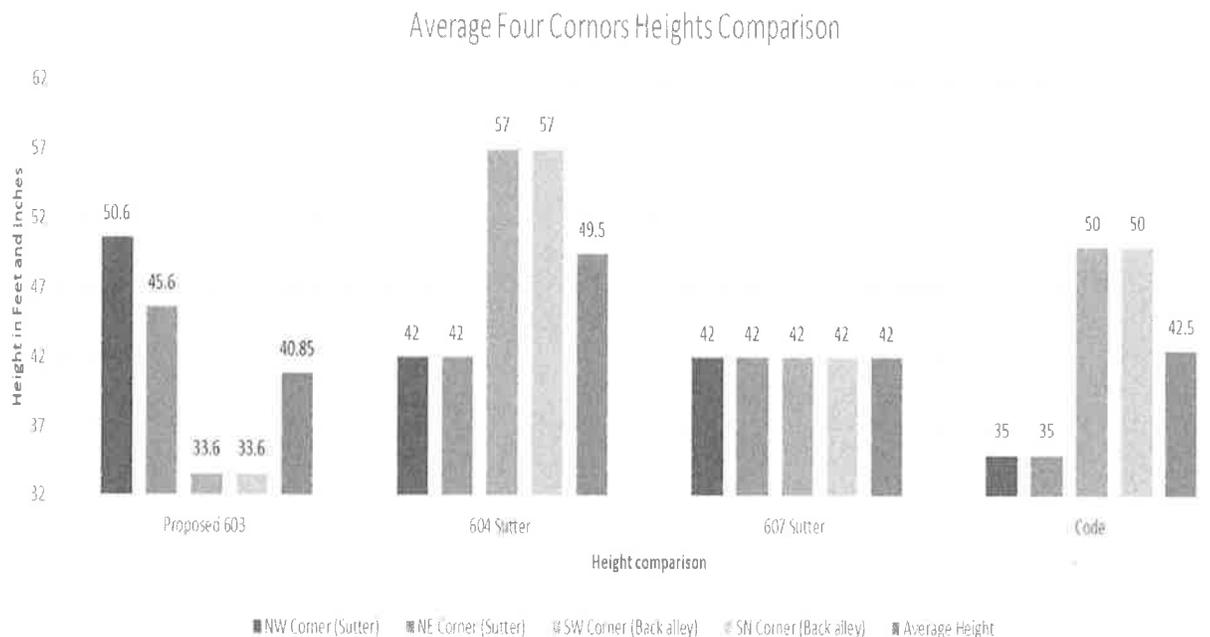
Per code, building heights shall not exceed 35 feet adjacent to the sidewalk area on Sutter or Leidesdorff Street and 50 feet in other sections of the subarea. Towers, spires, or other similar architectural features may extend up to 15 feet above the building height².

As shown on the submitted building elevations, the proposed building is 50 feet, 6-inches tall at the northwest corner on Sutter Street, 45 feet, 6-inches tall at the northeast corner on Sutter and Scott, 33 feet, 6-inches tall at the southwest corner (back alley), and 33 feet, 6-inches tall at the southeast corner (near back alley).

² Section 17.52.50

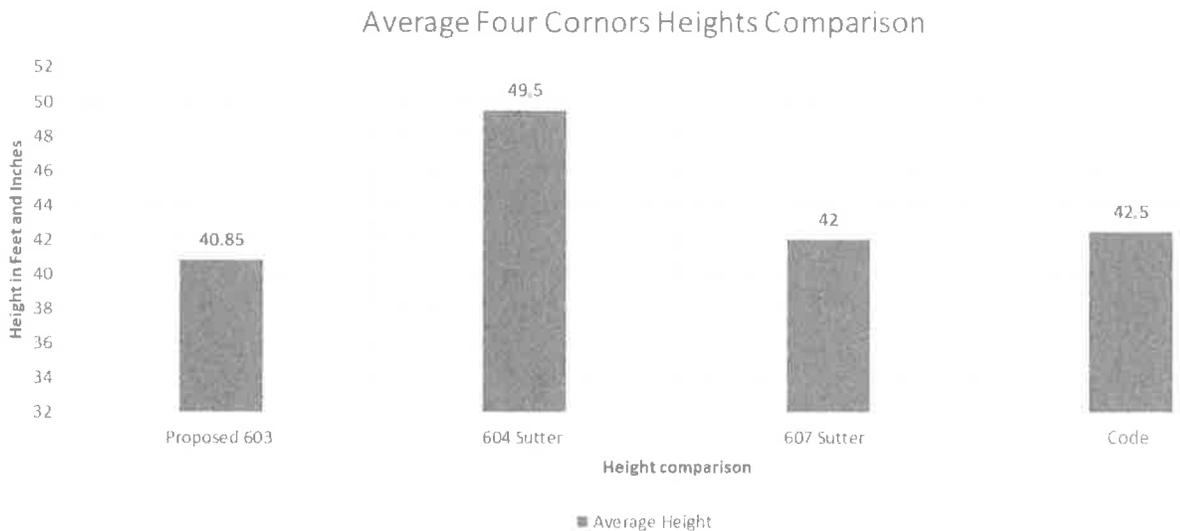
Height in feet	NW Corner (Sutter)	NE Corner (Sutter)	SW Corner (Back alley)	SN Corner (Back alley)	Average Height in feet
Proposed 603	50.6	45.6	33.6	33.6	40.85
604 Sutter	42	42	57	57	49.5
607 Sutter	42	42	42	42	42
Code	35	35	50	50	42.5

As shown above, when considering the heights of all four corners of the 603 Sutter building, and compared to the two and most recent new buildings, 604 and 607 Sutter street, we can clearly see that the average heights of the 603 Sutter Street building is actually lower than either 604 or 607 Sutter Street as compared to the computed averages of all four corners code.



The average of all four corners of 603 Sutter Street:

- a) Are 8 feet lower than 604 Sutter Street It should be noted that prior to the new structure on 604 Sutter Street a relatively flat area with some parking was on the site.
- b) Are 1.15 feet lower than 607 Sutter. It should be noted that prior to the new structure on 607 Sutter, there was an old retail flat structure and relatively small hill in the back of the retail shop.
- c) Are 1.55 feet lower than the calculated average of the four-corner height based on each corner code height.
- d) As shown below, the proposed 603 average four corner heights are in fact lower than 604, 607 and the code.



1e. Impact on the neighbors: The applicant believes that the height variance would not have any impact on the neighbors on Scott Street or the alley of Scott Street since the height of the building

from Scott Street is 33.6 feet along the back alley which is significantly below the “50 feet in other sections of the subarea”. The applicant further believes that the addition of parking would result in excavating 37 feet below the neighboring home on Scott Street and the historic Library building on the Sutter Street side, where both owners are rightfully concerned of such an impact on their properties. The height of the building is consistent with the height of both the 604 and 607 Sutter street building and would “blend-in” well with Sutter Street commercial aspects of the historic district.

To change the height along Sutter Street the applicant would be forced to extend the height along Scott Street resulting in potential impacts to the neighbors, something the applicant has worked hard to respect. It is certainly within the applicant’s right to extend the now 33.6 feet height to 50 feet, however, the applicant would much prefer to ask for a variance along the Sutter Street side as this is not only beneficial to the building aesthetic, but would also take neighbors’ concerns into consideration.

- 2. Substantial property rights:** Not surprisingly every new building on Sutter Street (604, 607, 815, and 905) was granted height and/or parking variances for a variety of reasons. The 604 Sutter Street building, which the applicant is a current longtime tenant of, along with the Steakhouse, includes parking that was partially funded by the City in addition to a requested height variance in order to make the project economically viable. It is suspected that the same was the case for 607 Sutter Street³. These two new buildings adjacent to the proposed 603 Sutter Street building were constructed with three levels, like what is being proposed for 603 Sutter Street. With

³ 8,313-square-foot, 3-story mixed-use building,
<https://www.folsom.ca.us/civicax/filebank/blobdload.aspx?blobid=16130>

the exception of 604 Sutter, none of the new Sutter Street buildings contain any parking and have been granted variances for different and understandable reasons.

3. **Reduce the height variance:** Every effort since 2017 has been made to reduce the building size and therefore reduce the need for a height variance. The objective of the applicant has been to reduce the amount and the degree of requested variances. In fact, and as mentioned before, the original design presented in 2017, included a building with a 576 height and 23,486 Sq. ft. After several years, we were able to reduce the building height to 50.6 feet from Sutter Street and to 32.6 feet from Scott Street. We also reduced the building footprint from 23,486 to 14,811 sq. ft.⁴, resulting in a nearly 13% reduction in height and a more than 25% reduction in building size. Measuring the building height from Sutter Street would result in 50.6 feet from the NW corner and 45.6 feet from NE Corner ', however from the Scott Street SW corner, the height would be 33.6 feet, and from the back, or the SE corner alley, the height would be 33.6 feet from Scott Street. This would be accomplished while maintaining the modest economic viability necessary for the preservation and enjoyment of substantial property rights of the applicant.

The Applicant has worked hard to make sure the building minimally impacts the neighbors:

The 603 Sutter street property is surrounded by commercially zoned properties from all sides. Even the existing residential property on the SW corner is zoned commercial making the residential house non-conforming.

⁴ Excluding the roof.

- a) The applicant has made every effort to reduce possible neighborhood noise ramifications by making the upper two floors office space, not retail space, making the roof top garden area private, and including a courtyard on the first floor routing people off Sutter Street through an enclosed courtyard to the lower level businesses. There will be no noise, public events or evening lights on the rooftop. The only possible events planned for the rooftop are a few private annual parties for the employees of the applicant who will occupy the third floor.
- b) The applicant has also volunteered to ask that their employee occupants of the third level park in the parking structure near the train station. A \$50 per month reimbursement will be paid to incentivize each employee to do so.
- c) The applicant agrees to raise the retaining wall facing the back of Sutter street, so that complete privacy is enjoyed by the neighbors to the south.

4. **Height Variance complies with Folsom District Design Guidelines and precedents:** The proposed building adheres to the District Design and Development Guidelines. the proposed building area is within the Floor Area Ratio or FAR, thus no area variance is needed. The parcel consists of 7,500 sq. ft. land and the usage space of the proposed building area is 14,811 with a FAR ratio less than 2⁵. A reduction in height based on Sutter Street from 50.6 feet to 35 feet will result in:

- (1) Decreasing the building's footprint from 14,811 to 10,153 sq. ft. thus denying the owner of using the District Design and Development Guidelines which allow the Owner to have up to a FAR of 2.

⁵ FAR of 2 is the maximum allowed.

- (2) Reduction in the useable area by 32% from the 2017 design which is quite substantial and below what is allowable under the City's 2035 General Plan.
- (3) Regulatory taking where regulation effectively deprives the property owner of economically reasonable use or value of their property to such an extent that it deprives them of utility or value of that property.

In summary, granting the application a height and parking variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner, is consistent with variances granted to recent buildings on the same street and does not *affect the health or safety* of persons residing or working in the neighborhood of the property, and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood. The applicant further states that in accordance with Section 17.62.040 ⁶, there are indeed special circumstances that exist in terms of unique topography, size and massive dirt and structural improvements that the strict application of the zoning code would deprive the owners of 603 Sutter Street privileges enjoyed by other property owners in the vicinity and under identical zoning classifications.

Prepared by the Applicant

Deborah Alaywan

⁶ Following the public hearing, the planning commission, or within the historic district, the historic district commission, may grant a variance, exclusive of a use variance, when it finds that there exist special circumstances applicable to the property, including size, shape, topography, location or surroundings whereby the strict application of the zoning code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. The commission may apply such conditions as it deems necessary to assure that the adjustment shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated. (Ord. 890 § 3(4), 1998; Ord. 476 Exh. A (part), 1982; prior code § 3123.04).

Attachment 19
Public Comment Letters

August 7, 2017

Honorable Mayor Andy Morin
Distinguished Historic District Commission
Distinguished Folsom City Counsel
City of Folsom
50 Natoma St
Folsom, CA. 95630

RE: PN 17-145, 603 Sutter St
PN 17-144, 512 Sutter St

Dear Honorable Mayor, Distinguished Counsel and Commission Members;

We wish to write to you today to express our deep concerns regarding two new developments being proposed in the downtown Folsom Historic District. The address for these developments are stated above.

Before we begin, we wish to express that as far as we know, at no time was any member of the residential community notified about this project or given a chance to comment prior to the August 2, 2017 meeting.

As you are all aware, we are very lucky in Folsom to have a true California gem. We have an original historic district. You can shop in buildings that have stood for over 100 years. Look at architecture that is symbolic of a long gone era. The Historic District Commission, Folsom Historic Society, City Planners, Counsel Members, and Residents have done a fantastic job retaining that historic appeal. We have lovely outdoor areas, a restored historic round-a-bout, and beautiful buildings. The surrounding residents have put considerable love and money into retaining the historic value and history of the residential area. The historic area is a draw for people who want to relive a by-gone time. They drive from distances to shop, eat, enjoy the farmers market, drive through the historic neighborhood and soak up the charm that can only be found in a historic area. Folsom has an entire modern corridor on Bidwell and will expand with the new South of 50 Project.

Sadly, our quaint historic district is getting consumed by large, modern developments. The historic integrity is getting lost to less expensive modern construction. Large buildings mean more profits for the developers but remove the quaint charm. A prime example is the two developments being proposed at 512 and 603 Sutter. These are large three story buildings that will dwarf the other buildings along Sutter Street. Sutter is only four blocks long, you are going to see two story historic buildings at one end and large three story modern buildings at the other. The other issue is that these buildings are not historic in any way, they do not fit with the look, size or continuity of the Historic District. No doubt that they are beautiful modern building's, but they would be a better fit in the new areas of Folsom.

Another issue is the parking. As you know, Historic Folsom has dealt with parking issues in the past. Drive the intersection of Scott and Figueroa streets on any Friday or Saturday nights and you will see considerable downtown parking on the residential streets. The employees of the steakhouse park in the residential neighborhood because the building lacks sufficient parking. There are more and more buildings being constructed downtown that are allowed little or no parking altogether. 512 and 603 Sutter include a proposal for a variance to lower the required parking spaces or remove them altogether as well. Please let there be no doubt about it, the parking for the 2 new buildings and others in the area will be the residential streets on Sutter, Scott, Figueroa and Mormon Streets. There is no other place for these customers, employees and residents to park! It is very unfair to turn the homes people have lovingly restored into city's parking lot so the developers can maximize square footage and profits.

Naturally, we would prefer to see these developments not take place, but if that is not possible then please consider the following proposals;

- 1) Have the buildings proposed for 512 and 603 Sutter Street reduced in size to blend in with the continuity of the Historic Folsom area.
- 2) Have the buildings designed with historic look, feel and details in keeping with the historic appeal of the surrounding area. The intention of these 2 requests is to keep the quaint historic charm.
- 3) Require the developer to install sufficient parking within their own property so that all of the buildings employees, customers and residences have a place to park that is not in the historic residential area.

In discussing these two projects with other homeowners in the surrounding residential neighborhood the feeling has been overwhelmingly negative. We would greatly appreciate your considering our concerns when making your decisions on these two projects.

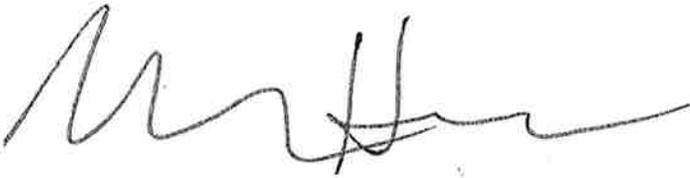
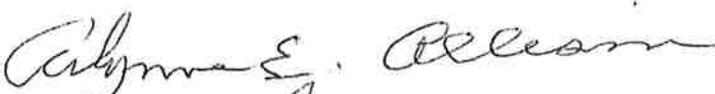
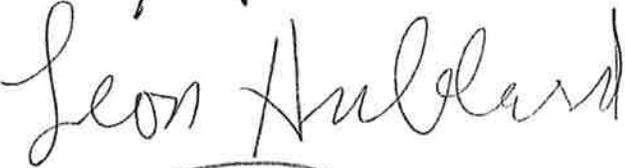
Thank you sincerely for your time and assistance.

Sincerely;



Mike and Shannon Brenkwitz
603 Figueroa St

I am a resident of Folsom and agree with all of the statements as stated within the letter dated August 7, 2017 from Mike and Shannon Brenkwitz.

<u>NAME</u>	<u>ADDRESS</u>
	4607 Scott St
	407 Scott St
Jim A. Green	602 Figueroa St
	602 Figueroa St.
	606 Figueroa St.
	606 Figueroa St.
	610 PEDDLERS LANE
Maria E. Marsh	306 Scott St. Folsom CA
	306 Scott St., Folsom
	606.5 Nerman St Folsom
	408 SCOTT ST FOLSOM
	610 Morner St, Folsom

I am a resident of Folsom and agree with all of the statements as stated within the letter dated August 7, 2017 from Mike and Shannon Brenkwitz.

<u>NAME</u>	<u>ADDRESS</u>
Michelle Perrone	610 Mormon Street
Thomas W. Bilinski	405 SCOTT STREET
Melody Bilinski	405 SCOTT STREET
Inchale Church	610 Figueroa St.
Adeva Blair	607 Figueroa St
Malcolm Lee	406 Scott St.
Jennifer Lane	604 Sibley st.
Ben Fair	305 Scott St Folsom, CA 95630

I am a resident of Folsom and agree with all of the statements as stated within the letter dated August 7, 2017 from Mike and Shannon Brenkwitz.

<u>NAME</u>	<u>ADDRESS</u>
<i>David Frost</i> STEPHANIE LORDEMAN	412 MORMON ST FOLSOM 412 MORMON ST, FOLSOM, CA 95630
<i>Frank Frost</i>	507 FIGUEROA ST.
<i>Mike Belton</i>	501 FIGUEROA ST.
<i>Shannon</i>	503 SUTTER ST
<i>Jenelle Wile</i>	503 Sutter St.
<i>Thomas Moore</i>	506 Mormon St.

Glenn Fait
305 Scott Street
Folsom, CA 95630
(916) 217-1831
glennfait@aol.com

Historic District Commission
City of Folsom
50 Natoma Street
Folsom, CA 95630

Re: 603 Sutter Street Mixed Use Building

Dear Commissioners:

This letter is in opposition to the proposed 603 Sutter Street Mixed Use Building that will be the subject of your meeting on August 5, 2020.

Brief History of the Law that the Commission will be applying

Folsom was the second city in California to provide specific protections for its historic district. This happened in the mid-1960s. The first city to provide such protections was the City of Carmel.

I believe it was in 1994 that the Folsom City Council began work on a Specific Plan for the Historic District. An Advisory Committee was appointed to assist in the development of the plan. The Committee was made up of historic Folsom residents, business owners, commercial property owners, the Historical Society, Chamber of Commerce, Planning Commission, Redevelopment Advisory Committee, Historical Committee (now called the Historic District Commission) and other interested parties. Below is a list of the members of that committee:

Ben Fuentes, Chairman
Historic Residents Association

Grant F. Cloud, Vice-Chairman
Sutter Street Merchants Assoc.

Jeff Ferreira-Pro, Secretary
Citizens Redevelopment Comm.

Ken Cemo
Sutter Street Merchants Assoc.

Glenn Fait
Historical Committee

June Hose
Historical Society

Patrick Maxfield
Planning Commission

Candy Miller
Historical Committee

Regina O'Brien
Historical Society

Mary Otis
Friends of the Power House

Geraldine Price-Radich
Folsom Chamber of Commerce

John Mansell
Folsom Chamber of Commerce

Michael Radich
Citizens Redevelopment Comm.

Lorreta McMasters (Hettinger) of the Planning Department provided the Committee with staff assistance.

Draft Plan included the following paragraph describing the process.

"Preparation of the Historic District Specific Plan was authorized by Resolution N. 3435 of the City Council. It provided for City staff and the Historic Folsom Residents Association to convene a process which would incorporate the needs and desires of all people involved in the historic area into a program to preserve and enhance the rich heritage represented in the 98-block Judah map area. The result was a citizens committee which met twice a month for four years (emphasis added) to create the Plan itself and the databases of the information on all building within the Plan Area.

I include this history because many members of the current Historic District Commission may have been too young to remember this period in Folsom's history.

The Historic Specific Plan was never formally adopted by the City Council.

However, to ensure that many of the provisions of the specific plan would be legally binding on future actions in the historic district the City Council adopted many of its provisions as ordinances. Those provisions are currently contained in Chapter 17.52 of the Folsom City Code.

Those provisions are the law that you will be applying in relation of this application to construct the proposed building at 603 Sutter Street.

The applicant in this case is asking to be exempted from the three most significant provisions that control the construction of new commercial buildings in the Sutter Street Subarea; height, parking and design. The applicant asked the Commission to ignore the most important provisions of this law.

Height

Section 17.52.510 C provides specific height limitation for new construction. It provides *"Building heights shall not exceed 35 feet adjacent to the sidewalk area on Sutter or Leidesdorff Street and 50 feet in other sections of the subarea. Towers, spires, or other similar architectural features may extend up to 15 feet above the building height."*

Applicant admits that its building is over 50.6 feet high, a full 15.6 feet in excess of that allowed by the law. Applicant makes some weird argument that you should take an average of the height of the building at its four corners. While such an average is not provided for in the law, nor does it make any sense, even if you accept this position, they admit that the building would still exceed legal limit by 5.85 feet. It is true that Sutter Street does change elevation from the NW corner of the building to the NE corner. The change in elevation is approximately 5 feet. The appropriate way to measure the height for the purpose of this ordinance is to measure the building at the mid-point of its frontage on Sutter Street. That would be 48.2 feet, or 13.2 feet over the height allowed by the ordinance.

There also appears to be some sort of structure on the roof. The height of this structure is not provided. Section 17.52.510 C provides that Towers, spires, or other similar architectural features may extend up to an additional 15 feet above the building height. The structure pictured in the building elevations on top of the roof is not a tower, spire or other similar architectural feature. This provision was included in the law to allow for towers, and spires that might have been common in

both residential and commercial structures in pre-1900 buildings.

Therefore, the presence of this structure would only increase the violation of the height limitations. Adding the height of the roof top building to the overall height of the building would mean that the building would be in excess of 30 feet over the height provided in the law.

The building is just too high to meet the provisions of 17.52.510 C. That is why the City Planning Department told the applicant that it would have to justify why a variance from that law should be allowed.

Request for Variance from Height Requirements

Section 17.62.010 sets out the intent of variances. It states "*Where practical difficulties, unnecessary hardships or results inconsistent with the purposes and intent of this title may result from strict application of certain area, height, yard and space requirement thereof, variances in such requirement may be granted as provided in this chapter.*"

Under the provisions of section 17.62.020 an applicant is required to attach to any application for a variance "*a statement, plans and other evidence showing*" that it meets all three requirements for approval of a variance. It appears that the applicant did not provide this information with his original application. Once informed of this requirement, applicant attempted to justify the requests for variances. Section 17.62.020 requires the applicant to establish that three requirements be met. I will discuss each of those requirements along with a response to the arguments of applicant.

1. The applicant must establish "*that there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to other land, buildings, and/or uses in the district.*" 17.62.020

Although applicant appears to argue the same position concerning both the height and parking variance, I will discuss them separately.

Applicant first argues that the steep topography of the property provides a justification for the height variance. Applicant does not state why the removal of dirt from the property justifies a height variance, other than to say that it might

effect the property owners "*substantial property right.*" Applicant does not explain why this justifies a higher building. Removal of the dirt will be necessary, whether the proposed building is two or three stories high.

The law also requires that the "*circumstances or conditions* (claimed as justification for the variance) *do not apply generally to other land, buildings or uses in the district.*

The fact is that all of the buildings on Sutter Street have topographical challenges. Sutter Street is on a relatively steep hill. All of the buildings built on the East side of Sutter Street have required major earthmoving prior to construction. The planning department and the Advisory Committee knew the topography of Sutter Street and were familiar with all of the undeveloped lots. The City Council enacted the law with full knowledge of the topography.

The mere fact that a lot of dirt must be removed, in no way justifies a variance from the height requirement and is common to all lots on the east side of Sutter Street. Therefore, applicant does not meet the first requirement for a variance.

2. To be entitled to a variance the applicant must establish that granting of the variance "*is necessary for the preservation and enjoyment of substantial property rights of the petitioner.*"

In this case, applicant has not provided any information or evidence to support the fact that not allowing him to violate the law relating to height will deny him substantial property rights. He merely says it is so. Without specific financial information concerning this project and a similar project that would comply with the height requirement there is no way for people who object to the project or to counter the evidence. Providing such evidence at the time of the hearing would deny the rights of objectors to have the financial information reviewed and countered with other expert testimony.

Applicant has not provided any information or evidence to support the second requirement needed to justify a variance, and therefore the variance should be denied.

3. The third requirement that the applicant must satisfy in order to qualify for a variance relates the possible effect of the project on residents and workers in the neighborhood. Section 17.62.020(3) states that the applicant must establish that

“the granting of such application will not, under the circumstances of the particular case, materially affect the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not under the circumstances of the particular case be materially detrimental to the public welfare or injurious to property or improvement in the neighborhood.”

The project, as proposed, violates the legal height requirements and the additional height would significantly injure property owners and residents in a number of ways.

a. By exceeding the height limitations, the building will inappropriately block the view of surrounding property owners. The home directly adjacent to the project building will have its entire view blocked. Others, including homes on the other side of Scott Street and homes on Peddlers Lane will lose much of the view they currently have. If the building complied with the legally required height limitation, the views of the surrounding property would, to a great extent, remain.

b. The windows on the rear of the building on the third floor will look directly down to the second floor bedroom and backyard swimming pool of the house adjacent to the project. If the building complied with the legal height limitations, the second floor windows in the back would be at about the same level as the first floor of that house.

c. The project proposes a roof-top entertainment area. It is likely that this area will provide another opportunity (in addition to the rear windows) for groups of people to look down into the bedroom and yard of the adjacent house and into private areas of the Cohn Mansion. In addition it can be expected that music, talking, and the general noises made on the roof-top area will more directly affect the surrounding residents and other property owners because it is so much higher than the law allows and will cause the noise to spread further out into the neighborhood. This has been a problem in relation to bars, restaurants and special events for years and has caused ongoing conflict. To put such a space 15 feet

higher than the law allows will surely escalate this conflict

While the applicant has promised that there will be little noise from the second and third floor because they will be used as offices does not satisfy resident's concerns. They promise that the only entertainment will be occasional private annual parties for the employees of the applicant. While this is a nice promise, and I will not challenge its good faith, there is no way to enforce such an amorphous promise after the building is complete. Who will enforce it and how? If the applicant sells the building, it is unlikely that the new owner will even be aware of the promise. It is vary likely that the roof-top will become a favorite entertainment venue with its great views into the private areas of surrounding homes.

Parking

Applicant has requested a parking variance. Folsom Muniapial Code Section 17.52.510 F states: "*Parking. All uses must provide parking spaces at the following ratios: 1. Retail, offices, restaurants, museum, and similar usess: 1 parking space per 350 square feet of other building space:*
...."

As far as I can tell the applicant's only argument to support such a variance is topography. They seem to contend that it could not dig an underground garage because is would take a lot of digging.

This is inconsistent with the previous plans that were submitted that had some on-site parking. (Although not enough to meet the legal requirements) Now the applicant says it cannot provide even the parking it originally proposed.

It is important to note that the parking requirement in section 17.52.510F does not require on-site parking. It just says an applicant must provide 1 space for every 350 square feet. There are a number of ways this could be accomplished.

1. On-site parking.
2. Parking on other property that the applicant acquires or owns.
3. Parking impact fee. There is currently no fund dedicated to developing future parking on Sutter Street, but the creation of such a fund was one of the

recommendations of the recently released Sutter Street Parking Ad hoc Committee Report. If the City creates such a fund, the applicant could then meet its parking requirement by paying into a dedicated fund for building future parking.

Does the Historic District Commission Have the Authority to Grant a Parking Variance?

The law does not provide for variances from substantive requirements like the one to provide adequate parking for a proposed project.

Folsom Municipal Code Section 17.62.010 provides that *“Where practical difficulties, unnecessary hardships or results inconsistent with the purposes and intent of this title may result from the strict application of certain area, height, yard and space requirements (emphasis added) thereof, variances in such requirement may be granted as provided in the chapter.*

The request for a parking variance is not an area, height, yard or space requirement. Therefore, the section allowing variances does not provide jurisdiction for a variance from this kind of specific and substantive building requirement of adequate parking.

Therefore, I would argue that the Historic District Commission lacks the authority under law to grant such a variance.

If the Historic District Commission does assert such authority, it must review the requests based upon the three factors that were discussed above in relation to height.

Is a Parking Variance Permissible under Section 17.62.020?

1. Are there *“exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions that do not apply generally to other land, buildings, and /or uses in the district” that would justify a variance from the parking requirement?*

Again, it appears that applicant cites only the topography and required earth moving to justify such a variance. But applicant’s prior plan did provide for

parking. Every property on the east side of Sutter Street has significant earth moving in order to build a building. I can assure you that the City Council in enacting the parking requirement did not mean to waive that requirement for everyone on one side of Sutter Street. And, as I have mentioned before, the parking requirement in the Code does not require on-site parking. It only requires that in some acceptable way it cover the cost of the additional parking that the project would generate.

Therefore, the request for a parking variance should be denied.

2. Is the parking variance *"necessary for the preservation and enjoyment of substantial property rights of the petitioner. 17.62.020(2)?*

As with the height variance the applicant provided no evidence that he would be denied substantial property rights. He did not provide financial information that would support such an assertion. He seems to be arguing that if he has to pay for the parking that his building will require, his profit from the project will be decreased. A little less profit in order to share the burden of providing required parking cannot be a justification for finding that his substantial property rights would be affected.

One other thing that the Historic District Commission should consider. If the applicant is required to comply with the height requirement the cost of construction would decrease as would the cost of providing needed parking.

3. Will granting a parking variance *"be materially detrimental to the public welfare or injurious to property or improvement in the neighborhood"* 17.62.020(3)?

Granting of a parking variance would be significantly injurious to the neighbors because the employees and customers of the building will have to find somewhere else to park. This will likely result in one or all of the following impacts.

a. Those cars will be parking in the residential area surrounding Sutter Street, thereby denying the residents the ability to park in front of their houses. It

will also make it difficult for guests of residents to find parking near the resident's house.

I would recommend that the Historic District Commission review the draft report of the Historic District Parking Solutions Ad Hoc Committee on Historic District Parking. It provides greater detail concerning the impact on the residential neighborhood of failure to require new projects to pay for parking for their employees and customers.

b. Excusing the applicant from providing the legally required parking would likely cause employees and customers to attempt to park in nearby private parking lots. There are two such lots nearby that will be impacted.

c. If you grant the parking variance, you would be forcing customers and employees in the proposed building to use other public parking lots. As estimated by the Historic District Parking Solution Ad Hoc Committee, there is not enough currently available public parking to accommodate future development, including this proposed development. While it is nice for applicant to promise to pay his employees a bonus to park in the parking garage, such a promise is not enforceable and would be meaningless if there are no more public parking spaces.

Therefore, I believe applicant has failed to meet the third requirement of the provisions of the Code relating to variances. The variance should be denied.

What Reasonable Modifications Should Be Required of Applicant in Order to Improve Compatibility Between the Proposed Building and Adjacent Residences?

Applicant's proposed building is on the boarder of commercial and residential uses. It has a residence immediately to the rear of building and has residences on the other side of Scott Street as well as nearby residents on Trader's

Lane all of which may be negatively affected in a variety of ways by the proposed project.

Section 17.52.510(3)(b) provides *"In assessing compatibility between residential and commercial uses, a residential use located within the subarea (Sutter Street) will be expected to tolerate greater impacts from commercial uses*

that if it were located in a primarily residential area. Commercial and residential uses may each be expected to make reasonable physical or operational modifications to improve compatibility between them (emphasis added).

Following are a number of modifications of the proposed project that are necessary to effectuate a smooth transition between the commercial and residential uses.

1. The height of the building should be reduced below the maximum legal height of 35 feet.

The height requirements provided in Section 17.52.510 are maximum heights, not necessarily appropriate heights. Where the building involved is on the boarder of the commercial and residential uses, the maximum height would not be appropriate. The 35 foot maximum was based upon allowing a two and one half story building. In this case one or, at the most, two stories would provide a smoother transition between the two uses.

2. Applicant should be required to remove the garbage bin enclosure.

Currently, the plans include a garbage bin enclosure immediately next to the driveway of the house behind the building. This location of the garbage bin will cause problems like odors, insects, rodents and unsightly views to many of the residents on Scott Street, Trader's Lane and Figueroa Street. The location of the garbage bin enclosure would also create excessive noise when the garbage is picked up.

Any approval of this plan must include relocating the garbage bin enclosure to Sutter Street.

3. The roof-top entertainment area should be eliminated. Not only will such a roof-top area invade the privacy of surrounding homes, as mentioned above, it is will likely to result in the kind of additional noise that has been vexing residents for years. Removal of such a venue would be a reasonable physical and operational change that would provide a smooth transition between the residential and commercial uses.

Is the Design of Applicant's Building Consistent with the Design Concept Provided in the Law?

Folsom Ordinance Section 17.52.510B sets out the Design Concept for the Sutter Street subarea. It states: *The design concept for this subarea is to preserve existing pre1900 buildings, and require new or replacement structures to be of pre 1900 design, (emphasis added) unless a post-1900 building is unique and/or representative of 1850-1950 architectural styles. The historic district may approve a new construction of post-1900 design on an exception basis, if it finds that the architecture is an outstanding design which represents a structure or use which formerly existed in historic Folsom or which represent a typical design and use extant in similar California towns between 1900 and 1950.*

I would be surprised if applicant's architect was even aware of this law when preparing the plan for the proposed building.

Applicants proposed building does not in any way meet the design criteria as a pre 1900 design for commercial buildings. It does have a roof, floor, walls, doors, and windows, but that is probably the only thing it has in common with a 1900 design for commercial buildings.

The design does not meet the requirements of an exception to the pre-1900 design. It is not of "outstanding design" nor does it represent a typical design for commercial structure between 1900 and 1950.

In addition to not meeting the design standard, the large mass of the building would be inconsistent with the design requirements. This problem with huge mass was addressed well in a prior approval of a building on Sutter Street. The architect, while keeping the building integrated, provided two facades that diminished the perception of hugeness. Both facades were consistent with design concepts provided by the law.

I believe the design of this building is not consistent with the legal standards concerning design and should therefore be rejected. The applicant and its architect should return to the drawing board and bring back a design that meets those standards.

From past experience from serving on the Historic District Commission I believe it is inappropriate for the Commission to try to design the building during a meeting. It should not be difficult for the applicant's architect to redesign the building to meet required standards. It is likely that such a redesign will be required in any case, if the Commission denies the two requested variances.

A Few Words About Precedent

One of the primary arguments asserted by applicant to support his request for height and parking variances and exemption for the design standards is that the Historic District Commission has granted such variances and allowed violations of the design standards to others in the past.

This argument is often powerful because government agencies and officials honestly want to be consistent in how they apply the law. There are a number of good reasons not to allow the past acts of the Historical District Commission to affect this application.

1. Commissions make mistakes. You should never use that as a rationale for making other mistakes. I and my former wife Sharon have served on the Historic District Commission a number of times in the past. We both have agreed that we made mistakes in approving certain buildings. Every time she or I walk by such a building we are reminded of our mistakes. The last thing in the world Sharon and I would want the Historic District Commission to do is use our mistakes to justify future mistakes.

2. As a general rule, decisions of administrative agencies may not be used as precedent in making future decisions, unless they have been designated by the governing body as precedent. Rather than going into a long legal analysis of this point, I ask you to accept it on the basis of my service as Director of the Institute for Administrative Justice at Pacific McGeorge School of Law for over 40 years. I am not aware of a process by which the City or the Historic District Commission can designate precedent decisions.

3. There are a number of factors that may have contributed to the prior questionable decisions of the Historic District Commission that are not present in relation to this application.

a. Many of you were not on the Historic District Commission when the prior decisions were made. So, it was not your decision.

b. There may have been little or no opposition to the prior project.

c. There may have been violations of procedures that are designed to alert those whose interests are at stake and provide them an opportunity to present evidence and argument against the application. This could involve a failure to provide notice to surrounding properties.

This happened in this case during an earlier hearing when the applicant asked the Historic District Commission to workshop the proposal, which the city said was allowed, because a decision was not scheduled to be made at the hearing. The problem is that during such workshops, the applicant is able to adjust its plan in such a way that it is likely the Commissioners will approve the project in a future noticed hearing. In my opinion, such an approach would be a denial of due process to those entitled to special notice.

d. It may be that the Historic District Commission in the past was not aware of its responsibility to apply the law to the application. I am sorry to say, but many Commissions and even the City Council (and the President) have in the past forgotten about the concept of the "rule of law." Instead they think they have absolute discretion in the matter and let feelings, personal relationships, political factors, personal beliefs, and prejudices affect the decision, rather than trying their best to make a decision consistent with the law.

4. Even when judges are bound by past decisions they will come to a different result in the case before them because they are able to distinguish the facts of the current case for the facts of the prior case.

In this case there are a number of factors that support distinguishing this case from past Commission decisions. Here are two:

a. Most of the surrounding buildings are different in Height and mass from the proposed building. While it is true that there is a three story building across Sutter street, there is historic one story library on one side a two story house on the other side and the historic Cohn Mansion on the other side.

b. Applicant's building is on the border of the commercial and residential uses. That was not true of some of the prior buildings that the applicant wants to use as precedent.

These factors distinguish this application from prior applications.

Thank you for considering these comments.

Glenn Fait

Steven Banks

From: rebmngt@aol.com
Sent: Friday, June 19, 2020 8:13 AM
To: Steven Banks
Cc: mjwestcoastcarports@gmail.com; Sarah Aquino; Mike Kozlowski; Kerri Howell; Ernie Sheldon; daronbr@pacbell.net; president@thehfra.org; loretta@shaunv.com; bethjkelly@comcast.net; shanjean1@aol.com; fuentesben@comcast.net; glennfait@aol.com
Subject: PN-17-145, 603 SUTTER ST / 070-0111-010

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Banks,

Next month the mixed use building known as 603 Sutter Street (Z Global) is going up in front of the Commission for review and approval. This request is for Design Review and parking and height variances.

In reviewing the plans I have noticed several areas of real concern for the Historic District Residences in the area.

First; the design does not meet the historic look and appeal of other historic downtown buildings. The Historic Design and Development guidelines set standards for look and design and it does not appear that these were met. Put differently, this design appears modern and does not fit within the design specifications of a historic district. Instead of looking at a historic building from the 1880's, residents will be looking at a modern building from the 2000's. The open staircase and trash area add's a visual and smell problems for the surrounding residents.

Second; The building is too tall. Instead of a nice view of Sutter Street, residents will look at a huge building that will dwarf other structures and residences surrounding it. The side and rear are very unattractive creating an unsightly view for the residents. There is absolutely no reason for a building that big. The Historic Design and Development Guidelines set standards for the height of buildings on Sutter Street, these should be followed.

Third; As you probably know, according to the 2018 parking study, it was concluded that the Sutter Steak House end of Sutter Street was already at 100% parking capacity. Customers and employees on our end of the street do not park in the parking garage and walk 3 blocks but instead opt for parking in front of the residences. Residences have complained about this for years. Without a second parking structure, there will be no other place for the employees and patrons of Z Global to park except the residential neighborhood. This is extremely unfair for the residences who purchased their homes only to see their street turned into a public parking lot. The Historic Residential Neighborhood has enough of a parking problem already. It is Z Global's sole responsibility to provide adequate parking for it's employees and patrons.

Finally; The location of a large building so close to Scott and Sutter Street will present a visual hazard for car's turning at the Scott / Sutter intersection. This will present unsafe driving conditions.

In conclusion, There is absolutely no reason Z Global cannot run a successful business by following the Design and Development guidelines. I respectfully request that the City deny ALL variances and request that the building be developed in accordance with the approved Design and Development Guidelines.

Thank you for your consideration.

Sincerely,

Mike Brenkwitz
603 Figueroa St

Dear Mr. Banks,

6/21/2020

Here are my comments on the proposed mixed-use building at 603 Sutter St. by developer Zglobal, set for review and public comment on July 15, 2020 at 5:00 P.M.

