



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604

Public Hearing
July 29, 2008

Honorable Mayor and
Members of the City Council

Title: 65th Street Center Project (P07-063)

Location/Council District: 6507 4th Avenue (65th Street and 4th Avenue)/ District 6

Recommendation: Conduct a public hearing and upon conclusion adopt 1) a **Resolution** certifying the Supplemental Environmental Impact Report and approving the Mitigation Monitoring Plan; 2) a **Resolution** approving the General Plan Land Use Amendment; 3) a **Resolution** approving the project with a Tentative Map; Special Permits to develop a major project, to exceed the fifty-five foot (55') building height limit, and for shopping center signage within 660' of a freeway; Variances to reduce the required 26' vehicle maneuvering area, to exceed the allowed attached sign area within 660' of a freeway, and to exceed the 20' sign placement height limit within 660' of a freeway; and a Plan Review of a 240,970 square foot commercial mixed-use project; and 4) an **Ordinance** amending the Comprehensive Zoning Code (Title 17 of the Sacramento City Code) to rezone a property from the Multi-family (R-3) to the General Commercial Transit Overlay (C-2-TO) zone.

Contact: Kimberly Kaufmann-Brisby, Associate Planner, (916) 808-5590; Nedzlene Ferrario, Senior Planner, (916) 808-7826

Presenters: Kimberly Kaufmann-Brisby, Associate Planner

Department: Development Services

Division: Current Planning

Organization No: 4885

Description/Analysis

Issue: The applicant is requesting a General Plan Amendment to re-designate approximately 0.58 acres from the Medium Density to the Mixed Use land use designation; an accompanying Rezone from the Multi-family (R-3) to the General Commercial Transit Overlay (C-2-TO) zone; a Tentative Map to merge three parcels comprising approximately 10.6 acres then subdividing same into four (4) lots; Special Permits for a 240,970 square foot major project, to allow the building to exceed the fifty-five foot (55") building height limit, and for shopping center signage within 660' of a freeway; Variances to allow the required 26'

vehicle maneuvering area to be reduced, to exceed the allowed attached sign area in the General Commercial Transit Overlay (C-2-TO) zone within 660 of a freeway, and to exceed the 20' sign placement height limit within 660' of a freeway; and a Plan Review of a commercial mixed-use project in the General Commercial Transit Overlay (C-2-TO) zone.

The proposed 65th Street Center would comprise: a two-level, 168,050 square foot Target store; neighborhood-serving retail (±32,920 square feet) distributed among four single-story buildings situated along 65th Street and 4th Avenue; and the refurbishing of an existing 40,000 square foot, 2-story office building. The project is proposed to be constructed in three phases, see Exhibit C-8, pg. 111. The first phase would construct the on-site improvements for the majority of the 65th Street Center site except the 4th Avenue shops parcel. The second phase would construct the two-level Target and the Retail D building shell adjacent to 65th Street. The third phase would develop the 4th Avenue shops parcel. Target has indicated their intent is to subdivide the ±10.6 acre property, then sell the 4th Avenue and the office building parcels to others for development and rehabilitation, respectively.

Policy Considerations: The General Plan land use designation for ninety-five percent of the project site is Mixed Use and is zoned General Commercial Transit Overlay (C-2-TO), with which the proposed uses are consistent. Five percent of the project site, a remnant parcel from a student housing development to the south, is designated for Medium Density Residential and is zoned Multi-family (R-3). Because the remnant parcel has been incorporated into the 65th Street Center project and will be used commercially, both a General Plan Amendment and a rezone for the remnant parcel are required to make the land use and zoning designations consistent with the proposed use. Given the remnant has been integrated into the existing office building's parking lot, and the lack of a connection with the student housing complex, re-designating the site for mixed use and rezoning to General Commercial Transit Overlay is appropriate.

The project is consistent with the General Plan Goals to promote the reuse and revitalization of existing developed areas, with special emphasis on commercial and industrial districts as well as to promote economic vitality and diversification of the local economy.

The project supports the South 65th Street Area Plan goals to create innovative mixed-use designs that take full advantage of the proximity to the Transit Center, CSUS, and existing and future retail opportunities. The project is considered to be a catalyst that will revitalize the Plan area. The site design, with the two-story Target located adjacent to the elevated Interstate 50 frontage and the placement of the more pedestrian scale buildings along both the 65th Street and 4th Avenue frontages provides a logical stepped height and massing transition from the highway to the street and also respects the adjacent neighborhood both in building scale and design.

General Plan Update Vision and Guiding Principles: The current proposal

complies with the goals and policies the City Council adopted as its vision for the future of the City by using the existing assets of infrastructure and public facilities to increase infill and reuse. The project design strives to establish important qualities of community character and connectivity as well as providing a development design compatible with the scale and character of the surrounding area.

Smart Growth Principles: The City Council adopted a set of Smart Growth Principles in December of 2001 to encourage development patterns that are sustainable and balanced in terms of economic objectives, social goals, and use of environmental/natural resources. The proposed project promotes a distinctive and attractive pedestrian friendly community and will establish a sense of place with transit options nearby.

Strategic Plan Implementation: The recommended action conforms with the City's Strategic Plan by subscribing to goals to achieve sustainability and enhance livability by making more efficient use of the property with the two-level Target which has parking on the street level with the store above. Parking will be shared throughout the Center. Providing a regional retailer, neighborhood serving retail, and office uses together near a major transit hub reduces vehicle trips and the project's sustainability is increased. Additionally, Target is working in concert with SMUD, and Target proposes to install a large array of photo voltaic cells on the roof which increases the project's sustainability by reducing power demands. The pedestrian connectivity provided throughout the Center as well enhanced bicycle and pedestrian connectivity to adjacent neighborhoods enhances the area's livability factor.

Committee/Commission Action: On June 12, 2008, the City Planning Commission forwarded a recommendation of approval for all project entitlements to the City Council with a unanimous vote of six ayes with three commissioners absent. With their vote the commissioners requested staff advise the City Council of their desire for the 65th Street Center to develop in one phase instead of the three phases proposed by the applicant. Five members of the public spoke regarding the project. All spoke in favor of the project though concern was also voiced regarding the conflicting interests of providing pedestrian and bicycle safety and connectivity while at the same time improving or maintaining existing traffic levels of service. Another concern was the provision of adequate parking lot security.

Environmental Considerations: The environmental document prepared for the 65th Street Center project (P07-063) is a Supplemental Environmental Impact Report (SEIR). This document is a supplement to the EIR prepared for the South 65th Street Area Plan (Area Plan). The EIR for the Area Plan was certified by the City Council on November 9, 2004. The Area Plan identified potential land use development assumptions and the EIR analysis was based on these assumptions.

An initial study was prepared based on the 65th Street Center project information, including the appurtenant road and public utility improvements. Based on the initial

study, staff determined that only minor additions and changes were necessary to make the Area Plan EIR adequate to address the environmental issues presented.

The Draft Supplemental EIR discussed air quality, noise and transportation issues. The Area Plan EIR discussion was adequate for the remaining issues. The Draft Supplemental EIR was prepared and released for a forty-five (45) day public review period beginning on March 14, 2008 and ending on April 28, 2008. Public notice was given as required.

Comment letters on the Draft Supplemental EIR were received from Sacramento Regional Transit District; Sacramento Metropolitan Air Quality Management District; Walt Seifert, Sacramento Area Bicycle Advocates; Larry Johnson (area resident); and Peter Fortune (area resident). The Planning Commission inquired regarding noise impacts when it heard the project, and that inquiry is treated as a comment on the Draft Supplemental EIR. The Final Supplemental EIR responds to all comments received on the Draft Supplemental EIR and revises text and/or analyses where needed.

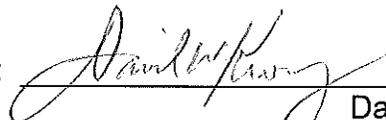
The City Council has been provided with the Area Plan EIR, Supplemental Draft and Final EIRs and Mitigation Monitoring Plan.

Rationale for Recommendation: The project is consistent with the General Plan Goal to promote the reuse and revitalization of existing developed areas, with special emphasis on commercial and industrial districts. The project also will promote economic vitality and diversification of the local economy. The project further is consistent with the City Council's vision for the City's future by promoting infill development and concentrating new development and targeting infrastructure investments within the urban core of the region.

Financial Considerations: The project has no fiscal considerations.

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

Respectfully Submitted by:



David Kwong
Planning Manager

Approved by:



William Thomas
Director of Development Services

Recommendation Approved:


 for Ray Kerridge
 City Manager

Table of Contents:

Report	Pg	1
Attachments		
1 Background	Pg	7
2 Vicinity Map	Pg	16
3 Resolution to approve the Supplemental EIR	Pg	17
Exhibit A – Findings of Fact for the Supplemental EIR	Pg	20
Exhibit B – Mitigation Monitoring Plan	Pg	35
4 Resolution to approve the General Plan Amendment	Pg	54
Exhibit A-General Plan Amendment	Pg	55
5 Resolution to approve the Project	Pg	56
Exhibit B – Tentative Map Conditions	Pg	62
Exhibit B-1 – Tentative Map	Pg	103
Exhibit C – Special Permit Conditions	Pg	69
Exhibit C-1 Site Plan-Street Level	Pg	104
Exhibit C-2 Site Plan-2 nd Level	Pg	105
Exhibit C-3 Landscape Shading Plan	Pg	106
Exhibit C-4 Landscape Plan West	Pg	107
Exhibit C-5 Landscape Plan East	Pg	108
Exhibit C-6 Street Furniture Details	Pg	109
Exhibit C-7 On-Site Circulation Plan	Pg	110
Exhibit C-8 Phasing Plan	Pg	111
Exhibit C-9 Target Floor Plan	Pg	112
Exhibit C-10 Target Elevations	Pg	113
Exhibit C-11 Retail A and D Schematic Elevations	Pg	114
Exhibit C-12 Retail B and C Schematic Elevations	Pg	115
Exhibit C-13 Fire Access	Pg	116
Exhibit C-14 Site Plan-Street Level-Color	Pg	117
Exhibit C-15 Site Plan-2 nd Level-Color	Pg	118
Exhibit C-16 Color Rendering-65 th Street Elevation	Pg	119
Exhibit C-17 Color Rendering- 4 th Avenue and 65 th St. Elevations	Pg	120
Exhibit C-18 Color Rendering Southeast View	Pg	121
Exhibit C-19 Retail A and D Schematic Elevations -Color	Pg	122
Exhibit C-20 Retail B and C Schematic Elevations -Color	Pg	123

