

Council Approves EIR for Curtis Park Village Toxics and Grid Pattern remain unresolved

On April 1st, the City Council voted 9-0 to certify the environmental impact report (EIR) for the Curtis Park Village project. No action was taken on the land use entitlements that will define the design and look of the Village. Instead, the Council passed a resolution, proposed by Councilmember Hammond, that gave direction to staff on design features they want incorporated into the project when it comes back in September for final approval. While SCNA urged the Council to pass a resolution prohibiting the burial of contaminated soil under the park, the Council stopped short of acting on the resolution because the developer said funding for the project would be stopped.

Three weeks prior to the hearing, the SCNA Board and neighbors gathered over 1,200 signatures on a petition that urged the Council to reject the suburban mall design, limit the size of the commercial space and prohibit the burying of toxics under the park.

Council member Hammond asked Petrovich to develop a compromise in response to the petition. Petrovich enlisted the support of Tina Thomas, a Curtis Park neighbor, to rework the project. Hammond also called on Mike McKeever, the Executive Director of Sacramento Area Council of Governments (SACOG), to review the developer's proposed changes, especially in relation to the commercial size. Both Hammond and McKeever presented the compromise proposal to the SCNA Board the Sunday before the Council hearing.

"We really were trying to find a way to have an agreement, and I thought we got really, really close," said Hammond. "A sticking point remains the location of a toxic containment cell in the park. Now my preference would be that no toxics are buried in the park...but that decision rests with the Department of Toxic Substance Control (DTSC). That is state law."

The compromise Hammond worked out with Petrovich would set a cap for now on the size of the commercial area. Instead of the 259,000 square feet requested by the developer, a maximum of 170,000 square feet would be developed in the first phase. This was the size SACOG suggested for the commercial area in a previous letter. A remaining five acre parcel would be designated a "flex zone" for either commercial or multi-family uses and remain undeveloped until market conditions improve. Each commercial tenant would be limited to 65,000 square feet to prevent big box stores.

The pathway for the pedestrian bridge would be relocated to a more visible site and closer to the Village Green. A partial grid would be established by converting two "Access Easements" to private streets. An eight foot wide pedestrian walk would start at the Senior Housing and connect with the southern grocery store. The SCNA board was pleased with the addition of the two West-East "private" streets, but there is still a need for a North-South street. Currently what is in the plan is just a regular suburban parking lot "pathway."

The developer suggested a priority for dealing with the contaminated soil. Lower level toxic material would be placed under streets and the commercial parking lots. The highly contaminated soil, above commercial clean up standards, would first be buried under the parking lot in the "flex zone," then under a hard surface in the Village Green and lastly under a hard surface in the park. However, this was just a "suggested" priority and no firm commitments were made. The SCNA Board is on record that no toxics should be buried under the park.

Hammond said the approval of the EIR would allow the developer to work with DTSC on a new plan to deal with the toxics as planning staff worked out the development guidelines for the project. Hammond said the Council resolution would give policy direction on design elements to incorporate, but pointed out, "All of the land use entitlements, which will make the project work, still have to come back to the Council. It's taken a great deal of effort by everyone involved to bring about the best plan. I think this is a golden opportunity for us."

The bottom line: **Some good progress was made with the "Hammond Compromise" at the City Council meeting, but there are NO GUARANTEES that the Council will require any of these items in September.** We must remain vigilant and continue to work to a point where Petrovich puts his proposal in a binding agreement.