1. Height variance. The current proposal sets the roof line at 47 feet with a visible three-foot parapet wall above that. On the roof there is a structure that is 10 feet above the roof line. From the sidewalk on Sutter Street the building will be 50 feet tall, viewing it from a distance it will be nearly 60 feet tall when the penthouse is in sight. With the current maximum height allowance set at 35 feet this building is way above compliance and nearly twice as tall as my house on the adjoining property. I fully object to the request for a height variance.
2. Parking variance. With no on-sight parking planned, this building will require a parking variance to satisfy its minimum parking requirements. If a variance is granted it will allow all of its parking to occur on the surrounding residential streets, compounding an already overcrowded condition that is at 100% capacity. Currently the neighboring residences have no way of allowing guests to come to private functions such as birthday parties or holiday gatherings without the inconvenience of parking long distances away from their destination. The addition of more on street parking by this project will compound an already impossible situation. I fully object to the request for a parking variance.
3. Insensitive location of the trash enclosure and access ramp. Current design for the east elevation calls for the trash enclosure and access ramp to be next to my driveway. This will expose my property to the smell of restaurant garbage and the industrial noise of trucks dumping the dumpsters. This design factor will immediately cause a devaluation of my property. In addition, the view of the building from across Scott street will present a fully unpleasant view of the garbage ramp and dumpster enclosure, something that should only be present in an alley not at a main intersection of the Historic District.
4. Fire escape stairs. An additional design element of the east elevation shows a fully exposed metal fire escape (stair way) that faces Scott street and my property. This element will contribute to a "back-alley" type view of the fire escapes metal steps and railing, giving this crucial intersection little consideration of how important the architectural viewshed is to the district. No consideration has been made to block this unsightly element with a curtain wall system.
5. Privacy intrusion. The south elevation has eight large windows and a balcony facing the bedrooms of my residence. A complete violation of privacy for my property. At the minimum, all glass on this side of the building should be obscure and the frames fixed and un-openable. A curtain wall should be installed to block the view on to my property from the balcony.

6. Architectural Design. The architectural style of the building is out of context with the surrounding residential neighborhood. The front elevation seems to be an attempt to compliment the building across the street while the other three elevations are completely absent of any enhancing features that blend into the residential neighborhood. This project has the opportunity to become something that will enhance the neighborhood, but this current design greatly misses the mark. A pertinent review of the design guidelines for the historic district would help to give the designer a better perspective on compatibility and an examination of newly built buildings in nearby communities could help the designer understand how new construction can blend into a historic community.

In conclusion I want to mention that the current design plans for 603 Sutter street was presented to a group of over thirty historic Folsom residents about a year ago by Doug Scalzi and was soundly rejected. The overwhelming comment was that the residents wanted this project to comply with the design guidelines and be allowed no variances.

As an experienced past member of the Historic Commission, I recognize when a project is incompatible with the district and I believe that this corner can and must be developed in a cohesive and responsible way. Crucial parking requirements must be met, and a reasonable building height proposed that will not give the appearance of a towering and out of place structure.

Thank you for this opportunity to comment,

Ben Fuentes
306 Scott St.

Steven Banks

From: Bob Delp <bdelp@LIVE.COM>
Sent: Tuesday, June 23, 2020 8:03 AM
To: Steven Banks
Cc: Pam Johns
Subject: 603 Sutter Street - Request for Information

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Steve.

I am reviewing the proposed Initial Study / Mitigated Negative Declaration (IS/MND) dated June 10, 2020 for the proposed development at 603 Sutter Street, and have a some questions/data needs I'm hoping you can provide feedback on to help my review. This information is relevant and necessary for review of the IS/MND, so I am asking that you please expedite your reply or extend the IS/MND review period. I am sending this as communication intended to be between me and the City, and request that you do not voluntarily provide this to the applicant. If the applicant submits a public records act request, or if you otherwise are required or compelled to provide this to the applicant, I would like to be made aware of that communication. My preference is that you either email or provide a link to the City's website for the documents requested below; however, if I need to schedule to come to the City offices this week to review or obtain copies, I will do that.

1. By way of this email, I am requesting that the City extend the period of time for review and comment on the IS/MND to provide time to review relevant project information, including that requested in this message, that was not circulated with the IS/MND. Furthermore, I am also requesting that the City postpone the noticed July 15, 2020 hearing before the Historic District Commission on this matter. Even if the City does not extend the period of time to comment on the IS/MND, it is not reasonable to expect that staff can meaningfully review and address public comments on the proposed IS/MND, develop a staff report and recommendations to the HDC, and circulate that staff report for a reasonable amount of time for public review in advance of the HDC hearing, all within a 15-day period that includes the 4th of July holiday.

2. Please either email me or send a link to the City website where I can obtain the full project application, including a completed Development Application form and Design Review form and any other application materials for the currently proposed project. In particular, but not limited to, I am interested in seeing the applicant's explanation of the two requested variances as required by zoning ordinance code 17.62.020.

3. The IS/MND cites the following documents. Please email these to me or let me know where I can obtain them.

- Arborwell, 2017. Tree Inventory Letter Report, 512 and 603 Sutter Street, Folsom, California. March 21, 2017.
- ECORP Consulting, Inc., 2019. Arborist Survey Report, Z Global – 603 Sutter Street, Folsom, CA. March 12, 2019
- Youngdahl Consulting Group, Inc., 2017. Geotechnical Engineering Study for Sutter Street (603), 603 Sutter Street, Folsom, California. March 2017.
- LSA Associates, Inc., 2017. Cultural Resources Study, 510 Sutter Street and 605 Sutter Street Properties, City of Folsom, Sacramento County, California. March 2017. (Understanding that confidential elements of site records/information may be redacted.)

- Historic District Access Study, Technical Memorandum #1, Kimley-Horn and Associates, Inc., September 20, 2018.
- Technical Memorandum #1 – Implementation Plan Update, Historic District Parking Implementation Plan Update, Kimley-Horn and Associates, Inc., October 18, 2018.

4. The IS/MND references zoning code 17.52.510, Sutter street subarea special use and design standards, item D which states, "D. Setbacks. Contiguous shops on Sutter Street frontage shall maintain continuity of facades along public sidewalk." It's not clear how the City interprets that in terms of applicability to the project. I do not see specific setbacks for the Sutter Street subarea (just item D which doesn't seem applicable or at least isn't discussed with context in the IS/MND); however, there are two codes for the historic district in general, not specific to sub area, that appear to require a 3ft minimum setback from property lines for all eaves/overhangs. I don't see these discussed in the IS/MND and my understanding of the project is that it would construct buildings on (or actually across) the parcel boundary, which would require a variance from these code requirements. I would like to know if the City has advised the applicant of the need for these additional variances and/or what the City's intent is for addressing these requirements in your application review process?

*17.52.410 Eaves. **Roof overhangs** may extend into a required setback area a maximum of 2 feet, **but shall not be closer than 3 feet to a property line** or closer than 6 feet to any portion of another structure. (Ord. 890 § 2 (part), 1998)*

*17.52.420 Architectural features. Fireplaces, bay windows, **attached porches and decks and patios higher than 30 inches above grade**, may extend into a required setback area a maximum of 2 feet, **but shall not be closer than 3 feet to a property line** or closer than 6 feet to any portion of another structure. The combined length of all such features shall not account for more than 25 percent of the length of the wall surface on which the features are located. (Ord. 890 § 2 (part), 1998)*

5. I may have missed it, but the total height of the proposed structure and rooftop features is not clearly discussed in the IS/MND and is not indicated on the application drawings. Can you direct me to where in the IS/MND or application materials I can find specific discussion of the maximum height of the requested structure and any rooftop elements?

6. The full purpose of the Encroachment Permit for the project is unclear in the IS/MND. In most instances, the IS/MND appears to discuss that the Encroachment Permit is to allow for construction activities within City street rights-of-way. However, the IS/MND also discusses that an Encroachment Permit is needed for development and use of the structure within the public right of way. That suggests to me that at least two Encroachment Permits are needed - a temporary permit for construction in public rights-of-way and a second permit for the permanent placement and use of structures. Also, would the City not require that the applicant obtain an Easement (or fee title) of City-owned rights-of-way, and not just an Encroachment Permit, for the permanent placement and use of structures? Any clarification you can provide on this would be helpful - perhaps the application materials will provide additional information, but I would also like to know City staff's position on this. Related to the setback requirements above, permanent building within public rights-of-way would indicate a negative setback (i.e., crossing the property line) that would seem to indicate a need for a variance (see note 4, above).

7. In reviewing the State Clearinghouse CEQAnet database, it looks like the City has not filed an NOC with SCH for the IS/MND. I assume that means the City has decided to distribute the MND directly to relevant state agencies for review. Can you confirm that and, in particular, can you let me know when and to whom at State Parks you sent the MND to? I would also like to know if the City has solicited review and input from State

Parks on this project, and how the City has addressed, or intends to address, the Folsom Lake SRA/Powerhouse SHP RMP goals/guidelines listed on page 33 of the IS/MND for visibility of the project from areas within State Parks jurisdiction. (The IS/MND doesn't appear to fully consider views of the project from the Powerhouse SHP, but I'm hopeful that the City understands the importance of coordinating with State Parks when approving development visible from the SHP.)

8. Has a tree removal permit been issued for the project property? It appears that several trees on the property have recently been cut (branches removed as well as some completely felled) and I would like to know when this was authorized and whether those trees were or were not accounted for the IS/MND tree inventory. (The tree inventory map in the IS/MND is a draft, and expect that a final version will be provided in the ECORP 2017 document requested above, but would like to know whether the City has authorized tree removal in advance of a decision on the development request.)

Thank you,

Bob Delp
916-812-8122
bdelp@live.com

**HERITAGE PRESERVATION LEAGUE OF FOLSOM
PROJECT APPLICATION REVIEW**

June 24, 2020

HPL does not have regular meetings during the COVID-19 Pandemic. The HPL Board has discussed the proposed project by email and phone.

PROJECT: 603 Sutter Street Commercial Building in the Sutter Street Sub-Area of the Historic District (File: 17-145)

REQUEST: Design Review, Parking Variance, Height Variance and Encroachment Permit for a mixed-use commercial building with retail/restaurant use on the first floor and office space on the second and third floors.

PROJECT

HISTORY: Original application Circulated by City on May18, 2017 (feedback requested by June 2). The current application including an Initial Study was circulated by the City on June 11, 2020.

BACKGROUND

HPL provided review comments regarding the original application (named Historic Sutter Mixed-Use Building) on June 14, 2017. In the current application package (dated March 19, 2019), the building design has been revised and a garage level is no longer included. However, the proposed size and height of the visible part of the building structure remains similar to the original proposal.

GENERAL STATEMENT

The applicant has described the project as follows: *...the proposed building would appear similar to other commercial projects recently developed on the 600-block of Sutter Street and elsewhere within the Historic District.* This statement appears to refer to the commercial building at 607 Sutter Street (former location of ‘Fire and Rain’). In 2016 a 3-story building with an area of 9,174 square feet and a front façade of 50 feet was approved at this address. The façade design also resembles the proposed design for Sutter Street Commercial Building. However, the proposed 14,822 square foot building in the current application will be substantially larger.

PROJECT REVIEW

SITE PLAN

The project site has an elevation difference of 18 feet (from the northwest corner along Sutter Street up to the southeast corner along Scott Street). The first floor is proposed to be built into the rear hillside and will therefore mainly be visible from Sutter Street. Based on the sloped lot configuration, a structure on this property could have a stepped foundation with a higher finished floor elevation close to Scott Street.

As proposed, the commercial building has a 95-foot wide frontage along Sutter Street and a 64-foot frontage along Scott Street. In addition, a recessed walkway and retaining wall (with a height up to 15 feet) extend 6-feet into the adjacent public right-of-way areas. As a result of this encroachment, the landscape area along Scott Street has been limited to 7 feet and the sidewalk along Sutter Street has been reduced from the standard 9 feet to 7 feet.

HPL Recommendations

- Consider a foundation design that steps up along Sutter Street with the existing grade.
- Eliminate the recessed walkway that encroaches into the Sutter Street and Scott Street public right-of-way areas.

BUILDING DESIGN

As a general impression, the building design for the first two floors appears to be compatible with the design theme for Sutter Street. However, HPL has not found any evidence that the large windows and heavy top cornice proposed along the third floor were used in Folsom (or the Sacramento Area) before year 1900. The building façade facing Sutter Street has the width of two Theodore Judah lots and is therefore also larger than most buildings in the Subarea. This is especially evident since the historic building to the west at 605 Sutter Street (Folsom's first library) is only one story high.

Together with the project entitlements, a variance from the 35 foot height requirements along Sutter Street has been requested. The proposed building height along Sutter Street ranges from 54-46 feet and the height along Scott Street ranges from 46-35 feet. A 3.5 foot high raised parapet provides a barrier around the roof deck and an elevator lobby extends 9 feet above the top of the parapets. A 525 square foot canopy cover has also been proposed next to the elevator/staircase shaft. The structures on the roof deck have been set back from Sutter Street and Scott Street but could be visible from the higher elevations of the surrounding streets (southeast and northeast of the project site).

The 2,585 square-foot roof deck can be accessed from an elevator and two stair cases. Building tenants and potentially also the general public will have access to this area. It is possible that larger events could be planned on the roof deck in the future. Twenty feet of the deck area is open to the residential development to the south. Because noise is already a problem for homeowners in this area, a large roof deck does not appear to be appropriate.

The façade along Scott Street is less developed. An open staircase and a large trash enclosure suggest that this is the rear side of the building.

HPL Recommendations

- Reduce the building height to an average of 35-feet along both Sutter Street and Scott Street.
- Design the building façade along Sutter Street with two separate themes to resemble two buildings on standard Theodore Judah lots (as recommended in the Historic Commercial Design Criteria). Each façade segment could have a different height.

- Eliminate the proposed public gathering area and canopy cover from the roof. As a part of this change the elevator shaft no longer needs to extend to the roof and the raised parapets can be lowered.
- Enclose the staircase along the east building façade.

PARKING VARIANCE

The Site Plan shows a parking pocket along Sutter Street with room for 4 parallel cars. The same area will need to be shared by delivery trucks. No street parking will be available along Scott Street. This suggests that the project will not only increase the need for parking in the vicinity but also remove some of the currently existing street parking.

The existing lack of parking in the Sutter Street Subarea has negatively impacted the surrounding residential areas. If the proposed 14,811 square foot building with a restaurant, retail spaces and offices is developed without additional parking this problem will be intensified. The building will also add a 665 square foot outdoor seating area next to the first floor restaurant and a 2,585 roof deck designated for public use.

Based on zoning code for the Historic District, parking only has to be provided for indoor spaces. The applicant is requesting a variance from the current requirement to provide 43 parking spaces (one parking space per 350 square feet). The limited amount of public parking located in the general vicinity of the project site will not be able to accommodate this demand.

HPL Recommendations

- Before a parking variance can be approved for the property at 603 Sutter Street, the applicant should work with the City to develop an additional public parking facility at the east end of the Sutter Street Subarea.
- The City may also want to consider if the current parking requirements for the Sutter Street Subarea should be modified.

CULTURAL RESOURCES

Based on the age of development along Sutter Street and Scott Street, it is likely that historic objects will be uncovered during the excavation of the building site. These items could provide information about the early history of Folsom.

HPL's Recommendation:

- An archeologist or environmental consultant should be present at the project site during excavation down to bedrock.

Cindy Pharis
713 Figueroa St
Folsom, CA 95630

June 26, 2020

City of Folsom
Historic District Commission
50 Natoma Street
Folsom, CA 95630

RE: Notice of Public Hearing, Historic District Commission, PN-17-145, 603 Sutter Street Mixed Use Building

Dear Commissioners,

I am writing to you today in objection to the proposed project for development known as 603 Sutter Street, located at the southwest corner of the intersection of Sutter Street and Scott Street. The proposed project includes a request for approval of Design Review, a Parking Variance, and a Height Variance for development of a three-story, 18,965 square-foot mixed-use (retail and office) building on a .17 acre site.

The proposed mixed-use building will include retail/restaurant uses on the first floor and office uses on the second and third floor and a 2,585 square foot roof deck. The roof deck would be accessible to building tenants, although according to the Project Initial Study and Mitigated Negative Declaration the general public potentially could attend private events in this area.

My objections/concerns regarding the project are as follows:

1. **Parking Variance: No onsite parking would be provided for this project.** The retail and restaurant space on the first floor will require employee and patron parking. ZGlobal currently employs approximately 50 employees, these employees will occupy the office space on the second and third floors of this building and no onsite parking will be provided for their employees.

According to Folsom Municipal Code, "All uses must provide parking spaces at the following ratios; 1. Retail, offices, restaurants, museums, and similar uses; 1 parking space per 350 square feet of building space. "

603 Sutter Street PN-17-145

According to a recent parking survey (Kimley Horn, October 2018) there will be a deficit of 522 parking spaces as the Historic District approaches build out. And, the Historic District Parking Solutions Ad Hoc Committee's Recommendations Report (May 8, 2020), confirmed that businesses require parking for employees and patrons throughout the day and night. The limited availability of parking spaces near business locations (specifically in the 600-700 blocks) is putting greater demand on existing spaces and pushing business patron and employee parking out into residential areas. There is a definite lack of high-demand parking availability for historic district residents and visitors; therefore, approval of a Parking Variance for this project would be irresponsible and completely against Folsom Municipal Code.

2. Height Variance: According to Folsom Municipal Code, *"Building heights shall not exceed 35 feet adjacent to the sidewalk area on Sutter or Leidesdorff Street and 50 feet in other sections of the subarea"*. As proposed, the building height for this project would be a maximum of 50 feet 6 inches from the ground to the roof parapet. This building far exceeds the height limit specified in Folsom Municipal Code; therefore, approval of a height variance for this project should be denied.
 - Building features associated with the elevator and air conditioning equipment would be mounted on the roof **in excess of the height of 50' 6"**. The Preliminary Utility Plan, A-211 Exterior Elevations clearly shows an additional roof structure above the 50' 6" parapet. Please clarify the purpose of this additional roof structure which sits far above the parapet and indicate height elevation details for this roof structure.
3. Encroachment Permit: As proposed, the project includes developed uses associated with the building in the public right of way. These uses include outdoor seating and a second floor balcony on the Sutter Street frontage, and a concrete walkway, stairs and a trash enclosure access ramp on the Scott Street frontage. My concerns regarding this encroachment permit are as follows:
 - The outdoor seating and second floor balcony (as well as roof top deck) will undoubtedly create additional noise and nuisance for residences living within close proximity of this project.
 - Due to the close proximity of this project to residences, the trash enclosure and trash enclosure access ramp is not aesthetically pleasing for residents and visitors, especially for the neighboring property (APN: 070-0111-011). Additionally, there will be added noise and smell from the trash receptacles.
4. Setbacks: According to Folsom Municipal Code, *"Contiguous shops on Sutter Street frontage shall maintain continuity of facades along public sidewalk."* This project does not follow the "continuity of facades" with the neighboring building to the

603 Sutter Street PN-17-145

West (A-19 Street View Renderings). The distance from the westerly building façade to the nearest structure, a small single story commercial building, would be approximately 9 feet. The proposed materials, features, size, scale and proportion do not match the existing historic neighboring building (APN: 070-0111-009).

I do not object to growth in the historic district; however, new construction projects that do not fit the size and scale of the existing historic buildings will forever change the landscape of the historic district. Buildings that do not enhance the historic district or provide adequate parking will take away from the historic charm and ambiance of this rare and cherished piece of Folsom's history. Please don't forget the purpose of the Historic District Commission "to *ensure the protection of the historic and cultural character of the City's Historic District*". I respectfully ask that you vote "no" on the requests for variances and the design review for this project.

Sincerely,



Cindy Pharis

Folsom Historic District Resident

June 29, 2019

Steven Banks
City of Folsom Planning Department
50 Natoma Street
Folsom, CA 95630
Via email to: sbanks@folsom.ca.us

Subject: 603 Sutter Street Commercial Building Mitigated Negative Declaration Comments

Dear Mr. Banks:

This letter provides comments on the May 10, 2020, Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the proposed 603 Sutter Street development project. I have previously requested an extension of time to comment due to the City's inability to provide a complete project application for review concurrent with review of the IS/MND. My comments here are not expressed with support or opposition to development of 603 Sutter Street, and are intended to solely focus on the adequacy of the IS/MND and the City's compliance with the California Environmental Quality Act (CEQA).

In summary:

1. The project description in the IS/MND is insufficient in defining important components of the project, including those that must be clearly defined for a proper CEQA analysis and full disclosure as required by CEQA;
2. The IS/MND is fundamentally flawed in its attempt to tier from the General Plan Environmental Impact Report (EIR) and the City must revise its approach for project CEQA compliance;
3. The IS/MND fails to fully evaluate and address potential visual and lighting impacts of the project, including effects on views of historic resources and views from historic properties;
4. The IS/MND cultural resources evaluation is based on a report that inaccurately reports the project site as 510 and 605 Sutter Street and full review of potential impacts on cultural resources is impossible until the report inaccuracies are addressed; and
5. The IS/MND fails to fully evaluate and disclose impacts associated with noise and vibration impacts, and mitigation measures for significant impacts are not evaluated sufficiently to provide evidence that they would reduce significant impacts to less than significant levels.

1. The project description in the IS/MND is insufficient in defining important components of the project, including those that must be clearly defined for a proper CEQA analysis.

Page 1. The IS/MND states, "*The proposed project evaluated in this Initial Study is consistent with the policies and requirements of the City of Folsom General Plan (2035 General Plan) and Chapter 17.52 of the Folsom Municipal Code (FMC), both of which have been subject to the preparation and certification of Environmental Impact Reports (EIR) consistent with California Environmental Quality Act (CEQA) requirements. ... Section 21083.3 of the California Public Resources Code permits CEQA environmental documents prepared for proposed projects that are consistent with all relevant planning and zoning designations and policies to be focused on*

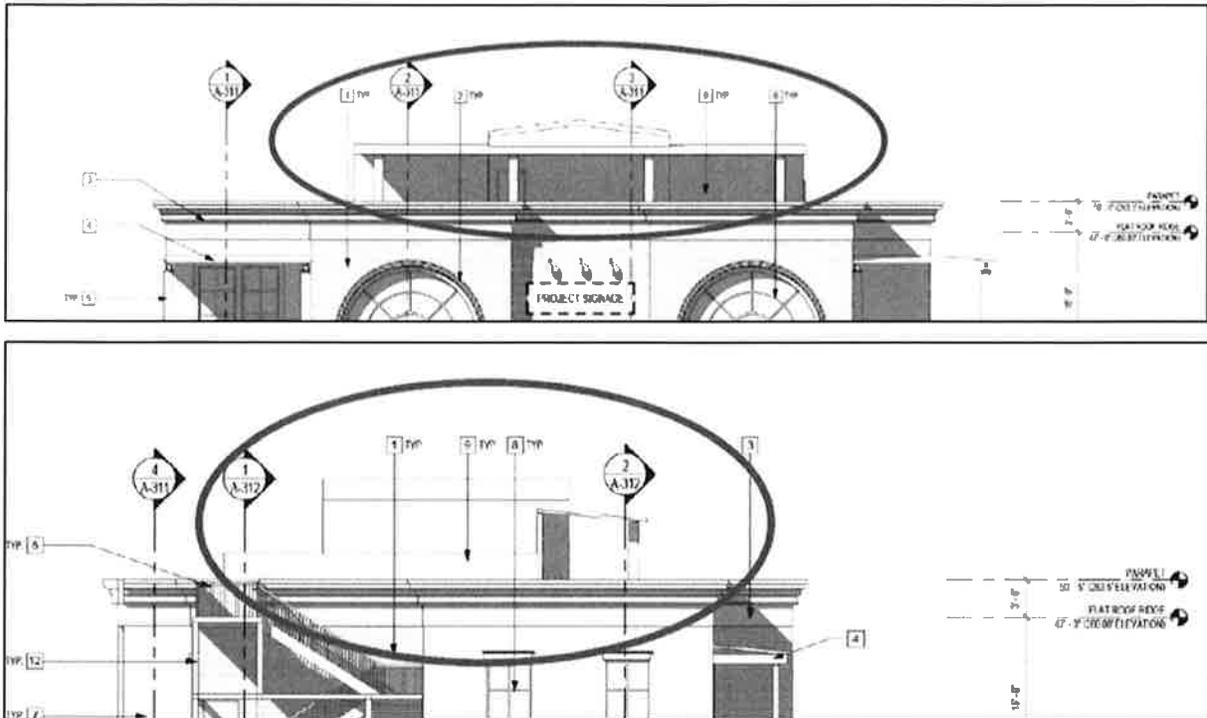
Page 1 of 9

the environmental effects that are peculiar to the project or to the parcel on which the project would be located, and that were not previously evaluated in an applicable General Plan EIR. The project assessed in this Initial Study meets these statutory requirements for focused review.” Yet, the proposed project is NOT consistent with the General Plan and zoning and that is the reason why the applicant is requesting two variances from the City zoning code. The IS/MND must be revised to remove such inaccurate statements.

The project would exceed the 2.0 maximum floor area ratio (FAR) permitted by the zoning code. Therefore, the project requires an additional variance for the FAR exceedance and the FAR exceedance must be recognized in the analysis as new information that affects the severity of impacts of development under the City of Folsom General Plan and as evaluated in the General Plan EIR. The IS/MND fails to specifically disclose that the FAR exceeds the 2.0 requirement. Per information in IS/MND Table 2, both with and without the proposed roof deck, the calculated FAR is greater than 2.0. In fact, with the roof deck included, the FAR of the project exceeds 2.5. The City’s CEQA document must evaluate and disclose the change in impacts as compared to those in the GP EIR from which the IS/MND is tiering.

The IS/MND fails to disclose the total height of the proposed project structure. The IS/MND discusses that the building height would be a maximum of 50 feet, 6 inches, but also discusses that “building features” associated with the elevator and air conditioning equipment would be mounted on the roof in excess of this height – although no discussion of the actual height of these “features” is provided. The applicant’s drawings illustrate features well above the labeled 50’6” rooftop, but the drawings do not identify the height of these features (see Exhibit 1). The height of all project elements, not simply the height of the building rooftop, are critical for understanding the project’s visual, lighting, and noise impacts, and without this information, the IS/MND project description and analysis of the project are insufficient.

Exhibit 1. Excerpts of IS/MND Figure 5



2. The IS/MND is fundamentally flawed in its attempt to tier from the General Plan Environmental Impact Report (EIR) and the City must revise its approach for project CEQA compliance.

The IS/MND attempts to tier from the General Plan EIR, but the tiering approach attempted in the IS/MND is fundamentally flawed. First, when tiering from a previously certified EIR an EIR must be prepared for the “later project” (in this case, the proposed 603 Sutter Street project).¹ The City has not prepared an EIR for the 603 Sutter Street project and instead has only prepared an IS/MND.

Second, tiering from a previously prepared EIR is suitable only when the later project “is consistent with the applicable...zoning.”² The proposed project is not consistent with the

¹ CEQA section 21068.5, Tiering or Tier: “Tiering” or “tier” means the coverage of general matters and environmental effects in an environmental impact report prepared for a policy, plan, program or ordinance followed by narrower or site-specific environmental impact reports which incorporate by reference the discussion in any prior environmental impact report and which concentrate on the environmental effects which (a) are capable of being mitigated, or (b) were not analyzed as significant effects on the environment in the prior environmental impact report.

² CEQA section 21094: “Later Projects; Tiered Environmental Impact Reports; Initial Study; Use of Prior Reports”
(b) This section applies only to a later project that the lead agency determines is all of the following:
(1) Consistent with the program, plan, policy, or ordinance for which an environmental impact report has been prepared and certified.
(2) Consistent with applicable local land use plans and zoning of the city, county, or city and county in which the later project would be located.
(3) Not subject to Section 21166.

applicable zoning, which is the very reason why the project applicant is requesting variances for the project.

Finally, although the IS/MND discusses the General Plan EIR and summarizes impacts identified in the General Plan EIR, the IS/MND fails to evaluate whether the project variations from the land use and zoning assumptions in the General Plan EIR would result in new impacts or increase the severity of significant and unavoidable impacts identified in the General Plan EIR. Part 4 of the IS/MND discusses the General Plan EIR and provides a summary of the General Plan EIR impacts. However, Part 5 of the IS/MND, including the discussion of approach at “Purpose and Legal Basis for the Initial Study” and the “Initial Study Environmental Checklist” sections (IS/MND pg. 22), discuss the methodology for the IS/MND analysis and completely ignore the tiering concept.

Because the proposed project is inconsistent with applicable zoning code requirements – including but not limited to height, FAR, setbacks – the project would create the potential to result in new impacts and increase the severity of significant impacts identified in the General Plan EIR. The key aspect of tiering from a previously prepared CEQA document is to evaluate whether impacts of the later project would have the potential to cause new impact or increase the severity of impacts identified in the prior EIR, yet, the IS/MND fails to do this comprehensively. Although the IS/MND attempts to evaluate certain environmental effects of the project, no comparison of those project-specific impacts to impacts identified in the General Plan EIR is attempted and no discussion of the applicability and efficacy of General Plan EIR mitigation is provided. This failure is a fundamental flaw in the CEQA approach to the project and must be remedied in a revised CEQA document.

Significant impacts identified in the General Plan EIR that could be worsened as a result of the project elements that are inconsistent with zoning and are not sufficiently evaluated or disclosed in comparison to the General Plan EIR include the following:

Aesthetics and Visual Resources – General Plan significant and unavoidable impact: *Adverse effects on a scenic vista or substantial degradation of scenic character, damage to scenic resources within a scenic corridor, creation of a new source of light or glare.* The proposed project would exceed the height limitation of the applicable zoning and thus would result in a larger building with greater visibility than the 35-foot height-limited structures considered in the General Plan EIR. The additional height and mass of the building would increase the effects of the change in visual character of the area and would result in greater visibility and increases in offsite areas from which the structure would be visible. Furthermore, the increased height would result in lighting at higher elevations than lighting considered in the General Plan EIR. Although the IS/MND discusses visual and lighting impacts of the proposed project (see comments on the adequacy of the analysis later in this letter), the IS/MND provides no discussion of the degree to which the project would increase the severity of impacts identified in the General Plan EIR.

Cultural Resources - General Plan significant and unavoidable impact: *Cause a substantial adverse change in the significance of a historical resource.* The proposed project would exceed the height limitation of the applicable zoning and thus would result in a larger building with greater visibility than the 35-foot height-limited structures

(c) For purposes of compliance with this section, an initial study shall be prepared to assist the lead agency in making the determinations required by this section. The initial study shall analyze whether the later project may cause significant effects on the environment that were not examined in the prior environmental impact report.

considered in the General Plan EIR. The additional height and mass of the building would increase the effects of the change in visual character of the area and would result in greater visibility and increases in offsite areas, including the Historic District and historic properties, from which the structure would be visible and within the viewsheds of which the project would be visible. Although the IS/MND discusses cultural resources impacts of the proposed project (see comments on the adequacy of the analysis later in this letter), the IS/MND provides no discussion of the degree to which the project would increase the severity of impacts identified in the General Plan EIR. Furthermore, as discussed in the IS/MND, potential blasting associated with project construction would have the potential to adversely impact structures in the area, including historic structures, and the IS/MND does not discuss this potential impact or describe how this potential impact relates to impact identified in the General Plan EIR.

Noise - General Plan significant and unavoidable impact: *Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies; or a substantial permanent increase in ambient noise levels in the project vicinity above levels without the project.* The proposed project would exceed the height limitation of the applicable zoning and thus would result in a greater potential for noise impacts to surrounding areas since the line-of-sight from noise-generating activities (indoor and outdoor/rooftop uses) and equipment (including air conditioning and elevator operation) that would result in noise generation sources on the rooftop of the building at elevations higher than would have been considered in the General Plan EIR. Although the IS/MND discusses noise impacts of the proposed project (see comments on the adequacy of the analysis later in this letter), the IS/MND provides no discussion of the degree to which the project would increase the severity of impacts identified in the General Plan EIR.

Cumulative Impacts *associated with Aesthetics and Visual Resources, Air Resources, Biological Resources, Cultural Resources, Noise and Vibration, and Transportation and Circulation.* The proposed project would exceed the height limitation of the applicable zoning and thus would result in greater potential for cumulative impacts as compared to the General Plan EIR cumulative impacts analysis. The IS/MND provides no discussion of the potential for the proposed project to increase the severity of cumulative impacts as compared to those evaluated in the General Plan EIR.

3. The IS/MND fails to fully evaluate and address potential visual and lighting impacts of the project, including effects on views of historic resources and views from historic resources.

The project would have a significant impact on the visual quality of views within the Historic District and from areas within the Folsom Lake State Recreation Area (SRA), including historic properties, and these impacts are not properly evaluated or disclosed in the IS/MND. The IS/MND (pg. 25) discusses that “*views from the project site include views of nearby residential and commercial uses, motorists on surrounding roadways, and, more distantly, Lake Natoma, the Folsom Lake State Recreation Area (FLSRA), and the Folsom Powerhouse State Historic Park.*” As an initial matter, views from the project site are not at issue for the CEQA analysis, as it is views of the project site and of the proposed structure that are relevant to the impact analysis. Even if views from the project site were used to determine those offsite areas from which the project would be visible, this approach would be flawed in that it would not encompass areas that could be viewed from the 50-foot-plus height of the building and rooftop structures. The project building structure would be visible from important areas not disclosed in the IS/MND. These include historical resources, including Folsom’s historic Rainbow Bridge,

the American River Bike Trail in Folsom Lake SRA on the north side of Lake Natoma, the bluffs west of Negro Bar in Folsom Lake SRA overlooking Lake Natoma and Folsom's Historic District. Each of these sensitive viewpoints would have a direct line of sight to the upper portions of the proposed building and rooftop structures, and the mass and visible exterior components of the project would have the potential to result in significant aesthetic/visual impacts that must be evaluated and disclosed.

By way of example and substantial evidence that the project could have a significant visual impact, Exhibit 2 illustrates the potential structure visibility from Folsom's iconic and historic Rainbow Bridge. The proposed structure would be visible from the Rainbow Bridge (and from areas within the Folsom Lake SRA) as a structural feature in an otherwise predominantly vegetated/natural viewshed. The structure would extend above the tree canopy and above the horizon creating the potential for a significant adverse visual impact and that would occur from and include views of historical resources. Lighting on the structure, especially in consideration of the excessive height of the structure and the height at which lighting would be placed, would also have the potential to result in significant visual impacts associated with lighting. These impacts must be fully evaluated and disclosed in the City's CEQA document. Because the IS/MND fails to account for visual impacts to these resources, the analysis must be revised to account for and fully evaluate and disclose these impacts.

Exhibit 2. Views from Historic Rainbow Bridge



Furthermore, the IS/MND (page 38) states, *“For the closest residential neighbors, the building would represent an intrusion into the immediate-range viewshed. However, the building as proposed would be consistent with the commercial uses planned for the project site by the City’s Zoning Code (FMC Section 17.52.510).”* This statement is inaccurate and fails to account for the fact that the project is, in fact, not consistent with the site zoning. Inaccurate and misleading statements in the analysis are both disappointing to see in a City document and result in a failure of the IS/MND to adequately disclose project impacts.

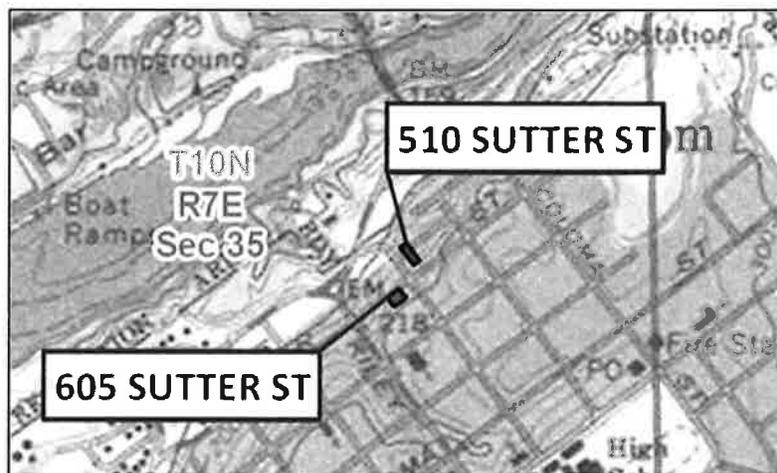
The IS/MND incorrectly concludes that CEQA Section 21099 exempts the project from visual impact analysis. Section 21099 discusses that aesthetic impacts of certain projects in a transit priority areas shall not be considered significant. However, Section 21099(d)(2)(B) states “for the purposes of this subdivision, aesthetic impacts do not include impacts on historical or cultural resources.” That statement in the CEQA statute means that when a project in a transit priority area would have visual/lighting impacts on historical/cultural resources, the project is not exempt from aesthetic impact evaluation or from a potential determination of significance. The project would be visible from several historical resources and is located within Folsom's Historic

District. Thus, the project is not exempt from aesthetic impact analysis, and the City must revise the CEQA document to fully disclose the aesthetic impacts of the project and determine whether the impact(s) would be significant.

4. The IS/MND cultural resources evaluation is based on a report that inaccurately reports the project site as 510 and 605 Sutter Street and full review of potential impacts on cultural resources is impossible until the report inaccuracies are addressed.

The IS/MND cultural resources evaluation is flawed and insufficient. The information presented and analysis is based on the “Cultural Resources Study - 510 Sutter Street and 605 Sutter Street Properties” (LSA, 2017), neither of which properties is the project site (603 Sutter Street). Exhibit 3 is an excerpt of the cultural resources study showing the properties considered to be the “project site” in that report. Yet, the IS/MND states that the cultural resources report was prepared for the project site. Several aspects of the cultural resources’ evaluation are therefore subject to inaccuracy, including site records that were based on areas within 200 feet “of the project site”. The cultural resources study and the City’s CEQA analyses must be corrected to properly reference and evaluate the actual project site. The project would substantially modify Folsom’s Historic District in a manner inconsistent with the site zoning and in a manner that would create the potential to adversely affect the Historic District and specific historical resources. The cultural resources study (LSA 2017) references several historic properties in the vicinity of the project site. This comment letter does not address specific potential impact issues associated with these properties as it would be premature to do so until such time as an accurate cultural resources study is prepared for the project and the CEQA document is updated to address this error.

Exhibit 3. “Project Site” as Evaluated in LSA 2017



5. The IS/MND fails to fully evaluate and disclose impacts associated with noise and vibration impacts, and mitigation measures for significant impacts are not evaluated sufficiently to provide evidence that they would reduce significant impacts to less than significant levels.

The IS/MND (pg. 94) concludes that construction noise impacts would be significant. Mitigation Measure NOI-1 contains several measures that would serve to reduce noise levels; however, no analysis is presented to show that Mitigation Measure NOI-1 would sufficiently reduce construction noise to less than significant. In the absence of such analysis and evidence

that the impact would be sufficiently reduced, the analysis must conclude that the impact would remain significant. A significant and unavoidable impact requires the preparation of an EIR.

The IS/MND (page 95) discusses offsite traffic noise as measured from Riley Street, and states “increases in traffic as a result of the project would be minor, and substantially less than a double of traffic volumes at any location.” This is a naked conclusion with no explanation of the relevance or areas that would be affected by project-related off-site traffic noise. The project would generate vehicle trips and would increase noise levels associated with vehicle trips; however, the analysis in the IS/MND is insufficient to conclude whether or not the increase in vehicle noise would be significant.

The IS/MND (page 95) states that “*Operation of the proposed 603 Sutter Street Commercial Building project would result in several intermittent sources of noise one of which would be subject to the requirements of the City’s Noise Ordinance (FMC Chapter 8.42): noise from trash pickup; and noise created by activities on the rooftop deck.*” The IS/MND (pg. 96) discusses that noise from trash collection is exempt from the City Noise Ordinance. An exemption from the City noise ordinance does not avoid, reduce, or mitigate the noise impact, it simply means the noise level would not be deemed a violation of City ordinance. Thus, the CEQA noise impact still must be disclosed and, in fact, must acknowledge that, notwithstanding the impact, the adjacent landowner may have no means to address the impact through the City noise ordinance. Furthermore, although the IS/MND states that the project would result in “several intermittent sources of noise” (as cited above), the IS/MND only identifies two such sources. All intermittent noise sources must be identified and the potential impacts of each, and in combination with each other, must be evaluated.

Furthermore, the IS/MND (page 96) discusses that noise from use of the building rooftop would be screened by rooftop elements including air conditioning units and the elevator. Both of these “screening” elements are themselves noise-generating and would have the potential to result in significant noise impacts on adjacent land uses. The CEQA document must identify and evaluate all sources of exterior noise, predict noise levels at adjacent land uses, and identify whether those impacts would be significant and warrant mitigation.