	Exhibit D – Special Permit to Exceed 55’ Height Limit Conditions	Pg	85
	Exhibit E – Special Permit for Signage Conditions	Pg	85
	Exhibit E-1 65 th Street Center Master Signage Plan	Pg	124
	Exhibit F – Plan Review Conditions	Pg	86
	Exhibit F-1 Site Plan-Street Level	Pg	139
	Exhibit F-2 Site Plan-2 nd Level	Pg	140
	Exhibit F-3 Landscape Shading Plan	Pg	141
	Exhibit F-4 Landscape Plan West	Pg	142
	Exhibit F-5 Landscape Plan East	Pg	143
	Exhibit F-6 Street Furniture Details	Pg	144
	Exhibit F-7 On-Site Circulation Plan	Pg	145
	Exhibit F-8 Phasing Plan	Pg	146
	Exhibit F-9 Target Floor Plan	Pg	147
	Exhibit F-10 Target Elevations	Pg	148
	Exhibit F-11 Retail A and D Schematic Elevations	Pg	149
	Exhibit F-12 Retail B and C Schematic Elevations	Pg	150
	Exhibit F-13 Fire Access	Pg	151
	Exhibit F-14 Color Rendering-65 th Street Elevation	Pg	152
	Exhibit F-15 Color Rendering- 4 th Avenue and 65 th St. Elevations	Pg	153
	Exhibit F-16 – Color Rendering Looking Northeast	Pg	154
6	Ordinance to approve the Rezone	Pg	155
	Exhibit A - Rezone	Pg	156
7	Land Use and Zoning Map	Pg	157
8	Transportation Management Plan	Pg	158

Attachment 1 – Project Background / Summary

The proposed project site is located within the South 65th Street Plan Area, adopted by the City Council in November of 2004 (Resolution 2004-867). There is no recent record of prior planning applications affecting this property. Currently, two vacant buildings are located on the project site. The larger of the two buildings was previously the Golden 1 Credit Union Regional Headquarters and before that was a Grant's Department Store. The office building previously housed the offices of Families First. The buildings have lain vacant since 2004. The applicant proposes to redevelop the site by demolishing the Golden 1 headquarters and refurbishing the 40,000 square foot office building as well as constructing the two-level Target and the four single-story, street side, neighborhood serving retail buildings.

General Plan Amendment: Commercial and office uses are proposed for the project site so, while a majority of the site's land use designation of Mixed Use is consistent with the proposed uses, a General Plan Amendment to Mixed Use is needed for the remnant parcel. Planning staff supports the proposed General Plan Amendment because the proposed mixed use land use designation will facilitate efficient use of the remnant parcel.

The remnant parcel was created when the Jefferson Commons student housing project was developed south and east of the Center site and 4th Avenue was extended through a corner of the student housing complex property as part of the development. Isolated from the student housing compound by a roadway, the triangularly shaped remnant is utilized as a landscape area.

Given the remnant has been integrated into the existing office building's parking lot, and the lack of a connection with the student housing complex, re-designating the site for mixed use is appropriate.

The project is consistent with the following General Plan Goals and Policies:

- Promote the reuse and revitalization of existing developed areas, with special emphasis on commercial and industrial districts. (GP, Section 4-1, Goal B)
- Promote new employment opportunities, particularly for the under-employed and economically disadvantaged. (GP, Section 4-1, Goal C)
- Promote economic vitality and diversification of the local economy. (GP, Section 4-1, Goal D)

Major Project Special Permit: The applicant proposes to develop a mixed-use commercial center with a total building area of ±240,970 square feet in the General Commercial (C-2) zone which requires approval of a major project special permit because the building area exceeds 40,000 gross square feet (Section 17.60.030[15]). The proposed Center is consistent with the South 65th Street Area Plan goals, principles, and land use designation. The retail and office uses are allowed in the

General Commercial (C-2) zone and the Transit Overlay zone. Additionally, the ±165,142 square foot Target has less than ten percent of its floor area dedicated to non-taxable food items and, as such, is not considered to be a superstore which is prohibited in any zone.

The project will establish a unique architectural presence in the community, and will provide:

- (i) Landscaping that will be placed within properly sized planters to enhance the plaza and parking areas and will be maintained to provide optimum shading and surveillance opportunities;
- (ii) On-site lighting that will be placed to illuminate the project and the pedestal parking area but will be screened from impacting adjacent roadways or properties;
- (iii) Adequate parking spaces fulfilling the City's parking space requirement for a commercial mixed-use center within the Transit Overlay (TO) zone;
- (iv) On-site bicycle and pedestrian connectivity as well as cross-walks on 65th Street and 4th Avenue for safer off-site pedestrian and bicycle connections.

The proposed project is consistent with the General Plan Mixed Use designation and the commercial land use policies and development requirements of the General Plan. It also complies with the South 65th Street Area Plan by:

- (i) Creating innovative mixed-use designs that take full advantage of the proximity to the Transit Center, CSUS, and existing and future retail opportunities;
- (ii) Respecting the scale and character of the adjacent neighborhood through attention to views, building scale and orientation, and proximity to adjacent uses;
- (iii) Allowing a mix of community and neighborhood uses that will serve the residential, employee, and student population of the area;
- (iv) Constructing a more environmentally friendly building with the use of a 20-30 yr. white membrane for the roof that will reduce heat gain by reflecting sunlight. Additionally, the applicant, in concert with the Sacramento Municipal Utility District (SMUD), will be installing a significant photovoltaic system on the roof and generating clean energy.

Height Special Permit: The tower element for the 2-story Target exceeds the Transit Overlay (TO) zone's height limit of 55 feet by two feet for which the approval of a special permit is required (Section 17.178.060 [A]). The extra height is allowed in the Transit Overlay (TO) zone, up to 75 feet for a building that includes structured parking, with the approval of a special permit.

The 2-story Target building and tower will establish a unique architectural presence in

the community, and only a small portion of the building area will exceed the 55 foot height limit, the remainder of the building is well under the height limit at 40 feet.

The proposed project is consistent with the commercial land use policies and development requirements of the General Plan. It also complies with the South 65th Street Area Plan by:

- (i) Creating innovative mixed-use designs that take full advantage of the proximity to the Transit Center, CSUS, and existing and future retail opportunities.
- (ii) Respecting the scale and character of the adjacent neighborhood through attention to views, building scale and orientation, and proximity to adjacent uses.

Because of the innovative design and proportional balance staff supports the special permit to exceed the 55 foot height limit.

Maneuvering Variance: Due to the design of the pedestal parking structure and the placement of the support columns, a majority of the parking lot drive aisles beneath the Target are 24 feet wide instead of the required 26 feet. The approval of a variance to reduce the required maneuvering area is required (Section 17.64.030[I]) for the project building design is proposed.

No special privilege is being extended and the variance would be appropriate for any property owner because the parking stalls are nine feet wide (one foot wider than the City standard) to compensate for the loss of maneuvering width, ample space will be provided to safely maneuver vehicles in the parking lot. The two-level store was developed at the request of City staff. The design of the parking structure minimizes conflicts between vehicle doors and concrete columns as well as provides adequate parking. The wider parking spaces should minimize the door-column conflicts and sufficient parking will be provided so as to minimize any overflow parking into the surrounding neighborhood.

Because of this unique circumstance and the lack of harm to public safety, staff has no objection to the variance to reduce the 26 foot wide maneuvering area requirement to 24 feet.

Access, Circulation and Parking

All vehicular access to the 65th Street Center will be from three driveways on 4th Avenue. One driveway has restricted movements with right in, right out, only. The central and easternmost driveways allow all vehicular ingress and egress movements. Consistent with the South 65th Street Area Plan balanced circulation routes for both pedestrians and vehicle movement have been provided onsite. Pedestrian and bicycle connectivity is proposed throughout the Center as well as to off-site crosswalk connections to the Kroy pathway that connects to the Tahoe Park neighborhood at the Interstate 50 east-bound off-ramp and across 4th Avenue to the student housing complex south of the Center site.

All pedestrian pathways will be specially colored and stamped asphalt when crossing vehicular circulation paths onsite and separate accommodations have been provided for vehicle and pedestrians through the parking areas. The north-south pedestrian pathway bisecting the first level parking lot will also be specially lit and signage flagging the pathway location will also be provided.

Transit Overlay Zone	Minimum	Maximum	Proposed	Deviation
Retail Stores 200,970 sq.ft.	No minimum; however the standard parking requirement would be 1 sp./400 for the first 9,600 sq. ft.=24 sp. 1 sp./250 for remaining bldg. area = 765 sp. Total Retail spaces=789 sp.	1 sp./250 sq.ft. = 803 sp.	590 spaces	No. The retail and office parking would be shared.
Office 40,000 sq.ft.	1 sp./500 sq. ft.=80 sp.	1 sp./375 sq.ft.=107 sp.	80 spaces	

Total parking provided	Required bicycle parking	Provided bicycle parking	Difference
40,000 sq.ft. Office	1 sp./6,000 sq. ft. =7 spaces50% must be Class I	4 Class I (lockers), 3 Class II (bike racks)	0
200,970 sq.ft. retail	1 sp./12,500 sq.ft. = 16 spaces 25% must be Class I	4 (Class I) (lockers), 24 Class II (bike racks)	+12

As indicated above, the project meets or exceeds the vehicle and bicycle parking requirements.

Height, Bulk and Setbacks

Table 3: Transit Overlay Zone Height and Area Requirements			
Standard	Allowed/Required	Proposed	Deviation?
Height	55'	±57' for tower	yes
Front setback	0'	±10"	no
Interior Side setback	5'	±10'	no
Street side setback (bldg. less than 28' tall)	0'	±15'	no
Rear setback	15'	±60'	no
Minimum Floor/Area Ratio (F.A.R.)	.4	.52	no

As indicated above, the project meets or exceeds all applicable setback and area requirements but deviates from the height requirement with the tower feature. The special permit for the additional height is set out under Land Use above.

Because of the innovative design and proportional balance staff supports the special permit to exceed the 55 foot height limit.

Building design, signage and landscaping

The 65th Street Center will serve as a catalyst for the redevelopment of the South 65th Street Plan Area. Target's façade and two-level design are consistent with the goals of the South 65th Street Area Plan in the provision of a coherent design concept with an appropriate use of massing, materials, textures, and color. The building cladding comprises corrugated metal panels interspersed with stucco areas punctuated at regular intervals with deep horizontal and curvilinear reveals. The variety of cladding materials serves to break up the building massing and to provide visual interest. These design features are echoed in varying proportions on all elevations. A partially transparent two-story entrance provides a dramatic focal point for the building and it has been brought close to the street facilitating the pedestrian connection.

The scale of the Center is appropriate for the location. The adjacent elevated freeway has a roadbed elevation of ±72 feet, approximately seven feet lower than the top of the Target parapet at ±79 feet. The project scale and mass is reduced as one nears 4th Avenue, consistent with the goals and guidelines of the Area Plan to ensure the appropriate scale, use, and height transition to adjacent neighborhoods. The tower

portion of the building is being refined and the most recent iteration is shown as Attachment 7.

The 65th Street retail shell (Retail D) and the buildings shown along 4th Avenue (Retail A, B, and C) are all schematic in design and will require refining prior to construction. The project will be conditioned for staff level design review approval prior to construction. Though the buildings are schematic in design they exhibit many characteristics consistent with the goals of the Area Plan. The buildings have been designed to integrate with the surrounding context in terms of function, scale, and massing. To increase pedestrian access to the stores, dual entrances are shown, facing both the parking lot and the street along 4th Avenue. Access to the shops along 65th Street will be from the 65th Street side.

Consistent with the South 65th Street Area Plan, the landscaping and street furniture provide continuity throughout the Center. The landscaped areas serve to enhance the appearance of the structures, define the functions and edges, screen undesirable views, and introduce color and texture.

Because the project is within the Transit Overlay zone a Plan Review for the project is required as outlined in City Code Section 17.178.055 and in accordance with Chapter 17.220 of the City Code. In this instance the Plan Review would be of a commercial mixed use development with an approximate building area of 240,970 square feet in the General Commercial Transit Overlay (C-2-TO) zone.

The proposed commercial mixed-use project is a commercial use consistent with the Mixed Use land use designation and applicable policies related to commercial mixed use development.

The proposal complies with all applicable city policies related to facilities and infrastructure. Conditions have been included to ensure adequate drainage capacity and street frontage improvements. The project includes modifying the eastbound on-ramp to Interstate Highway 50 making it more pedestrian friendly by increasing the angle of curvature thus slowing on-ramp bound vehicles, and by constructing an auxiliary lane for the eastbound on-ramp to improve traffic flow.

The design of the project complies with applicable setback, lot coverage, density, height and parking regulations and the additional height is subject to approval by special permit. Conditions have been included to ensure compliance with landscaping requirements. Clearly defined pedestrian pathways have been provided, sufficient parking is proposed, frontage improvements making the site more pedestrian accessible are proposed and traffic impacts anticipated have been mitigated to a less than significant level.

The project provides active retail and commercial ground level uses along both 65th Street and 4th Avenue. Additionally, the Center's design respects the scale and character of the adjacent residential neighborhood by transitioning from the two-level, large scale Target building to single-story retail/commercial buildings along both street

frontages. The Center is consistent with the Transit Overlay zone development standards in that the setbacks, FAR, parking ratio, and open space all comply with the development standards as outlined in Chapter 17.178.

Signage Special Permit: A signage program is proposed for the Center. The applicant is proposing a total of 11 attached signs for the major tenant building with an area of $\pm 1,200$ square feet. Two attached signs for each tenant of the retail buildings A, B, C, and D are proposed. No individual sign exceeds 200 sq. ft. in area, with the majority of the signs having 100 sq. ft. of area or less. Two detached signs are proposed, a 35' tall pylon sign with 200 sq. ft. of sign area and a 9' tall monument sign with ± 45 sq. ft. of sign area.

Because the project site is within 660 feet of the freeway more restrictive signage requirements apply to the project. A special permit for the signage program is required and variances to exceed the allowed sign area and to exceed the 20' sign placement height limit within 660 feet of a freeway are requested.

The site's proximity to Interstate Highway 50 limits the Target signage area to no more than 200 square feet of attached signage area and no more than 24 square feet of detached signage area visible from the freeway. In this instance, because the detached signage is not immediately visible from the freeway, the 200 square feet of total signage area is the applicable maximum. The signage standards for the General Commercial (C-2) zone allow one square foot of sign area for each lineal foot of street frontage and one additional detached sign for each additional 300 feet of street frontage in excess of the first 300 lineal feet of frontage. Target has ± 621 lineal feet of frontage along the 65th Street and 4th Avenue frontages and is allowed two detached signs with an aggregate total area of 631 sq. ft. Target proposes two detached signs with a total sign area of ± 245 sq. ft. which complies with the C-2 zone requirements for detached signs but exceeds the maximum limit due to the site's proximity to the freeway so a special permit is required.

The proposed signage program is consistent with the South 65th Street Area Plan goals and principles. The signage is proportional in size, style, and quantity to the building mass and articulation.

The 2-story Target building and signage will establish a unique architectural identity in the community. The quantity and quality of the proposed signage is appropriate for the Center in that it is proportional to the expanses of street frontage comprising the Center. The signage will not be visible from the freeway to distract drivers.

Signage Variances: The applicant is proposing a total of 11 attached signs for the major tenant building with an area of $\pm 1,200$ square feet. No individual sign exceeds 200 sq. ft. in area, with the majority of the signs having 100 sq. ft. of area or less. Two detached signs are proposed, a 35' tall pylon sign with 200 sq. ft. of sign area and a 9' tall monument sign with ± 45 sq. ft. of sign area. Because the proposal exceeds the allowable signage area within 660' of a freeway the approval of a variance is needed for the proposed signage.

The Target building elevations along Interstate 50, 65th Street, and 4th Avenue are setback and typically lower than the adjacent freeway (the parapet is approximately seven feet above the roadway bed) making signage visibility a challenge. The project would be allowed one square foot of signage area for each front foot of first floor building occupancy, not to exceed 200 square feet of signage per occupancy. In this instance the first floor occupancy is primarily a parking lot. Given the two-level store was brought forward at staff's urging, the applicant should not be penalized for developing a more urban and efficient building design by minimizing the sign area allowed. The signage program strives to balance advertising needs for such a large building and the aesthetic of the roadway view shed.

By providing adequate signage the success of the Center is promoted and a blighted infill property will be reused and revitalized. Additionally, the signage placement and sizes respects the scale and character of the adjacent neighborhood through attention to views, building scale and orientation, and proximity to adjacent uses as outlined in the South 65th Street Area Plan.

The proposed development is otherwise consistent with the zoning regulations because the safety and aesthetic of the area is not impaired. The proposal does not violate any applicable general plan policies or South 65th Street Area Plan policies.

Because of this unique circumstance and the lack of harm to public safety, staff has no objection to the variance to exceed the allowed attached sign area in the General Commercial Transit Overlay (C-2-TO) zone within 660' of a freeway.