The IS/MND (pg. 96) discusses that the project could result in groundborne vibration from blasting during construction and that such blasting vibration can cause damage to buildings. The analysis identifies that impacts associated with blasting are considered significant, but fails to provide any prediction of actual predicted vibration levels associated with blasting. No discussion of the distance from the site potential vibration impacts might be anticipated and no analysis of the susceptibility to damage from blasting vibration of area structures (many of which are historical) is provided. Mitigation Measure NOI-3 requires notifications and inspections of structures within the blasting “zone of influence,” yet no zone of influence is identified in the IS/MND, so the requirements of the mitigation measure are not sufficiently defined.

Furthermore, Mitigation Measure NOI-3 requires that “*the applicant or successor in interest be responsible for reimbursing nearby property owners for damages due to blasting.*” In the absence of identifying the potential zone of influence for structural damage, NOI-3 is insufficient in that it does not clearly establish where notifications and structural evaluations are required. Furthermore, without an understanding of the potential zone of influence, it is impossible to understand how many and to what extent structures might be damaged by blasting. The feasibility of the applicant to reimburse for damages therefore cannot be, or at least has not been, established. Finally, the project is within an area with historic structures including the adjacent Cohn House and adjacent historic library building. Damage to historic structures cannot necessarily simply be repaired or remedied through reimbursement. The IS/MND must be

revised to provide a complete quantitative analysis of potential blasting impacts, identify actual structures that could be affected, and provide feasible mitigation to address such impacts.

Sincerely,

A handwritten signature in black ink, appearing to be 'Bob Delp', with a long horizontal flourish extending to the right.

Bob Delp
612 Mormon Street
Folsom, CA 95630
bdelp@live.com

Date: June 29, 2020

To: Historic District Commission Members and City Staff:

We're writing in advance of your July 15th meeting, where we're told you'll be considering a proposal to develop the property located at 603 Sutter St. While others may object to the somewhat contemporary style of the building and/or other aspects of this development, we have chosen to keep our comments focused and narrow. As you contemplate how to proceed, please keep the following thoughts/concerns in mind:

1. The proposed building is HUGE in mass and scope, dwarfing adjacent residential properties to the south and the west, as well as the Cohn mansion to the east. Since this building is proposed to be built on the last open commercial lot on the south side of Sutter Street near Scott, it seems to us that it should be more appropriately sized to reflect a transitional bridge between commercial buildings and the residential neighborhood. Instead, the MASS of the building dominates rather than transitions. This domination is enhanced by the building's location on the up-slope side of Sutter as opposed to other large commercial buildings located on the down-slope side of the same Sutter Street hill -- those are sunk into the hillside, rather than perched atop it.

2. The developer has indicated a desire to construct a 3-story building so he can rent the ground floor space to food and/or service uses, ***not*** to house his own offices. Why? Well, we suspect he wants to collect more money from more people renting space from him. Nothing wrong with that, except when it causes a conflict with the City's code for height. We're pretty comfortable stating there would be NO height variance being sought if the proposed building was 2 stories rather than 3.

If we understand the City's Design and Development Guidelines correctly, the maximum height for a commercial building in the Historic District is 50 feet from ground level. As proposed, this building is just over 50 feet to the top of the parapet wall, so it's slightly more than the City allows already. In addition, rooftop screening walls that cover HVAC and other mechanical equipment will add even more height to the building, putting it much higher than the City code.

3. The developer is requesting a variance for parking -- ***he doesn't want to provide any at all.*** His rationale, from documents he submitted, is that someone at sometime in 2017 reportedly said they'd rather have him eliminate the underground parking his first proposal contained in exchange for lowering the height of the building.

We've spoken with multiple people who attended the meeting where he says this remark was made, and none of them have any recollection of it.

As a matter of fact, during a meeting with the developer just last year, I (John Shaw) personally told him that such a comment was incomprehensible to me and to the people I know who are involved in Historic District events/activities. John noted that **no one he knows of who lives in the Historic District would make such a suggestion**, especially when the parking situation in the Historic District is on life support and desperately in need of new spaces.

In any event, if taking suggestions from anyone is the criteria this developer prefers to use for developing this parcel, then we've got a couple of additional suggestions for him. We're sure other people do as well.

As you know, the City's current parking code is 1 space for every 350 square feet of proposed development. Depending upon whatever number of square feet you use for this finished development, it should provide more than 50 parking spaces.

Our question is simple -- if he doesn't provide that parking, where will the building employees/customers park?

The City has already acknowledged there is a parking shortage in the Historic District today. As a matter of fact, it recently formed an Ad Hoc Committee to explore this very issue and provide the City with a list of recommendations on how to resolve it. We're pretty sure one of those recommendations wasn't to build a new project in the Historic District that requires 50+ spaces, but not provide them.

Therefore, we respectfully request that you deny the two variances (for height and for parking).

Instead, we encourage you to work with this developer to re-submit plans for a more-appropriately scaled down version of this project -- one that better transitions to the surrounding residential buildings, one that provides for on-site (or nearby) adequate parking, and one that stays within the City's height requirement.

Because individual members of the public cannot easily personally attend the HDC meeting on July 15th, because there is not a way to participate thru video conferencing, and because the only easily accessible way to participate directly in the meeting is via the telephone, we have secured the approval of more than 60 Historic District residents/property owners to co-sign this letter. Their names and addresses are below.....

Thank you for taking the time to wade thru this lengthy e-mail.

Respectfully,

John Shaw, 216 Sutter Street
Becky Shaw, 216 Sutter Street

Co-Signers

Jeff Voll, 502 Mormon Street; **Rosa Vais**, 414 Figueroa Street; **Pat Binley**, 1209 Sutter Street; **Mitch Wright**; 607 Mormon Street; **Irv Dickson**, 221 Dean Way; **Dave Clarke**, 506 Canal Street; **Michael Poncin**, 915 Sutter Street, #20; **Kevin Thompson**, 414 Mormon Street; **Kale Elledge**, 402 Sutter Street; **Kelli Gianettoni**, 508 Sutter Street; **Brian Bennett**, 310 Sutter Street; **Ramey Hart**, 411 Figueroa Street; **Noelle Moss**, 415 Figueroa Street; **Jeff Ferreira-Pro**, 808 Figueroa Street; **Allison Caruso**, 307 Bridge Street; **Tony Cox**, 514 Mormon; **Deino Trotta**, 402 Figueroa Street; **Mike Scarr**, 516 Figueroa & 507 Figueroa & 902 Figueroa Street; **Dean Handy**, 1376 Young Wo Circle; **Justin Gilhuly**, 509 Mormon Street; **Nancy Oldham**, 1348 Young Wo Circle; **Jim Gannon**, 407 Scott Street; **Mike Beltram**, 501 Figueroa Street; **Ben Fuentes**, 306 Scott Street; **Evelyn Bigelyaizen**, 306 Coloma Street; **Jennifer Sorenson**, 1216 Forrest; **Sylvia Clarke**, 506 Canal Street; **Robin Pharis**, 713 Figueroa Street; **Raymond Vassallo**, 1110 Fong Ct.; **Mike Reynolds**, 413 Leidesdorff Street; **Charlie Green**, 601 Figueroa; **Adena Blair**, 607 Figueroa Street; **Marie E. Marsh**, 306 Scott Street; **Margaret Weaver**, 301 Figueroa Street; **Sabrina Flynn**, 208 Bridge Street; **Janice Brial**, 1203 Sutter Street; **Todd Dambly**, 605 Mormon Street; **Tom Picarella**, 416 Sutter Street; **Ryan Moss**, 415 Figueroa Street; **Glenna Cox**, 514 Mormon Street; **Elaine Ferreira-Pro**, 808 Figueroa Street; **Jobekah Trotta**, 402 Figueroa Street; **Stephanie Gilhuly**, 509 Mormon Street; **Meggie Elledge**, 402 Sutter Street; **Dayna Palmer**, 414 Mormon Street; **Phil Carey**, 306 Coloma Street; **Dori Keast**, 808 Mormon Street; **Mary Rigney**, 1372 Young Wo Circle; **Olivia Huber**, 606 Figueroa Street; **Christopher DelGrande**, 307 Bridge Street; **Cheryl Gonzales**, 413 Leidesdorff Street; **Irene Green**, 601 Figueroa Street; **Rhonda Gannon**, 407 Scott Street; **JoAnn M. Handy**, 1376 Young Wo Circle; **Michael Flynn**, 208 Bridge Street; **Bruce Magnani**, 415 Leidesdorff Street; **Lisa Scarr**, 516 Figueroa & 507 Figueroa & 902 Figueroa Street; **Mike Huber**, 606 Figueroa Street; **Bonnie Darah**, 607 Mormon Street; **Frances Beltram**, 501 Figueroa Street; **Helen Bennett**, 310 Sutter Street; **Dan Winkelman**, 1374 Young Wo Circle; **Terry Sorenson**, 1216 Forrest; **Joyce Roderick**, 1213 Sutter Street; **Dave Ochoa**, 513 Figueroa; **Michelle Church**, 609 Figueroa; **Arlynnne Alison**, 610 Peddlers Lane.

July 15, 2020

Historic District Commission
City of Folsom
50 Natoma Street
Folsom, CA 95630
via email to: kmullett@folsom.ca.us

Subject: July 15, 2020 Citizen Communication to Historic District Commission regarding 603 Sutter Street

THE FOLLOWING IS PROVIDED TO BE READ INTO THE RECORD DURING THE “CITIZEN COMMUNICATION” PORTION OF THE JULY 15, 2020 HISTORIC DISTRICT COMMISSION MEETING

Historic District Commissioners:

My name is Bob Delp and I live at 612 Mormon Street in Folsom’s Historic District. My comments to the Commission tonight are to urge you and City staff to require that a complete application be prepared and submitted for 603 Sutter Street by the project proponent prior to any further City action on that project. I am also asking that the City strictly follow the project review, public notice, agency outreach, and environmental review processes as required by state law and as defined in the City zoning ordinance and General Plan policies.

City staff have been helpful in providing feedback to me on this project during the past several weeks. I am particularly appreciative of Mr. Banks’ responsiveness, and he has provided useful information regarding background and the current status of the project.

Based on the information provided, it is obvious that a complete application has not been submitted for the currently proposed development project at 603 Sutter Street. Nevertheless, the City has prepared and circulated an Initial Study/Mitigated Negative Declaration and has advertised that your Commission will conduct a hearing on the project – originally scheduled for tonight but now apparently postponed to August 5th based on a request by the project proponent.

Please reconsider the current trajectory for this project by advising the project proponent that they must submit a comprehensive and complete package of all required application materials prior to any further processing by the City. Once a complete application is submitted, it would be appropriate for the City to prepare and circulate a revised environmental document and proceed with project review.

Thank you for considering my input.

City of Folsom Staff and Historic District Commission
50 Natoma Street
Folsom, CA 95630

via email to:

Elaine Andersen - eandersen@folsom.ca.us
Pam Johns - pjohns@folsom.ca.us
Scott Johnson - sjohnson@folsom.ca.us
Steven Banks - sbanks@folsom.ca.us
Daron Bracht - daronbr@pacbell.net
Daniel West - danwestmit@yahoo.com

Mickey Ankhelyi - ankhelyi@comcast.net
Rosario Rodriguez - sutterstreettaqueria@gmail.com
Mary Asay - mjwestcoastcarports@gmail.com
Kathleen Cole - kcolepolicy@gmail.com
Kevin Duewel - kevin.duewel@gmail.com
Kelly Mullett - kmullett@folsom.ca.us

SUBJECT: 603 SUTTER STREET – INCOMPLETE APPLICATION

Dear City of Folsom Staff and Historic District Commissioners:

At the City of Folsom Historic District Commission meeting on July 15, 2020, my comments were read into the record urging staff and the Commission to require a complete application prior to further processing of a development proposal for 603 Sutter Street. At that meeting, Mr. Banks told the Commission that I “did not provide any specific details” as to why I “believe the application is complete.” Mr. Banks also advised the Commission that staff is intending to bring the project to the Commission for a hearing on August 5th.¹

I have expressed at least some of my concerns to Mr. Banks and other City staff in email correspondence over the past several weeks.² It is evident that there is no application on file for the current project and, even if a previously submitted 2017 application for the same property is partially relevant, that 2017 application was then, and still is, incomplete. Neither the Commission, staff, nor community members should be forced to spend time engaging in a project that has not completed the basic requirements of the City’s application process.

By way of my request to the Commission on July 15 and this letter, I am asking staff and the Commission to avoid more wasteful time on a project for which a complete application has not been submitted.

On June 23, 2020, I requested that Mr. Banks send me “the full project application, including a completed Development Application form and Design Review form and any other application materials for the currently proposed project,” and I advised that I was particularly interested in

¹ The City’s Initial Study/Mitigated Negative Declaration (IS/MND) advertised that the project would come before the Commission on July 15, 2020 and that the staff report would be made available on July 9, 2020. In my comments on the IS/MND, I requested an extension of time to comment until such time as the City had provided a complete application for the community to review. That request was denied by staff and I was told that the project hearing would proceed on July 15. Yet, after I submitted my comments on the IS/MND staff advised me that *based on the applicant’s request* the hearing was being postponed to August 5, 2020. It is extremely disappointing that staff intends to provide less than one week for the community to review and absorb a staff report and yet granted an extension request to an applicant who has had years to prepare and should have no reason to need to extend or delay the hearing.

² I have requested that staff advise me of whether my correspondence with staff was being provided to the applicant and requested that, if it was, staff cc me on those communications simply so I can be aware of how my input has been transmitted to the applicant. Clearly, my input to staff has been conveyed to the applicant, yet I have not once been cc’d or forwarded those communications. I realize my comments are public record, but I have expected to receive the same communication courtesy as a project proponent, and that has not occurred.

seeing the applicant's explanation of the requested variances as required by Folsom Municipal Code (FMC) Chapter 17.62.020.

In response to my request, Mr. Banks provided a May 3, 2017, application form and certain attachments which he characterized as the "Development Application Form for the 603 Sutter Street Mixed-Use Building project." That 2017 application was submitted by an applicant named as "Sacramento Commercial Properties," with Doug Scalzi identified as the "Developer or Project Sponsor." Yet, staff has advised that Sacramento Commercial Properties and Mr. Scalzi are not involved with the current project.

With regard to my request for the applicant's explanation of variance, Mr. Banks stated:

"the applicant did not submit a written Variance justification letter with the original Development Application Submittal. However, the applicant has *discussed* the different Variance requests and their justification numerous times with City staff over the past **two plus years. In addition, on August 2, 2017, the proposed project was presented to the Historic District Commission as an information item, during which time the applicant, City staff, the Commission, and the public *discussed* the **two variance requests** of the applicant."**

FMC Chapter 17.62.020 states:

"Application for a variance shall be made in writing on a form prescribed by the planning commission and shall be accompanied by a fee as established by resolution of the city council no part of which shall be returnable to the applicant, and by statement, plans and other evidence showing: 1. That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to other land, buildings, and/or uses in the district; 2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner; and 3. That the granting of such application will not, under the circumstances of the particular case, materially affect the health or safety of persons, residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood. (Ord. 466 Exh. A (part), 1981; Ord. 323 § 29, 1975; prior code § 3123.02)"

For what would seem very obvious and important reasons, the FMC clearly does not provide that simply *discussing* a variance request constitutes an "application," and it is unclear why staff would engage in discussing an applicant's reasons for a variance when it is the applicant's sole responsibility to attempt to justify any necessary variance.³

³ On June 27, 2020, Mr. Banks forwarded me an explanation of variance for height and parking associated with the current project. The document was dated June 23, 2020, was unsigned, and did not identify a preparer other than concluding with the sentence, "Applicants of 603 Sutter Street Building." On July 7, 2020, Mr. Banks forwarded to me what he referred to as an "updated variance statement provided by the project applicant." That document was also unsigned, but concluded with, "Prepared by the Applicant, Deborah Alaywan." First, a "Debrah Alaywan" is not identified on any application-related documents that I have seen associated with 603 Sutter Street and is not named on the 2017 application that staff asserts remains relevant. Second, these documents were submitted to the City only after the City prepared and circulated an Initial Study/Mitigated Negative Declaration for the project and were not submitted as part of an application. Third, it seems obvious that these documents were not prepared until I requested them, which is a significant flaw in a process that requires an applicant to **explain the variance request**

Furthermore, the currently proposed project (as presented in a March 2019 set of drawings, but not in a complete application) is different in design and in variance requirements as compared to project in the 2017 application. Therefore, any such discussion or explanation that might have been proffered for variances for the previous project, would not be relevant to the current project. (For example, the previous project included a parking garage, whereas the current project proposes to provide no parking. For anyone aware of the parking challenges in the Historic District, this fact alone is a substantial difference between the two distinct projects.) Regardless, as Mr. Banks acknowledged, no applications for any variances have been submitted for either the 2017 project or the current project. That fact alone is sufficient reason to stop this current process until the applicant provides the required application materials.

Furthermore, only two variances have been “discussed” and yet the current project as presented in the March 2019 drawings would require at least four variances from the FMC. No application(s) have been submitted for the two variances that have been “discussed” (building height and parking), nor have applications been submitted for the at least two other variances that would be required for the March 2019 project: 1) negative setbacks (i.e., constructing permanent structures across the property line and within City-owned right-of-way) and 2) exceedance of the FMC maximum floor area ratio (FAR) applicable to the property (requesting a FAR exceeding 2.0 for a property zoned for a maximum FAR of 2.0).

Reasons why the 2017 application is not representative of the current project and why the 2017 application is inadequate (even if it were still representative of the current project), include:

1. Sacramento Commercial Properties is identified on the 2017 Development Permit Application as the applicant. Doug Scalzi is named as the agent for the project and Mr. Scalzi is named as the “developer or project sponsor.” Yet, staff have advised that Sacramento Commercial Properties / Doug Scalzi is not involved in the current project.
2. The 2017 application was for a project that included a parking garage; the current project does not.
3. The 2017 application was for a project that proposed 15,287 sq ft of retail/office; and no restaurant. The current project varies in area and proposed uses, including a restaurant.
4. The 2017 application states the project involves no use of explosives; but the current project involves blasting for construction.
5. The 2017 application states the project would not use/handle hazardous materials; but the current project involves use of blasting agents which are hazardous.
6. The 2017 application states that the project is not within 1,000 feet of a public or private school, but the current project **is within 800 feet of Folsom Montessori School**. (I do not know if there are any other schools that are also within 1,000 feet, but even failing to identify just one would seem to be a substantial error/omission in an application for a project that involves the use of explosives.)

as a part of the application, not as an after-the-fact response to a citizen request. Finally, it is impossible for staff and members of the public to track a project when project review begins prior to a completed application and when an applicant is allowed to submit multiple documents unsigned and incomplete. If these submittals are treated by staff as formal submittals associated with an application, engaged members of the community must spend time reviewing documents that might then simply be superseded and may or may not be considered relevant by the City. Following FMC requirements that a complete application be submitted at the onset of a project would avoid this.

July 17, 2020

7. The 2017 application did not identify the need for variances and did not provide the required applicant explanation of variances, nor has a signed application or signed statement by the applicant been submitted for any of the variances needed by the currently proposed project.
8. The 2017 application form does not identify CDFW as an agency whose action will be required. However, the IS/MND identifies CDFW involvement in migratory bird mitigation, making CDFW a Trustee agency under CEQA. Therefore, an application for the current project should identify that state agency role. (Related, the City did not file IS/MND with State Clearinghouse as required when a state agency is a Trustee agency. As a result, CDFW and other state agencies, including State Parks and the State Office of Historic Preservation, have thus far not been requested to review the CEQA document which addresses issues under their purview.)
9. The 2017 application included a title report for property address "605 Sutter Street". The subject property is 603 Sutter Street.
10. The 2017 application does not include a project narrative and it is not clear whether a narrative exists for the current project. There is no narrative on the City's website; only the March 2019 drawings.
11. The 2017 application included a list of property owners within a *radius of 300 feet from a single point on the property*, and failed to identify all properties **within 300 feet of the subject property**.

There are many problems with the status of the current process being pursued by the City for 603 Sutter Street, including the fact that an application for the current project does not exist or is, at best, outdated and incomplete. Yet for some reason staff is intending to engage the Commission in a hearing on the project. The absence of variance requests and other required information represent substantial deficiencies in the current process. Please put further processing on hold until such time as a complete application is submitted by the applicant for the current project.

Thank you for your consideration of these comments.

Sincerely,



Bob Delp
612 Mormon Street
Folsom, CA 95630
bdelp@live.com

Steven Banks

From: John Shaw <jpshawman@gmail.com>
Sent: Wednesday, July 22, 2020 3:16 PM
To: Elaine Andersen; Pam Johns; Steven Banks; daronbr@pacbell.net;
danwestmit@yahoo.com; ankhelyi@comcast.net; sutterstreettaqueria@gmail.com;
mjwestcoastcarports@gmail.com; kcolepolicy@gmail.com; kevin.duewel@gmail.com
Subject: Re: 603 Sutter Street

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All:

Please accept this small correction to our initial letter.

In the first letter, we said, **"If we understand the City's Design and Development guidelines correctly, the maximum height for a commercial building in the Historic District is 50 feet from the ground level."**

Turns out, we did not understand the guidelines correctly. Further research into the City's code reveals more precise and different language, and *that's* what I wanted to share with you. The Code actually reads, **"Building heights shall not exceed 35 feet adjacent to the sidewalk area on Sutter or Leidesdorff Street and 50 feet in other sections of the subarea. Towers, spires or other similar architectural features may extend up to 15 feet above the building height."**

Clearly this building exceeds the City's 35-foot height limitation "...in the sidewalk area on Sutter Street....."

Now, more than before, we urge the Historic District Commission to deny the applicant's request for a height variance.

Respectfully,

John & Becky Shaw (and 67 co-signers)

On Jun 29, 2020, at 1:55 PM, John Shaw <jpshawman@gmail.com> wrote:

All:

Please accept the attached letter as an expression of concern regarding the request for variances associated with the proposed development at Sutter & Scott Street.

John Shaw

Dear Mr. Banks,

7/22/20

I want to add some additional comments to my letter of 6/21/20 after reading the submitted responses by the applicant, Deborah Alaywan on July 7, 2020.

Item 1a. thru 1e. Steep topography. All the points being made around the difficulty of building on the lot overlooks the fact that the height requirements were in place at the time the lot was purchased and it would seem that if the developers would have researched the design guidelines before purchasing the lot, they would have realized that due to these requirements the building would need lower floor elevations than in the proposed design to meet the requirements. By lowering floor heights, the current proposed floor space stays the same, thus meeting their Floor Area Ratio (FAR) request and the Sutter Street height requirements.

The gamble on obtaining a variance to fulfil their square footage goal at the proposed floor elevations is banking on the belief a decision by the Historic commission to give a variance in the past has set a precedent for future development. That is and should not be the case. The overwhelming request for a 15-foot increase in height at a sensitive intersection where residences intersect the commercial properties of the Historic District is too big a leap in height to convey a smooth and responsible transition in building heights. The 35-foot limit with additional three feet of parapet wall is more than enough to allow the same square footage of floor space if the distance between floors is reduced.

The buildings frontage is on Sutter St. and therefore the variance is for 15 feet above the allowed height on Sutter St. and the references to Scott St. have no bearing in this request other than to attempt to threaten my property with a 50 foot extension at the rear of the building, (As pointed out in section 1e.) if the Sutter St. variance is not granted.

Health and Safety. In the final paragraph of section 1e. the applicant states that the current design works hard to respect the impact on the building's neighbors. I find that hard to believe with a dumpster enclosure located next to my property, the side where my bedrooms are located. The impact of rodents and cockroaches along with the overwhelming smell of restaurant garbage is without a doubt a threat to my household's health and safety and would significantly reduce my property value.

Steven Banks

From: Shawna Barva <ssbarva@gmail.com>
Sent: Friday, July 24, 2020 6:36 PM
To: Kelly Mullett; City Clerk Dept; Steven Banks
Subject: Proposed 603 Sutter Street

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Historic District Commissioners:

My name is Shawna Barva and I reside at 611 Wool Street in Folsom's Historic District. I have been lucky enough to have seen Folsom's Historic District grow and thrive- while incorporating new businesses along the way. Sutter Street and the surrounding neighborhood has benefitted from this growth, and I believe the proposed building at 603 Sutter Street is part of this story. The city has circulated the mitigated negative declaration, the results of which have shown the variances to be absent of any negative impacts to the neighborhood. As residents of this area, we know how Sutter Street's development has positively impacted the neighborhood; bringing about increased property values as well as a mix of new restaurants and businesses to benefit from. The building adheres to the charm of Sutter Street that we would expect and is in short supply in the surrounding area.

Especially in light of the times I believe this building serves as a buffer to provide further economic benefits to the neighborhood, attracting new investment and value to our small community.

Thank you.

Shawna Barva

611 Wool St.

Folsom, CA 95630

ssbarva@gmail.com

Sharon G. Fait

1214 Darling Way
Folsom, CA 95630
916-217-6201
xf8m8@sbcglobal.net

July 24, 2020

Historic District Commission
City of Folsom
50 Natoma Street
Folsom, CA 95630

Re: 603 Sutter Street Mixed Use Building

Dear Commissioners:

This letter is in opposition to the proposed 603 Sutter Street Mixed Use Building that will be the subject of your August 5, 2020 meeting. It is also indicative of my absolute support and agreement with Glenn Fait's letter of July 2020.

If I could state the issues in any way more clearly than Glenn has done in his letter, I would. However, I urge the commission to carefully consider Glenn's arguments and reasoning and uphold the law and deny the proposed development.

Sincerely yours,



Sharon G. Fait

City of Folsom Staff and Historic District Commission
50 Natoma Street
Folsom, CA 95630

via email to:

Elaine Andersen - elandersen@folsom.ca.us
Pam Johns - pjohns@folsom.ca.us
Scott Johnson - sjohnson@folsom.ca.us
Steven Banks - sbanks@folsom.ca.us
Daron Bracht - daronbr@pacbell.net
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Mickey Ankhelyi - ankhelyi@comcast.net
Rosario Rodriguez - sutterstreettaqueria@gmail.com
Mary Asay - mjwestcoastcarports@gmail.com
Kathleen Cole - kcolepolicy@gmail.com
Kevin Duewel - kevin.duewel@gmail.com
Kelly Mullett - kmullett@folsom.ca.us

SUBJECT: 603 SUTTER STREET – REQUEST RE: PENDING STAFF REPORT

Dear City of Folsom Staff and Historic District Commissioners:

As of this morning, City of Folsom planning staff have advised that the 603 Sutter Street development proposal will be discussed at the Historic District Commission (HDC) August 5, 2020, meeting. Staff also advised that the staff report will not be available until late Wednesday (July 29th) afternoon. At this time, in the absence of a staff report, it is unclear if this will be brought to the HDC as an informational item or if staff will be asking the HDC to make decisions regarding this project. By way of this letter, I am requesting that staff and the HDC postpone a public meeting on this project until at least two weeks *after* a staff report is made available to the HDC and community members, and I am also requesting that the HDC's authority pertaining to certain City requirements be addressed in the staff report.

I urge the HDC to avoid conducting a public hearing or otherwise attempting a decision regarding 603 Sutter Street until the community has had at least two weeks to review and comment on a staff report. Staff have previously granted an extension of this meeting based on a request by the project proponent who has had years to prepare and bring the project to the City. Yet, members of the community who have much more collective vested interest in Folsom's Historic District are apparently going to be given just four business days to consider staff's review of the project and provide input to the HDC. This is extremely unfortunate and could be remedied simply by the HDC postponing the item to a future meeting once the staff report has been published, all required application materials have been provided, and the community is given an opportunity to review and provide input. Project documents available on the City website are currently limited to a set of March 2019 drawings and a draft Initial Study/Mitigated Negative Declaration (IS/MND); and no variance request or explanations are posted on the City website.

A community member I recently spoke with let me know that one of the HDC commissioners recommended that public comments on the project should be submitted *before the staff report is available*. That commissioner apparently felt that once the staff report was available, the HDC would barely have time to review the staff report, let alone consider public comments before the meeting. I intend to provide comments to the HDC, but my comments will largely depend on information and recommendations contained *in the staff report* (or at least information that *should be* included in the staff report). Therefore, it would be impossible for me to prepare and submit comments to the HDC prior to release of the staff report. Of course, it would be very concerning if the HDC does not take reasonable and sufficient time to review the staff report and to consider public input prior to a hearing.

Commissioners acknowledged at the July 15 HDC meeting that substantial public interest is expected for this project and commissioners also expressed that staff should plan for that community interest and ensure sufficient time for the HDC's consideration of the project. Holding a hearing for a project with substantial community concern just four business days after a staff report is produced will deprive the public a meaningful opportunity to comment and will not allow the HDC sufficient opportunity to consider public input. (I have previously commented on the inadequacy of the application and variance request, and will not reiterate that here, except to say that those inadequacies create even more challenges for community understanding of the project and required approvals and input to the HDC.)

Therefore, I am requesting that staff and the HDC postpone a public meeting on this project until at least two weeks after a staff report is made available to the HDC and community members. I also continue to encourage you to require that a full application(s) be submitted by the applicant, that the environmental review process then be completed (including recirculating a revised environmental document that addresses comments received on the draft), and only then prepare a staff report and take the project to the HDC.

I am also urging staff – working with the City attorney as necessary – to ensure the staff report addresses, among many other issues, the following in terms of the HDC's authority to approve the project as proposed and wave provisions of the Folsom Municipal Code (FMC) and City of Folsom 2035 General Plan. For the community and the HDC to understand the approvals necessary for the proposed development, and to verify the HDC's authority to make any such approvals, please ensure that each of these questions is addressed in the staff report.

1. Does the HDC have the authority to approve a project (through issuance of a variance or other mechanism) that does not comply with FMC requirements for motor vehicle parking spaces?
2. Does the HDC have the authority to approve a project (through issuance of a variance or other mechanism) that does not comply with the FMC and General Plan parking requirements for electric vehicles and charging stations?
3. Does the HDC have the authority to approve a project (through issuance of a variance or other mechanism) that does not meet the FMC and General Plan requirements for bicycle parking, including General Plan Policy M 4.2.2?
4. Does the HDC have the authority to approve a project (through issuance of a variance or other mechanism) that does not meet the City's disabled persons parking requirements? Would such an approval subject the City to potential litigation for failure to comply with the American's with Disabilities Act (ADA) and, if so, is the project proponent required to indemnify the City against such potential legal action?
5. Does City staff and/or the HDC have the authority to wave the requirement that an applicant submit a signed application and fee for a variance as required by FMC 17.62.020 and 17.52.370?
6. Does the HDC have the authority to approve a project for which complete applications and submittals, including an attempted justification of any and all variances required for a project as required by the FMC, have not be submitted?
7. Does City staff and/or the HDC have the authority to wave the requirement that an applicant submit a signed application for an easement as required by FMC 12.20.090 and does waving such requirement subject the City to liability that might otherwise be addressed by having a complete set of current and executed application forms?

8. Does the HDC have the authority to grant a *permanent* easement for private development of privately owned permanent structures on City-owned property?¹
9. Does the HDC or any other decision-making body of the City have the authority to grant a permanent easement for the development of privately owned permanent structures on City-owned property without requiring compensation for such easement? Would not such an easement without compensation be an illegal gift of public funds? Does the HDC have the authority to negotiate or waive City financial matters such as this?
10. Does the HDC have the authority to approve a private development project that exceeds the FMC maximum floor area ratio (FAR) development standards or is that authority limited to the City Council?
11. Does City staff and/or the HDC have the authority to waive the requirement of an applicant to submit a signed and completed Greenhouse Gas Reduction Strategy Consistency Checklist which is required for any applicant for any project that undergoes environmental review?
(https://www.folsom.ca.us/documents/Planning/Folsom_GHG_Reduction_Checklist_FINAL.pdf)
12. Does the HDC have the authority to waive the General Plan's requirement that the California Green Building Code (Title 24, Part 11) be complied with for developments within the City?²

Thank you for your consideration of these comments.

Sincerely,



Bob Delp
612 Mormon Street
Folsom, CA 95630
bdelp@live.com

¹ Staff have previously advised me that the project would require a permanent encroachment permit for the portions of the permanent structure on City property, although I have requested all application materials for this project and I have not seen an application for an encroachment permit as required per FMC 12.20.090). I do not see any provisions in the FMC for the City to authorize a "permanent" encroachment permit; instead, the FMC contemplates that any physical feature on city property allowed through an encroachment permit be removed at order of the City, so it seems obvious that a permanent structure would not be permissible under that requirement. The FMC clearly intends that any such awnings or other features authorized under an easement be removable upon City direction. At issue with the 603 Sutter Street project is the proposed placement on City property of permanent portions of the proposed structure that would be difficult if not impossible to remove.

² Current mandatory measures include those pertaining to bicycle parking, parking for fuel-efficient vehicles, electric vehicle charging – since the project includes none of these, it will not achieve CBC Title 24 standards as required by the General Plan.

Steven Banks

From: labban2@aol.com
Sent: Monday, July 27, 2020 8:32 AM
To: Kelly Mullett; City Clerk Dept; Steven Banks
Cc: labban2@aol.com
Subject: 603 Sutter Street (THE FOLLOWING IS PROVIDED TO BE READ INTO THE RECORD DURING THE "PUBLIC COMMENTS" PORTION OF THE AUGUST 5TH, 2020 MEETING)

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THE FOLLOWING IS PROVIDED TO BE READ INTO THE RECORD DURING THE "PUBLIC COMMENTS" PORTION OF THE AUGUST 5TH, 2020 MEETING

Historic District Commission
City of Folsom
50 Natoma Street
Folsom, CA 95630
via email to: kmullett@folsom.ca.us

Subject: 603 Sutter Street

Historic District Commissioners:

My name is Jamie Labban, I reside at 510 B Sutter Street in Folsom's Historic District. My comments are to urge you and the City council to approve the application for 603 Sutter Street. I am a long-time Folsom resident, I reside across the street from the proposed building. I was appreciative that the applicant re-designed the building based on public comments stated by myself and other folks with a preference of no garage. The Applicant took the garage out and reduced the height of the building. It's Un-Historic, in my opinion, to have a Historic looking building with two underground parking and steel reinforced concrete.

The proposed project does not exceed the 2.0 maximum floor area ratio (FAR) permitted by the zoning code. As I stated above, I live across the street and I am not concern with the noise as I believe it would be similar if not the same as the deck on 607 Sutter building.

I believe that the height and parking variance are acceptable giving the exceptional or extraordinary circumstances applying to the land. These conditions did not apply to 607 and 604 but, both got a height variance.

JAMIE LABBAN
510 B Sutter street
Folsom, CA 95630
Email:labban2@aol.com

July 28, 2020

TO: Historic District Commission

FROM: Loretta Hettinger

RE: 603 Sutter Street

This letter draws on my experience as the City's staff planner who spent four years with a citizens committee studying what regulation is appropriate, without undue burden, to protect the area that is the heart of Folsom. The resulting regulations have stood the test of time, and the prosperity of the entire Historic District bears powerful witness to the rightness of the regulations.

In evaluating this project against the principles and regulations of the Historic District, I find no basis for approval. Besides its modern design, the project overbuilds the site, exacerbates an existing parking problem, and fails in its obligation to lessen its impact on adjacent residential uses.

Former Mayor Glenn Fait and the Heritage Preservation League have each provided letters objecting to this project. I endorse those comments by reference and expand on them further in this letter.

Initial Study/Mitigated Negative Declaration

Since an environmental assessment's only purpose is to provide decision makers with information to take into account in considering a project, you are under no obligation to approve a project simply because an IS/MND says its environmental impacts are mitigable. In this case, while it may be technically correct in complying with state law, the IS/MND is marred by flawed inputs, as described below. The non-CEQA impacts are very important in your consideration.

Planning Partners has done their usual thorough job of preparing an environmental assessment that complies with the California Environmental Quality Act. Any assessment's conclusions, however, are only as good as the standard used to measure a particular impact. Regarding the conclusion that there is no significant impact on the adjacent historic library building, the City's standard used by the consultant is woefully inadequate. Of the 100+ sites identified in the City's adopted Historic Preservation Master Plan, only a handful have made it onto the official list by being thoroughly documented. The majority of that handful are on the list only because Heritage Preservation League volunteers have done the documentation. Although the library building has not been specifically documented, there is no doubt of its historic significance based on its design, its historical use, and its association with the prominent historic Levy family, any one of which would justify its historic designation. Approving a modern-designed building this large next door would be a regrettable, if not embarrassing, mistake.

The IS/MND also finds there is no CEQA impact on scenic vistas cited in the General Plan. This may well be an oversight in the General Plan. The General Plan calls out natural vistas that are significant. In a City with Folsom's rich and diverse history, historic vistas are also important. While this project may not have a CEQA impact, it certainly has a Folsom impact. For many decades the view up Sutter Street has included a vista of the National Register-listed Cohn Mansion. To interpose a huge modern building on that vista would be another regrettable, if not embarrassing, mistake.

Design

The proposed design is modern, not historic, and is sufficient reason in itself for denial of the project. The effect of the roof deck, windows, and trash enclosure on the adjacent Figueroa Subarea residential uses is also reason in itself to deny the project.

In connection with the previous submittal of virtually the same design, a Commissioner asked, what is the building's historic style of architecture. The architect was unable to answer—because it isn't historic. Perhaps Faux History is the right descriptor. Taking historic elements from multiple historic styles and combining them in new ways is a modern technique, popular in new construction around the region. The goal of Folsom's Historic District, clearly stated in multiple ways, is to preserve history, not redesign it. New construction needs to be as authentic as today's materials and needs will allow, not treated as an opportunity for new artistic expression.

The project fails in its requirement to be a good neighbor to residential uses. Both the commercial and the residential uses are supposed to make accommodations. In this case, the lion's share of the accommodation falls on the residential uses, particularly the nearest home. Mayor Fait's and HPL's letters call out this issue. As you will recall, in discussions of the recent Accessory Dwelling Unit ordinance privacy of adjacent homes was a particular issue. Although the state law re ADU's forbids the City from considering design in approving ADU's, the privacy design regulations of Folsom's ordinance were allowed by the state. The windows and roof deck of a commercial project have a greater impact on privacy than one granny flat. Despite project claims that noisy events will not occur on the roof deck, the design suggests otherwise. This applicant will not be able to control the actions of future owners/tenants, and so the design itself should shield residents from noise.

Massing

The project overbuilds the site. Its size dwarfs not only the adjacent library building but even the Cohn Mansion. Even the zone's allowable maximum height could be too much to successfully interface with adjacent historic buildings and residential zoning, depending on design. The City has no obligation to approve the maximum of any standard, much less to exceed it. The height variance should be denied.

Parking

Though not considered a CEQA impact, the parking shortage in this end of Sutter Street is a significant impact on both the commercial and residential uses. Until the City adopts a mechanism to provide additional parking, no parking variances should be approved, especially in this block.

The best information on parking is found in the recent report of the citizens ad hoc committee on parking, not in the applicant's Kimley-Horn report. Based on the City parking studies cited in the ad hoc committee's report, the buildout shortfall of parking is about 500 spaces. The applicant's report only describes existing conditions, assuming that the parking currently available at the other end of Sutter Street will continue to be available for this project's parking needs. Besides the obvious difficulty of getting patrons to walk four blocks uphill, the parking available in the structure on Reading Street is largely spoken for, needed to address the parking needs of the existing and already-approved buildings in that end of Sutter Street. Further, one of the parking lots counted in the applicant's traffic study will be replaced by an already-approved building.

Conditions which allowed the granting of parking variances in the past no longer exist. In the past the City was able to assume the burden of providing parking for Sutter Street, intending to use its Redevelopment Agency funding to build several structures. The state abolished all redevelopment agencies in the recession, and the City has not yet identified any replacement funding. There is no question that the applicant is unable to provide parking on site sufficient for a massive building. There is also no question that permitting a new massive building before parking is available for it would be a blow to a District struggling to survive the pandemic's economic effects and a further blow to a residential area struggling with the current parking shortfall.

This project site also does not meet one of the other rationales used in granting previous parking variances. Due to its location adjacent to existing residences and a commercial building that was formerly a residence and designed as such, there is no reason for this building to be designed as an in-line historic commercial building that by its nature does not provide parking on site. A residential design, perhaps even a residential use, would be appropriate and preferred. It could conceivably then provide its own parking.

Recommendation

Deny the project with findings that it does not meet design requirements nor required variance findings.

I would hope that the applicant will return with a design more in keeping with the Historic District's goals and regulations. The history community does not oppose development as long as it enhances rather than undermines the principles of the Historic District.

Steven Banks

From: Kelly Mullett
Sent: Tuesday, July 28, 2020 8:19 AM
To: Elaine Ferreira-Pro
Cc: Steven Banks
Subject: RE: Letter to Historic District Commission re: 603 Sutter Street

Received. Thank you, Elaine. I will make sure your letter is included in the staff report.