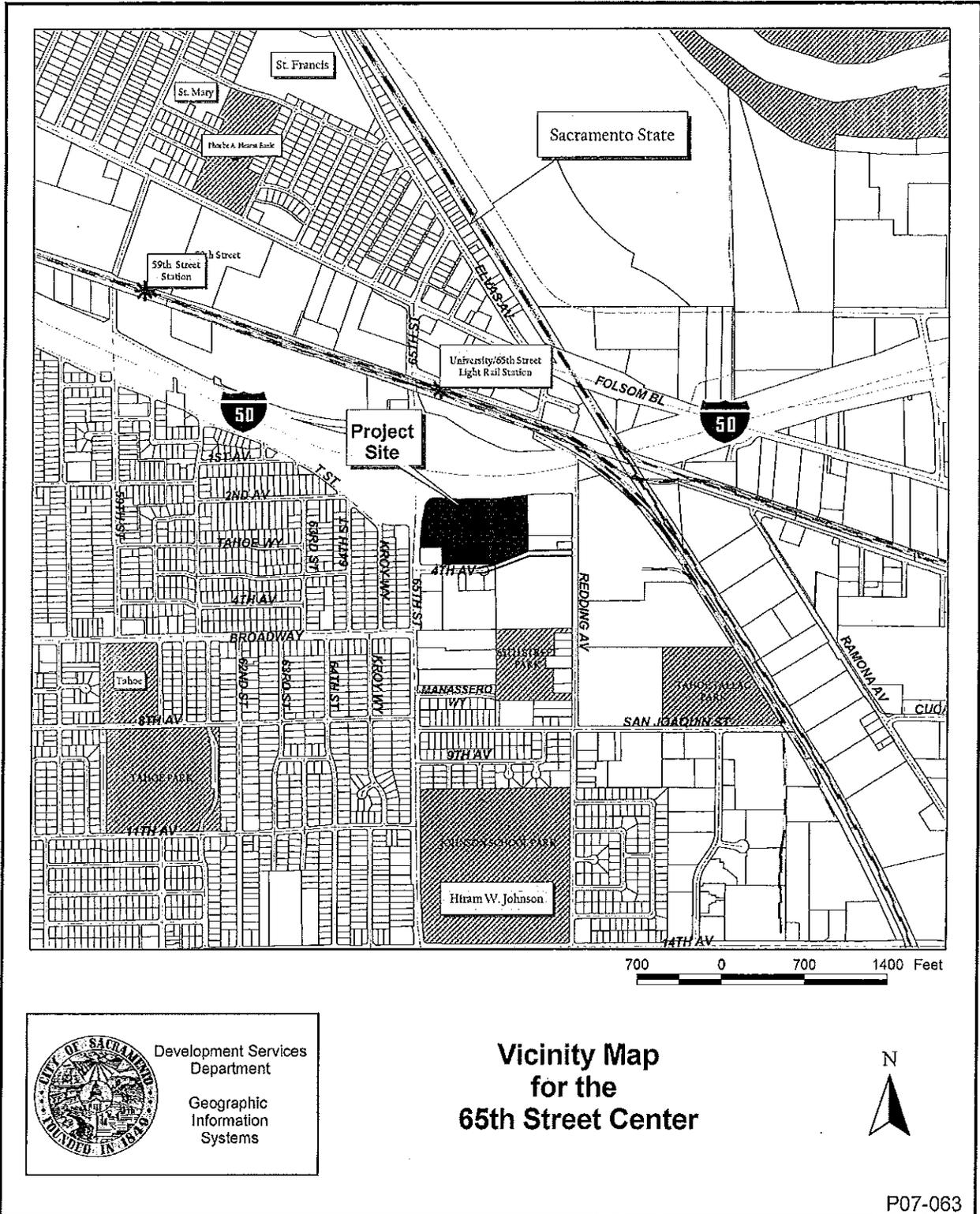
Interstate 50 is elevated along the entirety of the 65th Street Center frontage with the roadbed approximately seven feet lower in elevation than the Target's rooftop parapet necessitating the request for a variance to exceed the 20' attached sign placement height limit within 660' of a freeway. The Target building elevations along Interstate 50 are equal to or lower in height than the adjacent freeway making the visibility of signs attached at 20' a challenge.

Because of this unique circumstance and the lack of harm to public safety, staff has no objection to approval of the variance to exceed the 20' attached sign placement height limit within 660' of a freeway.

Tentative Map: The applicant proposes to merge the three parcels, including the remnant parcel, and then subdivide the ±10.6 acre property into four parcels. Parcel A would contain the retail shops fronting on 65th Street. The building would be physically attached to the Target and would be constructed concurrent with the Target store. Parcel B would contain the two-level Target. Parcel C would contain three of the neighborhood serving retail buildings and the plaza areas. Parcel D would contain the two-story office building. The Center's shared parking, vehicular and pedestrian circulation and overall site functionality would not be impaired by the property's subdivision, therefore staff supports the proposed tentative map. The Subdivision Review Committee unanimously approved the Tentative Map on May 7th, 2008.

Notice of Hearing: As required by Sections 16.24.097, 17.204.020(C), 17.212.035, 17.216.030(A), 17.220.030(A), 17.208.020(C), and 17.200.010(C)(2)(a), (b), and (c) of the City Code, ten day notice of the July 29, 2008, public hearing has been given by publication, posting, and mail (500”).

Attachment 2 – Vicinity Map



**Attachment 3 – EIR Supplement– Findings – City Council Resolution –
65th Street Center (P07-063) Project****RESOLUTION NO. 2008-**

Adopted by the Sacramento City Council

**ADOPTING FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS,
CERTIFYING THE SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT, AND
ADOPTING THE MITIGATION MONITORING PROGRAM FOR THE 65th STREET
CENTER PROJECT (P07-063)****BACKGROUND**

- A. On June 12, 2008, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the 65th Street Center (P07-063) Project (the Proposed Project or Project).
- B. On July 29, 2008, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(2)(a), (b), and (c) [publication, posting, and mail (500')], and received and considered evidence concerning the Project.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

Section 1. The City Council finds as follows:

A. The proposed project is located in the northwest quadrant of the South 65th Street Area Plan. Accordingly, the environmental impacts of redevelopment in the Area Plan have been previously evaluated in the South 65th Street Area Plan Environmental Impact Report (Area Plan EIR). On November 9, 2004, the City Council certified the Area Plan EIR and, having reviewed and considered the information contained in the EIR, adopted Findings of Fact and a Statement of Overriding Considerations, adopted a mitigation monitoring program, and approved the South 65th Street Area Plan (M01-064).

B. The 65th Street Center (P07-063) Project is consistent with the type, location, and intensity of uses designed for the project site in the Area Plan. The proposed project includes construction and operation of a Target store to be constructed at the northeast corner of 65th Street and 4th Avenue, occupying the second floor of the main building, with parking and retail shops on the ground level. The main building would connect to the frontage streets via a pedestrian plaza, with additional retail buildings along 65th Street and 4th Avenue. Specific entitlements include:

- General Plan Amendment of approximately 0.58 acres from the Medium Density Residential to Mixed Used land use designation;
- Rezone of approximately 0.58 acres from Multi-Family (R-3) to the General Commercial Transit Overlay (C-2-TO) zones;
- Special Permit to develop an approximately 240,970 square foot mixed-use project (major project) within the General Commercial Transit Overlay (C-2-TO) zone;
- Special permit to exceed the maximum height allowed in the General Commercial Transit Overlay (C-2 –TO) zone;
- Tentative Map;
- Special Permit for shopping center signage within 660 feet of a freeway;
- Variance to reduce the required 26' vehicle maneuvering area;
- Variance to exceed the allowed attached sign area in the General Commercial Transit Overlay (C-2-TO) zone within 660' of a freeway;
- Variance to exceed the 20' sign placement height limit within 660' of a freeway;
- Plan Review of a 240,970 square foot commercial mixed-use project on approximately 10.6 acres in the in the General Commercial Transit Overlay (C-2-TO) zone.

C. While an Initial Study demonstrated that the Project would not result in any new significant environmental effects that were not previously identified in the Area Plan EIR or a substantial increase in the severity of a significant effects previously identified in the Area Plan EIR, a determination was made that the City of Sacramento would evaluate the project-specific environmental impacts in a Supplemental Environmental Impact Report (SEIR) in order to provide additional opportunities for the public to review and comment upon the proposed Project. In particular, minor additions and changes were necessary to make the EIR previously certified for the South 65th Street Area Plan adequate for the Project. A supplement to the previously certified EIR for the South 65th Street Area Plan was then prepared to address the project-specific environmental impacts.

Section 2. The City Council certifies that the Supplement to the South 65th Street Area Plan EIR (SEIR) was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures, and that the Final EIR as revised by the SEIR constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in full compliance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures.

Section 3. The City Council certifies that the Final EIR as revised by the SEIR has been presented to it, that the City Council has reviewed and considered the information contained in the Final EIR as revised by the SEIR prior to acting on the proposed Project Modification, and that the EIR reflects the City Council's independent judgment and analysis.

Section 4. Pursuant to CEQA Guidelines Sections 15091 and 15093, and in support of its approval of the Project, the City Council adopts the attached Findings of Fact and Statement of Overriding Considerations in support of approval of the Project as set forth in

the attached Exhibit A of this Resolution.

Section 5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15091, and in support of its approval of the Project, the City Council adopts the Mitigation Monitoring Program to require all reasonably feasible mitigation measures be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Program as set forth in Exhibit B of this Resolution.

Section 6. The City Council directs that, upon approval of the Project, the City's Environmental Planning Services shall file a notice of determination with the County Clerk of Sacramento County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of CEQA section 21152.

Section 7. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

Table of Contents:

Exhibit A - CEQA Findings of Fact and Statement of Overriding Considerations for the 65th Street Center (P07-063) Project

Exhibit B – Mitigation Monitoring Program

Exhibit A**CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING
CONSIDERATIONS FOR THE 65TH STREET CENTER (P07-063) PROJECT****Description of the Project**

The proposed project includes construction and operation of a Target store at the northeast corner of 65th Street and 4th Avenue, occupying the second floor of the main building, with parking and retail shops on the ground level. The main building would connect to the frontage streets via a pedestrian plaza, with additional retail buildings along 65th Street and 4th Avenue. Specific entitlements include:

- General Plan Amendment of approximately 0.58 acres from the Medium Density Residential to Mixed Used land use designation;
- Rezone of approximately 0.58 acres from Multi-Family (R-3) to the General Commercial Transit Overlay (C-2-TO) zones;
- Special permit to develop and approximately 240,970 square foot mixed-use project (major project) within the General Commercial Transit Overlay (C-2-TO) zone;
- Special permit to exceed the maximum height allowed in the General Commercial Transit Overlay (C-2 –TO) zone;
- Tentative Map;
- Special Permit for shopping center signage within 660 feet of a freeway;
- Variance to reduce the required 26' vehicle maneuvering area;
- Variance to exceed the allowed attached sign area in the General Commercial Transit Overlay (C-2-TO) zone within 660' of a freeway;
- Variance to exceed the 20' sign placement height limit within 660' of a freeway;
- Plan Review of a 240,970 square foot commercial mixed-use project on approximately 10.6 acres in the in the General Commercial Transit Overlay (C-2-TO) zone.

Findings Required Under CEQA**1. Procedural Findings**

The City Council of the City of Sacramento finds as follows:

- a. A Notice of Preparation of the Draft Supplemental Environmental Impact Report (SEIR) was filed with the Office of Planning and Research and each responsible and trustee agency on January 3, 2008 and was circulated for public comments from January 3 through February 4, 2008. Relevant comments received in response to the NOP were incorporated into the Draft SEIR.

- b. A Notice of Completion (NOC) and copies of the Draft SEIR were distributed to the Office of Planning and Research on March 14, 2008 to those public agencies that have jurisdiction by law with respect to the Project, or which exercise authority over resources that may be affected by the Project, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought.
- c. An official 45-day public comment period for the Draft SEIR was established by the Office of Planning and Research. The public comment period began on March 14, 2008 and ended on April 28, 2008.
- d. A Notice of Availability (NOA) of the Draft SEIR was mailed to all interested groups, organizations, and individuals who had previously requested notice in writing on March 14, 2008. The NOA stated that the City of Sacramento had completed the Draft SEIR and that copies were available at the City of Sacramento, Development Services Department, then located at 2101 Arena Boulevard, Suite 200 Sacramento, California 95834. The letter also indicated that the official 45-day public review period for the Draft SEIR would end on April 28, 2008.
- e. A public notice was placed in the Daily Recorder on March 14, 2008, which stated that the Draft SEIR was available for public review and comment.
- f. A public notice was posted in the office of the Sacramento County Clerk on March 14, 2008.
- g. Following closure of the public comment period, all comments received on the Draft SEIR during the comment period, the City's written responses to the significant environmental points raised in those comments, and additional information added by the City were added to the Draft SEIR to produce the Final SEIR.

2. Record of Proceedings

The following information is incorporated by reference and made part of the record supporting these findings:

- a. The Draft and Final SEIR and all documents relied upon or incorporated by reference;
- b. The City of Sacramento General Plan, City of Sacramento, January, 1988 and all updates;
- c. Environmental Impact Report City of Sacramento General Plan Update, City of Sacramento, March, 1987 and all updates;

- d. Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento General Plan Update, City of Sacramento, 1988 and all updates;
- e. Zoning Ordinance of the City of Sacramento;
- f. Blueprint Preferred Scenario for 2050, Sacramento Area Council of Governments, December, 2004;
- g. South 65th Street Area Plan;
- h. South 65th Street Area Plan EIR (Area Plan EIR) and the Findings of Fact and Statement of Overriding Considerations set forth in City Council Resolution No. 2004-866
- i. The Mitigation Monitoring Program for the South 65th Street Area Plan and the Project; and
- j. All records of decision, staff reports, memoranda, maps, exhibits, letters, synopses of meetings, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project and Project Modification.

3. Findings

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environment impacts that would otherwise occur. Mitigation measures or alternatives are not required, however, where such changes are infeasible or where the responsibility for the project lies with some other agency. (CEQA Guidelines, § 15091, sub. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, sub. (b); see also Pub. Resources Code, § 21081, sub. (b).)

In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of both mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an "acceptable" level solely by the adoption of feasible mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of any environmentally superior alternative that could also substantially lessen or avoid that same impact — even if the

alternative would render the impact less severe than would the proposed project as mitigated. (*Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California ("Laurel Heights I")* (1988) 47 Cal.3d 376, 400-403.)

In these Findings, the City first addresses the extent to which each significant environmental effect can be substantially lessened or avoided through the adoption of feasible mitigation measures. Only after determining that, even with the adoption of all feasible mitigation measures, an effect is significant and unavoidable does the City address the extent to which alternatives described in the Final EIR as revised by the SEIR are (i) environmentally superior with respect to that effect and (ii) "feasible" within the meaning of CEQA.

In cases in which a project's significant effects cannot be mitigated or avoided, an agency, after adopting proper findings, may nevertheless approve the project if it first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the "benefits of the project outweigh the significant effects on the environment." (Public Resources Code, Section 21081, sub. (b); see also, CEQA Guidelines, Sections 15093, 15043, sub.(b).) In the Statement of Overriding Considerations found at the end of these Findings, the City identifies the specific economic, social, and other considerations that, in its judgment, outweigh the significant environmental effects that the Project will cause.

In support of its approval of the Project, the City Council makes the following findings for each of the significant environmental effects and alternatives of the Project identified in the Final EIR as revised by the SEIR pursuant to Section 21080 of CEQA and section 15091 of the CEQA Guidelines:

A. Environmental Impacts Not Requiring Mitigation

Environmental impacts not requiring mitigation were evaluated in the Draft SEIR, Initial Study included in the Draft SEIR, and the Area Plan EIR .

B. Significant or Potentially Significant Impacts Mitigated to a Less Than Significant Level.

The following significant and potentially significant environmental impacts of the Project, including cumulative impacts, are being mitigated to a less than significant level and are set out below. Pursuant to section 21081(a)(1) of CEQA and section 15091(a)(1) of the CEQA Guidelines, as to each such impact, the City Council, based on the evidence in the record before it, finds that changes or alterations incorporated into the Project by means of conditions or otherwise, mitigate, avoid or substantially lessen to a level of insignificance these significant or potentially significant environmental impacts of the Project Modification. The basis for the finding for each identified impact is set forth below.

Air Quality

Impact 4.1-1: Air Quality-Short-Term Construction-Related Emissions of Criteria Pollutants

The SEIR identified the potential for ozone precursor emissions (NO_x and ROG) and PM₁₀ to adversely affect regional air quality. The modeling performed for the proposed project determined that the maximum emissions of NO_x from construction would be below the construction significance threshold and would be less than significant. Additionally, since the construction activities associated with the project are not anticipated to exceed the thresholds for ROG and NO_x, the project is below the PM₁₀ threshold as well. However, Mitigation Measure 5.2-1(c) from the Area Plan EIR requires all projects within the South 65th Street Area comply with SMAQMD's Rule 403 for fugitive dust during construction. Without mitigation, this is a *significant impact*.

Therefore, the following mitigation measure from the Area Plan EIR has been adopted to address this impact:

Area Plan EIR Mitigation Measure 5.2-1(c):

Development projects shall comply with SMAQMD Rule 403, Fugitive Dust, for demolition and construction of fugitive dust. To ensure compliance with Rule 403, approval to commence project construction shall not be given until contractor submits a construction dust mitigation plan deemed satisfactory by the City and the SMAQMD. This plan shall specify measures that will be implemented to ensure that emissions of fugitive dust from being airborne beyond the property line from which the emission originates, demonstrate the availability of needed equipment and personnel, and identify a responsible individual who, if needed, can authorize the implementation of additional measures. The following measures shall be included, at a minimum, to reduce fugitive dust emissions in compliance with Rule 403:

- All disturbed areas, including storage piles that are not being actively used for construction purposes, shall be effectively stabilized of dust emissions using water, a chemical stabilizer or suppressant, or vegetative ground cover.
- All onsite unpaved roads and offsite unpaved access roads shall be effectively stabilized of dust emissions using water or a chemical stabilizer or suppressant.
- When materials are transported offsite, all material shall be covered, effectively wetted to limit visible dust emissions, or maintained with at least 6 inches of freeboard space from the top of the container.
- All operations shall limit or expeditiously remove the accumulation of project-generated mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring.
- After materials are added to or removed from the surfaces of outdoor storage piles, the storage piles shall be effectively stabilized of fugitive dust emissions using sufficient water or a chemical stabilizer/suppressant.
- Onsite vehicle speeds on unpaved roads shall be limited to 15 mph.

- Wheel washers shall be installed for all trucks and equipment exiting unpaved areas or wheels shall be washed to remove accumulated dirt before such vehicles leave the site.
- Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from adjacent project areas with slope greater than 1%.
- Excavation and grading activities shall be suspended when winds exceed 20 mph.
- The extent of areas simultaneously subject to excavation and grading shall be limited, wherever possible, to the minimum area feasible.

Finding:

Impact 4.1-1 can be reduced to a less-than-significant level through implementation of Area Plan Mitigation Measure 5.1-1, as discussed on pages 4.1-3 through 4.1-4 of the Draft SEIR and pages 5.2-15 through 5.2-17 of the Area Plan EIR. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Draft SEIR.

Demolition activities are required to conform to the rules and guidelines outlined in SMAQMD Rule 403 (Fugitive Dust) concerning fugitive dust associated with construction activities, including demolition. Rule 403 requires the application of water or chemicals for the control of fugitive dust associated with demolition, clearing of land, construction of roadways, and any other construction operation that may potentially generate dust—including the stockpiling of dust-producing materials.

In order to reduce construction-phase dust emissions, standard dust abatement measures are routinely required by the City as a part of the development permit process. Such measures typically include watering all construction-sites as necessary to reduce dust emissions, covering stockpiles and haul trucks, sweeping dirt from paved surfaces, and suspending earthmoving activities on very windy days.

Implementation of Mitigation Measure 5.1-1 would reduce the impact of short-term construction increases in PM₁₀ emissions. The impact will be less than significant after mitigation.

Traffic

Impact 4.3-1: 65th Street @ Folsom Boulevard.

Baseline plus Proposed Project Conditions – The addition of traffic associated with the proposed project would cause this intersection, which operates below the City's LOS C threshold without the proposed project during the AM and PM peak-hours, to experience an increase in delay greater than 5 seconds. Without mitigation, this is a *significant impact*.

Cumulative (2027) plus Proposed Project Conditions – The addition of traffic associated with the proposed project would cause this intersection, which operates below the City's LOS C threshold without the proposed project during the PM peak-

hour, to experience an increase in delay greater than 5 seconds. Without mitigation, this is a *significant impact*.

The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-1: The significant impacts at this intersection during the PM peak-hour can be mitigated with the addition of a westbound left-turn lane. This mitigation measure reduces the average delay to below without project conditions during the PM peak-hour under Baseline plus Proposed Project and Cumulative (2027) plus Proposed Project Conditions

Finding:

This impact can be reduced to a less-than-significant level through implementation of Mitigation Measure 4.3-1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the SEIR.

Impact 4.3-2: 65th Street @ Q Street.

Cumulative (2027) plus Proposed Project Conditions – The addition of traffic associated with the proposed project would cause this intersection, which operates below the City's LOS C threshold without the proposed project during the PM peak-hour, to experience an increase in delay greater than 5 seconds. Without mitigation, this is a *significant impact*.