Kelly Mullett

Administrative Assistant

Community Development Department
50 Natoma Street, Folsom, CA 95630
O: 916.461.6231
F: 916.355.7274



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FOLSOM
DISTINCTIVE BY NATURE



www.folsom.ca.us

From: Elaine Ferreira-Pro <celainefp@gmail.com>
Sent: Monday, July 27, 2020 1:14 PM
To: Kelly Mullett <kmullett@folsom.ca.us>
Subject: Letter to Historic District Commission re: 603 Sutter Street

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Kelly,

Please share this letter with all members of the Folsom Historic District Commission

Re: 603 Sutter Street Mixed Use Building

Dear Commissioners:

I am requesting that you deny the height, parking and design variance applications for the 603 Sutter Street Mixed Use Building project. The current plan will detract in both style and size from the rich heritage of the historic district. It would dominate the neighboring homes and businesses and adversely affect quality of life for those neighbors. Residents and businesses farther away would be detrimentally impacted by the parking and noise issues caused by this plan.

Folsom is known for its history and for its quality of life, neither of which would be enhanced by this project as it is currently designed and both of which would be seriously impacted. Please deny these variances for the benefit of the community and the historical legacy of Folsom.

Sincerely,

Elaine Ferreira-Pro
808 Figueroa Street
Folsom, CA 95630



July 30, 2020

To: Historic District Commission
City of Folsom
50 Natoma Street
Folsom, CA 95630

via email to:

Daron Bracht - daronbr@pacbell.net
Daniel West - danwestmit@yahoo.com
Mickey Ankhelyi - ankhelyi@comcast.net
Rosario Rodriguez - sutterstreettaqueria@gmail.com
Mary Asay - mjwestcoastcarports@gmail.com
Kathleen Cole - kcolepolicy@gmail.com
Kevin Duewel - kevin.duewel@gmail.com
Kelly Mullett - kmullett@folsom.ca.us

Subject: 603 Sutter Street Mixed-Use Building (PN 17-145)

Dear Commissioners:

The Historic Folsom Residents Association (HFRA) is an organization of residents of Folsom's historic district dedicated to preserving and protecting our community. The HFRA Board is submitting these comments on the proposed 603 Sutter Street development (PN 17-145) for consideration by the Historic District Commission (HDC). Our Board and our members have vested financial and personal interests in this community and we stand to be directly and adversely affected by the proposed development and its substantial deviations from the requirements of the City of Folsom Municipal Code zoning ordinance.

1. As an initial matter, the 490-page staff report was issued on July 29, 2020, just 5 business days before the advertised August 5, 2020, HDC public hearing. HFRA requests that the hearing be moved to the HDC's August 19th or later meeting to provide a reasonable amount of time for HFRA and the community to review the staff report and provide meaningful input to the HDC and to allow sufficient time for HDC consideration of public comments.

2. Our Board is very concerned with the lack of a structured process by which the City has processed this project. From the lack of an application that clearly identifies the project applicant after significant project changes between 2017 and 2019 to the lack of an explanation of the variance requests until requested by community members just last month, there has been a lack of transparency and what appears to be a review process that gives substantial deference to the applicant including allowing the applicant to influence the date of the public hearing (moving from July 15th to August 5th).
3. The HFRA Board is not opposed to development of this parcel consistent with the City zoning ordinance and Historic District Design and Development Guidelines. However, we oppose the variances that would be required for the currently proposed development and we are opposed to the proposed building architectural design as it does not comply with the criteria of the Historic District Design and Development Guidelines.
4. The HFRA Board requests that the HDC deny the height and parking variances requested by the applicant because the criteria for granting the variances have not been met. The applicant has not shown that there are exceptional or extraordinary circumstances associated with this property that would support either the height variance or the parking variance; nor has the applicant shown that the granting of the variances is necessary to preserve substantial property rights. More importantly, neither the applicant nor the City has provided evidence that the granting of the variances would not materially affect the health or safety of persons in the neighborhood or that it would not be materially detrimental to the public welfare or injurious to property. In fact, the project *will* be materially detrimental to the neighborhood. The excessive building height and incompatible architecture will adversely affect the visual and historic quality of the Historic District. The project's failure to provide parking will shift the project's parking burden to residential neighborhoods exacerbating well-documented existing parking issues in residential areas (Reference Ad Hoc Parking Committee Findings and Recommendations). For these reasons alone, the HDC cannot make the findings required for a variance and the City cannot approve the project as proposed.
5. We think it is relevant for the HDC to consider the purpose of the City zoning code. As concisely stated in the City's Zoning Code Update Frequently Asked Questions, the City notes the value of zoning, stating one of the values as, "Predictability – The standards established in zoning provide neighbors with assurance of what land uses are permitted and applicants benefit from knowing exactly what can be done." The HFRA Board couldn't agree more. We and our members have purchased property and chosen to live in this neighborhood with the expectation that the values of the Historic District will be respected by our City government. We urge the HDC to avoid undermining the zoning code by making one-off decisions at the request of an individual property owner at the expense of the entire community and value of the Historic District.

6. The HFRA Board supports the comments submitted by the Heritage Preservation League regarding the proposed design (not meeting the standards)
7. The HFRA Board is opposed to the staff recommendation for addressing the permanent encroachment of this development within the public right-of-way of Sutter Street. Staff recommends a Condition of Approval (#59) requiring the applicant to enter into an “encroachment agreement” with the City that would require the owner/applicant to maintain the private improvements in perpetuity. If the applicant needs an entitlement to build on City-owned property, the applicant needs to submit an application for that entitlement and that entitlement must be considered as part of the current project approval process, not postponed to some later time. No rationale is provided in the staff report for why the City should choose to permanently relinquish City property (especially a portion of Folsom’s historic Sutter Street) to accommodate a private development project and no mechanism for compensation to the City for essentially giving away City property is proposed. Furthermore, we see no evidence that the HDC has the authority to obligate the City to such permanent easement and it appears, therefore, that staff is requesting the HDC to exceed its authority in approving the project with the conditions as recommended by staff.

Each of the concerns above is individually sufficient to support the HDC’s denial of the proposed development, and we urge you to deny this project.

Thank you for considering these comments.

Historic Folsom Resident Association Board

Michael Reynolds, President

Paul Keast, Vice President, Government Liaison

Mike Brenkwitz, Vice President, Commerce

John Shaw, Secretary

Laura Fisher, Treasurer

Jennifer Lane, Membership Director

Cindy Pharis, Communications Director

Kelly Mullett

From: Bonnie Darrah <bonniedarrah1984@gmail.com>
Sent: Thursday, July 30, 2020 3:13 PM
To: Elaine Andersen; Pam Johns; Scott Johnson; Steven Banks; daronbr@pacbell.net; danwestmit@yahoo.com; ankhelyi@comcast.net; sutterstreettaqueria@gmail.com; mjwestcoastcarports@gmail.com; kcolepolicy@gmail.com; kevin.duewel@gmail.com; Kelly Mullett
Cc: bdelp@live.com
Subject: 603 Sutter Street Review from August 5 HDC Agenda

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Bonnie Darrah and I live at 607 Mormon Street in Folsom's Historic District. As a resident of the Historic District I am directly affected by development within this community, and I would be adversely affected by the currently proposed development at 603 Sutter Street.

At approximately 3:30 p.m. yesterday, July 29th, the materials for the Historic District Commission (HDC) August 5th meeting were posted on the City's website. The staff report and related materials for 603 Sutter Street are 490 pages long. It is unreasonable for the City to expect me and other members of the community to be able to review and provide meaningful input on that project in a period of less than five business days; and even if we do provide input during that time, it will be impossible for staff or the HDC to fully consider public input.

By way of this email and to allow meaningful public input, I am requesting that you remove the 603 Sutter Street item from the August 5 agenda and reschedule the item to be heard by the HDC at its August 19 or later meeting.

Lastly, I understand that this development was originally on the July 15th agenda and was removed at the applicant's request to allow more time to consider and address comments submitted by concerned residents. It is reasonable to expect that a similar extension should be provided to the community.

Thank you

Bonnie Darrah
607 Mormon Street
Folsom, Ca 95630

If you have any specific questions as you are reviewing the staff report and conditions, please feel free to reach out to Steve Banks, Principal Planner at 916-461-6207 or sbanks@folsom.ca.us .

Respectfully,

Pam

Pam Johns

*Community Development
Director*

Community Development Department
50 Natoma Street, Folsom, CA 95630
O: 916.461.6205 | C: 916.764.0106



From: Bob Delp <bdelp@LIVE.COM>

Sent: Thursday, July 30, 2020 9:08 AM

To: Elaine Andersen <eandersen@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>; Steven Banks <sbanks@folsom.ca.us>; daronbr@pacbell.net; danwestmit@yahoo.com; ankhelyi@comcast.net; sutterstreettaqueria@gmail.com; mjwestcoastcarports@gmail.com; kcolepolicy@gmail.com; kevin.duewel@gmail.com; Kelly Mullett <kmullett@folsom.ca.us>

Subject: Request to Remove 603 Sutter Street Review from August 5 HDC Agenda

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Bob Delp and I live at 612 Mormon Street in Folsom's Historic District. As a resident of the Historic District I am directly affected by development within this community, and I would be adversely affected by the currently proposed development at 603 Sutter Street. At approximately 3:30 p.m. yesterday, July 29th, the materials for the Historic District Commission (HDC) August 5th meeting were posted on the City's website. The staff report and related materials for 603 Sutter Street are 490 pages long. It is unreasonable for the City to expect me and other members of the community to be able to review and provide meaningful input on that project in a period of less than five business days; and even if we do provide input during that time, it will be impossible for staff or the HDC to fully consider public input. Therefore, by way of this email and to allow meaningful public input, I am requesting that you remove the 603 Sutter Street item from the August 5 agenda and reschedule the item to be heard by the HDC at its August 19 or later meeting.

Lastly, I understand that this development was originally on the July 15th agenda and was removed at the applicant's request to allow more time to consider and address comments submitted by concerned residents. It is reasonable to expect that a similar extension should be provided to the community.

Sincerely,
-Bob Delp

Bob Delp
916-812-8122
bdelp@live.com

1. Does the City have a policy for granting applicant requests for hearing scheduling and can you direct me to where I can find that? (You might recall that my request to extent the IS/MND review period and hearing originally scheduled for July 15 was rejected, but then after I submitted comments, I was advised that "the 603 Sutter Street Mixed-Use Building Project has been continued to the August 5th Historic District Commission meeting **at the request of the applicant.**")
2. The staff report references apparent applicant-solicited feedback from the community as the mechanism by which the CITY has complied with GP Policy LU 1.1..12-2 (packet pg. 83). However, that GP policy pertains to outreach that is to be conducted **by the CITY** not an applicant. Can you advise of the outreach the City has done with the community on the current project (i.e., the project that proposes no parking) in compliance with this GP Policy?
3. The staff report repeatedly discuss the proposed height of the building as 50ft, 6in., but I don't see anywhere where the actual total height of proposed structures is discussed. Can you direct me to where I could find that in the materials?
4. The staff report states that towers/spires are allowed *up to 25 feet above a building* (packet pg. 84). However, FMC 17.52.510 C states, "Towers, spires, or other similar architectural features may extend **up to 15 feet** above the building height." Can you clarify the 25ft reference?
5. Can you direct me to where I can find in the zoning code (or where is it identified as part of a variance request for this project) that the 15 feet tower/spire allowance applies to a building that would be constructed with a rooftop already in excess of the zoning code? If not, can you point me to the applicant's request for variance for features that would be above 50ft, 6in in height?
6. Aside from spires/towers, can you point me to the section of the zoning code that allows other building features to exceed height limits in the zoning code (e.g., elevator, AC units, etc.)? If there is no such allowance, can you point me to the applicant's request for a variance to allow those features?
7. Staff report says, "consistent with the Sept 2017 HDC meeting, the applicant provided a variance..." (packet pg. 84). An applicant is required to provide a variance request application per the FMC (the requirement isn't dependent on the HDC requesting it). Notwithstanding, although the staff report references the 2017 meeting, a variance request wasn't submitted until June 2020 and that wasn't until community members asked for it. Is there a reason why the staff report doesn't directly and accurately speak to the process of why and when a variance request was submitted by the applicant?
8. Related to above, staff report Attachment 18 is entitled "Applicant's Variance Statement Letter Dated June 23, **2019**" when in fact, the variance statement included in that attachment is dated July 7, 2020, and the only variance request previously provided that I'm aware of is dated June 23, 2020, not 2019. The variances required for this project are of primary interest to this community. Is it too late for staff to revise the staff report to provide a clear and accurate discussion of the variance request history? Related, is it too late for the City to require the applicant to actually submit a signed variance statement? (Neither the July 7, 2020 version in the staff report nor the June 23, 2020 version that the City previously provided to me are signed. As the record current appears, I still do not see any variance statement submitted by the applicant, let alone signed. This continues to be simply bizarre and it remains unclear why the applicant has not been required to take ownership of ANY variance statement provided thus far.)
9. City staff asserts that the site has "unique topography." Is it too late for you to reconsider that? The parcel has a moderate slope, and slopes are very common in this area and are in no way "unique". If there's anything "unique" about this particular site, it's that it is the parcel with the highest elevation in the Sutter Street commercial area, which fact suggests a rationale for a *lower* building, not a taller building. There are other factors like this in staff's interpretation of the variance rationale, and it strikes me that there simply hasn't been any real opportunity for the community to provide input on this until now that it's rolled out in a staff report for a meeting just days away. The variance rationale

are very important. How can the community provide input for meaningful consideration before a decision is made?

10. The staff report reference an IS/MND "public review period July 17, 2020 to August 5, 2020"? The IS/MND was circulated for 20 days of public review and comment in June 2020. I am aware of not notice or other information regarding the City's extension of the review period. If that was not noticed, can you please amend the staff report to make it clear that the IS/MND was circulated in June for the bare minimum CEQA required circulation period of 20 days, and that responses to comments were only provided when the staff report was released on July 29, five business days before the scheduled hearing? It is important for the record to accurately reflect public input opportunities. If instead, the City does intend to continue the IS/MND review period through August 5, 2020 (no time is given and email comments are allowed, so presumably that means midnight on Aug 5), how can you hold a public hearing at 5pm on Aug 5th?
11. Can you please amend the staff report to include documentation of the City's request for review and input from State Parks *on the currently proposed project*? The City General Plan requires such coordination and I have not seen evidence that State Parks was made aware of the proposed development, its absence of parking, and the potential demand for overflow parking to affect nearby State Parks parking areas, among other concerns State Parks might have.
12. I asked the following questions in a letter to the City on July 27, 2020, with the intent to give the City time to address these questions in the staff report. I do not see these questions answered in the staff report. Can you either answer them now or point me to where in the staff report they area addressed?
 1. Does the HDC have the authority to approve a project (through issuance of a variance or other mechanism) that does not comply with FMC requirements for motor vehicle parking spaces?
 2. Does the HDC have the authority to approve a project (through issuance of a variance or other mechanism) that does not comply with the FMC and General Plan parking requirements for electric vehicles and charging stations?
 3. Does the HDC have the authority to approve a project (through issuance of a variance or other mechanism) that does not meet the FMC and General Plan requirements for bicycle parking, including General Plan Policy M 4.2.2?
 4. Does the HDC have the authority to approve a project (through issuance of a variance or other mechanism) that does not meet the City's disabled persons parking requirements? Would such an approval subject the City to potential litigation for failure to comply with the American's with Disabilities Act (ADA) and, if so, is the project proponent required to indemnify the City against such potential legal action?
 5. Does City staff and/or the HDC have the authority to wave the requirement that an applicant submit a signed application and fee for a variance as required by FMC 17.62.020 and 17.52.370?
 6. Does the HDC have the authority to approve a project for which complete applications and submittals, including an attempted justification of any and all variances required for a project as required by the FMC, have not be submitted?
 7. Does City staff and/or the HDC have the authority to wave the requirement that an applicant submit a signed application for an easement as required by FMC 12.20.090 and does waving such requirement subject the City to liability that might otherwise be addressed by having a complete set of current and executed application forms?
 8. Does the HDC have the authority to grant a permanent easement for private development of privately owned permanent structures on City-owned property?

Steven Banks

From: Bob Delp <bdelp@live.com>
Sent: Friday, July 31, 2020 6:20 AM
To: Pam Johns; Scott Johnson; Steven Banks
Cc: sutterstreettaqueria@gmail.com; ankhelyi@comcast.net; danwestmit@yahoo.com; kcolepolicy@gmail.com; kevin.duewel@gmail.com; daronbr@pacbell.net; mjwestcoastcarports@gmail.com; Elaine Andersen; Kelly Mullett
Subject: Re: Request to Remove 603 Sutter Street Review from August 5 HDC Agenda

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Thank you, Pam. Steve did not call me yesterday, but hopefully he'll have a chance today. While I will be glad to speak with him, ultimately, it will be important to have written feedback from the City on these issues for the administrative record to show how they have been addressed and resolved. Most importantly, as I have asked previously, has the City determined that all requested entitlements that would be granted as presented in the staff report are within the authority of the HDC? Some of the conditions of approval seem to defer certain discretionary decisions, including condition 59 which relates to the permanent development of structures in public right of way. I've asked before, and will ask again now still hoping for a direct answer to this question: **Does the HDC have the authority to approve private development of permanent structures on City-owned property?**

I'm continuing to review the staff report as quickly as possible, but fear that time is running short so your or Steve's feedback on these issues ASAP would be very much appreciated. There is a substantial amount of new information in the staff report (including a project narrative that, to my knowledge, has not previously been circulated - another seemingly very backwards approach to a normal development application process). Please consider the following in addition to my previous questions:

14. Condition of approval (COA) 1 states that the project must be developed to conform with the July 30, 2019 traffic impact study. Obviously, the City is not intending to require that the project result in the traffic impacts identified in that study. Can you please clarify the intent of requiring the project to conform to the traffic impact study?

15. COA 1 also references that the project must be developed consistent with the "Project Narrative." The condition does not provide a date or other citation for the project narrative, whereas every other item referenced in COA 1 is specifically cited with a date. There is a project narrative in the staff report - it is unsigned and undated and has never been part of the project documents I have seen circulated thus far. Is there a reason a narrative was included in the staff report that doesn't have a name, date, signature and on what basis does the City consider that to be part of the application? A project narrative is a basic and fundamental component required for development applications. Can the staff report be amended to identify who prepared the narrative and when it was prepared and submitted to the City?

16. COA 2 requires that building plans be submitted "to ensure conformance with City codes and standards." Can you clarify how you expect the project to comply with this condition when the project requires variances from City codes? Should that condition be revised to state something like, "...with the exception of the several zoning code variances granted for this project."

17. COA 3 discusses the potential for "...subsequent extension of this approval..." Can you please clarify the mechanism for such extension and who would have the authority to authorize it? Can you also clarify whether the approval termination would be effective immediately on the date cited or if the City would need to take formal action at that point to terminate? Can you also clarify whether such termination would void the variance approvals such that a future applicant would need to reapply for variances even if proposing the same or similar building? (Also, there is a word missing between "two" and "from". I think you mean "years.")

18. COA 4 places a requirement on the City to bear attorneys costs and fees in defense of the project and specifies no requirement on the owner/applicant to fund a defense. Does this mean that the City is committing to pay the cost of defending a private project approval? Can you please clarify and work with the City attorney to amend the condition to provide more protection for the City?

19. Regarding 5, can you provide a copy of Reso 2434 and clarify in the condition what the owner/applicant's obligation for "participating in mitigation monitoring" is? Furthermore, please consider language stating that "the owner/applicant shall be required to comply with, implement, and fully fund all mitigation measures adopted and incorporated as conditions of approval." Also, there is a check mark for this COA but I don't think the COA is an actual mitigation measure. Can you clarify that?

20. COA 7 references "the property." Since a portion of the project will be permanently constructed on City property, can you clarify any payoff or applicable fees that would be associated with development on the City-owned property to be developed by this private project?

21. COAs 8 and 9 require the owner/applicant to fund the cost of outside legal and consulting services that may be used by the City. Should that condition not also require that the owner/applicant fund in-house City and staff costs? If the owner/applicant doesn't pay for those in-house City costs, who does pay for that?

22. COA 10 states, "unless exempt by previous agreement." Is there a "previous agreement" for this property, project, owner/applicant? If so, the condition should be revised to reflect that. If there isn't an agreement, should that phrase be stricken from the condition to avoid confusion? This condition and the staff report would be much more easily understood if the specific actual development fees were identified. Also, can you clarify the relationship of the fees per this condition with separate parking-related fees/funding conditions? The condition states that the "90-day protest period...has begun." When did it begin? Since the fees are identified yet, what would be the current basis for a challenge to those fees?

23. COA 12 references "the property." Since a portion of the project will be permanently constructed on City property, can you clarify if there are any applicable payoff or segregation/fees that would be associated with development on the City-owned property to be developed by this private project and, if so, who would be responsible for funding that?

Bob Delp
916-812-8122
bdelp@live.com

Steven Banks

From: Bob Delp <bdelp@live.com>
Sent: Saturday, August 1, 2020 9:56 AM
To: Pam Johns; Scott Johnson; Steven Banks
Cc: sutterstreettaqueria@gmail.com; ankhelyi@comcast.net; danwestmit@yahoo.com; kcolepolicy@gmail.com; kevin.duewel@gmail.com; daronbr@pacbell.net; mjwestcoastcarports@gmail.com; Elaine Andersen; Kelly Mullett
Subject: Re: Request to Remove 603 Sutter Street Review from August 5 HDC Agenda

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Continuation of Questions:

24. The City has two webpages ostensibly with current project information, but one is not up to date and the other while entitled Design Review Projects, makes no mention of 603 Sutter St. Is there a way to immediately remedy this to avoid precluding the public from having info about the project? (More detail: The agenda was posted three days ago. The City has two webpages where project design reviews are listed. One is "Current Planning Project Under Review"

https://www.folsom.ca.us/community/planning/current_project_information.asp. This is accessed by clicking a button that reads "Current Project Information." That webpage is where the 2019 design drawings and the June 2020 IS/MND are available. Although a substantial amount of additional documents have been produced since June 2020, including the Aug 5 agenda and the staff report, the information on this page hasn't been updated and is not "current project information" as labeled on the button. Anyone looking here would see the June IS/MND which states that the HDC hearing will be on July 15. Does the City not have a procedure to keep that information up to date? I know one could argue that people need to track the HDC agenda page, but it really seems unfortunate that a webpage still lists the project with old and incomplete information. Even just adding a note there like "See HDC Aug 5 Agenda for more information" would be a simple step at providing basic current information to the public. The other webpage is accessed by clicking a button "Design Review

Projects" https://www.folsom.ca.us/community/planning/design_review/default.asp. That page lists several projects but does not include 603 Sutter Street, even though 603 Sutter Street is undergoing design review. Although it's likely much too late to make changes to these webpages in a way that would meaningfully inform the public about a project decision process just days away, but I am interested in understanding the City's procedures for deciding what, where, and when to post information.)

25. In the several pages of the staff report regarding parking variance, I don't see any discussion of input from the community regarding our opinions on the effects of the parking variance on health and welfare, except perhaps discussion of the 2017 meeting where people did in fact express concerns. My understanding is that the ad hoc parking committee effort and its recommendations was largely driven by neighborhood concerns about parking impacts on their health and welfare. The staff report concludes that the parking variance wouldn't materially affect people living and working in the neighborhood. Can you point me to any evidence in the staff report or anywhere else of City outreach to the community that resulted in community input that would lead to that conclusion?

Steven Banks

From: Bob Delp <bdelp@live.com>
Sent: Saturday, August 1, 2020 6:23 PM
To: Pam Johns; Scott Johnson; Steven Banks
Cc: sutterstreettaqueria@gmail.com; ankhelyi@comcast.net; danwestmit@yahoo.com; kcolepolicy@gmail.com; kevin.duewel@gmail.com; daronbr@pacbell.net; mjwestcoastcarports@gmail.com; Elaine Andersen; Kelly Mullett
Subject: Re: Request to Remove 603 Sutter Street Review from August 5 HDC Agenda

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Continued questions:

27. The hearing notice required by the FMC has not been posted at the site. FMC 17.52.320 states, **"the project site shall be posted by the applicant 5 days prior to the commission hearing, with a notice 11 inches by 17 inches in size, facing the street frontage, and indicating the project description and the place and time of the hearing."** I have checked regularly since 5pm yesterday and, as of 5pm today (4 days prior to the Aug 5 hearing), the required notice has not been posted. The same sign that has been there for several months is still there but that sign does not "indicate the project description" (e.g., it says nothing about the building height or parking variances, critical and fundamental aspects of the project) and it does not identify the place or time of the scheduled hearing. If this means the hearing must be postponed, please let me know ASAP so I can stand down on my review of the staff report. If you still intend to proceed with the hearing even though sufficient public notice in compliance with the zoning code has clearly not taken place, can you please provide the rationale and justification for proceeding with the hearing and amend the staff report so that it advises the Commission of the failed noticing and provides staff's rationale for moving ahead with the hearing?

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Saturday, August 1, 2020 9:55 AM
To: Pam Johns <pjohns@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>; Steven Banks <sbanks@folsom.ca.us>
Cc: sutterstreettaqueria@gmail.com <sutterstreettaqueria@gmail.com>; ankhelyi@comcast.net <ankhelyi@comcast.net>; danwestmit@yahoo.com <danwestmit@yahoo.com>; kcolepolicy@gmail.com <kcolepolicy@gmail.com>; kevin.duewel@gmail.com <kevin.duewel@gmail.com>; daronbr@pacbell.net <daronbr@pacbell.net>; mjwestcoastcarports@gmail.com <mjwestcoastcarports@gmail.com>; Elaine Andersen <eandersen@folsom.ca.us>; Kelly Mullett <kmullett@folsom.ca.us>
Subject: Re: Request to Remove 603 Sutter Street Review from August 5 HDC Agenda

Continuation of Questions:

24. The City has two webpages ostensibly with current project information, but one is not up to date and the other while entitled Design Review Projects, makes no mention of 603 Sutter St. Is there a way to immediately remedy this to avoid precluding the public from having info about the project? (More detail: The

Steven Banks

From: Bob Delp <bdelp@live.com>
Sent: Sunday, August 2, 2020 6:42 AM
To: Pam Johns; Scott Johnson; Steven Banks
Cc: sutterstreettaqueria@gmail.com; ankhelyi@comcast.net; danwestmit@yahoo.com; kcolepolicy@gmail.com; kevin.duewel@gmail.com; daronbr@pacbell.net; mjwestcoastcarports@gmail.com; Elaine Andersen; Kelly Mullett
Subject: Re: Request to Remove 603 Sutter Street Review from August 5 HDC Agenda

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28. Please revise the staff report to identify that the project exceeds the maximum FAR or provide a full explanation and calculations to show that it does not. Absent that, **the project does in fact exceed the maximum FAR** and requires a variance for that in addition to the other two variances that have been identified. In my comments on the IS/MND I noted that with or without including the balcony area, the project exceeds the 2.0 max FAR. Using information straight out of the City's IS/MND (Table 2), the property is 7,400 sq ft., the total building area w/o the roof deck is 14,811 sq ft., and the total building area with the roof deck is 18,965 sq ft. 14,811 divided by 7,400 results in a FAR of 2.001 and 18,965 divided by 7,400 results in a FAR of 2.56. Both of these FARs are in excess of the maximum FAR of 2.0, in fact any building area larger than 14,000 sq ft exceeds the 2.0 FAR. The applicant would not expect the City to assert he has exceeded the FAR if he were one square foot under; and nor should the applicant expect that he should be allowed to exceed the FAR by one square foot more without needing a variance. As with the IS/MND, **the staff report presents a hypothetical FAR calculation instead of simply presenting a calculation of the actual FAR based on the actual project size.** The staff report also states, "*City staffs interpretation* of the methodology to be used in determining a FAR is to complete the calculation by dividing *the leasable area* of a proposed building by the area of the site as described in footnote 3." (Footnote 3 is that same hypothetical calculation.) I cannot find anywhere else in any of the documents provided where "leasable area" is mentioned. Even excluding the balconies, the 2.0 max FAR is exceeded. Furthermore, unless the City plans to restrict what portions of the building can be leased (and I see that discussed nowhere in 490+ pages of documentation), then we have every reason to also include the balcony area within the leasable space meaning the FAR is greater than 2.5. If that's the case, then shouldn't the estimated parking requirement also be calculated based on the leasable space - in which case, the City has underestimate the parking requirement and the staff report should be revised to reflect that.) Please clarify.

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Saturday, August 1, 2020 6:22 PM
To: Pam Johns <pjohns@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>; Steven Banks <sbanks@folsom.ca.us>
Cc: sutterstreettaqueria@gmail.com <sutterstreettaqueria@gmail.com>; ankhelyi@comcast.net <ankhelyi@comcast.net>; danwestmit@yahoo.com <danwestmit@yahoo.com>; kcolepolicy@gmail.com <kcolepolicy@gmail.com>; kevin.duewel@gmail.com <kevin.duewel@gmail.com>; daronbr@pacbell.net

Steven Banks

From: Bob Delp <bdelp@live.com>
Sent: Sunday, August 2, 2020 6:50 AM
To: Pam Johns; Scott Johnson; Steven Banks
Cc: sutterstreettaqueria@gmail.com; ankhelyi@comcast.net; danwestmit@yahoo.com; kcolepolicy@gmail.com; kevin.duewel@gmail.com; daronbr@pacbell.net; mjwestcoastcarports@gmail.com; Elaine Andersen; Kelly Mullett
Subject: Re: Request to Remove 603 Sutter Street Review from August 5 HDC Agenda

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Minor correction in red below.

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Sunday, August 2, 2020 6:41 AM
To: Pam Johns <pjohns@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>; Steven Banks <sbanks@folsom.ca.us>
Cc: sutterstreettaqueria@gmail.com <sutterstreettaqueria@gmail.com>; ankhelyi@comcast.net <ankhelyi@comcast.net>; danwestmit@yahoo.com <danwestmit@yahoo.com>; kcolepolicy@gmail.com <kcolepolicy@gmail.com>; kevin.duewel@gmail.com <kevin.duewel@gmail.com>; daronbr@pacbell.net <daronbr@pacbell.net>; mjwestcoastcarports@gmail.com <mjwestcoastcarports@gmail.com>; Elaine Andersen <eandersen@folsom.ca.us>; Kelly Mullett <kmullett@folsom.ca.us>
Subject: Re: Request to Remove 603 Sutter Street Review from August 5 HDC Agenda

28. Please revise the staff report to identify that the project exceeds the maximum FAR or provide a full explanation and calculations to show that it does not. Absent that, the project does in fact exceed the maximum FAR and requires a variance for that in addition to the other two variances that have been identified. In my comments on the IS/MND I noted that with or without including the balcony area, the project exceeds the 2.0 max FAR. Using information straight out of the City's IS/MND (Table 2), the property is 7,400 sq ft., the total building area w/o the roof deck is 14,811 sq ft., and the total building area with the roof deck is 18,965 sq ft. 14,811 divided by 7,400 results in a FAR of 2.001 and 18,965 divided by 7,400 results in a FAR of 2.56. Both of these FARs are in excess of the maximum FAR of 2.0, in fact any building area larger than 14,800 sq ft exceeds the 2.0 FAR. The applicant would not expect the City to assert he has exceeded the FAR if he were one square foot under; and nor should the applicant expect that he should be allowed to exceed the FAR by one square foot more without needing a variance. As with the IS/MND, **the staff report presents a hypothetical FAR calculation instead of simply presenting a calculation of the actual FAR based on the actual project size.** The staff report also states, "City staffs interpretation of the methodology to be used in determining a FAR is to complete the calculation by dividing *the leasable area* of a proposed building by the area of the site as described in footnote 3." (Footnote 3 is that same hypothetical calculation.) I cannot find anywhere else in any of the documents provided where "leasable area" is mentioned. Even excluding the balconies, the 2.0 max FAR is exceeded. Furthermore, unless the City plans to restrict what portions of the building can be leased (and I see that discussed nowhere in 490+ pages of documentation), then we have

Kelly Mullett

From: Omar itani <omar.itani@live.com>
Sent: Thursday, July 30, 2020 9:20 PM
To: Kelly Mullett; City Clerk Dept; Steven Banks
Subject: 603 Sutter Street

Follow Up Flag: Follow up
Flag Status: Flagged

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Historic District Commissioners:

My name is Omar Itani, I reside at [1005 Blue Ravine Road](#), Folsom and work in the Folsom's Historic District. My comment is to support more economic development on Sutter street such as the proposed [603 sutter street](#). I have read the comprehensive report published on Thursday July 30,2020 and I was impressed with the depth and breadth of the report, however, I see no encouragement or incentive by the city to bring jobs and economic development to the Historic District. The commercial buisnesses on Sutter street can certainly benefit from an increase in measured development and foot traffic. Much of the discussion is on Parking and Height and how the local residence feel about commercial development nearby. I believe the question should be how would a commercial development on a commercially zoned area be incentivized for the betterment of the entire city's residents and not just the few. Jobs, taxes and economic development benefits the entire city residence.

Thank you

Omar Itani

Kelly Mullett

From: Ben Fuentes <fuentesben@comcast.net>
Sent: Thursday, July 30, 2020 4:13 PM
To: Elaine Andersen; Pam Johns; Scott Johnson; Steven Banks; daronbr@pacbell.net; danwestmit@yahoo.com; ankhelyi@comcast.net; sutterstreettaqueria@gmail.com; mjwestcoastcarports@gmail.com; kcolepolicy@gmail.com; kevin.duewel@gmail.com; Kelly Mullett <kmullett@folsom.ca.us>
Subject: Request extewnsion of time to review Staff report for 603 Sutter St.

Follow Up Flag: Follow up
Flag Status: Flagged

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My name is Ben Fuentes and I live at 306 Scott St. in Folsom's Historic District and next door to the proposed project. As a resident of the Historic District I am directly affected by development within this community, and I would be adversely affected by the currently proposed development at 603 Sutter Street. At approximately 3:30 p.m. yesterday, July 29th, the materials for the Historic District Commission (HDC) August 5th meeting were posted on the City's website. The staff report and related materials for 603 Sutter Street are 490 pages long. It is unreasonable for the City to expect me and other members of the community to be able to review and provide meaningful input on that project in a period of less than five business days; and even if we do provide input during that time, it will be impossible for staff or the HDC to fully consider public input. Therefore, by way of this email and to allow meaningful public input, I am requesting that you remove the 603 Sutter Street item from the August 5 agenda and reschedule the item to be heard by the HDC at its August 19 or later meeting.

Lastly, I understand that this development was originally on the July 15th agenda and was removed at the applicant's request to allow more time to consider and address comments submitted by concerned residents. It is reasonable to expect that a similar extension should be provided to the community.

Sincerely, Benjamin B. Fuentes

Steven Banks

From: Bob Delp <bdelp@LIVE.COM>
Sent: Thursday, July 30, 2020 9:08 AM
To: Elaine Andersen; Pam Johns; Scott Johnson; Steven Banks; daronbr@pacbell.net; danwestmit@yahoo.com; ankhelyi@comcast.net; sutterstreettaqueria@gmail.com; mjwestcoastcarports@gmail.com; kcolepolicy@gmail.com; kevin.duewel@gmail.com; Kelly Mullett
Subject: Request to Remove 603 Sutter Street Review from August 5 HDC Agenda

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My name is Bob Delp and I live at 612 Mormon Street in Folsom's Historic District. As a resident of the Historic District I am directly affected by development within this community, and I would be adversely affected by the currently proposed development at 603 Sutter Street. At approximately 3:30 p.m. yesterday, July 29th, the materials for the Historic District Commission (HDC) August 5th meeting were posted on the City's website. The staff report and related materials for 603 Sutter Street are 490 pages long. It is unreasonable for the City to expect me and other members of the community to be able to review and provide meaningful input on that project in a period of less than five business days; and even if we do provide input during that time, it will be impossible for staff or the HDC to fully consider public input. Therefore, by way of this email and to allow meaningful public input, I am requesting that you remove the 603 Sutter Street item from the August 5 agenda and reschedule the item to be heard by the HDC at its August 19 or later meeting.

Lastly, I understand that this development was originally on the July 15th agenda and was removed at the applicant's request to allow more time to consider and address comments submitted by concerned residents. It is reasonable to expect that a similar extension should be provided to the community.

Sincerely,
-Bob Delp

Bob Delp
916-812-8122
bdelp@live.com

Steven Banks

From: powerhousepub@aol.com
Sent: Friday, July 31, 2020 10:43 AM
To: Scott Johnson; Steven Banks
Subject: Fwd: Historic District Commission- 603 Sutter St

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Pls forward to Commissioners, Thanks, Murray

To : Commissioners
From: Murray Weaver
Re: Proposed mixed uses building , 603 Sutter Street

As a long time business and property owner in the historic district I submit the following comments .

While I support the infill and build out of additional structures in the district I do not think this proposal in its current form is appropriate. Its excessive height is especially unreasonable given it is adjacent to residential neighbors whose privacy and views are negatively impacted. Such a structure will only exacerbate the issues between the residential and commercial entities that are now working together to find common ground in making the district better for all.

A building of this size must provide some reasonable attempt to provide for parking. This could include on site, other sites, or an "in lieu" arrangement whereby a variance can be granted in return for a cash payment to be determined by a negotiated formula.

Murray Weaver 614 Sutter St, Folsom Ca

Kelly Mullett

From: Paul Keast <mrpdk@comcast.net>
Sent: Friday, July 31, 2020 3:37 PM
To: Elaine Andersen; Pam Johns; Scott Johnson; Steven Banks; daronbr@pacbell.net; danwestmit@yahoo.com; ankhelyi@comcast.net; sutterstreettaqueria@gmail.com; mjwestcoastcarports@gmail.com; Kathleen Cole; kevin.duewel@gmail.com; Kelly Mullett
Subject: Fairness Request to Remove 603 Sutter Street Review from August 5 HDC Agenda

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To: Elaine Andersen <eandersen@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>; Steven Banks <sbanks@folsom.ca.us>; daronbr@pacbell.net <daronbr@pacbell.net>; danwestmit@yahoo.com <danwestmit@yahoo.com>; ankhelyi@comcast.net <ankheli@comcast.net>; sutterstreettaqueria@gmail.com <sutterstreettaqueria@gmail.com>; mjwestcoastcarports@gmail.com <mjwestcoastcarports@gmail.com>; kcolepolicy@gmail.com <kcolepolicy@gmail.com>; kevin.duewel@gmail.com <kevin.duewel@gmail.com>; Kelly Mullett <kmullett@folsom.ca.us>
Subject: Request to Remove 603 Sutter Street Review from August 5 HDC Agenda

My name is Paul Keast and I live at 808 Mormon Str. Folsom's Historic District. As a resident of the Historic District I am directly affected by development within this community, and I would be adversely affected by the currently proposed development at 603 Sutter Street. At approximately 3:30 p.m. yesterday, July 29th, the materials for the Historic District Commission (HDC) August 5th meeting were posted on the City's website. The staff report and related materials for 603 Sutter Street are 490 pages long. It is **unreasonable** for the City to expect me and other members of the community to be able to review and provide meaningful input on that project in a period of less than five business days; and even if we do provide input during that time, it will be impossible for staff or the HDC to fully consider public input.

Therefore, by way of this email and to allow meaningful public input, I am requesting that you remove the 603 Sutter Street item from the August 5 agenda and reschedule the item to be heard by the HDC at its August 19 or later meeting.

Lastly, I understand that this development was originally on the July 15th agenda and was removed at the **applicant's request** to allow more time to consider and address comments submitted by concerned residents. It is reasonable to expect that a **similar extension should be provided to the community**.

Sincerely,
Paul Keast

Steven Banks

From: Julie Reed <juliereedwrites@gmail.com>
Sent: Sunday, August 2, 2020 6:14 PM
To: Steven Banks
Subject: ZGlobal building

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Steven,

I've been a homeowner in Folsom for 5 years, and Sutter Street is one of my favorite things about this town. I've seen the artist's rendering of the proposed ZGlobal building being considered for the corner of Scott and Sutter streets, and I hope this doesn't become a reality. The building is enormous, and takes away from the special historic library building next door. Folsom is a town that values and celebrates its past, and Sutter Street is a huge part of that. Please don't let this happen! Thanks for your consideration,

--Julie Reed

Kelly Mullett

From: folsomcandy@sbcglobal.net
Sent: Sunday, August 2, 2020 12:09 PM
To: Kelly Mullett
Subject: comment for HDC meeting August 5

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kelly, Hope you are well. The following is a comment for Wednesday's meeting regarding Agenda Item 3. Unfortunately, I am unable to attend the meeting. Thank you for seeing that it is entered into the record.

Comment from Candy Miller, 303 Crow Canyon Dr. Folsom

This would be a beautiful building in a different location. It is not, however, representative of a building that would have been constructed in Folsom in the late 1800s. For that reason, I ask that the Commission deny the project. Thank you.

Candy Miller

Kelly Mullett

From: Catherine O'Mordha <catherine.omordha@gmail.com>
Sent: Monday, August 3, 2020 12:23 AM
To: Steven Banks; Kelly Mullett
Subject: ZGLOBAL - Sutter Street, Folsom

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

It has come to my attention that the planners of our fair City of Folsom are considering a new large Sutter Street location for ZGlobal - *again*. The proposed building not only dwarfs the Historic Folsom Library Building at 605 Sutter, but there is no parking planned to accommodate all the people who will work there. That would present a problem for employees and customers as well as current neighborhood residents and businesses. In addition to that, the location for the proposed garbage bin is completely inconsiderate of those who live in the area. The smell and the bugs that will be inevitably drawn would be miserable to live next to. How would you like a garbage bin collection area set up next to your house? And 50-60+ people vying for parking spaces in your neighborhood? That's just asking for trouble!

If a large building for ZGLOBAL is that important to Folsom, surely there is a more appropriate location for this comparative monstrosity elsewhere in the city.

Please be careful! We need to be considerate of Sutter Street's current residents and businesses as we move forward with careful growth.

Sincerely,

Catherine O'Mordha
A Folsom Resident, Concerned Citizen and Active Voter

Roberta Long

Author/Editor/Writer/Photographer

272 Colner Circle
Folsom, CA 95630

530-305-0720
rjklong@comcast.net

August 3, 2020

Historic District Commission
City of Folsom
50 Natoma Street
Folsom, CA 95630

603 Sutter Street Mixed-Use Building

Commissioners:

For decades, I have been drawn to Folsom's Sutter Street. In its several iterations, it has always held a fascination.

One of my favorite memories from the 1970s is sitting on the porch steps of The Candy Store Art Gallery at 605 Sutter Street during an art reception, relaxing in a cool Delta breeze and visiting with famous and soon-to-be famous artists and guests. The owner, Adeliza McHugh, promoted the works of Sacramento-area artists who gained recognition as members of the Funk movement. Her Candy Store gallery became well-known for the quality of her avant-garde pieces, and she attracted art collectors from around the world.

Since the 1990s, I have covered stories in the Folsom Historic District as a reporter for *Village Life* newspaper (El Dorado Hills), as managing editor of *Folsom Life* newspaper, where I covered the revitalization years, and as contributor to local publications. Here are some comments on the proposed project at 603 Sutter Street based on my observations and information.

1. This is a special site and deserves special consideration. It is the only parcel in the Historic District that creates an interface between the commercial district and the residential neighborhood.
2. There are homes on the south and east sides of the proposed building. A small home on the west side, facing Sutter Street, is used as a commercial property.
3. Two of the neighboring buildings are historically significant: The Cohn Mansion, at 305 Scott Street, is on the National Register of Historical Places. The building at 605 Sutter Street was built by Sutter Street merchant Edward Levy for his daughter in the

1920s. She opened her home with her personal book collection to serve as Folsom's first public library.

4. The proposed building covers the maximum space on the lot. Having no setback in the front is allowed, but in this case a much smoother transition into the residential neighborhood would be achieved if there were a setback similar to the one at 905 Sutter Street.
5. The renderings do not represent the size relationships of the buildings. One way to accurately assess the impact is to use story poles to depict the bulk and mass of the proposed structure.
6. The building design does not appear to have any reference to Sutter Street's history. The palladio windows were not used during the early period of its development.
7. Looking at the future in today's world, will there be a healthy market for office space? Will there be sufficient outside dining space to support a restaurant? If not, there is nothing that would preclude the applicant from resubmitting a proposal to convert the project to apartments or condominiums.
8. The applicant states granting its application is "necessary for the preservation and enjoyment of substantial property rights." Notwithstanding that "substantial property rights" is a subjective term, not a legal definition, applicant's substantial property rights need to be balanced with those of surrounding properties.

Before moving to California, I built a home on a steep slope in an established traditional neighborhood in Portland, Oregon. It was much more expensive than if I had built on a flat piece of ground, but well worth it. Construction at 603 Sutter Street will have to be done cautiously, and will necessarily be more expensive than lower on Sutter Street.

There is an opportunity here to create a beautiful transition from the commercial district to the residential neighborhood. It would bring visitors and customers up the hill to Scott Street. It could also serve as a model for other communities that face the same conundrum.

Roberta Long

Kelly Mullett

From: Anne Bishop <annebishop868@gmail.com>
Sent: Monday, August 3, 2020 10:45 AM
To: Kelly Mullett; City Clerk Dept; Steven Banks

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing this e-mail in support of the proposed building at 603 Sutter. I frequently go to Sutter street to shop and just to enjoy the ambiance it has to offer.

I have seen the plans for this building and the building was designed primarily with the thought that it would blend in with and enhance the existing architecture of "old folsom". With the perceived growth of Folsom it seems plausible to add buildings of this nature. I strongly support the addition of this building.

Thank You for your consideration.

Anne Bishop
1861 Ardfarn Way
Folsom,ca,95630

Kelly Mullett

From: impound guy <sgcode3@gmail.com>
Sent: Monday, August 3, 2020 11:58 AM
To: Steven Banks
Cc: Kelly Mullett
Subject: Proposed site

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I moved here to Folsom 4 years ago from L.A....I bought here because it was so very quaint and was totally sold on Historic Sutter Street because it was not only "Historic" but for the most part still looked that way as well....Then came the new Scotts Seafood restaurant....which changed the look....now this new proposal will change it even more.....YOU are losing the term "Historic" Folsom and changing it's look to "Commerical" Folsom...some things are better left alone, for no other reason than to preserve "whatever" is left of History.....which with every new commercial site—you are slowly losing.

Thank you,
Steve Getz

Steven Banks

From: Kathryn Corbett <stellarpass@comcast.net>
Sent: Monday, August 3, 2020 11:36 PM
To: Steven Banks
Subject: RE: 603 Sutter Street Mixed Use Building

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Kathryn Corbett
Folsom, CA. 95630
916.353.0556

Greetings Steve,

While formerly involved and happy to engage with our great City of Folsom and Community on many fronts, these days I've slowed almost to a standstill on City involvement with current events and the dreaded COVID on the loose, like many other folks I find myself on self imposed lock-down . However, I have been inspired to speak out and come out of the wood work on this Building proposal for 603 Sutter St., like so many others I know.

Why would this issue galvanize so many and myself to action and prompt us to call, write or speak against this project and building proposal? I'm certain lots of folks will be present for this meeting and you will receive many letters and calls. For so many of us whether we live in the Historic District or not this area represents why we moved here, it stands for the quality of life we have come to find here. This proposed building location is part of a community area that is near and dear too many, an area often referred as the heart of our City. This HD Neighborhood and Sutter Street location has great historical and community significance to most all of us that live in Folsom (and beyond.) Many of us have over the years been inspired to contribute to the HD Sutter St area in a multitude of ways and Celebrate here for many big occasions. For those of us who care about the Heart of Folsom and the quality of life in the Historic District Neighborhood we are concerned about this oversized proposed building which would be a blight to the area, it's problematic as to Parking for both the HD Neighborhood and the Sutter St area. Which we all know is a constant ongoing issue. The proposed design doesn't mesh with the charming ambience and aesthetics we love in the HD Sutter St or Neighborhood and exceeds the Historic District height standard and more.

It is hard to fathom why the previous similar plans for this site 2 years ago with the same architect is being presented again with this very like design. It was denied largely for the very objectionable negative design features that are now still present and resubmitted!

I hope the developer will be able to work with the HD Community and Neighborhood and see what it is we all love about the heart of our City of Folsom and build something that is accordance with this. That would be a true success, Kathryn Corbett

Steven Banks

From: Melissa Pruden <melissa.pruden@gmail.com>
Sent: Tuesday, August 4, 2020 11:49 AM
To: Kelly Mullett; Steven Banks
Subject: 603 Sutter St. Development

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I'm firmly against the size of the current proposed development at 603 Sutter Street and I'm requesting to attend the August 19th Historic District Commission meeting virtually. I look forward to receiving meeting access information from you.

Thank you,

Melissa Pruden

173 Berry Creek Dr, Folsom, CA 95630

Steven Banks

From: Lucy Bottallo <lbottallo14@gmail.com>
Sent: Tuesday, August 4, 2020 7:58 PM
To: Steven Banks
Subject: Stop the development at 603 Sutter St.

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I am opposed to this company/building being built in Old Town Folsom. The people said they don't want it. Why are companies so relentless until you win, get your way. You were already turned town. Leave our Old Town Folsom alone. It is not the place for your company. Go build it by Costco or on the South side of Hwy. 50 or somewhere else. I am sick of companies like yours that disregard anything that the people of the City of Folsom have to say especially those that live in Old Town Folsom. You did not address the peoples concerns the first time. Leave our Old Town Folsom alone, you will ruin the beautiful look and feel of our little town. Just go away, the people of the City of Folsom said NO so go find somewhere else to build your company. We don't want you here. We will fight tooth and nail to keep you out of Old Town Folsom.

August 4, 2020

TO: Historic District Commission

FROM: Tony Powers, 1002 Natoma Street, Folsom

RE: 603 Sutter Street

I have read the letters from former Mayor, Glenn Fait, and Loretta Hettinger objecting to this project. I agree with and endorse their comprehensive arguments against approval of this project. In this letter, I will expand on just two points: the off-street parking requirement waiver and the maximum height waiver.

First, the parking. While I agree, in concept, that excessive off-street parking requirements are detrimental to the character and even existence of walkable communities such as our historic district, that doesn't mean that completely eliminating parking requirements for a single project within that district is a good idea. According to the staff report, this project creates demand of up to 76 spaces within Zone 1 of the historic district, as defined in the K-H study, which currently has a total of 177 on- and off-street spaces. The report then goes on to note that the total historic district peak demand for parking is only 55-60% of the 801-space capacity. Hence there are currently about 320 available spaces in the district. This project would take 24% of those available spaces. Note that these numbers do not include anticipated future demand, which the report says will exceed the current capacity. So, approval of this project would exacerbate an anticipated future shortage of parking in the district. But more importantly, what the staff report analysis ignores – and the parking studies never address – is the current and future demand for parking within Zone 1. The proposed project would create demand for 43% of the existing spaces in Zone 1. The parking study indicates current overall excess capacity of 40-45% in the whole district, but most of that is in the parking garage at the very far opposite end of the district. So the excess capacity in Zone 1, if there is any, must be far less than the 43% demand that this project would put on it. And, as Mr. Fair indicated, it is rather fanciful to assume that the vast majority of people parking for this project would park at the extreme far end of the district.

The staff report goes on to propose a requirement for the project to provide 16 of the 76 spaces (or 43 required by the MC) off site through agreement with another property owner within one block (500 feet). One might wonder where the developer would find such property owner. The only conceivable properties with that kind of space are the FOE and Moose lodges. Don't they have their own parking requirements?

Second, I would like to discuss the height variance. The developer argues that because the site is difficult to build upon, they should be allowed to exceed the maximum height allowed by over 40%. Not just a little bit, but a whole extra story of building, and then not provide any parking for the larger building. My question is: why is it our (the people of Folsom's) responsibility to absorb the aesthetic and parking costs of propping up the economic value of a low-value piece of property? It's a very difficult site to build on. Did they not notice that before purchasing it? Might they have learned something from the old library next store, which perches neatly on top of the hill?

I find it astounding that the staff report states, “Unfortunately, the addition of an underground garage would increase the building height by approximately five feet, which was initially opposed by residents in the vicinity of the project site and would increase the Height Variance request.” Just how far can the cart get in front of the horse? By this logic, if the City required, say, 32 spaces on site, then the variance would have to go up yet another 15 feet (to about 60 feet) to accommodate the parking? Did anyone consider the possibility that the building is just too big for the site? The process seems to be: 1) design the largest box you can set on the property (ignoring setbacks in the first proposal), 2) add one more story than the code allows, 3) eliminate all on-site parking, and then claim hardship because the extra underground story will be expensive. The aforementioned quote also implies, that were it not for residents objecting to a building 40% taller than allowed, the height variance would be automatic, just because they asked.

Finally, with regards to the “continuous façade of shops along the street” and the determination “that infill projects are a critical means for preservation of the historic character and authenticity found on Sutter Street and that this also constitutes a special circumstance specific to the project site.” This all conveniently ignores the very local context of the proposed project. The fact is that there is not a continuous façade of shops on the south side of the 600 block, and there cannot be because of the historic library. This site is the very end of the commercial district, so this is the least valuable place in the entire district for a continuation of the façade of shops on the street. The continuous façade needs to end somewhere, and the proposed project provides no transition to the adjacent residential district. Until 607 Sutter was built, there were no buildings taller than two stories on the south side of the block, and the old library provided a nice transition from the continuous façade to the residential district. The 607 building upset that by putting the tallest building on the highest lot, and the proposed project would



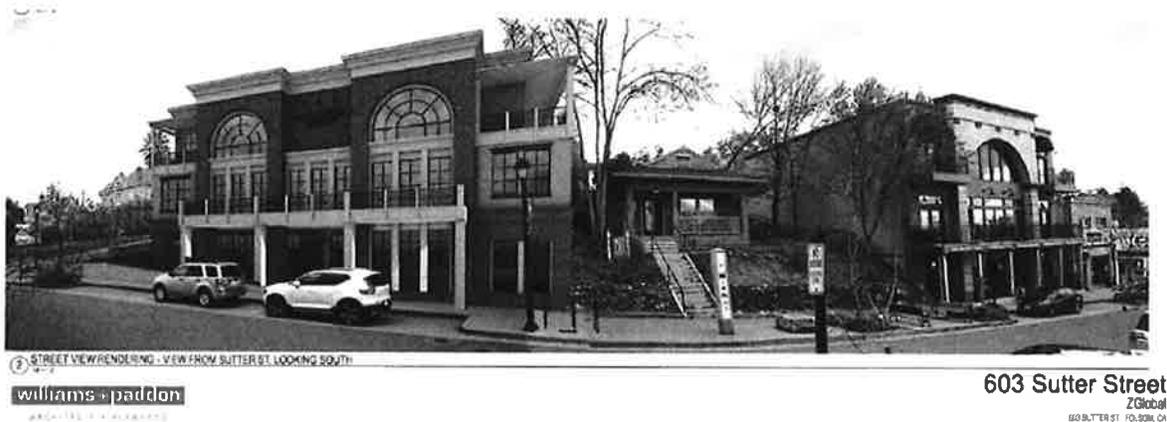
A 911

do the same thing, dramatically violating any sense of order or transition (as seen in the adjacent rendering from the staff report). We should learn from the building across the street, which is also way too big for the location, but at least not on the same side as adjacent homes. The view from the other end of the block (not included in the staff report) would show this much more dramatically.

603 Sutter Street
7 Steps
BOSTON, MA 02114

More importantly, perhaps, the local context seems to be completely forgotten. I have copied a second rendering from the staff report below – in which the panoramic view distorts the relative sizes of the three buildings, making the historic library look larger than it is and the two adjacent buildings smaller –

and even with the friendly distortion, it shows that the architecture and massing of the historic library are *totally out of context of the two adjacent buildings*. Please pardon the sarcasm, but, as noted in the staff report, General Plan Goal LU1.1.12-1 (Infill Development) states: "Respect the local context: New development should improve the character and connectivity of the neighborhood in which it occurs. Physical design should respond to the scale and features of the surrounding community. while improving critical elements such as transparency and permeability."



The response to this in the staff report makes no mention of the most local of contexts, the historic library. Instead, it emphasizes all the other new buildings that got height (and parking) variances. Such as here:

The 600-block of Sutter Street where the building is proposed includes a variety of one, two, and three-story commercial buildings. Two of the three-story buildings in the block near the proposed site were constructed in the last 15 years and exceed the 35 foot height limit: the Fire and Rain building (42 feet tall) and the Folsom Electric Building (42to57 feet tall). Further to the west along Sutter Street, the Historic Folsom Station project (not yet developed) was approved for buildings that range from 19 to 48 feet in height.

And here:

As described above, the project site is located within an area that is predominantly commercial in nature. The proposed project is also situated within the Sutter Street Subarea, an area in which the most intensive commercial development within the Historic District is located including restaurants, bars, retail shops, and offices. The proposed three-story mixed-use building is compatible with existing land uses, building massing and scale with other commercial and mixed use buildings long Sutter Street in the project vicinity.

Two full paragraphs describing how the proposed building fits in with the character and massing of other (mostly new or not even built) buildings throughout the district, but not one mention of the historic building immediately adjacent.

Clearly, this does not meet the intent of "fitting in" to the historic context of the district.

I urge you not to approve this project with the proposed variances.

Steven Banks

From: Laura Fisher <lkatfisher@netscape.net>
Sent: Thursday, August 6, 2020 9:06 AM
To: Elaine Andersen; Pam Johns; Scott Johnson; Steven Banks; daronbr@pacbell.net; danwestmit@yahoo.com; ankhelyi@comcast.net; sutterstreettaqueria@gmail.com; mjjwestcoastcarports@gmail.com; kcolepolicy@gmail.com; kkevin.duewel@gmail.com; Kelly Mullett
Subject: Requests for Revised 603 Sutter Street Staff Report

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Dear City Staff and Historic District Commissioners,

Last night, the Historic District Commission (HDC) voted to continue the hearing for the 603 Sutter Street project variances and design review to August 19th. Staff told the community the item was being continued to allow additional time for public review. This was not a truthful statement. At least part of the reason that the hearing was moved was because the applicant did not post the notice of the hearing on the proposed development site within five days of the hearing as required by Folsom's zoning code. Further, it was very disappointing to hear Commissioner Duewel's comments about whether the postponement was fair to the applicant. What about fairness to the community? We were provided with the staff report on Thursday, July 30th for an August 5th hearing and since the binders/packages for the 8/5 meeting had allegedly been delivered to the Commissioners on Wednesday, July 29th, there was no method for comments related directly to the staff report to be included for Commissioner review.

If the City truly intends to allow additional time for public review, when will the revised staff report be available? If the same timing for the previous report is expected, we are going to be in the same cycle of the community not having sufficient time to review the staff report and missing the opportunity to provide feedback that would be included in the Commissioner's 8/19 meeting binders.

On August 4, 2020, Pam Johns, sent an email to several members of the community, which I received as a HFRA member. Included in that email was a string of correspondence between Pam and a Historic District resident, Bob Delp. Bob asked several questions raising issues that need to be addressed before the community can provide meaningful input. **Please answer Bob's questions and give the community time to consider those answers before producing a revised staff report.**

The City's assessment of the variances requested for the 603 Sutter Street project must actually consider the effects of the project on my personal health, safety, and welfare. There are already parking problems in the neighborhood near 603 Sutter Street. The requested variances would make these problems even worse. The staff report suggested conditions that are vague and unenforceable and wouldn't address the serious parking issues in our neighborhood and the Historic District. **Even with the conditions proposed by staff, the requested parking variance will materially affect my health, safety, and welfare, and will be detrimental to the neighborhood. Please make sure those facts are stated in the revised staff report and please correct and revise staff's recommended variance findings to reflect that the City cannot make the findings necessary to approve the parking variance.**

Thank you,

Laura Fisher
612 Mormon Street
Folsom

Steven Banks

From: Aalhad Rajan Parulekar <arp893@gmail.com>
Sent: Monday, August 10, 2020 9:01 AM
To: Steven Banks
Subject: Opposition to ZGlobal's Office proposal in Folsom.

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To,
The Principal Planner,
City of Folsom.

Mr. Steven Banks,

I am a resident of 345 Chan Ct, Folsom, CA. I am writing to you to voice my opposition to the proposed office building by ZGLOBAL, in the middle of Sutter Street.

I have gone over the design proposal, and it has appalled me for the following reasons:

1. This building will have a restaurant on the first (ground) floor, with a **food dumpster backed up into a home**, which I think is ridiculous.
2. The office will house 40-50 employees of the company, but the building design has no parking space, resulting in them encroaching the parking spaces on Sutter street, at the cost of the local public and local businesses.
3. It has a 3-storied metal fire escape facing Cohn Mansion, a National Historic Site, and the Gem of Old Town. It also has a party deck looking down into the homes on either side. This will be an eye sore and ruin the aesthetic of Folsom's historic district, if approved.

For these reasons, I strongly urge you to reject their proposal in favor of preservation of the history and quality of life in Folsom.

Thank You,
Aalhad Parulekar

Steven Banks

From: Ziad Alaywan <ziad@zglobal.biz>
Sent: Monday, August 10, 2020 9:55 AM
To: Steven Banks
Cc: Deb Alaywan (zalaywan@aol.com)
Subject: FW: [SPAM]RE: proposal changes

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Ziad Alaywan

President & CEO, MSc, P.E.

Northern California : 604 Sutter street, Suite 250, Folsom, CA 95630

Southern California : 750 W. Main Street, El Centro, CA 92243

Phone:(916) 985 9461 | Cell:(916) 337-0558 |

email: ziad@zglobal.biz ; <http://www.zglobal.biz>

Mexico: Calz. Justo Sierra N Ext 377 Col Cuauhtemoc Sur CP 212000, Mexicali
Baja California, Mexico.

ZG Profile Flipbook: <http://online.fliphtml5.com/pevsq/jfpv/>

From: Ben Fuentes <fuentesben@comcast.net>
Sent: Friday, August 7, 2020 3:52 PM
To: Ziad Alaywan <ziad@zglobal.biz>
Subject: [SPAM]RE: proposal changes

Ziad,

This letter shows a real commitment by you and your wife to work with the neighborhood and to present a workable plan that will enhance our community. I'm glad you met with Loretta and heard her concerns. She and I worked diligently to put together a working structure of guidelines for the historic district and she has a wealth of knowledge that can be helpful when navigating through the approval process. I forwarded this to Glen and asked him to contact you with his comments. I personally believe that what you covered in this letter is the essence of what we discussed and shows clearly that you are willing to amend your project, be a good neighbor and enhance our community.

Thank you for sending this to me and please contact me any time.

Ben Fuentes

From: Ziad Alaywan <ziad@zglobal.biz>
Sent: Friday, August 7, 2020 1:32 PM
To: Ben Fuentes <fuentesben@comcast.net>; glennfait@aol.com
Cc: Deb Alaywan (zalaywan@aol.com) <zalaywan@aol.com>
Subject: proposal changes

Glenn and Ben:
Deborah and I appreciate the time and the input you provided.

We are seriously considering adapting all of Ben's suggestions and most of Glenn as well. Attached is a write up of the proposed changes. We like to ask the city to adopt these changes as a condition for approval on the 19th. We ask both of you to review and provide us with any comments you may have before we officially submit it to the city on Monday morning. We also ask that this document not to be circulated to anyone else.

Its important to us to get a conditional approval on the 19th of August.

I hope you see that we are in fact willing to listen and making changes. We want to be a good neighbor to both of you. Z



Ziad Alaywan
President & CEO, MSc, P.E.
Northern California : 604 Sutter street, Suite 250, Folsom, CA 95630
Southern California : 750 W. Main Street, El Centro, CA 92243
Phone:(916) 985 9461 | Cell:(916) 337-0558 |
email: ziad@zglobal.biz ; <http://www.zglobal.biz>
Mexico: Calz. Justo Sierra N Ext 377 Col Cuauhtemoc Sur CP 212000, Mexicali
Baja California, Mexico.
ZG Profile Flipbook: <http://online.fliphtml5.com/pevsq/jfpv/>

Attachment 20

Applicant's Response Letter to Public Comments, dated August 7, 2020

We appreciate the various comments we have received regarding the 603 Sutter Street Project. Most of the comments have been very helpful, some favoring the project, others not so much, while many have good suggestions and ideas. My wife, Deborah, and I recently met with several of the neighbors including Mr. Ben Fuentes and Mr. Glenn Fait. I also discussed the project with Mr. Bob Delp. My wife had a productive conversation with Ms. Loretta Hettinger, the current Vice President of the Folsom Heritage Preservation League. The recent meetings and discussions were extremely productive and much appreciated.

Before I summarize the discussion, I would like to make a few comments and observations:

1. It appears that some comments still refer to the old design done in 2017. I want to reiterate that we reduced the height by about 7 feet, reduced the building size from 23,486 sq. feet to 14,811 sq. feet and modified the design per the City and other stakeholders' recommendations.
2. While we live in El Dorado Hills, my wife and I have had significant interaction with the City of Folsom since 1997. We own two houses and 2 lots on Sutter Street in addition to an active business located at 604 Sutter Street. It was my recommendation to the Governor's office in October of 1996 to select Folsom as the home of the Electric Grid Operator (California ISO). In 1997 I moved to Folsom, hired 250 employees, and started this operation. In fact, Mr. Fait was the City Mayor at that time and was present at the ribbon cutting ceremony for the CAISO in 1998. This organization employs over 600 professionals and manages the electricity for 80% of California. In 2005 I started an engineering company and my engineering business is currently located at 604 Sutter Street. I mention all of this because, unlike some of the perceptions out there, we are not a large corporation or big developer. We are part of the community and our wish is to be active participants and good citizens of Folsom while giving back to a community that has provided so much to us.
3. We have done our best to incorporate what has been asked of us regarding changes to the last proposal. We are sensitive to community concerns, especially for our neighbors, unfortunately, we will not make everyone happy. The fact remains that there are other buildings of the same size, mass, and height close to this site and we believe we are being consistent with the new projects that have been built. We are willing to incorporate some of the ideas the neighbors would like to see and take measures regarding the design of the building that may reduce the illusion of a large mass project. We feel it is vitally important to listen to our neighbor's suggestions and we are happy to

work with them so that we may construct a building that is mutually beneficial to all.

We very much appreciate the suggestions of Mr. Fait, Mr. Delp, Mr. Fuentes, and Ms. Hettinger. Based on these discussions, I would like to ask the City to consider adopting the following suggestions regarding the conditional permit for the building:

1. An approximately 15 space underground parking garage will be included as part of the project at the 603 Sutter Street location.
2. The trash enclosure on the south side bordering Mr. Fuente's house on Scott Street will be removed (if compliant with the City of Folsom Solid Waste) and relocated most likely to the 603 Sutter Street garage area.
3. We will work with Mr. Fuentes to provide options for privacy from the windows on the south side of the building bordering his property.
4. We will enclose the fire escape (brick or other material) making it internal to the building versus exposed, as it is now along Scott Street.
5. We will eliminate the roof top deck all together to alleviate neighbor's concerns regarding parties, noise, and privacy.
6. The third-floor office space will be reduced and pushed back from Sutter Street, providing a setback of at least 6 to 8 feet from Sutter Street, and a portion of Scott Street. This will also reduce the visual mass of the building and possibly the height along Sutter Street.
7. The small rear balcony on the west elevation will be eliminated once the third floor is set back. This will create further privacy for Mr. Fuentes to the south.
8. After speaking with Ms. Hettinger from the Folsom Heritage Preservation League and viewing public comments, it is evident that neighbors would like to see more architectural detail from the 1850 – 1900 period associated with the building. This could easily be achieved through incorporating such elements as the following:
 - a. Adding foundational rock to the building.
 - b. Adding brick to the sides of the building where there is now stucco.
 - c. Adding eyebrow brick detail to windows.
 - d. Adding western elemental details to the roofline fascia.

We feel these small, but important details, would preserve the feel of historic Sutter Street, in addition to adding an architectural feel to the building that fits in with the 1850 – 1900 period.

Applicant Public Comments – August 19th, 2020

We would like to thank our neighbors for their input in addition to City commissioners, committee members and staff. We would like to request that conditional approval be granted for the project, inclusive of the above stated additional items.

Ziad Alaywan
August 7, 2020

Ziad Alaywan

Attachment 21

Response to Bob Delp's Comments Dated August 6, 2020

August 6, 2020

Mr. Bob Delp
612 Mormon Street
Folsom, CA 95630

Good morning Mr. Delp.

Thank you for your questions and comments regarding the proposed mixed-use project located at 603 Sutter Street in the Historic District. City staff has provided answers to each of your questions below. The original question you asked is shown in black, with the City response shown in red.

Best regards,

Steve

Steven Banks
Principal Planner
City of Folsom
(916) 461-6207
sbanks@folsom.ca.us

1. Does the City have a policy for granting applicant requests for hearing scheduling and can you direct me to where I can find that? (You might recall that my request to extend the IS/MND review period and hearing originally scheduled for July 15 was rejected, but then after I submitted comments, I was advised that "the 603 Sutter Street Mixed-Use Building Project has been continued to the August 5th Historic District Commission meeting **at the request of the applicant.**")

The [Folsom Municipal Code \(FMC, Section 17.52.130\)](#) provides the Community Development Department Director with the responsibility for scheduling and/or rescheduling projects for the Historic District Commission. In this specific instance, the project applicant requested that their project be continued in order to have more time to respond to public comments and to provide residents with additional time to review and comment on the proposed project. The Community Development Director determined that the continuation of the project from the July 15th to the August 5th Historic District Commission meeting would be beneficial to all parties involved.

2. The staff report references apparent applicant-solicited feedback from the community as the mechanism by which the CITY has complied with GP Policy LU 1.1..12-2 (packet pg. 83). However, that GP policy pertains to outreach that is to be conducted **by the CITY** not an applicant. Can you advise of the outreach the City has done with the community on the current project (i.e., the project that proposes no parking) in compliance with this GP Policy?

The City has facilitated numerous public outreach efforts regarding the proposed project over the past three years including presenting the project to the Historic District Commission as an information item (September 6, 2017), encouraging the applicant to hold neighborhood meetings (August 2, 2017 through September 6, 2017), requiring the applicant to post a project identification sign on the project site, sending public notices regarding the project to all property owners located within 300 feet of the project, publishing public notices regarding the project in

the Folsom Telegraph, providing project information on the City's website, and providing project information to the Heritage Preservation League and the Historic Folsom Residents Association.

3. The staff report repeatedly discuss the proposed height of the building as 50ft, 6in., but I don't see anywhere where the actual total height of proposed structures is discussed. Can you direct me to where I could find that in the materials?

Discussion regarding the proposed building height is located throughout the staff report. However, Page Nos. 10, 11, and 12 have a detailed discussion regarding the building height as it related to the Building Height Variance request. In addition, the proposed building elevations (Attachment 9) provide specific details regarding the building height.

4. The staff report states that towers/spires are allowed *up to 25 feet above a building* (packet pg. 84). However, FMC 17.52.510 C states, "Towers, spires, or other similar architectural features may extend **up to 15 feet** above the building height." Can you clarify the 25ft reference?

The Folsom Municipal Code (FMC, Section 17.58.080 Height Exceptions) states that towers, spires, chimneys, machinery, penthouses, scenery lofts, cupolas, water tanks, television antennae, and similar architectural and utility structures and necessary mechanical appurtenances may be built and used to a height not more than 25 feet above the height limit established for the district. However, as you stated, the Folsom Municipal Code (FMC, Section 17.52.510 C) also states that towers, spires, or other similar architectural features may extend up to 15 feet above the building height. The City would implement the more restrictive requirement of 15 feet for this project. It is important to note that the proposed project does not have any architectural features that would extend more than 15 feet above the building height.

5. Can you direct me to where I can find in the zoning code (or where is it identified as part of a variance request for this project) that the 15 feet tower/spire allowance applies to a building that would be constructed with a rooftop already in excess of the zoning code? If not, can you point me to the applicant's request for variance for features that would be above 50ft, 6in in height?

The applicant's Variance Statement Letter (Attachment 18) discusses the request for a Building Height Variance to allow a maximum building height of 50 feet 6 inches. If the Historic District Commission approves the Building Height Variance, the maximum allowable building height will be established at 50 feet 6 inches. The Folsom Municipal Code (FMC, Section 17.52.510 C) permits architectural features to extend up to 15 feet above the building height. In this specific case, architectural features would be allowed to extend up to 15 feet above the 50-foot 6-inch building height.

6. Aside from spires/towers, can you point me to the section of the zoning code that allows other building features to exceed height limits in the zoning code (e.g., elevator, AC units, etc.)? If there is no such allowance, can you point me to the applicant's request for a variance to allow those features?

The Folsom Municipal Code (FMC, Section 17.58.080 Height Exceptions) states that towers, spires, chimneys, machinery, penthouses, scenery lofts, cupolas, water tanks, television antennae, and similar architectural and utility structures and necessary mechanical appurtenances may be built and used to a height not more than 25 feet above the height limit established for the district.

7. Staff report says, "consistent with the Sept 2017 HDC meeting, the applicant provided a variance..." (packet pg. 84). An applicant is required to provide a variance request application per the FMC (the requirement isn't dependent on the HDC requesting it). Notwithstanding, although the staff report references the 2017 meeting, a variance request wasn't submitted until June 2020 and that wasn't until community members asked for it. Is there a reason why the staff report doesn't directly and accurately speak to the process of why and when a variance request was submitted by the applicant?

Prior to submittal of the subject development application to the City on May 3, 2017, the City and the project applicant engaged in many discussions regarding the required entitlements for the proposed project including the request for approval of Design Review, a Building Height Variance, and a Parking Variance. During those discussions, the applicant verbally provided City staff with details regarding the unique circumstances associated with the subject property that required obtaining approval of the two variances. On June 23, 2020, the applicant formalized the request for the two variances in a letter provided to the City. The applicant provided an updated letter (Attachment 18) regarding the variance requests on July 7, 2020.

8. Related to above, staff report Attachment 18 is entitled "Applicant's Variance Statement Letter Dated June 23, 2019" when in fact, the variance statement included in that attachment is dated July 7, 2020, and the only variance request previously provided that I'm aware of is dated June 23, 2020, not 2019. The variances required for this project are of primary interest to this community. Is it too late for staff to revise the staff report to provide a clear and accurate discussion of the variance request history? Related, is it too late for the City to require the applicant to actually submit a signed variance statement? (Neither the July 7, 2020 version in the staff report nor the June 23, 2020 version that the City previously provided to me are signed. As the record current appears, I still do not see any variance statement submitted by the applicant, let alone signed. This continues to be simply bizarre and it remains unclear why the applicant has not been required to take ownership of ANY variance statement provided thus far.)

On June 23, 2020, the applicant formalized the request for the Building Height Variance and Parking Variance in a letter provided to the City. The applicant provided an updated letter (Attachment 18) regarding the two variance requests on July 7, 2020. The Table of Contents within the staff report correctly identifies the date of the variance request letter as July 7, 2020. Unfortunately, the cover sheet for the variance request letter was not updated and incorrectly lists June 23, 2019 as the date of the letter.

9. City staff asserts that the site has "unique topography." Is it too late for you to reconsider that? The parcel has a moderate slope, and slopes are very common in this area and are in no way "unique". If there's anything "unique" about this particular site, it's that it is the parcel with the highest elevation in the Sutter Street commercial area, which fact suggests a rationale for a *lower* building, not a taller building. There are other factors like this in staff's interpretation of the variance rationale, and it strikes me that there simply hasn't been any real opportunity for the community to provide input on this until now that it's rolled out in a staff report for a meeting just days away. The variance rationale are very important. How can the community provide input for meaningful consideration before a decision is made?

City staff has made the determination that there are unique circumstances specific to the project site including but not limited to topography. The public and residents will have the opportunity to voice their opinion regarding this determination to the Historic District Commission at the August 5th meeting.

10. The staff report reference an IS/MND "public review period July 17, 2020 to August 5, 2020"? The IS/MND was circulated for 20 days of public review and comment in June 2020. I am aware of not notice or other information regarding the City's extension of the review period. If that was not noticed, can you please amend the staff report to make it clear that the IS/MND was circulated in June for the bare minimum CEQA required circulation period of 20 days, and that responses to comments were only provided when the staff report was released on July 29, five business days before the scheduled hearing? It is important for the record to accurately reflect public input opportunities. If instead, the City does intend to continue the IS/MND review period through August 5, 2020 (no time is given and email comments are allowed, so presumably that means midnight on Aug 5), how can you hold a public hearing at 5pm on Aug 5th?

The initial review period for public comment regarding the Initial Study and Mitigated Negative Declaration was from June 11, 2020 to June 30, 2020. When the City made the decision to continue the project from the July 15, 2020 Historic District Commission meeting to the August 5, 2020 Historic District Commission, a new public review period was provided which runs from July 17, 2020 to August 5, 2020. Separate public notices regarding each of the aforementioned comment periods were provided to all residents located within 300 feet of the subject property. Public notices were also published in the Folsom Telegraph for each of the comment periods. In addition, public notices were provided to the Heritage Preservation League (HPL) and the Historic Folsom Residents Association (HFRA) for each comment period. The City will accept public input on the Initial Study and Mitigated Negative Declaration up until 5:00 p.m. on August 5, 2020, which is the close of the business day for the City. In addition, public input can be provided at the Historic District Commission meeting which begins at 5:00 p.m. on August 5, 2020.

11. Can you please amend the staff report to include documentation of the City's request for review and input from State Parks *on the currently proposed project*? The City General Plan requires such coordination and I have not seen evidence that State Parks was made aware of the proposed development, its absence of parking, and the potential demand for overflow parking to affect nearby State Parks parking areas, among other concerns State Parks might have.

The City solicited feedback from the State Department of Parks and Recreation (Jim Michaels) regarding the proposed project but did not receive any response. The Initial Study and Mitigated Negative Declaration considered potential visual impacts that the project may have on adjacent and nearby properties including State Park lands and determined that there would be no significant impacts. Figure 10a and 10b on Page No. 28 of the IS/MND shows a view from the Folsom Lake SRA/Powerhouse property towards the subject property with and without the proposed mixed-use building. As you can see in the aforementioned figures, the proposed building is barely visible from the State property and would not pose any visual impacts. As discussed in the staff report, a traffic study was prepared for the proposed project that indicates there is sufficient parking in the Historic District to accommodate the parking demand created by the project. In addition, conditions of approval have been placed on the project (including providing 16 off-site parking spaces) to address parking impacts associated with the proposed project.

12. I asked the following questions in a letter to the City on July 27, 2020, with the intent to give the City time to address these questions in the staff report. I do not see these questions answered in the staff report. Can you either answer them now or point me to where in the staff report they area addressed?

- a. Does the HDC have the authority to approve a project (through issuance of a variance or other mechanism) that does not comply with FMC requirements for motor vehicle parking spaces?

The Folsom Municipal Code (FMC, Section 17.52.370 Variance Review) states that the Historic District Commission has the final authority relating to applications for variances from any of the provisions of the Folsom Municipal Code within the boundaries of the Historic District.

- b. Does the HDC have the authority to approve a project (through issuance of a variance or other mechanism) that does not comply with the FMC and General Plan parking requirements for electric vehicles and charging stations?

The Folsom Municipal Code (FMC, Section 17.52.370 Variance Review) states that the Historic District Commission has the final authority relating to applications for variances from any of the provisions of the Folsom Municipal Code within the boundaries of the Historic District. The Folsom Municipal Code and General Plan do not have any requirements to provide electric vehicle parking spaces or charging stations.

- c. Does the HDC have the authority to approve a project (through issuance of a variance or other mechanism) that does not meet the FMC and General Plan requirements for bicycle parking, including General Plan Policy M 4.2.2?

The project is required to provide bicycle parking spaces as dictated by the Folsom Municipal Code (FMC Section 17.57.090 Bicycle Parking Facilities). In addition, there are two sets of existing bicycle parking spaces located within the public right-of-way along Sutter Street.

- d. Does the HDC have the authority to approve a project (through issuance of a variance or other mechanism) that does not meet the City's disabled persons parking requirements? Would such an approval subject the City to potential litigation for failure to comply with the American's with Disabilities Act (ADA) and, if so, is the project proponent required to indemnify the City against such potential legal action?

The project is not providing any on-site parking spaces, thus it is not required to provide any accessible parking spaces on the project site. The project is required to provide 16 off-site parking spaces and will be required to meet all accessibility requirements for that specific parking area.

- e. Does City staff and/or the HDC have the authority to waive the requirement that an applicant submit a signed application and fee for a variance as required by FMC 17.62.020 and 17.52.370?

The applicant submitted a signed Development Application Form and associated application fees for the Variances and Design Review to the City on May 3, 2017.

- f. Does the HDC have the authority to approve a project for which complete applications and submittals, including an attempted justification of any and all variances required for a project as required by the FMC, have not been submitted?

The City has determined that the applicant submitted all required information for the project including but not limited to a signed Development Application Form, agent authorization form, environmental information form, application fees, title report, radius map, mailing list, mailing envelopes, site plans, building elevation plans, grading and utility plans, landscape plans, color and materials board, project narrative, and variance statement

- g. Does City staff and/or the HDC have the authority to waive the requirement that an applicant submit a signed application for an easement as required by FMC 12.20.090 and does waving such requirement subject the City to liability that might otherwise be addressed by having a complete set of current and executed application forms?