The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-2: The significant impacts at this intersection during the PM peak-hour can be mitigated with optimized corridor signal timings. In addition, the applicant shall also pay toward the City of Sacramento traffic operations center for the re-timing and monitoring of the signal to improve vehicle progression along the corridor. This mitigation measure results in LOS C during the PM peak-hour under Cumulative (2027) plus Proposed Project Conditions.

Finding:

This impact can be reduced to a less-than-significant level through implementation of Mitigation Measure 4.3-2. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the SEIR.

Impact 4.3-3: 65th Street @ S Street/US-50 WB off-Ramp.

Baseline plus Proposed Project Conditions – The addition of traffic associated with the proposed project would cause this intersection, which operates below the City's LOS C

threshold without the proposed project during the PM peak-hour, to experience an increase in delay greater than 5 seconds. Without mitigation, this is a *significant impact*.

Cumulative (2027) plus Proposed Project Conditions – The addition of traffic associated with the proposed project would cause this intersection, which operates below the City's LOS C threshold without the proposed project during the PM peak-hour, to experience an increase in delay greater than 5 seconds. Without mitigation, this is a *significant impact*.

The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-3: The significant impacts at this intersection during the PM peak-hour can be mitigated with optimized corridor signal timings. In addition, the applicant shall also pay toward the City of Sacramento traffic operations center for the re-timing and monitoring of the signal to improve vehicle progression along the corridor. This mitigation measure reduces the average delay to below without project conditions during the PM peak-hour under Baseline plus Proposed Project and Cumulative (2027) plus Proposed Project Conditions.

Finding:

This impact can be reduced to a less-than-significant level through implementation of Mitigation Measure 4.3-3. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the SEIR.

Impact 4.3-4: 65th Street @ US-50 EB off-Ramp.

Baseline plus Proposed Project Conditions – The addition of traffic associated with the proposed project would cause this intersection, which operates below the City's LOS C threshold without the proposed project during the PM peak-hour, to experience an increase in delay greater than 5 seconds. Without mitigation, this is a *significant impact*.

Cumulative (2027) plus Proposed Project Conditions – The addition of traffic associated with the proposed project would cause this intersection, which operates below the City's LOS C threshold without the proposed project during the PM peak-hour, to experience an increase in delay greater than 5 seconds. Without mitigation, this is a *significant impact*.

The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-4: The significant impacts at this intersection during the PM peak-hour can be mitigated with the addition of a northbound through lane and optimization of the corridor signal timings. In addition, the applicant shall also pay toward the City of Sacramento traffic operations center for the re-timing and monitoring of the signal to improve vehicle progression along the corridor. This mitigation measure reduces the average delay to below without project conditions during the PM peak-hour under Baseline

plus Proposed Project. This mitigation measure results in LOS C during the PM peak-hour under Cumulative (2027) plus Proposed Project Conditions.

Finding:

This impact can be reduced to a less-than-significant level through implementation of Mitigation Measure 4.3-4. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the SEIR.

Impact 4.3-5: 65th Street @ 4th Avenue.

Baseline plus Proposed Project Conditions – The addition of traffic associated with the proposed project would cause this intersection, which operates below the City's LOS C threshold without the proposed project during the PM peak-hour, to experience an increase in delay greater than 5 seconds. Without mitigation, this is a *significant impact*.

Cumulative (2027) plus Proposed Project Conditions – The addition of traffic associated with the proposed project would cause this intersection, which operates below the City's LOS C threshold without the proposed project during the PM peak-hour, to experience an increase in delay greater than 5 seconds. Without mitigation, this is a *significant impact*.

The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-5: The significant impacts at this intersection during the PM peak-hour can be mitigated by extending the westbound right-turn and left-turn pocket to 300 feet. This mitigation measure reduces the average delay to below without project conditions during the PM peak-hour under Baseline plus Proposed Project. This mitigation measure results in LOS C during the PM peak-hour under Cumulative (2027) plus Proposed Project Conditions.

Finding:

This impact can be reduced to a less-than-significant level through implementation of Mitigation Measure 4.3-5. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the SEIR.

Impact 4.3-6: 65th Street @ Broadway.

Baseline plus Proposed Project Conditions – The addition of traffic associated with the proposed project causes this intersection to change from LOS C to LOS D during the AM peak-hour. Furthermore, the addition of traffic associated with the proposed project would cause this intersection, which operates below the City's LOS C threshold without the proposed project during the PM peak-hour, to experience an increase in delay greater than 5 seconds. Without mitigation, this is a *significant impact*.

Cumulative (2027) plus Proposed Project Conditions – The addition of traffic associated with the proposed project causes this intersection to change from LOS C to LOS D during the AM peak-hour. Furthermore, the addition of traffic associated with the proposed project would cause this intersection, which operates below the City's LOS C threshold without the proposed project during the PM peak-hour, to experience an increase in delay greater than 5 seconds. Without mitigation, this is a *significant impact*.

The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-6: The significant impact at this intersection during the AM and PM peak-hours can be mitigated with optimized corridor signal timings. In addition, the applicant shall also pay toward the City of Sacramento traffic operations center for the re-timing and monitoring of the signal to improve vehicle progression along the corridor. This mitigation measure results in LOS C during the AM peak-hour under both Baseline plus Proposed Project and Cumulative (2027) plus Proposed Project Conditions. Furthermore, this mitigation measure reduces the average delay to below without project conditions during the PM peak-hour under both Baseline plus Proposed Project and Cumulative (2027) plus Proposed Project Conditions.

Finding:

This impact can be reduced to a less-than-significant level through implementation of Mitigation Measure 4.3-6. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the SEIR.

Impact 4.3-7: 65th Street @ 14th Avenue.

Baseline plus Proposed Project Conditions – The addition of traffic associated with the proposed project would cause this intersection, which operates below the City's LOS C threshold without the proposed project during the AM and PM peak-hours, to experience an increase in delay greater than 5 seconds. Without mitigation, this is a *significant impact*.

Cumulative (2027) plus Proposed Project Conditions – The addition of traffic associated with the proposed project would cause this intersection, which operates below the City's LOS C threshold without the proposed project during the AM and PM peak-hours, to experience an increase in delay greater than 5 seconds. Without mitigation, this is a *significant impact*.

The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-7: The significant impact at this intersection during the AM and PM peak-hours can be mitigated by allowing this intersection to run uncoordinated. In addition, the applicant shall also pay toward the City of Sacramento traffic operations center for the re-timing and monitoring of the signal to improve vehicle progression along the corridor. By excluding this intersection from the coordinated signals to the north, higher actuated cycle lengths is anticipated to allow this intersection to operate more efficiently by increasing the demand. This mitigation measure reduces the average delay to below without project conditions during the AM and PM peak-hours under both Baseline plus Proposed Project and Cumulative (2027) plus Proposed Project Conditions.

Finding:

This impact can be reduced to a less-than-significant level through implementation of Mitigation Measure 4.3-7. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the SEIR.

C. Significant and Unavoidable Impacts.

The following significant and potentially significant environmental impacts of the Project, including cumulative impacts, are unavoidable and cannot be mitigated in a manner that would substantially lessen the significant impact. Notwithstanding disclosure of these impacts, the City Council elects to approve the Project due to overriding considerations as set forth below in Section G, the Statement of Overriding Considerations.

Air Quality

Impact 4.1-2: Long-Term Operational Emissions of Criteria Pollutants: The SEIR identified operational emissions of NO_x and ROG in excess of the applicable thresholds of significance of 65 pounds per day for each pollutant. The impact would be significant.

Mitigation identified in the Area Plan EIR would apply to reduce the significance of the impact. The applicable mitigation measure is as follows:

Mitigation Measure 5.2-2: Air Quality-Long Term Operational Emission of Criteria Pollutants: The City of Sacramento shall ensure that project applicants for future development in the South 65th Street Area Plan work with SMAQMD and the City of Sacramento to develop a mitigation plan to implement mitigation measures to reduce impacts.

The SEIR confirms that the Project applicant has prepared an Air Quality Mitigation Plan (AQMP), attached to the SEIR as Appendix 2. The plan has been endorsed by SMAQMD and would achieve an emission reduction of approximately 16.75 percent. To ensure that the provisions of the AQMP are implemented, the Final SEIR identifies the following mitigation measure:

Mitigation Measure 4.1-2: Air Quality Mitigation Plan

The applicant shall implement and comply with the provisions of the Air Quality Mitigation Plan, dated February 5, 2008, as endorsed by the Sacramento Metropolitan Air Quality Management District.

Even with the reduction in emissions that would occur with implementation of the AQMP, impacts remain significant.

Finding:

As discussed on page 4.1-4 of the Draft SEIR, changes or alterations have been required in the project to reduce the impact, but the impact remains significant and unavoidable.

Impact 4.1-3: Short-Term Construction-Related Emissions of Criteria Pollutants: The SEIR identified impacts relating to construction based on the conservative assumption that several building projects could occur at the same time on page 4.1-5 of the Draft SEIR. No mitigation was identified for this impact, and it remains significant and unavoidable.

Findings: As discussed on page 4.1-5 of the Draft SEIR, no mitigation is available to reduce the impact, and it remains significant and unavoidable.

Impact 4.1-4: Long-Term Operational Emissions of Criteria Pollutants-Cumulative

The SEIR identified the impacts of the Project, when combined with other projects that are planned or likely to occur, as significant on a cumulative basis on page 4.1-5 of the Draft SEIR. No mitigation was identified for this impact.

Findings: As discussed on page 4.1-5 of the Draft SEIR, no mitigation is available to reduce

the impact, and it remains significant and unavoidable.

D. Findings Related to Potential Climate Change Impacts

Potential climate change impacts were discussed in the Final SEIR beginning on page 4.8. The climate change analysis discussed the regulatory background, the different types of greenhouse gases, quantified the Project's emissions, and compared the project's emissions to Federal and State greenhouse gas inventories.