The project is not requesting nor is it required to obtain an easement. The project is required to obtain an encroachment permit from the City for construction work conducted in the public right-of-way and the project is also required to enter into an encroachment agreement for private improvements constructed in the public right-of-way.

- h. Does the HDC have the authority to grant a permanent easement for private development of privately owned permanent structures on City-owned property?

The project is not requesting nor is it required to obtain an easement. The project is required to obtain an encroachment permit from the City for construction work conducted in the public right-of-way and the project is also required to enter into an encroachment agreement for private improvements constructed in the public right-of-way.

- i. Does the HDC or any other decision-making body of the City have the authority to grant a permanent easement for the development of privately owned permanent structures on City-owned property without requiring compensation for such easement? Would not such an easement without compensation be an illegal gift of public funds? Does the HDC have the authority to negotiate or waive City financial matters such as this?

The project is not requesting nor is it required to obtain an easement. The project is required to obtain an encroachment permit from the City for construction work conducted in the public right-of-way and the project is also required to enter into an encroachment agreement for private improvements constructed in the public right-of-way.

- j. Does the HDC have the authority to approve a private development project that exceeds the FMC maximum floor area ratio (FAR) development standards or is that authority limited to the City Council?

The Floor Area Ratio (FAR) for the proposed project is 2.0, consistent with the requirements of the General Plan.

- k. Does City staff and/or the HDC have the authority to waive the requirement of an applicant to submit a signed and completed Greenhouse Gas Reduction Strategy Consistency Checklist which is required for any applicant for any project that undergoes environmental review?

The Initial Study and Mitigated Negative Declaration for the project determined that, with mitigation measures, the proposed project would be considered consistent with the City of Folsom General Plan, including the GHG Strategy. In addition, the proposed project is a mixed-use infill project located near transit service that is consistent with all applicable

provisions of the Ozone Attainment Plan, the 2035 Metropolitan Transportation Plan, and the Sacramento Region Preferred Blueprint Scenario adopted by SMAQMD and SACOG.

1. Does the City have the authority to wave the General Plan's requirement that the California Green Building Code (Title 24, Part 11) be complied with for developments within the City?

The City is not waiving any requirements with respect to building permit requirements. The project is subject to all building code requirements including the California Green Building Code requirements.

13. Condition of approval (COA) 1 states that the project must be developed to conform with the July 30, 2019 traffic impact study. Obviously, the City is not intending to require that the project result in the traffic impacts identified in that study. Can you please clarify the intent of requiring the project to conform to the traffic impact study?

This is a standard condition of approval. The purpose in referencing the July 30, 2019 Traffic Impact Study in Condition No. 1 is the fact that the Study included a number of recommendations that are included as conditions of approval for the project.

14. COA 1 also references that the project must be developed consistent with the "Project Narrative." The condition does not provide a date or other citation for the project narrative, whereas every other item referenced in COA 1 is specifically cited with a date. There is a project narrative in the staff report - it is unsigned and undated and has never been part of the project documents I have seen circulated thus far. Is there a reason a narrative was included in the staff report that doesn't have a name, date, signature and on what basis does the City consider that to be part of the application? A project narrative is a basic and fundamental component required for development applications. Can the staff report be amended to identify who prepared the narrative and when it was prepared and submitted to the City?

This is a standard condition of approval. The purpose in referencing the Project Narrative in Condition No. 1 is that it provides insight into the intent of the proposed development from the applicant's perspective which might not be apparent in reviewing the submitted development plans.

15. COA 2 requires that building plans be submitted "to ensure conformance with City codes and standards." Can you clarify how you expect the project to comply with this condition when the project requires variances from City codes? Should that condition be revised to state something like, "...with the exception of the several zoning code variances granted for this project."

This is a standard condition of approval placed on all development projects in the City. The two variance requests are documented in the staff report, conditions of approval, and submitted plans. Staff is satisfied with this condition as currently written.

16. COA 3 discusses the potential for "...subsequent extension of this approval..." Can you please clarify the mechanism for such extension and who would have the authority to authorize it? Can you also clarify whether the approval termination would be effective immediately on the date cited or if the City would need to take formal action at that point to terminate? Can you also clarify whether such termination would void the variance approvals such that a future applicant would need to reapply for variances even if proposing the same or similar building? (Also, there is a word missing between "two" and "from". I think you mean "years.")

This is a standard condition of approval. The Folsom Municipal Code (FMC, Section 17.52.350) states that the Historic District Commission may extend an approval for an additional one year upon receipt of a written request accompanied by a fee. The request for approval of an extension must be received by the City 60 days prior to the expiration of the original approval. The termination of the approval would take effect immediately if the applicant decided not to request an extension. In other words, the approval would be set to expire on August 5, 2022. The variances are specific to the proposed project, they could not be transferred to another project.

17. COA 4 places a requirement on the City to bear attorneys costs and fees in defense of the project and specifies no requirement on the owner/applicant to fund a defense. Does this mean that the City is committing to pay the cost of defending a private project approval? Can you please clarify and work with the City attorney to amend the condition to provide more protection for the City?

This is a standard condition of approval. The project applicant is responsible for all costs associated with defending the project. Staff is satisfied with this condition as currently written.

18. Regarding 5, can you provide a copy of Reso 2434 and clarify in the condition what the owner/applicant's obligation for "participating in mitigation monitoring" is? Furthermore, please consider language stating that "the owner/applicant shall be required to comply with, implement, and fully fund all mitigation measures adopted and incorporated as conditions of approval." Also, there is a check mark for this COA but I don't think the COA is an actual mitigation measure. Can you clarify that?

This is a standard condition of approval. A copy of Resolution No. 2634 is included as an attachment. The intent of the condition is that the applicant is responsible to comply with, implement, and fund all mitigation measures.

19. COA 7 references "the property." Since a portion of the project will be permanently constructed on City property, can you clarify any payoff or applicable fees that would be associated with development on the City-owned property to be developed by this private project?

This is a standard condition of approval. Staff is satisfied with this condition as currently written.

20. COAs 8 and 9 require the owner/applicant to fund the cost of outside legal and consulting services that may be used by the City. Should that condition not also require that the owner/applicant fund in-house City and staff costs? If the owner/applicant doesn't pay for those in-house City costs, who does pay for that?

These are standard conditions of approval. Staff is satisfied with this condition as currently written.

21. COA 10 states, "unless exempt by previous agreement." Is there a "previous agreement" for this property, project, owner/applicant? If so, the condition should be revised to reflect that. If there isn't an agreement, should that phrase be stricken from the condition to avoid confusion? This condition and the staff report would be much more easily understood if the specific actual development fees were identified. Also, can you clarify the relationship of the fees per this condition with separate parking-related fees/funding conditions? The condition states that the "90-day protest period...has begun." When did it begin? Since the fees are identified yet, what would be the current basis for a challenge to those fees?

This is a standard condition of approval. Staff is satisfied with this condition as currently written. The 90-day protest period begins the date that the project is approved by the Historic District Commission.

22. COA 12 references "the property." Since a portion of the project will be permanently constructed on City property, can you clarify if there are any applicable payoff or segregation/fees that would be associated with development on the City-owned property to be developed by this private project and, if so, who would be responsible for funding that?

This is a standard condition of approval. Staff is satisfied with this condition as currently written.

23. The City has two webpages where project design reviews are listed. One is "Current Planning Project Under Review" https://www.folsom.ca.us/community/planning/current_project_information.asp. This is accessed by clicking a button that reads "Current Project Information." That webpage is where the 2019 design drawings and the June 2020 IS/MND are available. Although a substantial amount of additional documents have been produced since June 2020, including the Aug 5 agenda and the staff report, the information on this page hasn't been updated and is not "current project information" as labeled on the button. Anyone looking here would see the June IS/MND which states that the HDC hearing will be on July 15. Does the City not have a procedure to keep that information up to date? I know one could argue that people need to track the HDC agenda page, but it really seems unfortunate that a webpage still lists the project with old and incomplete information. Even just adding a note there like "See HDC Aug 5 Agenda for more information" would be a simple step at providing basic current information to the public. The other webpage is accessed by clicking a button "Design Review Projects" https://www.folsom.ca.us/community/planning/design_review/default.asp. That page lists several projects but does not include 603 Sutter Street, even though 603 Sutter Street is undergoing design review. Although it's likely much too late to make changes to these webpages in a way that would meaningfully inform the public about a project decision process just days away, but I am interested in understanding the City's procedures for deciding what, where, and when to post information.)

The "Current Planning Project Under Review" portion of the City's website is intended to provide the public with information on significant development proposals that will be acted on by the Historic District Commission, Planning Commission, and City Council. The "Design Review Projects" portion of the City's website is intended to show projects that are subject to Staff level review and approval such as residential remodels, residential additions, and new custom homes. The City makes every attempt to keep this information as up to date as possible.

24. In several pages of the staff report regarding parking variance, I don't see any discussion of input from the community regarding our opinions on the effects of the parking variance on health and welfare, except perhaps discussion of the 2017 meeting where people did in fact express concerns. My understanding is that the ad hoc parking committee effort and its recommendations was largely driven by neighborhood concerns about parking impacts on their health and welfare. The staff report concludes that the parking variance wouldn't materially affect people living and working in the neighborhood. Can you point me to any evidence in the staff report or anywhere else of City outreach to the community that resulted in community input that would lead to that conclusion?

As you may be aware, the Historic District Parking Solutions Ad Hoc Committee engaged in a year-long process of evaluating parking concerns within the Historic District and providing recommended solutions to address those concerns regarding parking. Residents of the Historic District participated in many, if not all the Ad Hoc Committee meetings and provided valuable insight into parking concerns and potential solutions to parking issues within the Historic District. As written in the staff report, staff determined that with inclusion of the applicable recommendations of the Ad Hoc Committee and additional conditions of approval placed on the project by City staff relative to parking, that the proposed project would not materially affect people living and working in the neighborhood.

25. Offsite parking is mentioned as potential measure to partially address the project's parking demand. Has staff investigated the feasibility of offsite parking options and is there any evidence that one or more feasible locations for the applicant to pursue such parking exists?

City staff has identified a number of potential off-site parking options located within 500 feet of the project site including another undeveloped property owned by the project applicant, an existing parking lot owned by the Eagles Lodge, and an existing parking lot owned by the Moose Lodge.

26. The hearing notice required by the FMC has not been posted at the site. FMC 17.52.320 states, "the project site shall be posted by the applicant 5 days prior to the commission hearing, with a notice 11 inches by 17 inches in size, facing the street frontage, and indicating the project description and the place and time of the hearing." I have checked regularly since 5pm yesterday and, as of 5pm today (4 days prior to the Aug 5 hearing), the required notice has not been posted. The same sign that has been there for several months is still there but that sign does not "indicate the project description" (e.g., it says nothing about the building height or parking variances, critical and fundamental aspects of the project) and it does not identify the place or time of the scheduled hearing. If this means the hearing must be postponed, please let me know ASAP so I can stand down on my review of the staff report. If you still intend to proceed with the hearing even though sufficient public notice in compliance with the zoning code has clearly not taken place, can you please provide the rationale and justification for proceeding with the hearing and amend the staff report so that it advises the Commission of the failed noticing and provides staff's rationale for moving ahead with the hearing?

The Folsom Municipal Code (FMC, Section 17.62.030 and FMC, Section 17.52.329) provides details on specific public noticing procedures for Variance requests and for Design Review requests. City policy over the past twenty years has been to require development projects to meet the more stringent public noticing requirements when multiple entitlements are requested. In this case, the public noticing requirements for a Variance are more stringent than the public noticing requirements for Design Review in that the noticing requirements for a Variance require mailing public notices to all property owners located within 300 feet of the subject site and publishing the public notice in a local newspaper. That being said, City staff will be noticing the proposed project for the August 19, 2020 Historic District Commission meeting in accordance with the noticing requirements for both the Variance request and the Design Review request.

27. Please revise the staff report to identify that the project exceeds the maximum FAR or provide a full explanation and calculations to show that it does not. Absent that, the project does in fact exceed the maximum FAR and requires a variance for that in addition to the other two variances that have been identified. In my comments on the IS/MND I noted that with or without including the balcony area, the project exceeds the 2.0 max FAR. Using information straight out of the City's IS/MND (Table 2), the property is 7,400 sq ft., the total building area w/o the roof deck is

14,811 sq ft., and the total building area with the roof deck is 18,965 sq ft. 14,811 divided by 7,400 results in a FAR of 2.001 and 18,965 divided by 7,400 results in a FAR of 2.56. Both of these FARs are in excess of the maximum FAR of 2.0, in fact any building area larger than 14,000 sq ft exceeds the 2.0 FAR. The applicant would not expect the City to assert he has exceeded the FAR if he were one square foot under; and nor should the applicant expect that he should be allowed to exceed the FAR by one square foot more without needing a variance. As with the IS/MND, the staff report presents a hypothetical FAR calculation instead of simply presenting a calculation of the actual FAR based on the actual project size. The staff report also states, "City staffs interpretation of the methodology to be used in determining a FAR is to complete the calculation by dividing the leasable area of a proposed building by the area of the site as described in footnote 3." (Footnote 3 is that same hypothetical calculation.) I cannot find anywhere else in any of the documents provided where "leasable area" is mentioned. Even excluding the balconies, the 2.0 max FAR is exceeded. Furthermore, unless the City plans to restrict what portions of the building can be leased (and I see that discussed nowhere in 490+ pages of documentation), then we have every reason to also include the balcony area within the leasable space meaning the FAR is greater than 2.5. If that's the case, then shouldn't the estimated parking requirement also be calculated based on the leasable space - in which case, the City has underestimate the parking requirement and the staff report should be revised to reflect that.) Please clarify.

The Floor Area Ratio (FAR) for the proposed project is 2.0, consistent with the requirements of the General Plan. The Floor Area Ratio was determined by dividing the floor area (14,811 square feet) of the proposed building by the area of the parcel (7,400 square feet), which resulted in a Floor Area Calculation 2.0 (2.0014 rounded down to 2.0).

28. Regarding COA 56 (parking-related measures), can you please confirm that the City will have the legal ability to enforce the parking-related conditions? It appears as those the staff report and the granting of a variance could inadvertently completely undermine the City's ability to enforce any of the parking conditions, most importantly including the requirement for the owner to participate in a parking benefit district. As the overall entitlement process is currently structured, it seems that the developer could just go along with the conditions without making a legally enforceable commitment, receive his entitlements, and then when it eventually comes time to comply with conditions (like contributing funding for a parking garage), he'll be able to argue that the City's evaluation failed to identify a nexus between the project and the parking-related conditions of approval, and the City will be unable to enforce the conditions. First, the HDC is being asked to grant a parking variance - if that variance is granted, the City is effectively giving the developer the right to build the project without providing any parking (that's the whole point of the variance). Second, the staff report states a few times that the parking analysis concludes that there is sufficient existing parking to accommodate the project. That statement could completely undermine any future nexus argument the City might ultimately make when trying to enforce parking-related conditions. Without a development agreement or some other legally enforceable commitment, it's extremely unlikely the City will be able to require the developer to pay anything toward a parking garage in the future. Would staff's approval recommendation in the staff report provide a mechanism to ensure a legally enforceable commitment of the applicable/developer to pay what could amount to hundreds of thousands of dollars toward a parking garage and does the HDC have the authority to approve that? Also, can you please amend the condition to clarify what is meant by "participate fully in the ... mechanism"? If what staff means is "The applicant/owner shall pay forty-three (43) times the amount of any per-stall fee that may be established within the next 10 years through any City adopted parking fee program; including and agreeing that such payment could be in excess of \$1,000,000.00

(example: \$25,000/stall x 43 stalls)" then the condition should specifically state that to make it very clear to the applicant what his funding contribution might consist of.

City staff has reviewed Condition of Approval No. 56 and is satisfied that the City has the legal authority to implement and enforce this condition as currently written.

Attachment 22

Response to CEQA Comments Dated July 29, 2020

603 Sutter Street Initial Study/Mitigated Negative Declaration

Responses to CEQA-Related Comments Received during the Public/Agency Review Period

July 29, 2020

Two public and agency review periods were provided on the proposed project. The first extended from June 11 to June 30; the second period extended from July 17 to August 5. The City of Folsom received comments on the project and the environmental document from:

- A. Shawna Barva, dated July 24
- B. Mike Brenkwitz, dated June 19
- C. Bob Delp, dated June 23
- D. Bob Delp, dated June 29
- E. Bob Delp, dated July 27
- F. Glenn Fait, undated
- G. Sharon Fait, dated July 24
- H. Ben Fuentes, dated June 21
- I. Ben Fuentes, dated July 22
- J. Heritage Preservation League of Folsom, Project Application Review, dated June 24
- K. Heritage Preservation League of Folsom, Initial Study Review, dated June 19
- L. Loretta Hettinger, dated July 28
- M. Jamie Labban, dated July 24
- N. Cindy Pharis, dated June 26
- O. John & Becky Shaw, dated June 29

The majority of the submitted comments discussed opposition to the project as proposed, provided historical context to the land use review process within the Folsom Historic District, or set forth the author's understanding of City of Folsom requirements for the issuance of Design Review permits and variances from the strict requirements of the City's Zoning Code in the Historic District. Because such comments do not implicate the Initial Study/Mitigated Negative Declaration (IS/NMD), they will not be discussed further in this response to comments document, which focuses solely on questions related to the appropriateness, scope, and adequacy of the IS/MND. This is not to ignore the importance of the non-CEQA related comments, but rather to ensure that the substance of each of these comments related specifically to the environmental document is considered by City decision makers in their evaluation of the proposed 603 Sutter Street project.

Comment letters addressed in this response document include the two letters submitted by Mr. Delp (June 23 and June 29), and the June 24 letter submitted by the Heritage Preservation League of Folsom (HPL). The responses provided below identify each comment using the letter designation in the above list coupled with the internal comment numbering provided by the commentor.¹ In some cases, a letter contains both CEQA and non-CEQA related comments. As noted previously, this response to comments document does not address non-CEQA related comments. Thus, the following responses do not necessarily address all comments within the Delp and HPL letters.

¹ For example, Mr. Delp's June 23 comment letter is identified as letter C. Within the comment letter, the first comment addressed in this document is comment 7 as noted by Mr. Delp. Thus, the reference is to comment C.7.

Responses to Comments

Delp - June 23, 2020

- C.7 *The comment notes that the IS/MND was not distributed to the State Clearinghouse and requests that the City indicate whether or not the document was circulated to the Folsom Lake State Recreation Area and/or the Folsom Powerhouse State Historic Park, both administered by the California Department of Parks and Recreation (DPR). The comment additionally states that because the project site would be visible from lands within the jurisdiction of the DPR, the City should have coordinated with the DPR.*

The comment additionally references two visual resource policies set forth in the Folsom Lake SRA/Folsom Powerhouse SHP Resource Management Plan (FLSRA/FPSHP RMP), and requests that the City indicate its compliance with the cited policies.

Potential effects to visual quality and other environmental resources that could result from the implementation of the City of Folsom 2035 General Plan (including the 603 Sutter Street project) were evaluated in the 2035 General Plan Program EIR (GPPEIR) prepared to evaluate the General Plan². The GPPEIR determined that General Plan implementation would result in adverse environmental effects to resources within the SRA and SHP, potentially including those to visual quality. A series of proposed policies were developed during the planning process, and additional mitigation measures were identified in the GPPEIR and subsequently adopted by the City in its approval of the 2035 General Plan. Both the Draft and Final GPPEIRs were circulated to the State Clearinghouse, which in turn distributed the GPPEIR documents to the State Department of Parks and Recreation. Although DPR had commented on the 2035 GPPEIR Notice of Preparation, no further comments on the GPPEIR or the General Plan and its policies with respect to FLSRA/FPSHP resources were received by the City.

The two RMP policies cited in the 603 Sutter Street IS/MND (Visual 2 and Visual 9) are program-level policies developed to support the FLSRA/FPSHP-wide Visual Quality Goal of:

- Protection and enhancement of views and distinctive landscape features that contribute to the SRA's setting, character, and visitor experience (FLSRA/FPSHP RMP, Chapter III, Unit Wide Visitor Services).

No area-specific visual resource policies for the areas within the viewshed of the 603 Sutter Street project were identified in the RMP (Chapter 3, Section D, Specific Area Goals and Guidelines). These RMP-identified planning areas included Upper Lake Natoma, Folsom Powerhouse, and Negro Bar.

As noted above, in developing and approving the 2035 General Plan, the City acted with knowledge of, and consistency with, the cited goal and the policies identified in the IS/MND. Thus, in complying with the coordination language of the RMP during development of the 2035 General Plan, the City met the requirements of the RMP.

² See Draft PEIR Chapter 16, Figures 16-3, 16-5 and 16-6, environmental setting information discussed on pages 16-9, 16-13 to 16-15, regulatory setting information set forth on pages 16-18 to 16-24, and Impact Statement PSR-4.

Additionally, the RMP does not identify any high value visual resources adjacent to Lake Natoma with the exception of the Lake Natoma Bluffs, and the heavily vegetated shoreline of Lake Natoma. If visible from publicly accessible areas of the Lake Natoma Bluffs, the project as proposed would not stand out from the existing urban landscape, approximately 0.9 miles from the nearest point of the Bluffs. Because the project site is located within the urban core of the Historic District, it would have no effect on vegetation along the shoreline of Lake Natoma.

In summary, the proposed project would not violate any policy or requirement of the RMP, and the City had previously satisfied its obligations as set forth in the RMP to consult with DPR through the City's 2035 General Plan development and approval process. Based on these conclusions, no new impacts or changes in the magnitude of existing impacts as identified in the IS/MND have been identified, and no new mitigation measures would be necessary for visual impacts as set forth in Appendix G of the State CEQA Guidelines.

For additional information regarding the Sections of the RMP referenced in this response, please refer to Attachment A of this Response to Comments document. For further discussion of the IS/MND's visual quality analysis, refer to response to comments D.2 and D.3.

- C.8 *The comment questions whether the City has previously issued a tree preservation permit for tree removal on the project property. The commentor notes that there seemed to be evidence of tree trimming, including potential tree removal, on the property.*

As of the date of this document, the City has not issued a tree preservation permit, nor permitted any tree-related maintenance activity on the site. Any tree maintenance or removal on the proposed project site would be addressed through the City's Tree Preservation permit process that is required of the project. No modification of the IS/MND is necessary to respond to this comment.

Delp - June 29, 2020

- D.1 *The comment states that the project description presented in the IS/MND is inadequate because it does not adequately describe important components of the project, including the overall building height and development intensity (FAR). The comment additionally concludes that, because the project may be issued a variance, the project would be inconsistent with the requirements of the Zoning Code.*

In reaching this conclusion, the comment relies upon mistaken interpretations of the General Plan's land use intensity requirements, Zoning Code requirements regarding the regulation of building height, and the nature and purpose of variances within the Zoning Code.

Floor Area Ratios (FAR)³ are often used in General Plans to regulate the intensity of non-residential land uses. The comment is correct that the 2035 General Plan limits the intensity of commercial and office uses within the Historic Folsom Mixed Use (HF) land use designation, within which the project is located. However, the comment errs in calculating the project's FAR. City staff's interpretation of the methodology to be used in determining a FAR is to complete the calculation by dividing the leasable area of a proposed building by the area of the site as described in footnote 3. This methodology is commonly used in calculating FARs. Because this calculation excludes balconies and common areas of the building, the FAR would be less than 2.0, and the project would not exceed General Plan density requirements.

With respect to the height requirements of Section 17.52.510 C of the Zoning Code, the Code regulates the maximum height of a building from the ground to the parapet. This measurement for the project (50 feet, 6 inches) is described in the IS/MND. The Code also permits Architectural elements such as towers, spires and cupolas to extend an additional 25 feet above the allowable height limit. In the case of the 603 Sutter Street project, proposed rooftop mechanical equipment would add another 8 feet to the overall building height.

The comment is based upon a fundamental misunderstanding of the role of variances as set forth in the Folsom Municipal Code (FMC). As defined in the FMC (Section 17.62), a variance is a vehicle used to permit a deviation from the requirements of a zoning district where a strict application of the Zoning Code to a particular property would prevent the property owner from enjoying the same development rights as those allowed for a similarly situated property without any exceptional or extraordinary circumstances or conditions. Thus, a property owner who successfully obtains a variance would be entitled to the same land use opportunities and requirements that would apply generally to all similarly zoned parcels. Importantly, a variance, if properly administered, would not permit a successful property owner to exceed intensity or other standards beyond those allowed in the underlying zoning designation. Rather than offering a boon to an affected property owner, the intent of a variance is to level the playing field.

That said, the requirements of FMC Section 17.62. 020 impose several strict requirements to obtain a variance, including the presence of exceptional or extraordinary circumstances that are not generally found on other similarly zoned parcels. For more information regarding findings that must be made by the legislative body approving a variance, see Attachment B to this Response to Comments document. Approved in compliance with the required findings set forth in Section 17.62, issuance of a variance would result in the compliance of a project with the intent of the Zoning Code; issuance of a variance would not automatically result in a project being classified as being inconsistent with the Code. As the 603 Sutter Street project is consistent with the Zoning Code and with the findings required for issuance of a variance, the

³ **Floor Area-Ratio (FAR).** Standards of building intensity for nonresidential uses, such as mixed-use, commercial, and industrial development, are stated as a range (i.e., minimum and maximum) of FARs. A FAR is the gross building area on a site, excluding structured parking, compared to the net developable area of the site. The net developable area is the total area of a site excluding portions that cannot be developed (e.g., right-of-way). For example, on a lot with 25,000 square feet of land area, a FAR of 0.50 will allow 12,500 square feet of useable building floor area to be built, regardless of the number of stories in the building (e.g., 6,250 square feet per floor on two floors or 12,500 square feet on one floor). On the same 25,000- square-foot lot, a FAR of 1.00 would allow 25,000 square feet of useable floor area, and a FAR of 2.00 would allow 50,000 square feet of useable floor area. While FAR provides for the overall development size and intensity, it does not specify the form or character of the building. Different interpretations of the same FAR can result in buildings of very different character.

City's environmental review of the 603 Sutter Street project complies with Public Resources Code section 21083.3(a), which allows for the focused review mentioned in the comment "[i]f a parcel has been zoned to accommodate a particular density of development . . . and an environmental impact report was certified for that zoning" and the project is consistent with that zoning.

- D.2 *The comment states that tiering the environmental evaluation presented in the IS/MND from the Program Environmental Impact Report (EIR) is improper because CEQA requires that second tier documents such as the IS/MND must be an EIR themselves. The comment states that to qualify for tiering, the project under review must be consistent with the General Plan and Zoning requirements of the lead agency. The comment concludes based on this perceived inconsistency between the project and the City's land use regulations, that the project would result in more severe impacts than those identified in the PEIR for the 2035 General Plan for visual resources and lighting, cultural resources, noise, and cumulative impacts.*

The statement asserting that a secondary CEQA document must be an EIR is incorrect. State CEQA Guidelines Section 15152, subsections (a) through (d), permit second tier documents to be an EIR or a Negative Declaration, whichever is appropriate under CEQA Guidelines Sections 15065 and 15070. For instance, Section 15152, subsection (a) refers to a "later EIR or negative declaration" tiering from a broader EIR. In fact, the California Legislature made a declaration in Public Resources Code Section 21093 that environmental impact reports shall be tiered whenever feasible to achieve the efficiencies outlined in Section 21093. The IS/MND was prepared in compliance with the State CEQA Guidelines.

With respect to the consistency of the proposed 603 Sutter Street project with adopted City plans and policies, the comment misinterprets both the General Plan and Zoning Code requirements applicable to the proposed project. The City has determined that the project as proposed, even with the issuance of the requested variances, would be consistent with the Zoning Code within the requirements of Section 21094 of the Public Resources Code. See response to comment D.1 for additional information on the action of variances and Zoning Code compliance.

Regarding visual resources, in order to encourage infill development adjacent to major transit facilities and thereby reduce both criteria air pollutant and greenhouse gas emissions, the State legislature has declared as a matter of law and of public policy that certain specified land use projects will not have a significant adverse effect on visual quality (Public Resources Code Section 21099). As proposed, the 603 Sutter Street project meets State requirements to be classified as an Employment Center Project located within a Transit Priority Area consistent with the Public Resources Code. See pages 36-37 of the IS/MND.

With respect to a change in visual quality adversely affecting historic resources due to changes in their environmental setting, the City has adopted a Historic District (H-D) zoning designation as FMC Chapter 17.52, and created a Historic District Commission to act as a planning authority within the Historic District. As set forth in FMC Section 17.52.010, the purpose and intent of the H-D zone applicable to the 603 Sutter Street project are:

1. To preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950;

2. To maintain, restore, and reconstruct historic structures and sites within the historic district;
3. To encourage an active business climate which promotes the development of a diverse range of businesses compatible with the historic district as it developed between the years 1850 and 1950;
4. To retain the residential areas within the historic district;
5. To ensure that new residential and commercial development is consistent with the historical character of the historic district as it developed between the years 1850 and 1950. (Ord. 890 § 2 (part), 1998).

To implement these purposes, the City has adopted comprehensive Design Guidelines for new construction within the Historic District (FMC Sections 17.52.410 - 17.52.5s90). These Design Guidelines are administered by requiring Design Review of all new office, industrial, commercial, and residential structures within the District under the authority of the Historic District Commission. (FMC Section 17.52.300) No project within the Historic District may be constructed without having received Design Review approval.

One of the entitlements sought by the 603 Sutter Street applicants is Design Review. In its review of the proposed project plans by the application of the adopted Design Guidelines, the HDC will act to ensure that the proposed structure will maintain or enhance the historical integrity of the Sutter Street subarea of the Historic District. Thus, existing City policies and requirements would minimize any potential effects to the historic integrity of the District as a whole and the Sutter Street subarea in particular. Due to the action of existing City regulations generally applicable to all activities within the Historic District and the Sutter Street subarea, there would be no potential for impact, and no additional mitigation measures would be necessary.

With respect to lighting, as set forth in the IS/MND (page 38), as a condition of approval and consistent with the General Plan and Historic District Design Guidelines, the City requires that the proposed project comply with lighting standards that ensure that lighting on the site would be focused within the project boundary, and shielded away from adjacent roadways and properties. City standards also require that lights be placed on a timer or photo electronic cell capable of turning the lights on and off one-half hour prior to dawn and one-half-hour past dusk.

For a discussion of potential noise effects, see response to comment D.5.

As noted above, the comment states that the contribution of the project to the cumulative impacts would be greater than those identified in the General Plan PEIR because the project is not consistent with the land use intensity standards of the General Plan and Zoning Ordinance. The comment is incorrect regarding this notion. Please see the previous discussion in this response to comment D.2 regarding the consistency of the project with the General Plan and Zoning Code. Because the project is consistent with the assumptions made in the PEIR, there is no potential for the proposed project to make cumulatively considerable contributions to cumulative impacts in excess of those identified in the 2035 General Plan PEIR.

D.3 *The comment expands upon the arguments presented in comment D-2.*

See response to comment D.2 regarding the potential impacts of the project on visual resources and lighting.

D.4 *The comment notes that the title of the cultural resources evaluation report relied upon in part for the IS/MND's evaluation of cultural and historic resources is incorrect, thereby causing the discussion and conclusions within the report to be invalid.*

The comment is correct in stating that the cultural resources report title references the wrong street address with respect to the 603 Sutter Street project. However, pages 1 and 12 of the report prepared by LSA Associates, Inc. reference the correct Assessor's Parcel Number for the project site (070-0111-010). Because the report evaluates the correct 603 Sutter Street project site, no modification of the title is necessary for the report to be accurate.

D.5 *The comment requests several modifications of the noise analysis contained in the IS/MND. The issues cited in the comment are the level of significance for construction noise after mitigation, potential traffic noise increases, City policies and regulations regarding noise regulation, and noise and vibration from blasting.*

Construction Noise. There are no state or federal noise regulations that apply to the proposed project; rather the regulation of noise within Folsom City limits is within the authority of the City in enforcing its General Plan noise policies and its Noise Ordinance. (FMC 8.42). In assessing noise effects pursuant to CEQA, the City uses noise limits set forth in the General Plan and the Noise Ordinance as thresholds of significance. In some cases, such as construction noise or noise associated with waste pickup, the City has exempted the activities from meeting the provisions of relevant City requirements. For construction noise, this exemption is conditional and depends upon the construction activity meeting the City's time and day restrictions.

Construction noise assessed in the IS/MND was considered to be significant because the project sponsor had not indicated whether construction would adhere to the day and time limitations set forth in the Noise Ordinance. With implementation of Mitigation NOI-1, compliance with the City standards would be required, construction would be considered exempt, and impact would be reduced below a level of significance. Although not necessary to reduce the impact significance, due to the proximity of adjacent residences, the IS/MND included items 2-6 to further reduce the magnitude of the impact.

After circulation of the IS/MND, item 7 was added to Mitigation Measure NOI-1 to inform the community regarding the timing of noisy construction operations, and to provide a point of contact for observations and complaints regarding construction noise levels. Modification of Mitigation Measure NOI-1 would increase the effectiveness of the mitigation measure and would not result in any of the conditions set forth in State CEQA Guidelines Section 15073.5 that would require recirculation of the IS/MND.

Mitigation Measure NOI-1 is hereby amended to add item 7:

Mitigation Measure NOI-1:

Due to the proximity of sensitive receptors to the project site, the project applicant or any successor in interest shall include the following terms in all construction contracts prepared for project-related construction, and shall provide evidence of the inclusion of these terms to the City of Folsom:

1. **Construction Hours/Scheduling:** The following are required to limit construction activities to the portion of the day when occupancy of the adjacent sensitive receptors is at the lowest:
 - a. Construction activities for all phases of construction, including servicing of construction equipment shall only be permitted during the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and between 8:00 a.m. to 5:00 p.m. on Saturdays. Construction shall be prohibited on Sundays and on all holidays.
 - b. Delivery of materials or equipment to the site and truck traffic coming to and from the site is restricted to the same construction hours specified above.
2. **Construction Equipment Mufflers and Maintenance:** All construction equipment powered by internal combustion engines shall be properly muffled and maintained.
3. **Idling Prohibitions:** All equipment and vehicles shall be turned off when not in use. Unnecessary idling of internal combustion engines is prohibited.
4. **Equipment Location and Shielding:** All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from adjacent homes. Acoustically shield such equipment when it must be located near adjacent residences.
5. **Quiet Equipment Selection:** Select quiet equipment, particularly air compressors, whenever possible. Motorized equipment shall be outfitted with proper mufflers in good working order.
6. **Staging and Equipment Storage:** The equipment storage location shall be sited as far as possible from nearby sensitive receptors.
7. At least 5 days prior to the initiation of grubbing or other ground disturbing construction operations, the project applicant, ant successor in interest, or the general contractor in charge will provide a notice of the initiation of construction to all parcels located within 250 feet of the project site. Such notice shall contain an outline of construction activities, their duration, and contact information for a person designated to respond to public questions and complaints regarding construction activities.

Effect of Modifications to Mitigation Measure - Modification and addition of the foregoing mitigation measure clarify the existing measure or increase the level of protection for construction noise on the site. At least one of the conditions set forth in Section 15073.5 of the State CEQA Guidelines is present: 1. Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1; 2. New project revisions are added in response to written or verbal comments on the project's effects identified in the proposed negative declaration which are not new avoidable significant effects; 3. Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect; or, 4. New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration. In this case, a mitigation measure is replaced with a more

effective measure. Thus, no recirculation of the IS/MND would be necessary due to this modification of the mitigation measure related to noise.

Potential increases in traffic noise. As stated on pages 90-91 of the IS/MND:

Under controlled conditions in an acoustics laboratory, the trained, healthy human ear is able to discern 1-decibel (dB) changes in sound levels when exposed to steady, single-frequency (“pure tone”) signals in the midfrequency range. Outside such controlled conditions, the trained ear can detect 2-dB changes in normal environmental noise. However, it is widely accepted that the average healthy ear can barely perceive 3-dB noise level changes for similar sources. A 5-dB change is readily perceptible, and a 10-dB increase is perceived as being twice as loud. Doubling sound energy results in a 3-dB increase in sound; therefore, doubling sound energy (e.g., doubling the volume of traffic on a highway) would result in a barely perceptible change in sound level.

Existing average daily traffic volumes on Sutter and Scott Streets in the vicinity of the project site are estimated by the City to be 2,100-4,500 (Sutter Street) and 1,400-2,800 (Scott Street) vehicles per day⁴. The traffic study completed for the 603 Sutter Street project (IS/MND Appendix C) calculates that the proposed project would add 418 new trips to the road system in the vicinity of the project, with most trips (80 percent) using Riley Street to Scott Street or Folsom Boulevard to Sutter Street to access the project. Based on the doubling formula regarding the generation of perceptible noise levels for traffic set forth on pages 90-91 of the IS/MND, the discussion of traffic noise levels in the impact analysis is correct. No modification of the IS/MND is necessary to respond to this comment.

Operational Noise. As discussed previously in this response, the City of Folsom has sole authority to set appropriate levels of noise for various areas and activities within the city. This authority includes whether to exempt certain activities from the requirements of the Noise Ordinance. As a matter of public health, safety and convenience, the City has exempted garbage collection generated by commercial uses from meeting Noise Ordinance standards. While early morning collection (typically used to prevent conflicts between large garbage collection vehicles and other activities) may introduce a source of noise that is irritating to some, the City has determined that it is within the public interest to collect garbage regularly and at times that inconvenience the smallest group of residents possible. Thus, for purposes of CEQA, the City has exempted garbage collection and noise generated by such activities.

The comment notes that rooftop equipment could be a source of operational noise that could be bothersome to nearby residents. This equipment would be subject to the Noise Ordinance requirements set forth in Table 13 of the IS/MND. During evenings, when residents are most sensitive to noise, the maximum noise level that nearby residents could be

⁴ Traffic count data for the Sutter/Scott intersection was collected by the City in February 2019. Based on this data and using reasonable traffic parameters, namely that the peak-hour equates to approximately 10 percent of the daily traffic, the following average daily trips for Sutter and Scott Streets near the intersection are estimated to be: Scott St., north of Sutter: ~2800; Scott St., south of Sutter: ~1400; Sutter St., west of Scott: ~4500; and Sutter St., east of Scott: ~2100.

exposed to would be 60 dBA at the property line for a period lasting no longer than one minute. During the same period, noise levels at the property line would be required to be less than 45 dBA for 30 minutes of each hour, and no more than that level for the remainder of the hour. Noise from any rooftop activities would be subject to the same standards. As set forth on page 93 of the IS/MND, noise levels in the project vicinity are 55dB Ldn. Because rooftop equipment would be required to meet City noise standards, there would be no significant impact from its operation, and no mitigation would be necessary.

Groundborne Vibration. The comment disputes the effectiveness of Mitigation Measures NOI-2 and NOI-3 regarding blasting.

As noted in the IS/MND, the geotechnical study prepared for the project listed blasting as one of the methods that could be needed to extract ground rock from the site prior to leveling and foundation development. The City has reconsidered the mitigation identified in the IS/MND. Because of the small size of the site, the adjacency of residences and historic structures (which may be unstable) nearby public utilities, and the lack of a regulatory program to manage blasting within the City, Mitigation Measures NOI-2 and NOI-3 have been amended as follows.

Mitigation Measure NOI-2:

~~Controlled blasting activities shall be limited to between the hours of 9:00 a.m. and 4:00 p.m. Monday through Friday. No blasting shall be permitted to occur on Saturday, Sunday or holidays. These hours are so defined because they include a period of time where noise sensitivity is at its lowest.~~

No blasting shall be permitted on the site.

Mitigation Measure NOI-3:

~~In areas of controlled blasting, if proposed, the applicant, its successor in interest, or its contractor shall (prior to blasting):~~

- ~~• Provide 30-day and 5-day written notices to all residences, businesses, and utility owners within the zone of influence of the controlled blasting as determined by the City of Folsom.~~
- ~~• Inspect all structures within the zone of influence, no more than two weeks prior to commencement of controlled blasting.~~
- ~~• Proceed in accordance with the Construction Safety Orders of the Division of Industrial Safety of the California Department of Industrial Relations, and Federal Safety Requirements.~~
- ~~• Use best available technology, such as blast mats or other techniques, to minimize noise generated by blasting.~~
- ~~• Require all personnel in the controlled blasting area to wear ear and other appropriate protection during blasting excavation activities.~~
- ~~• Inspect all structures within the zone of influence, no more than two weeks after completion of controlled blasting, to assess any damage.~~
- ~~• The applicant or successor in interest shall be responsible for reimbursing nearby property owners for damages due to blasting.~~

Prior to the removal of any bedrock, the project applicant, any successor in interest, or the project contractor shall prepare a bedrock removal plan for review and approval by the City. No removal activity shall occur prior to City approval. The bedrock removal plan shall be prepared by a licensed geologist, engineer, or equivalent accredited professional, and will include at least the following components:

- The location, volume, and type of bedrock to be removed
- Removal procedures to be used, both primarily and as options if necessary
- The expected duration of removal activities
- Type of equipment to be used
- Any types of chemical or other materials to be used, including any storage and safety requirements
- Requirements for personal safety and the protection of private and public property
- A program to notify all parcels within 250 feet of the project site.