In considering whether to establish a significance threshold for greenhouse gases, the City has considered a number of recent resources discussing options for analyzing climate change and adopting significance thresholds. Additionally, the City has adopted many policies and programs to reduce greenhouse gas emissions as discussed in the Final SEIR beginning on page 4.12. However, since there is no consensus or definitive guidance on the analytical methodology that should be used to determine a project's relative impact on global climate change when measured in a global context, the City has not determined appropriate significance thresholds. However, the climate change analysis serves to fulfill the City's obligation to inform decision makers of the Project's potential impacts on climate change.

E. Findings Related to the Relationship Between Local Short-term Uses of the Environment and Maintenance and Enhancement of Long-term Productivity.

Based on the Final EIR as revised by the SEIR and the entire record before the City Council, the City Council makes the following findings with respect to the Project's balancing of local short term uses of the environment and the maintenance of long term productivity:

1. The Project is consistent with the South 65th Street Area Plan objectives and overall strategy, and promotes the long-term productivity for the project site.
2. The Project will promote economic vitality in the neighborhood, and will provide retail and shopping alternatives at a site that is now unused.
3. The Project will be designed in a manner to minimize impacts on the neighborhood and the environment generally.

F. Project Alternatives

The Final EIR identified the following alternatives to the South 65th Street Area Plan: no project, low density alternative and the General Plan build out alternative. Each of the alternatives was rejected. The following findings are made with regard to the alternatives as they relate to the Project:

No Project Alternative: Specific economic, social or other considerations make infeasible

the No Project Alternative. The alternative would not meet any of the goals and objectives of the South 65th Street Area Plan. The Project has benefited from the planning undertaken subsequent to the adoption of the South 65th Street Area Plan, and planning undertaken with regard to transportation and utilities make the Project more feasible.

Low Density Alternative: Specific economic, social or other considerations make infeasible the Low Density Alternative. The Project is consistent with the long term planning for the area, which foresees a University Mixed Use District near CSUS and rejuvenation of the area in conjunction with increased use in light rail. The Project encourages development of the area in a manner consistent with the Area Plan.

General Plan Build out Alternative: Specific economic, social or other considerations make infeasible the General Plan Build out Alternative. The Project will encourage continued coordination with other projects, including the 65th Street Transit Village, and ongoing development of the CSUS campus, to create neighborhoods with mixed use. The increased density of development under the South 65th Street Area Plan, and proposed in the Project, will encourage and support such uses.

G. Statement of Overriding Considerations

Pursuant to Guidelines section 15093, the City Council finds that in approving the Project it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible, as shown in Sections B. The City Council further finds that it has balanced the economic, legal, social, technological, and other benefits of the Project against the remaining unavoidable environmental risks in determining whether to approve the Project and has determined that those benefits outweigh the unavoidable environmental risks and that those risks are acceptable. The City Council makes this statement of overriding considerations in accordance with section 15093 of the Guidelines in support of approval of the Project.

Statement of Overriding Considerations:

The City has balanced the benefits of the proposed Project against its unavoidable environmental risks in determining whether to approve the Project.

The Area Plan EIR and Draft SEIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures, the impacts can be mitigated to a level of less than significant, except for the unavoidable and significant impact discussed in Section C herein.

The City has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project. To the extent any recommended mitigation measures are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that the City finds outweigh any environmental benefits of the alternatives.

The Statement of Overriding Considerations approved by the City Council at the time of the approval of the South 65th Street Area Plan is incorporated herein by reference. The findings and considerations identified important aspects of the South 65th Street Area Plan that would promote renewed economic vitality for the neighborhood, increased use of public transit and light rail, and promote integration with the ongoing development of the CSUS campus.

The Project is consistent with the South 65th Street Area Plan, and will develop the Project site with appropriate density, providing a mix of retail uses.

Notwithstanding disclosure of the significant impacts and the accompanying mitigation, the City has determined pursuant to Section 15093 of the CEQA Guidelines that the benefits of the Project outweigh the adverse impacts, and the proposed Project should be approved.

Exhibit B Mitigation Monitoring Plan

65th Street Center (P07-063) MITIGATION MONITORING PLAN

Introduction

This Mitigation Monitoring Plan (MMP) has been prepared for use in implementing mitigation for the 65th Street Center (proposed project).

The program has been prepared in compliance with State law and the Environmental Impact Report (EIR) (State Clearinghouse No. 2008012003) prepared for the project by the City of Sacramento.

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Resource Code Section 21081.6). The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

- 1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
- 2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
- 3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

Background

The following MMP incorporates applicable mitigation measures from the South 65th Street Area Plan Environmental Impact Report (Area Plan EIR), the 65th Street Center Initial Study, as well as the 65th Street Center Supplemental Environmental Impact Report (SEIR).

Some mitigation measures adopted in the Area Plan EIR were not included in this MMP since they are not applicable to the 65th Street Center (proposed project) due to the geographic location of the project or the nature of the proposed project. For instance, some mitigation measures intended to mitigate impacts to cultural and biological resources were not included in this MMP since those resources do not exist on the currently developed, but vacant, project site. Specifically, Area Plan EIR mitigation measures related to impacts to wetlands, owls, hawks, raptors, migratory birds and bats were not included herein since those resources are not present at the project site. Some measures related to hazardous materials contamination have not been included herein

**65th Street Center (P07-063)
MITIGATION MONITORING PLAN**

since they are not applicable, as demonstrated by the *Phase I Environmental Site Assessment* and *Limited Phase II Assessment*, attached as Appendix E to the Draft SEIR.

The wastewater mitigation was revised to reflect the fact that since the date of certification of the Area Plan EIR, the City has adopted a development fee ordinance that is applicable to the proposed project.

Finally, as discussed on page 4.3-2 of the Draft SEIR, project level traffic impacts were evaluated in the SEIR in order to refine the area-wide traffic analysis conducted in the Area Plan EIR. The effectiveness of the previously adopted mitigation measures to mitigate the project-level impacts were also evaluated and refined in order to ensure mitigation of project-level impacts. Those project-specific traffic mitigation measures have been included in the "65th Street Center SEIR" section below.

65th Street Center (P07-063)
 MITIGATION MONITORING PLAN

		VERIFICATION OF COMPLIANCE			
MITIGATION MEASURE	IMPLEMENTATION RESPONSIBILITY	MONITORING RESPONSIBILITY	COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)
AIR QUALITY					
<p>Mitigation Measure 5.2-1(C). Short-Term Construction-Related Emission of Criteria Pollutants. Development projects shall comply with SMAQMD Rule 403, Fugitive Dust, for demolition and construction of fugitive dust. To ensure compliance with Rule 403, approval to commence project construction shall not be given until the contractor submits a construction dust mitigation plan deemed satisfactory by the City and SMAQMD. This plan shall specify control measures that will be implemented to ensure that emissions of fugitive dust from being airborne beyond the property line from which the emission originates, demonstrate the availability of needed equipment and personnel, and identify a responsible individual who, if needed, can authorize the implementation of additional measures. The following measures shall be included, at a minimum, to reduce fugitive dust emissions in compliance with</p>	<p>City of Sacramento and developers</p>	<p>City of Sacramento Alternate Modes Coordinator in coordination with SMAQMD</p>	<p>Plans and all other required mitigation shall be approved by the City before issuance of building-grading permits and shall be fully implemented before and during construction</p>	<p>Measures shall be fully implemented before and during construction of all projects.</p>	

65th Street Center (P07-063)
 MITIGATION MONITORING PLAN

		VERIFICATION OF COMPLIANCE				
MITIGATION MEASURE	IMPLEMENTATION RESPONSIBILITY	MONITORING RESPONSIBILITY	COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)	
<p>Rule 403:</p> <ul style="list-style-type: none"> All disturbed areas, including storage piles that are not being actively used for construction purposes, shall be effectively stabilized of dust emissions using water, a chemical stabilizer or suppressant, or vegetative ground cover. All onsite unpaved roads and offsite stabilized of dust emissions using water or a chemical stabilizer or suppressant. When materials are transported offsite, all material shall be covered, effectively wetted to limit visible dust emissions, or maintained with at least 6 inches of freeboard space from the top of the container. All operators shall limit or expeditiously remove the accumulation of project-generated mud 						

65th Street Center (P07-063)
 MITIGATION MONITORING PLAN

		VERIFICATION OF COMPLIANCE				
MITIGATION MEASURE	IMPLEMENTATION RESPONSIBILITY	MONITORING RESPONSIBILITY	COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)	
or dirt from adjacent public streets at least once every 24 hours when operations are occurring. <ul style="list-style-type: none"> After material are added to or removed from the surfaces of outdoor storage piles, the effectively stabilized of fugitive dust emissions using sufficient water or a chemical stabilizer/suppressant. Onsite vehicle speeds on unpaved roads shall be limited to 15 mph. Wheel washers shall be installed for all trucks and equipment exiting unpaved areas or wheels shall be washed to remove accumulated dirt before such vehicles leave the site. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from adjacent project areas with a 						

65th Street Center (P07-063)
MITIGATION MONITORING PLAN

VERIFICATION OF COMPLIANCE					
MITIGATION MEASURE	IMPLEMENTATION RESPONSIBILITY	MONITORING RESPONSIBILITY	COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)
<p>slope greater than 1%.</p> <ul style="list-style-type: none"> Excavation and grading activities shall be suspended when winds exceed 20 mph. The extent of areas simultaneously subject to excavation and grading shall be limited, wherever possible, to the minimum area feasible. 					
<p>NOISE Mitigation Measure 5.3-2(B), Stationary Source Noise. The City of Sacramento shall ensure that project applicants for future development in the South 65th Street Plan Area project area implement the following:</p> <ul style="list-style-type: none"> All mechanical building equipment systems shall be shielded from direct public exposure and completely enclosed. Landscape activities shall be limited to less noise-sensitive hours of 7 am - 8 pm. 		<p>City of Sacramento Development Services Department/Planning Division</p>	<p>Noise mitigation measures shall be approved by the City of Sacramento</p>	<p>Mitigation measures based on design shall be implemented during construction and before issuance of a Certificate of Occupancy.</p>	