The foregoing modifications to Mitigation Measures NOI-2 and NOI-3 would increase the effectiveness of the mitigation measures.

Effect of Modifications to Mitigation Measures - Modification and addition of the foregoing mitigation measures clarify existing measures or increase the level of protection for noise and groundborne vibration on the site. At least one of the conditions set forth in Section 15073.5 of the State CEQA Guidelines is present: 1. Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1; 2. New project revisions are added in response to written or verbal comments on the project's effects identified in the proposed negative declaration which are not new avoidable significant effects; 3. Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect; or, 4. New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration. In this case, mitigation measures are replaced with more effective measures. Thus, no recirculation of the IS/MND would be necessary due to these modifications of mitigation measures related to noise and groundborne vibration.

Heritage Preservation League of Folsom, Initial Study Review - June 19, 2020

K.1 *The comment requests that the IS/MND evaluate how changes in visual quality could adversely affect nearby historic buildings. The comment additionally requests that the IS/MND evaluate rooftop lighting and its potential effect on nearby land uses.*

Public Resources Code Section 21099 exempts infill development such as the 603 Sutter Street project from the evaluation of visual resources. See response to comment D.2. Additionally, the question of adverse effects of the project on the historic quality of the Historic District will be considered by the Historic District Commission in its review of the project design. For additional information regarding compliance with the Historic District Design Guidelines and the role of the Commission in enforcing them, see response to comment D.2.

- K.5 *The comment requests that Mitigation Measures CUL-1 through CUL-3 be strengthened to ensure that Cultural Sensitivity Training is mandatory. The comment additionally requests that an archaeologist or environmental consultant be present to monitor the site during initial grading down to bedrock.*

Mitigation Measure CUL-1 is hereby amended to include the following:

Prior to initiation of construction on the project site, all construction personnel that will work on the proposed project site shall be provided with Cultural Sensitivity Training taught by a professional archaeologist or historian meeting the Secretary of the Interior's standards. The training shall include information regarding cultural resources, their recognition, avoidance, and treatment in the event of fortuitous discovery. Project plans shall also contain a notation requiring that if any archaeological, cultural, historical resources, artifacts, or other features are discovered during the course of construction anywhere on the project site, work shall be immediately suspended in that location. Attendance at Cultural Sensitivity Training is mandatory for all construction personnel that would work on the site during grading and leveling.

Mitigation Measure CUL-2 is hereby amended to include the following:

In the event that undiscovered cultural resources are found in the area of direct impact of the proposed project, for example, during foundation and building pad excavation, ~~the responsible field manager~~ construction monitor retained in compliance with Mitigation Measure CUL-4 shall order discontinuation of all activities on the project site. A qualified archaeologist, the Folsom Historical Society, City staff, and the Heritage Preservation League shall be promptly contacted regarding evaluation of the find. The archaeologist will consult with all interested parties, including Native Americans, and develop a recovery or mitigation plan that shall be implemented by the City of Folsom.

New Mitigation Measure CUL-4 is hereby added to the IS/MND to require monitoring of the site during grading and leveling.

Mitigation Measure CUL-4:

A professional archaeologist or historian meeting the Secretary of the Interior's standards shall be present to monitor for the presence of historic or other cultural resources during all grading and leveling operations until excavation reaches bedrock. This includes excavation for foundation and sound wall footings. Should the monitor identify potential or confirmed cultural resources, they will implement Mitigation Measures CUL-2 and/or CUL-3 as appropriate to the discovery.

Effect of Modifications to Mitigation Measures - Modification and addition of the foregoing mitigation measures clarify existing measures or increase the level of protection for unknown cultural resources on the site. At least one of the conditions set forth in Section 15073.5 of the State CEQA Guidelines is present: 1. Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1; 2. New project revisions are added in response to written or verbal comments on the project's effects identified in the proposed negative declaration which are not new avoidable significant effects; 3. Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect; or, 4. New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant

modifications to the negative declaration. In this case, mitigation measures are replaced with more effective measures. Thus, no recirculation of the IS/MND would be necessary due to these modifications of mitigation measures related to cultural resources.

K.7 *The comment requests that potential blasting during excavation be evaluated to assess the impact of groundborne vibration on surrounding structures and existing underground utilities.*

Pursuant to revised Mitigation Measure NOI-2, no blasting will be permitted. See response to comment D.5.

K.13 *The comment requests modifications to the analysis in the IS/MND of blasting noise and vibration, and noise from rooftop activities.*

See response to comment D.5.

K.15 *The comment requests that a parking study be conducted for the project. The comment additionally asserts that the IS/MND should evaluate whether a new parking garage would need to be provided to accommodate parking demand from the 603 Sutter Street project. The comment additionally requests that the City prepare a plan to meet overall parking demands for the east end of the Sutter Street subarea.*

The evaluation of parking demand and supply is not required under the California Environmental Quality Act (CEQA) and the Legislature has shifted the focus of analysis of impacts to transit and transportation under CEQA from traffic congestion or “level of service” to automobile trips generated by a project and vehicle miles traveled. (Public Resources Code § 21009; CEQA Guidelines § 15064.3.) The adequacy of parking for a project cannot support a finding of significance under CEQA. (Public Resources Code § 21009(b)(3).) In fact, the California Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA (Dec. 2018) lists limiting or eliminating parking supply as a potential measure to reduce vehicle miles traveled and transportation impacts associated with a project. Nonetheless, CEQA lead agencies such as the City of Folsom may evaluate parking as well as roadway levels of service in a companion evaluation to a CEQA document. In the case of the 603 Sutter Street IS/MND, the City has appended a Traffic Impact Study (Appendix C) to the document. Based on an evaluation of project parking demand and available supply, the study found that the 603 Sutter Street project’s parking demand could reasonably be satisfied by existing off- and on- street supply documented to be available within the Historic District. For detailed information regarding this conclusion, please refer to IS/MND Appendix C.

However, independently of the 603 Sutter Street IS/MND, the City is evaluating ongoing problems with parking location and availability within the City of Folsom Historic District. In response to parking challenges in the Historic District, the City Council formed an Ad Hoc Committee in March 2019 to explore parking solutions within the Historic District. Ultimately, the Committee was tasked with developing a set of parking strategy recommendations for City Council.

On June 23, 2020 by the Historic District Parking Solutions Ad Hoc Committee (Committee) presented recommendations from their year-long effort to explore solutions to alleviate traffic and parking concerns in the residential and commercial portions of the Historic District. The core issues that the Committee evaluated included impacts to residential area quality of life,

access to parking for Historic District patrons, employee and commuter access to parking, underutilized parking garage capacity, lack of dedicated parking enforcement, special event parking impacts, and immediate and future growth and parking demands. The City Council took no action at that meeting. However, the City staff report prepared for the 603 Sutter Street project recommends that the Historic District Commission adopt the following conditions of approval related to parking:

- If a Parking Benefit District or similar parking assessment mechanism is formed within the Historic District in the future, the owner/applicant shall be required to participate fully in the aforementioned Parking Benefit District or parking assessment mechanism.
- The owner/applicant and business operators shall provide maps of the Historic District public parking facilities to employees and visitors. In addition, the owner/applicant and business operators shall provide information on the company's website regarding public parking locations within the Historic District.
- The owner/applicant and business operators shall educate employees and visitors about parking options within the Historic District.
- The owner applicant and business operators shall notify their employees that they are not permitted to park in the nearby residential neighborhoods. If employees of any business located within the building violate this requirement, the business is subject to immediate suspension of the right to operate on the subject property.
- The owner/applicant and business operators shall offer a financial incentive in the amount of \$50 per month to employees for parking in the Historic District parking garage on Reading Street or other public parking lot areas located within the Historic District.
- The owner/applicant and business operators shall offer incentives to employees to utilize alternative forms of transportation (light rail, bus, bicycle, walk, etc.) to commute to and from work.
- The owner/applicant shall provide the City with a reciprocal parking agreement with a nearby property owner to the satisfaction of the City Attorney, for the purpose of providing a minimum of 16 parking spaces for exclusive use by employees of the proposed project. The dedicated parking area shall be located within one block (approximately 500 feet) of the subject property to the satisfaction of the Community Development Department.

Since the comment does not raise an issue related to compliance with CEQA's requirements for analysis of transportation impacts, no modification of the IS/MND is necessary.

K.16 *The comment requests that a traffic study be completed to identify whether the project as proposed would hinder emergency access in the area due to street congestion caused in part by delivery trucks.*

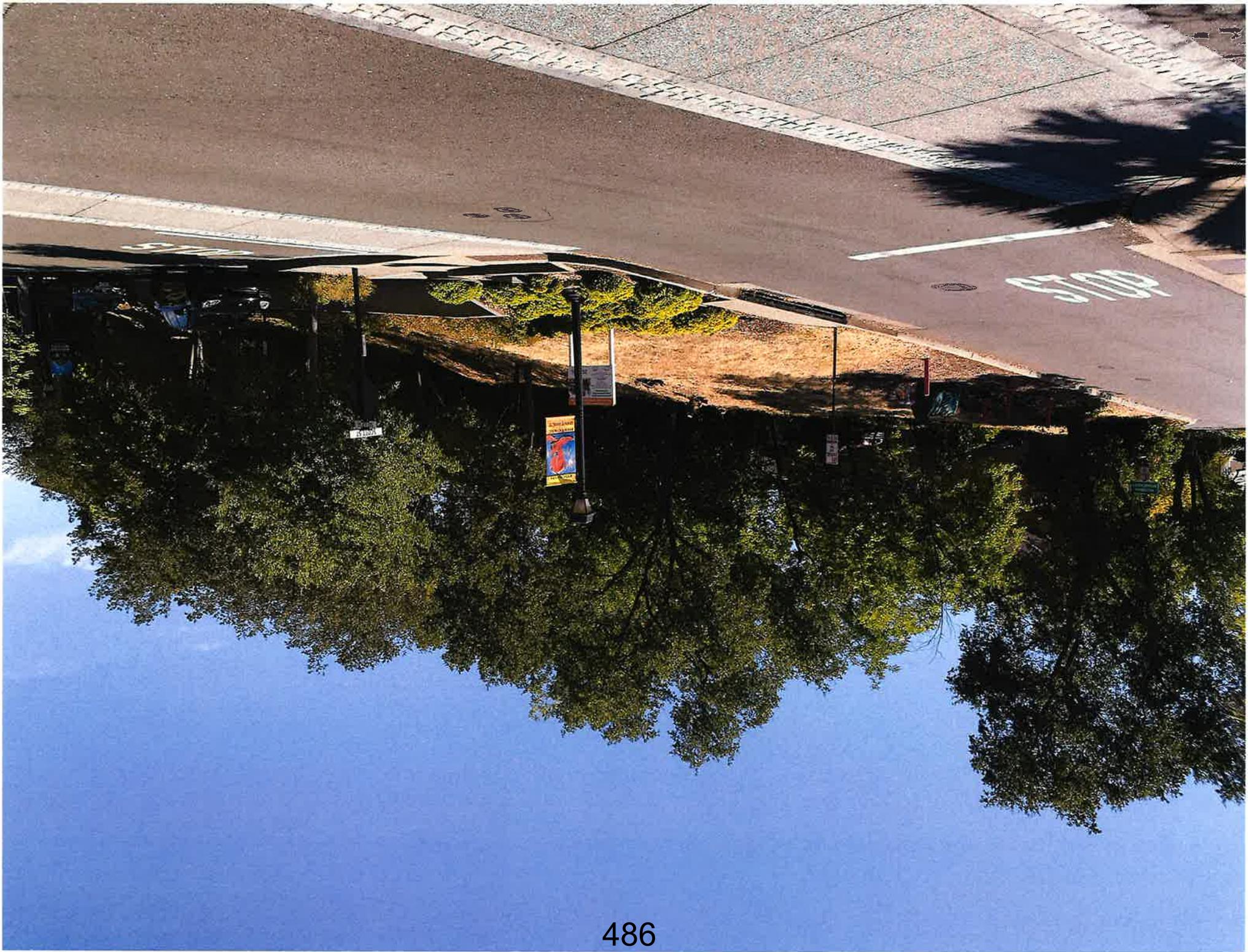
As discussed on page 102 of the IS/MND, the City of Folsom Emergency Operations Plan provides evacuation plans for distinct sections of the city, including Area 6 – Historic Folsom (Folsom 2004). Evacuation routes identified for this area include Folsom Boulevard (southbound), Riley Street (northbound), Natoma Street (eastbound), and East Bidwell Street (eastbound). Neither Sutter nor Scott Streets are identified as emergency routes by the City.

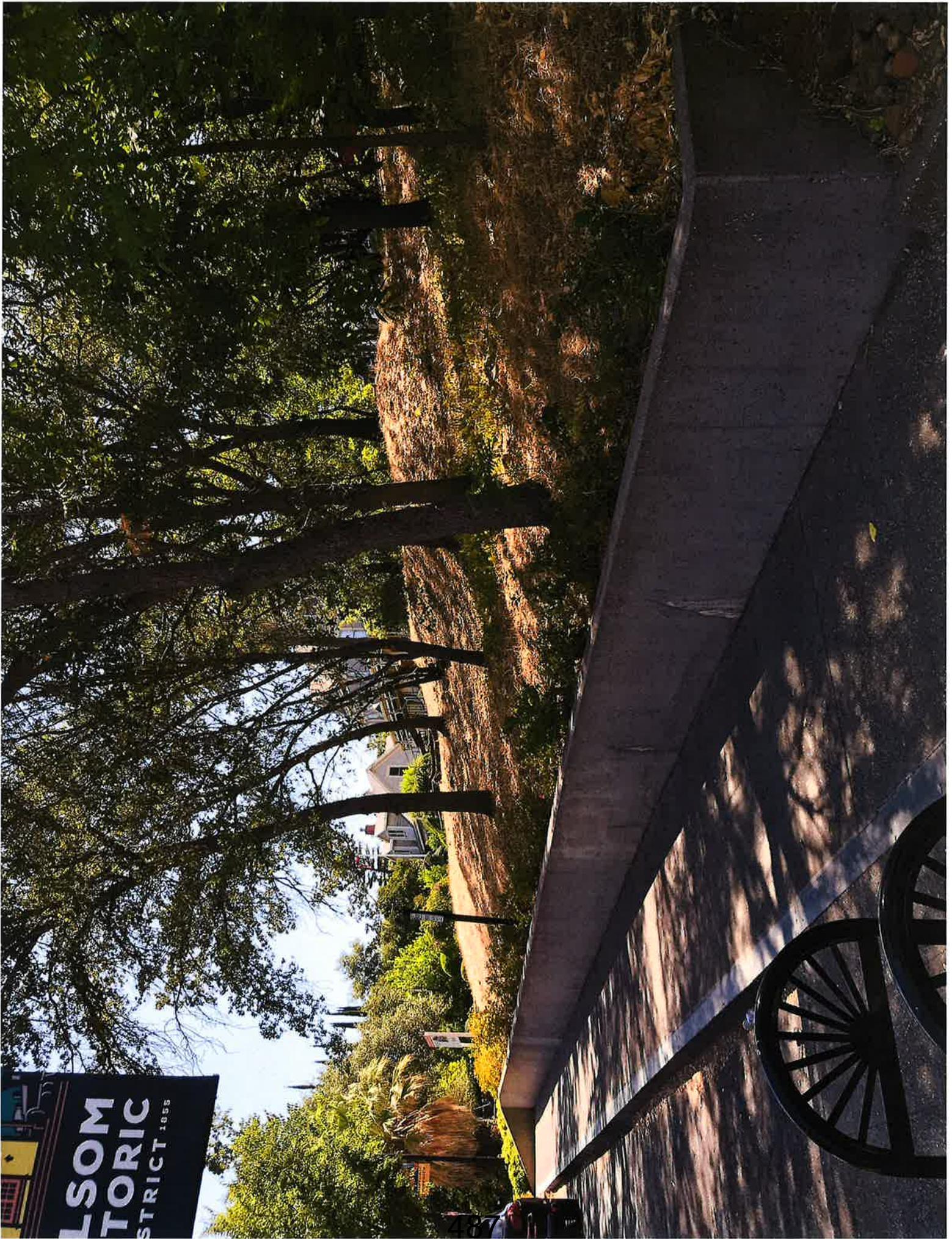
As noted in the response to comment K.15, a traffic study was completed for the 603 Sutter Street project. The Study concluded that the proposed project is expected to generate a nominal amount of traffic, including that generated by delivery vehicles. Similarly, queuing on adjacent streets would be nominally affected by implementation of the project. Based on this data, the project would not make a considerable contribution to street congestion on Sutter Street, Scott Street, or adjacent streets due to the increased presence of delivery vehicles. See IS/MND Appendix C for more information.

No modification of the IS/MND is necessary to respond to this comment.

Attachment 23

Site Photographs











Attachment 24

Historic District Commission PowerPoint Presentation

603 Sutter Street Building



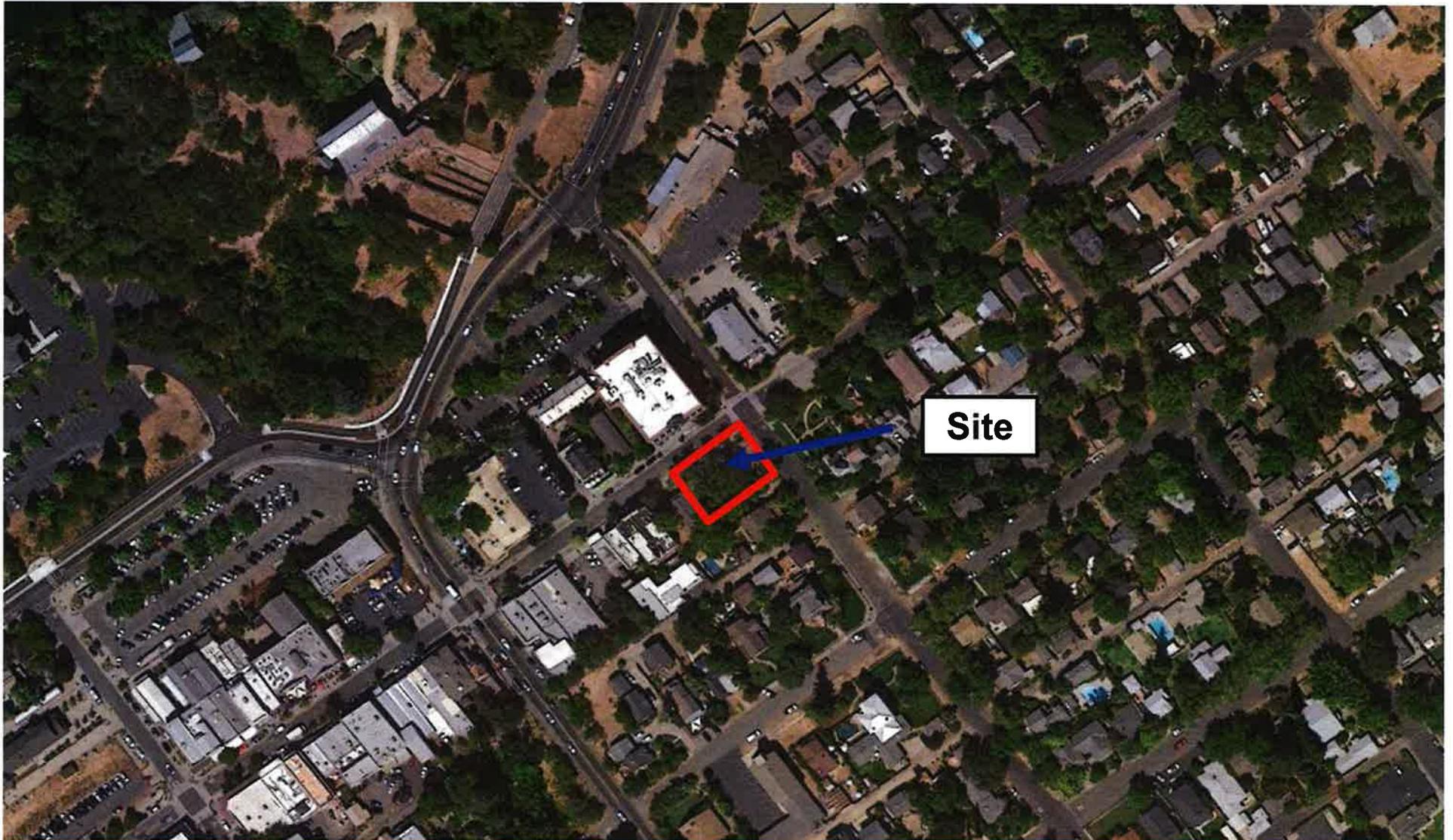
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603 Sutter Street Mixed-Use Project
Building Height Variance, Parking
Variance, and Design Review

Vicinity Map



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Aerial View



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Project Background



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- May 3, 2017: Application for Building Height Variance, Parking Variance, and Design Review Submitted for Development of 23,486-Square-Foot Mixed-Use Building at 603 Sutter Street
- September 6, 2017: 603 Sutter Street Mixed-Use Building Project Reviewed by Historic District Commission as Informational Item
- August 2, 2017 to September 6, 2017: Applicant Hosts Multiple Neighborhood Outreach Events to Discuss Proposed Project with Residents
- March 14, 2019: Applicant Submits Revised Development Application to City
 - Building Reduced from 23,486 Square Feet to 14,811 Square Feet
 - Height of Building Reduced from 57 Feet 6 Inches to 50 Feet 6 Inches
 - Building Footprint Modified to Eliminate Encroachment into Scott Street Right-of-Way
 - Underground Parking Garage Removed
 - Architecture and Design of Building Updated

Key Project Details



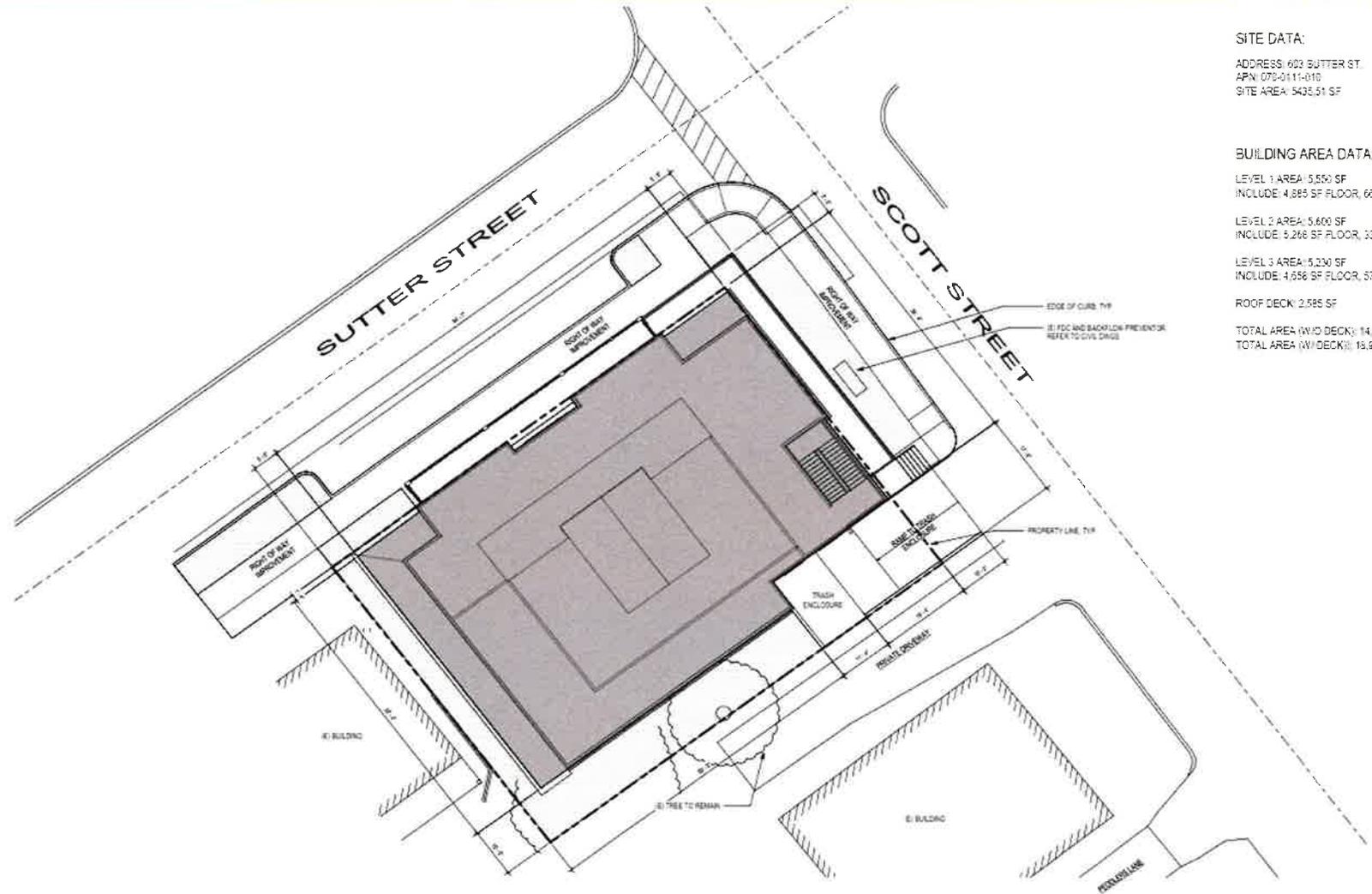
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- **603 Sutter Street Mixed-Use Building**
 - 0.17-Acre Site at Southwest Corner of Sutter Street and Scott Street
 - Three-Story, 14,811-Square-Foot Building (Retail/Restaurant and Office Uses)
 - 4,885 Square Feet of Retail/Restaurant Uses on First Floor
 - 9,926 Square Feet of Office Uses on Second and Third Floors
 - Outdoor Use Areas, Balconies, and Roof Top Deck
 - No On-Site Parking
- **Building Height Variance**
 - Proposed Building Height of 50 Feet 6 Inches
 - Maximum Allowed Building Height of 35 Feet
 - 15 Foot 6 Inch Building Height Variance Requested
- **Parking Variance**
 - No Parking Spaces Proposed
 - 43 Parking Spaces Required
 - 43 Space Parking Variance Requested
- **Design Review**
 - Design Review of Three-Story, 14,811-Square-Foot Commercial Building
- **Encroachments**
 - Excavation and Construction-Related Activities in Public Right-of-Way
 - Architectural and Improvement-Related Encroachment into Public Right-of-Way

Site Plan



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SITE DATA:

ADDRESS: 602 SUTTER ST.
 APN: 075-0111-010
 SITE AREA: 5435.51 SF

BUILDING AREA DATA:

LEVEL 1 AREA: 5,550 SF
 INCLUDE: 4,885 SF FLOOR, 665 SF DECK

LEVEL 2 AREA: 5,600 SF
 INCLUDE: 5,268 SF FLOOR, 332 SF DECK

LEVEL 3 AREA: 5,230 SF
 INCLUDE: 4,758 SF FLOOR, 572 SF DECK

ROOF DECK: 2,585 SF

TOTAL AREA (W/O DECK): 14,311 SF
 TOTAL AREA (W/ DECK): 19,915 SF

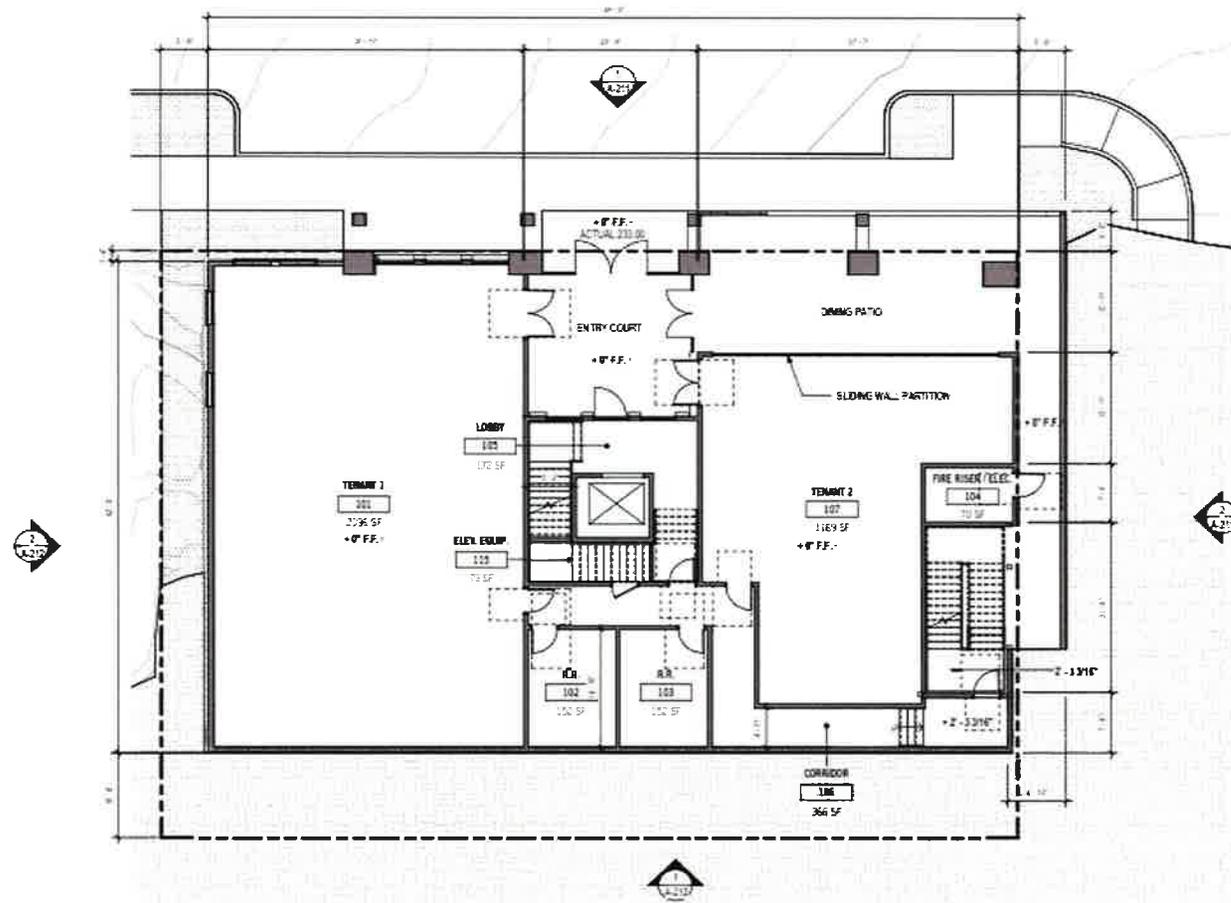
1 SITE PLAN
 P-19-C



Level 1 Floor Plan



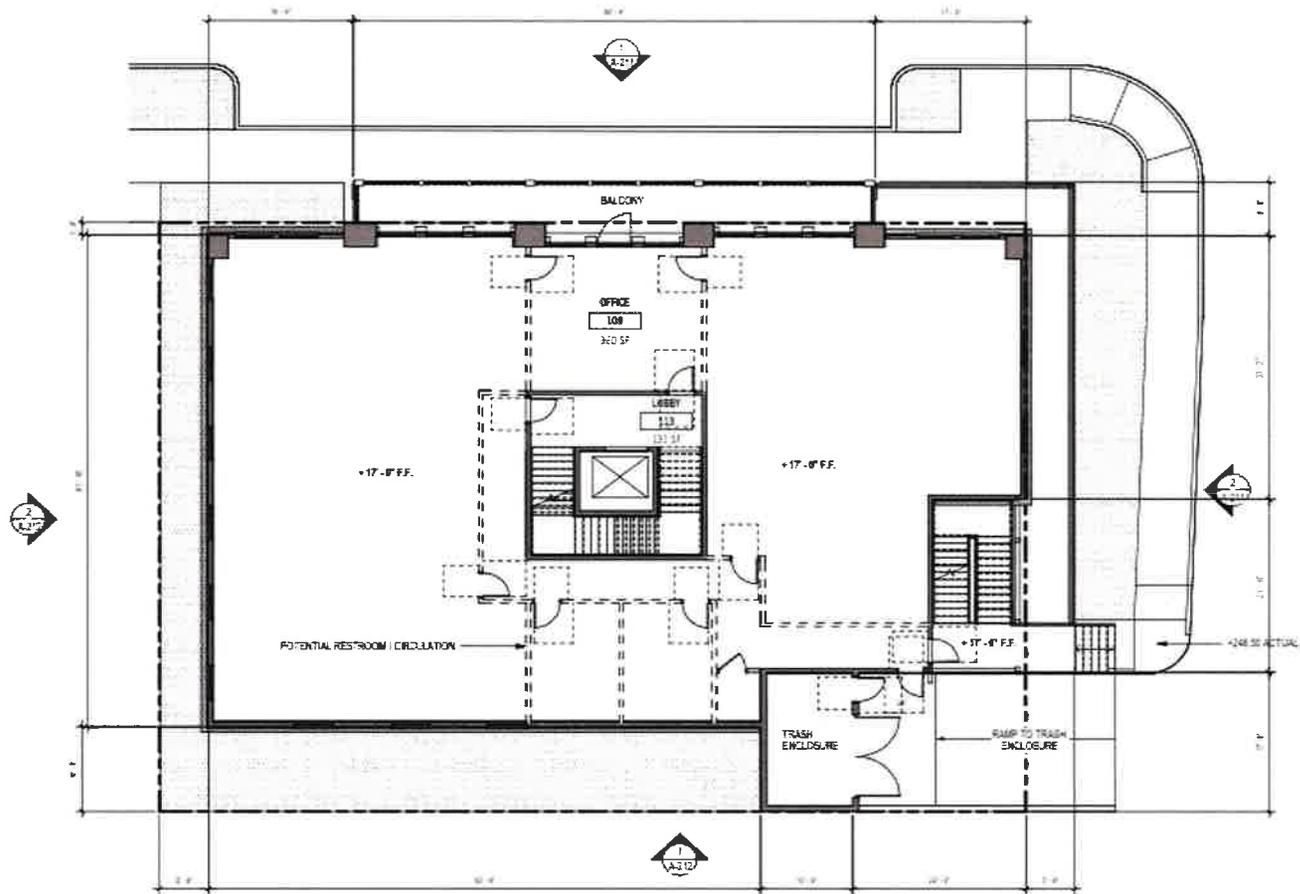
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Level 2 Floor Plan



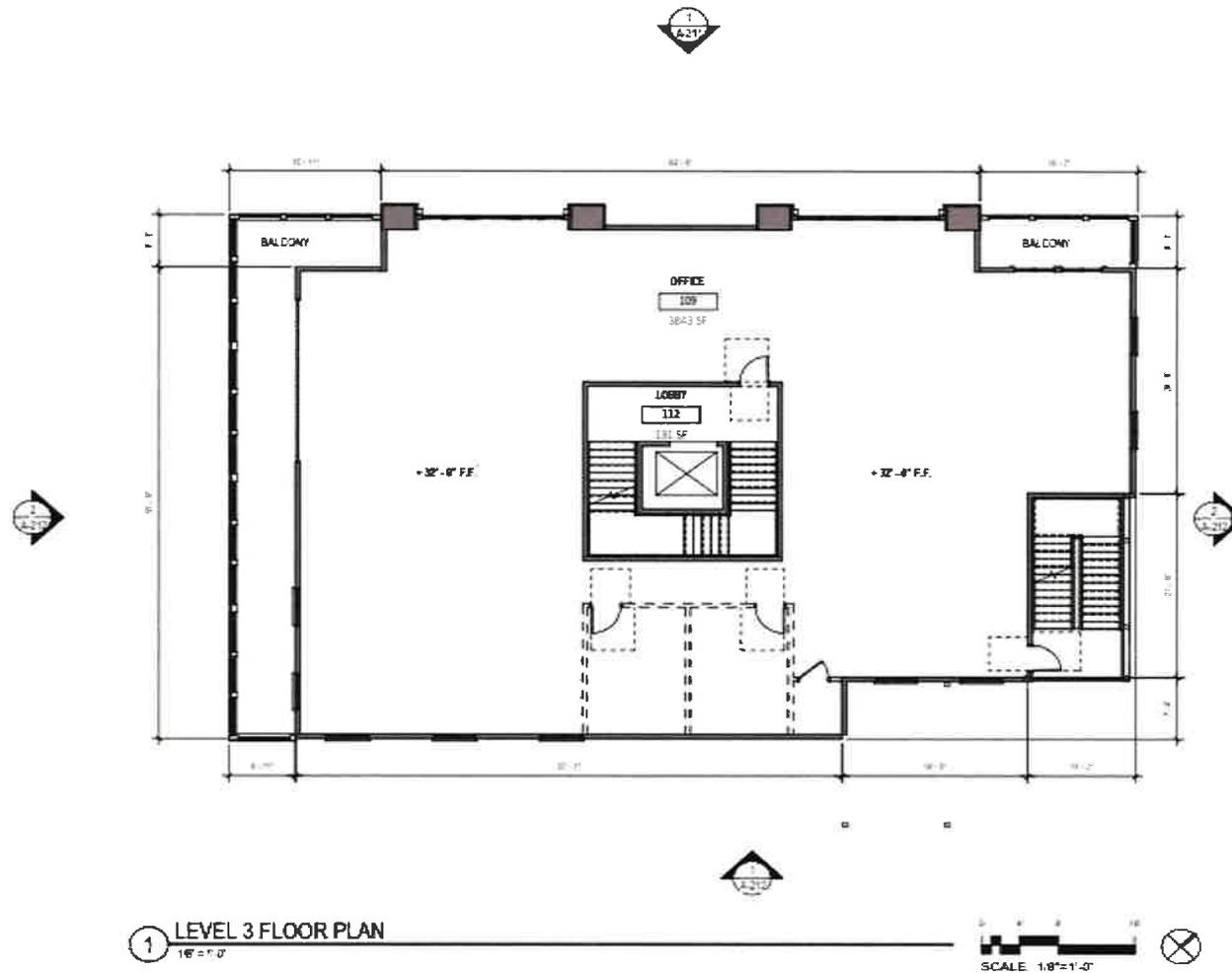
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Level 3 Floor Plan



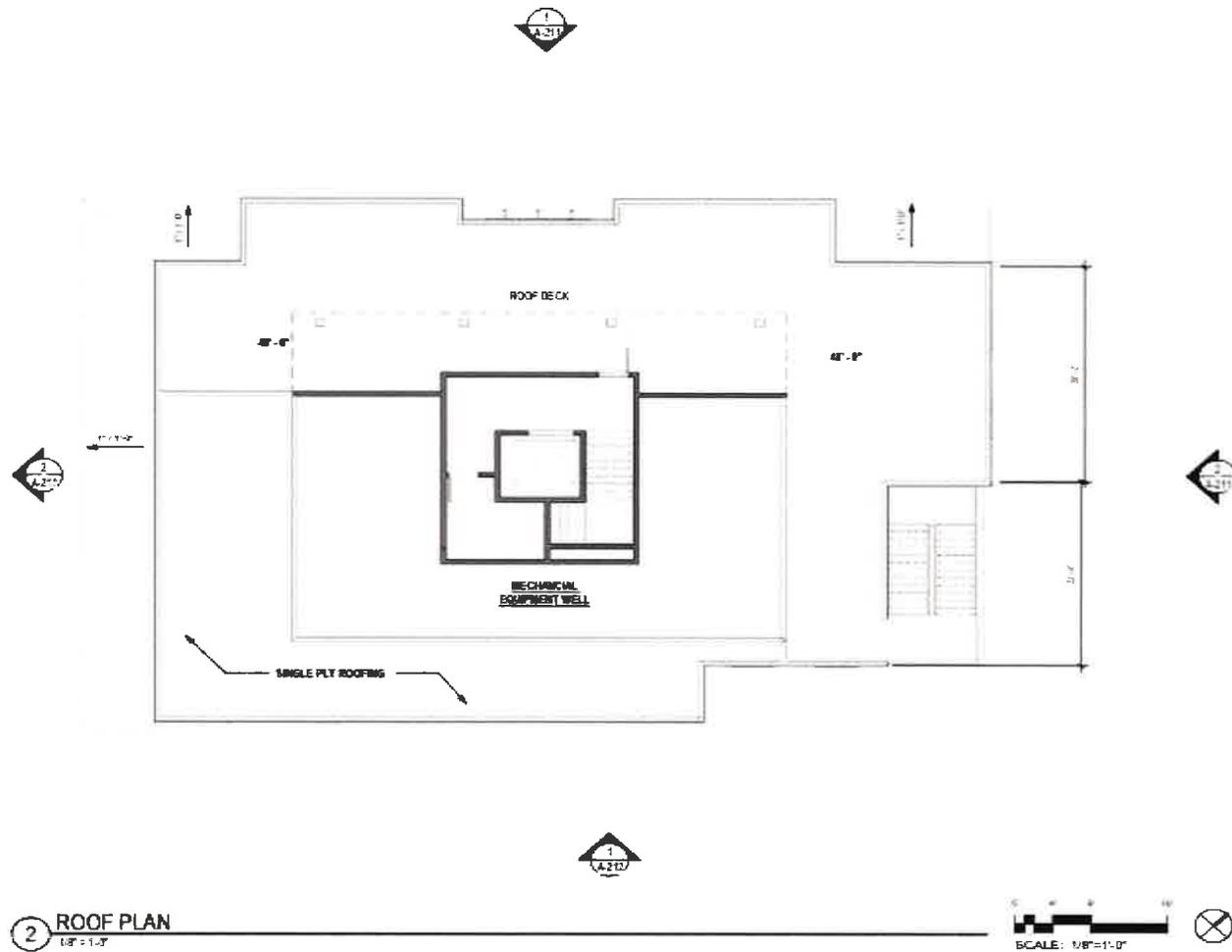
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Roof Plan



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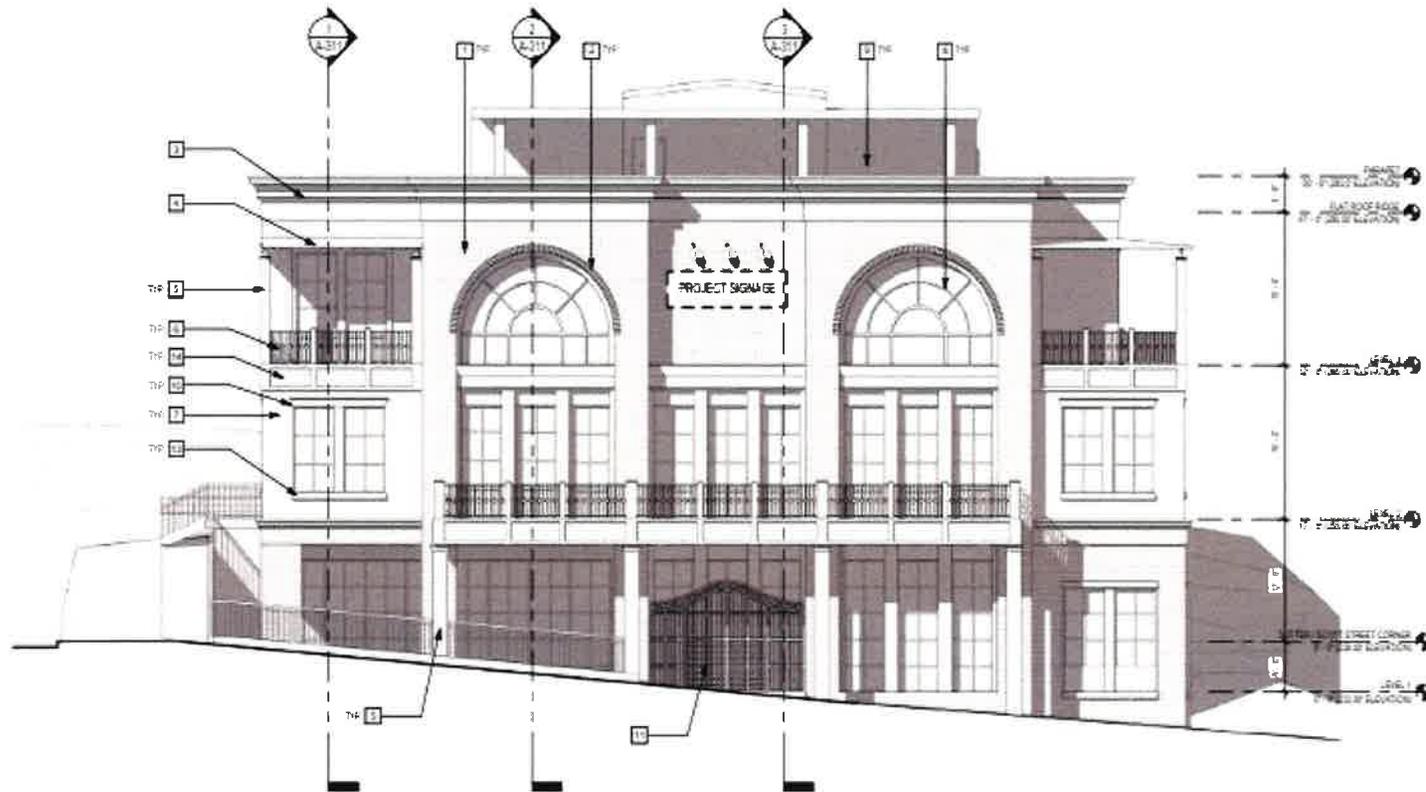
2 ROOF PLAN
1/8"=1'-0"

SCALE: 1/8"=1'-0"

Building Elevation (North)



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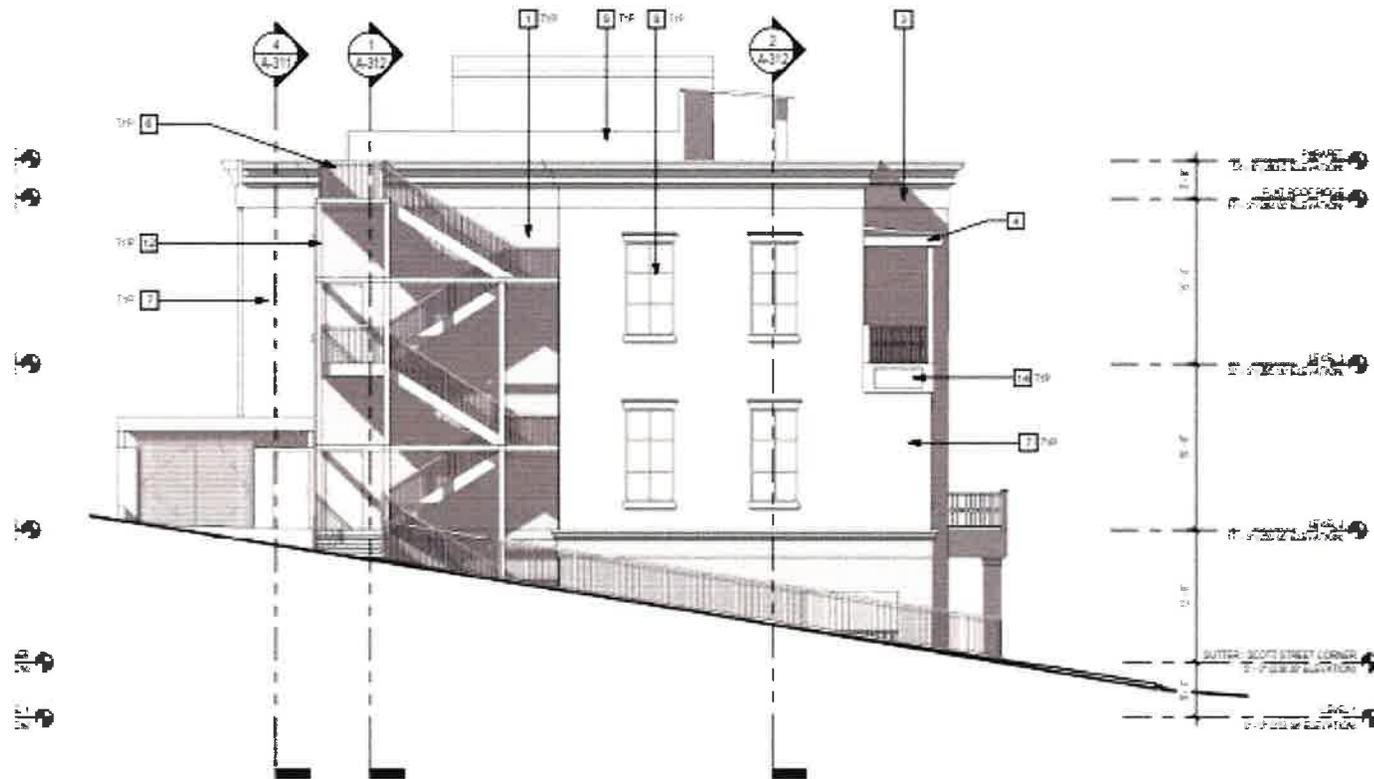


① NORTH ELEVATION
1/8" = 1'-0"

Building Elevation (East)



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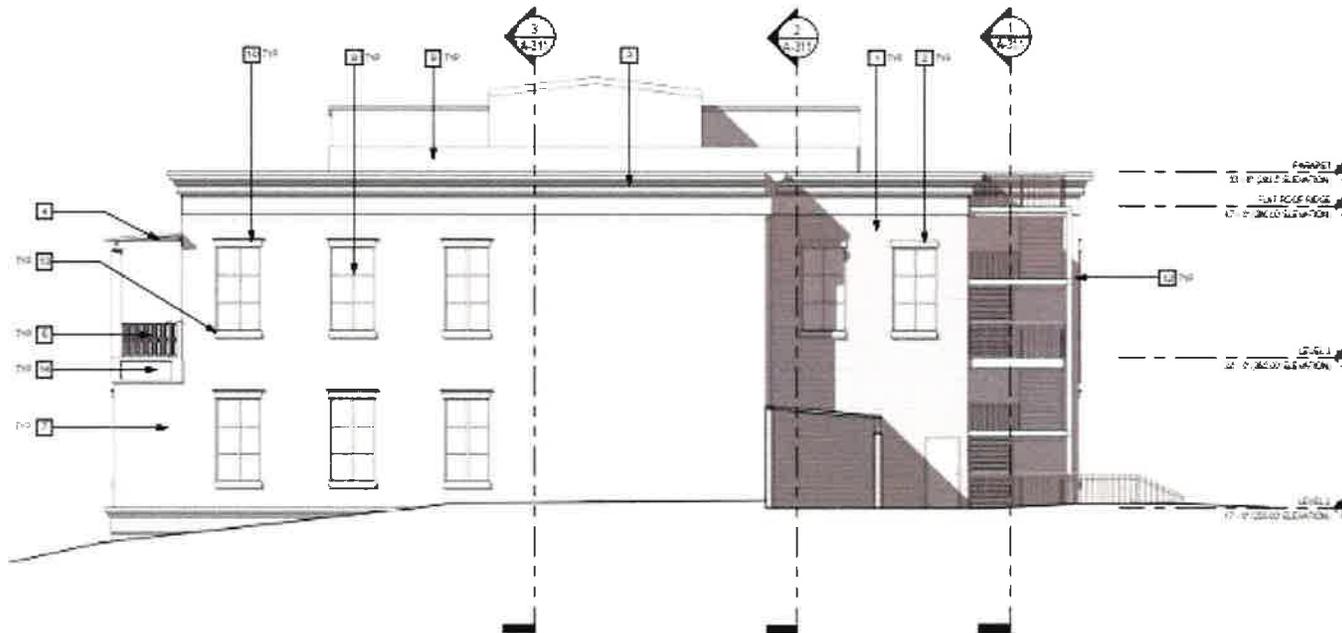


2 EAST ELEVATION
1/8" = 1'-0"

Building Elevation (South)



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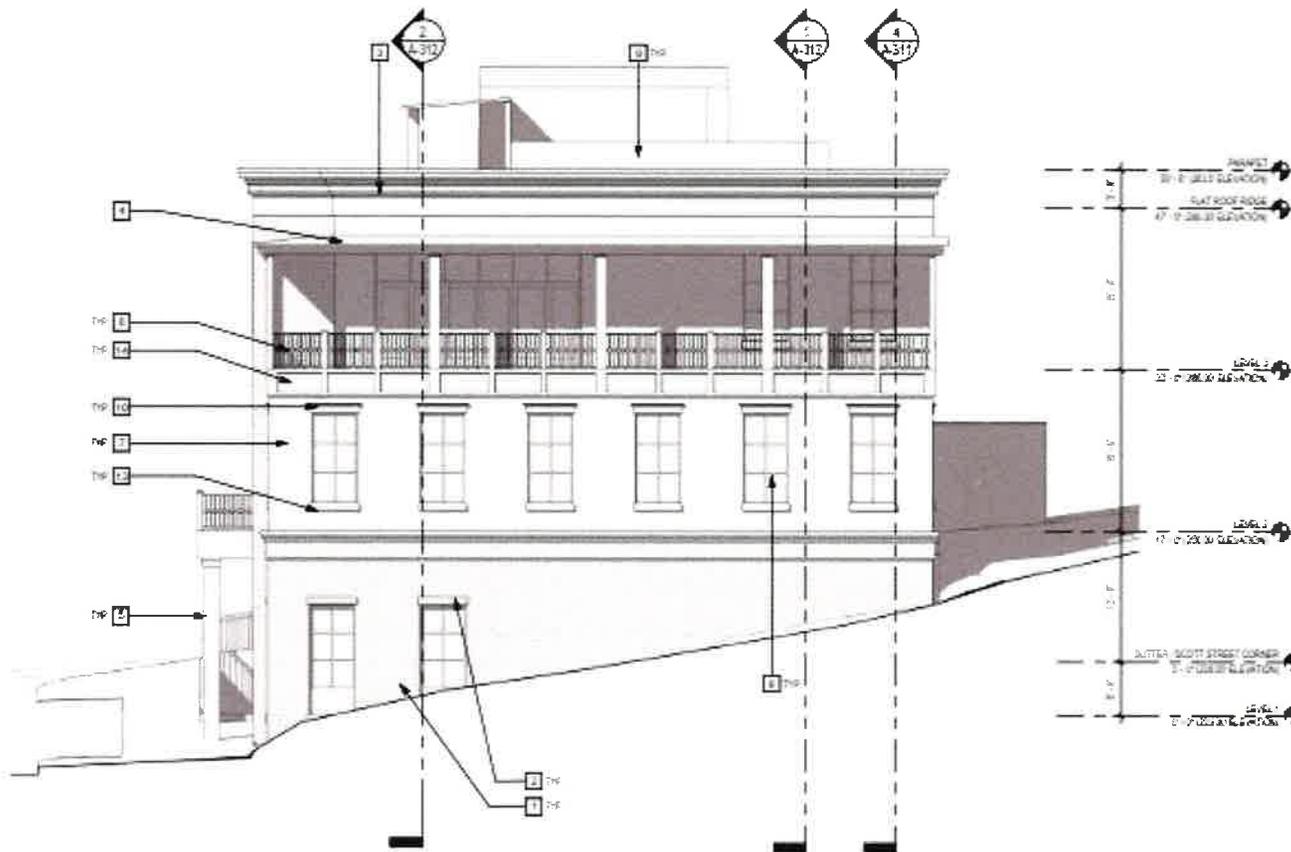


1 SOUTH ELEVATION
1/8" = 1'-0"

Building Elevation (West)



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2 WEST ELEVATION
1/8" = 1'-0"

Building Renderings



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1 STREET VIEW RENDERING - VIEW FROM SUTTER ST. LOOKING SOUTH

A-914
STREET VIEW RENDERINGS



2 STREET VIEW RENDERING - VIEW FROM SUTTER ST. LOOKING SOUTH

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ARCHITECTS + PLANNERS

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Building Renderings



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STREET VIEW RENDERINGS



1 STREET VIEW RENDERING - VIEW FROM SUTTER ST. LOOKING SOUTHWEST

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Building Renderings



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STREET VIEW RENDERINGS

1 STREET VIEW RENDERING - VIEW FROM SCOTT ST. LOOKING NORTH

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Building Renderings



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STREET VIEW RENDERINGS



1 STREET VIEW RENDERING - VIEW FROM INTERSECTION OF SCOTT ST. & RILEY ST.

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Project Analysis Overview



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- General Plan/Zoning Consistency
- Building Height Variance
- Parking Variance
- Design Review
 - Traffic/Access/Circulation
 - Noise Impacts
 - Retaining/Stem Walls
 - Trash/Recycling
 - Uniform Sign Program
 - Existing/Proposed Landscaping
- Biological Resources
- Cultural Resources
- Environmental Review
- Public Comments

Project Analysis



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- **General Plan/Zoning Consistency**
 - General Plan Land Use Designation (HF, Historic Folsom Mixed Use District)
 - Zoning Designation (HD, Historic District)
 - Subarea (SUT, Sutter Street Subarea)
 - Project is Consistent with General Plan and Zoning

- **Development Standards**
 - Project Meets Development Standards (Exceptions are Building Height/Parking)

Development Standards Table					
603 Sutter Street Mixed-Use Project					
	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Maximum Building Height	Minimum Parking Required
Sutter Street Subarea	0 Feet Property Line	NA	NA	35 feet	43 Spaces
Proposed Project	0 Feet Property Line	10.5 Feet	0, 5.5 Feet	50.5 feet	0 Spaces

Project Analysis



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- Building Height Variance
 - Proposed Building Height
 - 50 Feet 6 Inches at NW Corner of Building
 - 45 Feet 6 Inches at NE Corner of Building
 - 33 Feet 6 Inches at SW Corner of Building
 - 33 Feet 6 Inches at SE Corner of Building
 - Building Height Limit of 35 Feet for Sutter Street Subarea
 - Variance Justification Letter
 - Severe Topography (Elevations Range from 234 to 251 Feet/Average Slope of 19 Percent)
 - Topography Dictates that Special Construction Methods be Utilized (Steel Support Structures)
 - Topography of Project is Unique (No Other Properties in Area have 17-Foot Elevation Change)
 - Project Context
 - 600 Block of Sutter Street (Combination of One, Two, and Three-Story Buildings)
 - Folsom Electric Building (42-57 Feet Tall)
 - Fire and Rain Building (42 Feet Tall)
 - Residential Development
 - Single-Family Residence at 306 Scott Street

Project Analysis



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- Variance Findings (Building Height)
 - That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to other land, buildings, and/or uses in the district;
 - That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant;
 - That the granting of such application will not, under the circumstances of the particular case, materially affect the health or safety of persons, residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

Project Analysis



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- **Parking Variance**
 - No Parking Spaces Proposed
 - 43 Parking Spaces Required

- **Parking in Sutter Street Subarea**
 - On-Site Parking Typically Responsibility of Individual Property Owner
 - Due to Historic Development Patterns, Opportunities for Parking Limited on Sutter Street
 - To Preserve Authenticity of District, City has Assisted with Providing Parking Options

- **Approved Parking Variances**

Parking Variance Table Sutter Street Subarea			
Name	Address	Variance Parking Spaces	Year Approved
Folsom Electric Building	602/604 Sutter Street	26 Parking Spaces	2006
Office Building	606 Sutter Street	6 Parking Spaces	2000
Fire and Rain Building	607 Sutter Street	20 Parking Spaces	2013
Precious Gems	723 Sutter Street	5 Parking Spaces	2016
Sutter Court	905/915 Sutter Street	42 Parking Spaces	2004
Westwood Family Cellars	925 Sutter Street	12 Parking Spaces	2013
Truong Office Building	305 Wool Street	5 Parking Spaces	2014
Historic Folsom Station	824 Sutter Street	87 Parking Spaces	2007
Totals		203 Parking Spaces	

Project Analysis



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- Variance Justification Letter
 - Severe Topography (Average Slope of 19 Percent)
 - Topography Dictates that Special Construction Methods be Utilized
 - Topography of Project is Unique (17-Foot Elevation Change)
 - Lack of Alley Access
- Historic District Parking Implementation Plan Update (2018)
 - Status of Current and Future Historic District Parking Demand
 - Historic District Divided into Three Zones (Project in Zone 1)
 - Historic District Parking Supply
 - 801 Total Parking Spaces (177 Parking Spaces in Zone 1)
 - 622 Off-Street Parking Spaces
 - 179 On-Street Parking Spaces
 - Parking Usage/Availability
 - Peak Weekday Occupancy (60 Percent/321 Parking Spaces Available)
 - Peak Weekend Occupancy (55 Percent/361 Parking Spaces Available)
 - Implementation Plan Concluded Sufficient Parking is Currently Available
 - Implementation Plan Also Concluded that Additional Parking Needed Upon Full Development of the Historic Folsom Station Project

Project Analysis



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FOLSOM

- **Historic District Parking Implementation Plan Update (2018)**
 - Status of Current and Parking District Parking Demand
 - Historic District Divided into Three Zones (Project in Zone 1)
 - **Historic District Parking Supply**
 - 801 Total Parking Spaces (177 Parking Spaces in Zone 1)
 - 622 Off-Street Parking Spaces
 - 179 On-Street Parking Spaces
 - **Parking Usage/Availability**
 - Peak Weekday Occupancy (60 Percent/321 Parking Spaces Available)
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 - Implementation Plan Concluded Sufficient Parking is Currently Available
 - Implementation Plan Also Concluded that Additional Parking Needed Upon Full Development of the Historic Folsom Station Project

Project Analysis



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FOLSOM

- **Project Specific Parking Analysis (2019)**
 - Project Expected to Generate 43-76 Parking Space Demand (Typical Weekend)
 - Project Expected to Generate 18-51 Parking Space Demand (Typical Weekend)
 - Historic District Peak Weekday Occupancy of 60 Percent (321 Spaces Available)
 - Historic District Peak Weekend Occupancy of 55 Percent (361 Spaces Available)
 - Analysis Concluded that there is Sufficient Parking Available to Serve Project
- **Parking Analysis Recommendations**
 - Establish or contribute to a privately operated or coordinated trolley service between Historic District parking and the proposed Project site
 - Direct customers and employees to the newly installed wayfinding signs for the Historic District parking garage
 - Remind customers not to park in residential areas and offer incentives to customers who park in the Historic District parking garage on Reading Street
 - Provide maps of the Historic District parking facilities to customers by adding information to the proposed Project website
 - Offer incentives to employees for parking in the Historic District parking garage on Reading Street

Project Analysis



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FOLSOM

- **Historic District Parking Solutions Ad Hoc Committee Recommendations (2020)**
 - Short-Term High Priority Recommendations
 - Establish designated loading zones for ridesharing and Smart RT
 - Design, implement, and enforce residential parking permit program
 - Establish an in-lieu fee for parking
 - Enhance pedestrian safety to and from the Railroad Block garage
 - Improve and expand wayfinding signage to encourage use of parking garage
 - Increase frequency and scope of parking enforcement
 - Creation of a Special District for Parking
 - Short-Term Low Priority Recommendations
 - Provide shuttle options to parking garage and Light Rail
 - Educate employees about parking options
 - Long-Term High Priority Recommendations
 - Offer behavioral incentives to reward beneficial parking behavior
 - Build an additional public parking garage
 - Long-Term Low Priority Recommendations
 - Consider establishing valet parking services at key locations
 - Improve overall circulation design for access to the Historic District
 - Consider use of small undeveloped or underdeveloped lots for infill parking

Project Analysis



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- **City Staff Parking Recommendations (Conditions of Approval)**
 - If a Parking Benefit District or similar parking assessment mechanism is formed within the Historic District in the future, the owner/applicant shall be required to participate fully in the aforementioned Parking Benefit District or parking assessment mechanism.
 - The owner/applicant and business operators shall provide maps of the Historic District public parking facilities to employees and visitors. In addition, the owner/applicant and business operators shall provide information on the company's website regarding public parking locations within the Historic District.
 - The owner/applicant and business operators shall educate employees and visitors about parking options within the Historic District.
 - The owner applicant and business operators shall notify their employees that they are not permitted to park in the nearby residential neighborhoods. If employees of any business located within the building violate this requirement, the business is subject to immediate suspension of the right to operate on the subject property.
 - The owner/applicant and business operators shall offer a financial incentive in the amount of \$50 per month to employees for parking in the Historic District parking garage on Reading Street or other public parking lot areas located within the Historic District.
 - The owner/applicant and business operators shall offer incentives to employees to utilize alternative forms of transportation (light rail, bus, bicycle, walk, etc.) to commute to and from work.
 - The owner/applicant shall provide the City with a reciprocal parking agreement with a nearby property owner to the satisfaction of the City Attorney, for the purpose of providing a minimum of 16 parking spaces for exclusive use by employees of the proposed project. The dedicated parking area shall be located within one block (approximately 500 feet) or the subject property to the satisfaction of the Community Development Department.

Project Analysis

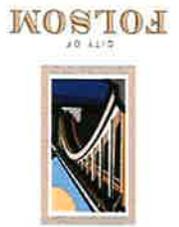


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- Variance Findings (Parking)
 - That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to other land, buildings, and/or uses in the district;
 - That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant;
 - That the granting of such application will not, under the circumstances of the particular case, materially affect the health or safety of persons, residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

Parking Zone Map

521



Historic Sutter Mixed-Use Building Project



Note: The source of this figure is Figure 2 per Technical Memorandum #7 - Historic District Parking Implementation Plan Update, October 15, 2018.

Figure 9 Existing Off-Street Parking Supply



Project Analysis



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FOLSOM

- **Traffic/Access/Circulation**
 - Traffic Impact Analysis (Kimley-Horn-2019)
 - 418 Total Daily Vehicle Trips (35 AM Peak Hour Trips/38 PM Peak Hour Trips)
 - No Impact to Level of Service (LOS) at Any Study Intersections
 - Exempt from Vehicle Miles Traveled (VMT) Due to Proximity to Light Rail Station
- **Noise Impacts**
 - Construction-Related Noise Impacts
 - Operational Noise Impacts (Vehicles, Roof Top Deck, etc.)
 - No New Significant Noise Impacts Expected
- **Retaining/Stem Walls**
- **Trash/Recycling**
- **Uniform Sign Program**
- **Existing/Proposed Landscaping**

Project Analysis



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- Architecture/Design
 - Three-Story, 14,811-Square-Foot Building
 - Historic Design Theme to Compliment Existing Buildings on Sutter Street (1850-1950)
 - Building Vertically Broken into Smaller Design Elements to Create Pedestrian Friendly Appearance
 - Arched Window Openings
 - Balconies and Awnings
 - Decorative Railings
 - Materials (Brick, Plaster, Cast Stone, Wood Columns, Wood Trim, Wood Paneling, Iron Railing)
 - Colors (Red Brick, Natural Stone Plaster, Black Accents)



Building Elevation (North)



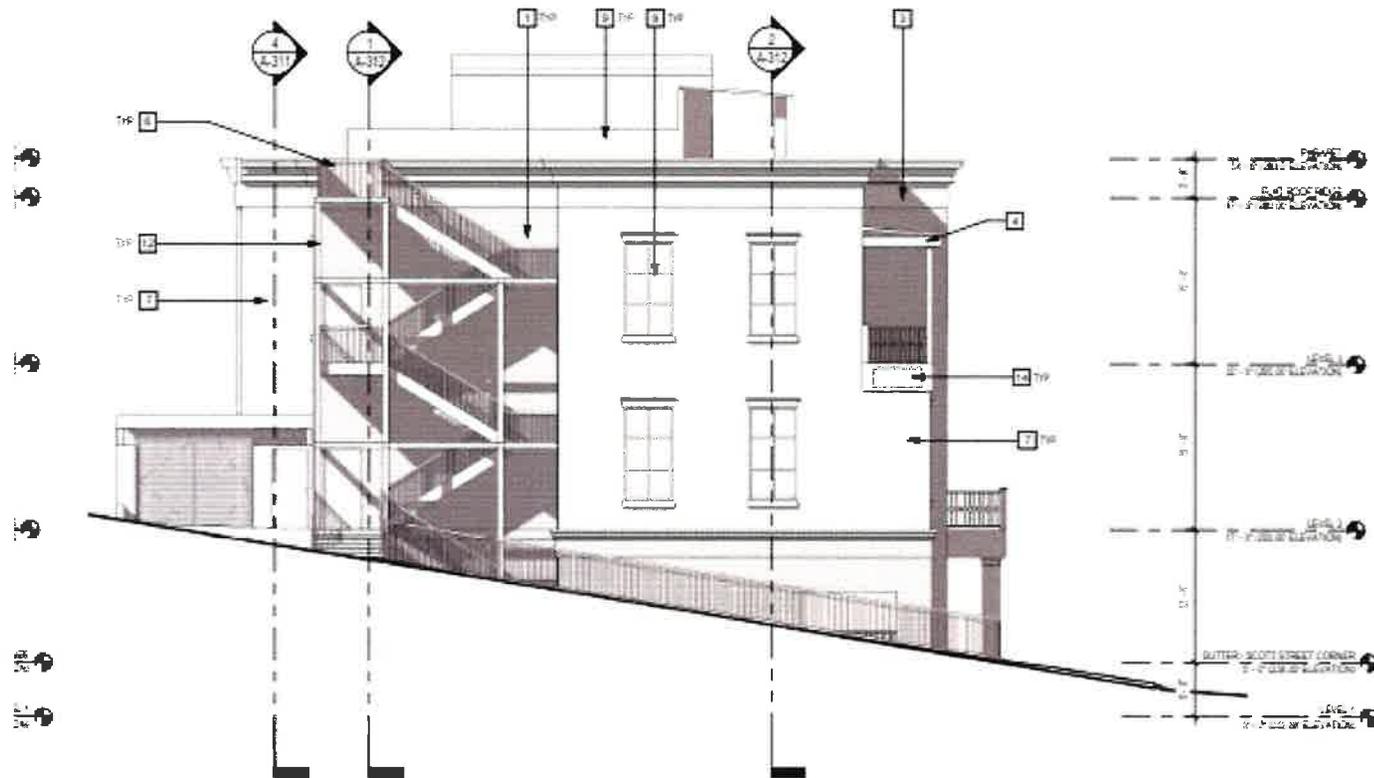
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Building Elevation (East)



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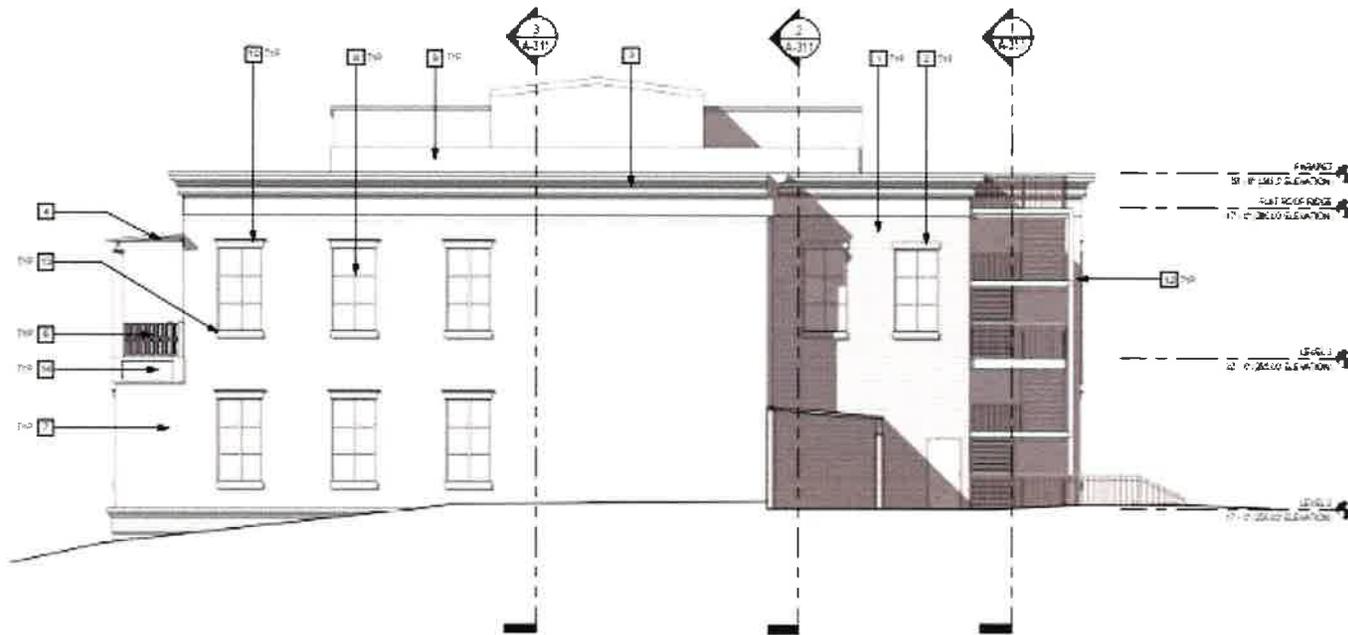


② EAST ELEVATION
1/8" = 1'-0"

Building Elevation (South)



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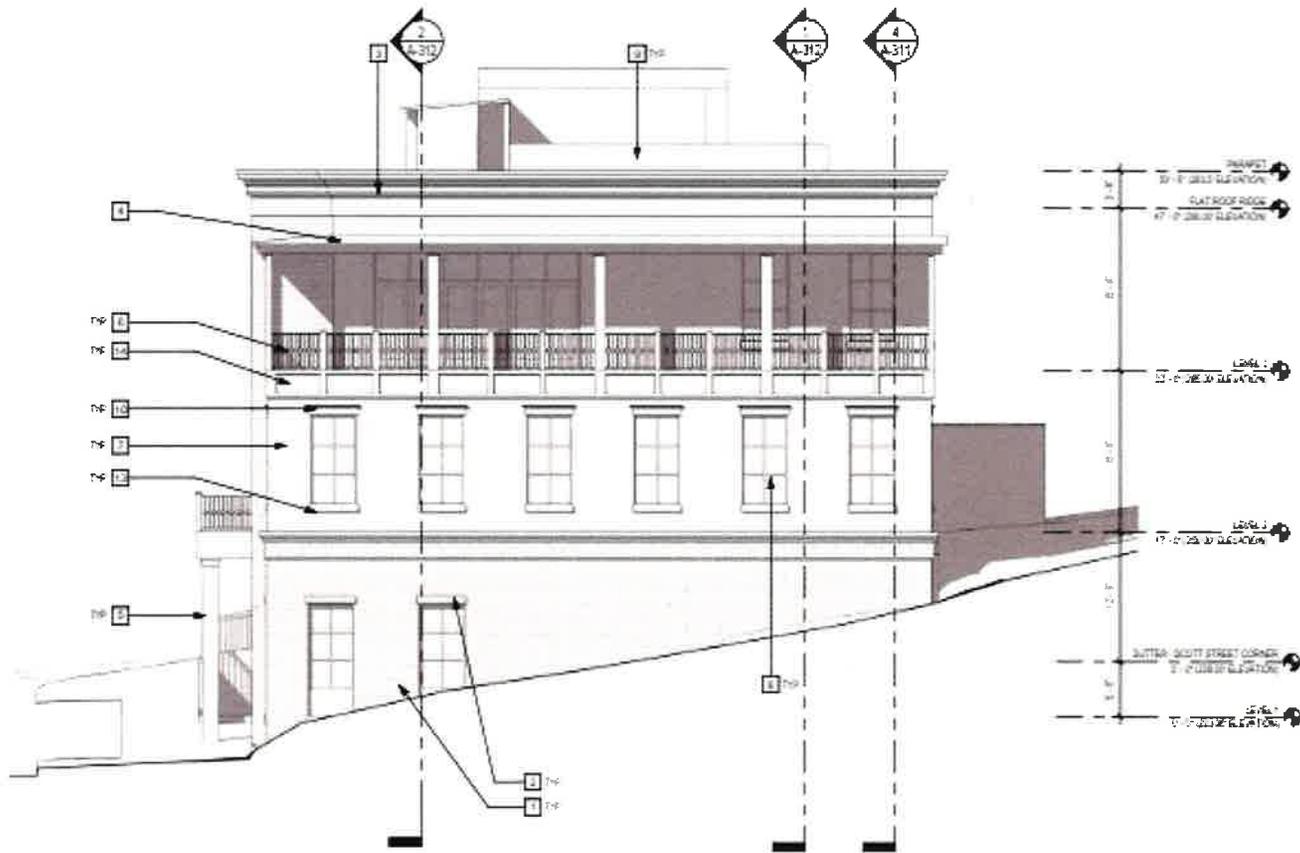


1 SOUTH ELEVATION
1/8" = 1'-0"

Building Elevation (West)



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2 WEST ELEVATION
NF = 1/8"

Building Renderings



CITY OF
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A-914
STREET VIEW RENDERINGS

1 STREET VIEW RENDERING - VIEW FROM SUTTER ST. LOOKING SOUTH



2 STREET VIEW RENDERING - VIEW FROM SUTTER ST. LOOKING SOUTH

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ARCHITECTS + PLANNERS

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Building Renderings



CITY OF
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A-911
STREET VIEW RENDERINGS



① STREET VIEW RENDERING - VIEW FROM SUTTER ST. LOOKING SOUTHWEST

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Building Renderings



CITY OF
FOLSOM



A-912
STREET VIEW RENDERINGS

1 STREET VIEW RENDERING - VIEW FROM SCOTT ST. LOOKING NORTH
10/17/12

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Building Renderings



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STREET VIEW RENDERINGS



1 STREET VIEW RENDERING - VIEW FROM INTERSECTION OF SCOTT ST. & RILEY ST.

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Project Analysis



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- **Biological Resources**
 - 16 Protected Oak Trees Located on Project Site
 - All Oak Trees Proposed for Removal Due to Mass Grading and Retaining Wall Construction
 - Mitigation Required for Impact to Protected Oak Trees
- **Cultural Resources**
 - NCIC Records Search (No Resources Identified on Project Site)
 - Low Probability for Cultural Resources on Project Site
 - Mitigation Measures for Unknown Resources Discovered During Construction

Environmental Review



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- California Environmental Quality Act (CEQA)
- Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring Program
 - Specific Subject Areas (Aesthetics, Agriculture, Air Quality, Biological Resources, Cultural Resources, Geology, Greenhouse Gas Emissions, Hazards, Hydrology, Land Use, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities, and Mandatory Findings of Significance)
- Mitigation Measures Included as Conditions of Approval
 - Biological Mitigation Measures (Oak Tree Removal)
 - Cultural Mitigation Measures (Standard Measures for Unknown Resources)
 - Tribal Cultural Resources
 - Noise Mitigation Measures
 - Greenhouse Gas Requirements
- Modification to Mitigation Measures (Attachment 22)

Public Comments



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- Public Comments (CEQA Related)
 - Response Letter (Attachment 22)
- Public Comments (Non-CEQA Related)
 - Concern Regarding Lack of Parking
 - Concern Regarding Building Size, Height, Scale, and Massing
 - Concern Regarding Building Design and Design Consistency
 - Concern Regarding Exterior Staircase
 - Concern Regarding Aesthetic Impacts
 - Concern Regarding Encroachments into Public Right-of-Way
 - Concern Regarding Noise Impacts
 - Concern Regarding Trash/Recycling Enclosure Location
 - Concern Regarding Privacy Impacts
 - Support for Overall Project Design

Applicant Response Letter



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- Applicant Response Letter (Attachment 20)
 1. An approximately 15 space underground parking structure will be included as part of the project at the 603 Sutter Street location.
 2. The trash enclosure on the south side bordering Mr. Fuente's house on Scott Street will be removed (if compliant with the City of Folsom Solid Waste) and relocated to the underground garage area below the building
 3. We will work with Mr. Fuentes to provide options for privacy from the windows on the south side of the building bordering his property
 4. We will enclose the fire escape (brick or other material) making it internal to the building versus exposed as it is now along Scott Street
 5. We will eliminate the roof top deck all together to alleviate neighbor's concerns regarding parties, noise, and privacy

Applicant Response Letter



CITY OF
FOLSOM

- Applicant Response Letter (Attachment 20)
 6. The third-floor office space will be reduced and pushed back from Sutter Street, providing a setback of at least 6 to 8 feet from Sutter Street, and a portion of Scott Street. This will also reduce the mass of the building and possibly the height.
 7. The small rear balcony on the west elevation will be eliminated once the third floor is set back. This will create further privacy for Mr. Fuentes to the south.
 8. After speaking with Ms. Hettinger from the Folsom Heritage Preservation League and viewing public comments, it is evident that neighbors would like to see more architectural detail from the 1850 – 1900 period associated with the building. This could easily be achieved through incorporating such elements as the following:
 - a. Adding foundational rock to the building
 - b. Adding brick to the sides of the building where there is now stucco
 - c. Adding eyebrow brick detail to windows
 - d. Adding western elemental details to the roofline fascia

Site Photographs



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Site Photographs



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Site Photographs



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Site Photographs



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Site Photographs



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Staff Recommendation



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Staff Recommends
Historic District Commission
Approval of the
603 Sutter Street Mixed-Use Project