65th Street Center (P07-063)
MITIGATION MONITORING PLAN

VERIFICATION OF COMPLIANCE					
MITIGATION MEASURE	IMPLEMENTATION RESPONSIBILITY	MONITORING RESPONSIBILITY	COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIAL/DATE)
<p>HAZARDS</p> <p>Mitigation Measure 5.5-3: The City of Sacramento shall ensure that the owners of parcels where contamination remediation is taking place comply with the following requirements:</p> <p>(A) For any demolition, renovation, or other construction activities that could affect the buildings listed as potentially containing asbestos or lead-based paint, asbestos and lead-based paint survey shall be conducted by a qualified asbestos consultant before development.</p> <p>(B) If the presence of asbestos and/or lead-based paint is identified, these materials shall be removed by a licensed asbestos and lead-based paint abatement contractor or contractors in accordance with applicable federal, state, and local regulations and protocols.</p>		<p>City of Sacramento, Development Services Department</p>	<p>Any required remediation measures shall be formulated in consultation with the Sacramento County Hazardous Materials Division and shall be included in the construction specifications.</p>	<p>Any required investigations shall be undertaken and the results provided to the City before City approval of project entitlements. Measures shall be implemented before and concurrent with construction activities.</p>	<p>Phase I and limited Phase II conducted and attached to 65th Street Center Draft SEIR.</p>

65th Street Center (P07-063)
 MITIGATION MONITORING PLAN

MITIGATION MEASURE		IMPLEMENTATION RESPONSIBILITY	MONITORING RESPONSIBILITY	VERIFICATION OF COMPLIANCE		
				COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)
<p>Mitigation Measure 5.5-4: The City of Sacramento shall ensure that the owners of parcels where contamination remediation is taking place comply with the following requirements:</p> <p>(A) Where conditions permit, provide buffer zones, as determined appropriate by the RWQCB, Sacramento County, DTSC, and the Sacramento Metropolitan Air Quality Management District (SMAQMD), between the remediation area and adjacent properties.</p> <p>(B) Limit access to active remediation sites or remaining contaminated sites that are not otherwise covered by means of fencing, posting of signs, and site security.</p> <p>(C) Implement dust control measures during remediation as determined by Sacramento County, DTSC, and the SMAQMD.</p> <p>(D) Conduct perimeter air</p>			<p>City of Sacramento Development Services Department/Planning Division</p>	<p>As required remediation measures shall be formulated in consultation with RWQCB, Sacramento County Hazardous Materials Division, DTSC, and SMAQMD and shall be included in the construction specifications.</p>	<p>Construction specifications shall be included on the construction plans before issuance of a grading permit. Measures shall be implemented before and concurrent with construction activities.</p>	

65th Street Center (P07-063)
MITIGATION MONITORING PLAN

VERIFICATION OF COMPLIANCE					
MITIGATION MEASURE	IMPLEMENTATION RESPONSIBILITY	MONITORING RESPONSIBILITY	COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)
<p>monitoring as determined by Sacramento County, DTSC, and the SMAQMD. If yes, implement any measures required by SMAQMD.</p> <p>CULTURAL RESOURCES Mitigation Measure 5.8-2: Future development within the South 65th Street Area Plan project area shall comply within the following measures:</p> <p>(A) Construction personnel shall be alerted to the possibility of buried archaeological resources in the project area prior to construction activities, and shall be educated as to identification of archaeological artifacts.</p> <p>(B) If archaeological artifacts or unusual amounts of stone, bone, or shell are uncovered during construction activities, work within 50 feet of the specific construction site at</p>	<p>City of Sacramento and developers</p>	<p>City of Sacramento Development Services</p>	<p>Construction activities shall cease within 50 feet of any unearthed resources until resources are assessed and mitigated, if required, by archaeologist. Development Services Department/Planning Division and County Coroner shall be immediately notified if human remains are uncovered, per 7050.5 of Health and Safety Code and 5097.94 of Public Resources Code. If remains are Native American in origin, NAHC shall be notified within 24 hours and NAHC</p>	<p>Construction specifications shall be included in the construction plans before issuance of grading permits. Measures shall be implemented during construction activities.</p>	

65th Street Center (P07-063)
 MITIGATION MONITORING PLAN

			VERIFICATION OF COMPLIANCE		
MITIGATION MEASURE	IMPLEMENTATION RESPONSIBILITY	MONITORING RESPONSIBILITY	COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)
<p>which the suspected resources have been uncovered shall be suspended. At that time, the property owner shall retain a qualified professional archaeologist. The archaeologist shall conduct a field investigation of the specific site and recommend mitigation deemed necessary for the protection or recovery of any archaeological resources concluded by the archaeologist to represent significant or potentially significant resources as defined by CEQA. The mitigation shall be implemented by the property owner to the satisfaction of the City of Sacramento Development Services Department/Planning Division prior to resumption of construction activity. In accordance with Section 7050.5 of the</p>			<p>guidelines shall be adhered to in treatment/disposition of remains. All measures shall be included in construction specifications.</p>		
<p>(c)</p>					

65th Street Center (P07-063)
 MITIGATION MONITORING PLAN

VERIFICATION OF COMPLIANCE					
MITIGATION MEASURE	IMPLEMENTATION RESPONSIBILITY	MONITORING RESPONSIBILITY	COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIAL/DATE)
Health and Safety Code and Sections 5097.94 and 5097.98 of the Public Resources Code, if human remains are uncovered during project construction activities, work within 50 feet of the remains shall be suspended immediately, and the City of Sacramento Development Services Department/Planning Division and the County Coroner shall be immediately notified. If the remains are determined by the Coroner to be Native American in origin, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The property owner shall also retain a professional archaeological consultant with Native					

65th Street Center (P07-063)
MITIGATION MONITORING PLAN

		VERIFICATION OF COMPLIANCE				
MITIGATION MEASURE	IMPLEMENTATION RESPONSIBILITY	MONITORING RESPONSIBILITY	COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)	
American burial experience. The archaeologist shall conduct a field investigation of the specific site and consult with the Most Likely Descendant identified by the NAHC. As necessary the archaeological consultant may provide professional assistance to the Most Likely Descendant including the excavation and removal of the human remains. The property owner shall implement any mitigation before the resumption of activities at the site where the remains were discovered.						

65th Street Center (P07-063)
MITIGATION MONITORING PLAN

MITIGATION MEASURE		IMPLEMENTATION RESPONSIBILITY	MONITORING RESPONSIBILITY	COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)
VERIFICATION OF COMPLIANCE						
AESTHETICS						
<p>Mitigation Measure 1, (d). The developers of new land uses in the plan area under the South 65th Area Plan shall incorporate the following into the proposed new uses:</p> <ol style="list-style-type: none"> 1. Landscape and/or wall treatment shall be provided at the periphery of all lot parking lots and between residential uses and unlike land uses (e.g. commercial, quasi-public, park) to block views of lot areas to the greatest extent feasible. 2. All plan lighting shall be shielded, focused downward, and focused away from residential uses. 3. Plan lighting shall be limited to non-sodium-vapor lighting. 4. Exterior building and roofing materials shall be limited to low-glare materials. Glass cladding of new structures shall be minimized. 		Applicant	City of Sacramento, Development Services Department	Measures shall be included on all construction plans	Prior to issuance of any building permit, measures identified on plans shall be verified for compliance. The Development Services Department shall assure that measures are identified on construction plans and specifications and confirm compliance prior to issuance of any grading or building permit.	
<p>AIR QUALITY Mitigation Measure 4.1-2 Long-Term</p>		Applicant	65 th Street Center SEIR Development Services Department	Compliance based on specific provisions of	Throughout project operation	

65th Street Center (P07-063)
MITIGATION MONITORING PLAN

MITIGATION MEASURE		VERIFICATION OF COMPLIANCE			
IMPLEMENTATION RESPONSIBILITY	MONITORING RESPONSIBILITY	COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)	
<p>Operational Pollutants. The applicant shall implement and comply with the provisions of the Air Quality Mitigation Plan, dated February 5, 2008, as endorsed by the Sacramento Metropolitan Air Quality Management District.</p>					
<p>WASTEWATER. Mitigation Measure 5.7-5, as implemented as part of the South 65th Street Area Plan EIR, contemplated that mitigation for impacts to wastewater service would occur either through on-site improvements, or agreement on payment of appropriate fees through a Mitigation Agreement or other payment. Since the date of certification of the 65th Street Area Plan EIR, the City has adopted a development fee ordinance. Applicant must pay the combined sewer development fees.</p>	Applicant	Development Services Department	Compliance based on development fee ordinance.	Payment of fee required prior to issuance of building permit.	
<p>TRAFFIC Mitigation Measure 4.3-1--65th Street @ Folsom Boulevard: The significant impacts at this intersection (65th Street at Folsom Blvd) during the PM peak-hour can be mitigated with the addition of a westbound left-</p>	Applicant	City of Sacramento, Department of Transportation, Development Services	The applicant shall construct a westbound left-turn lane at the intersection of 65 th Street and Folsom Blvd.	Prior to project occupancy	

65th Street Center (P07-063)
MITIGATION MONITORING PLAN

MITIGATION MEASURE		IMPLEMENTATION RESPONSIBILITY	MONITORING RESPONSIBILITY	COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)
<p>turn lane. This mitigation measure reduces the average delay to below without project conditions during the PM peak-hour under Baseline plus Proposed Project and Cumulative (2027) plus Proposed Project Conditions.</p> <p>Mitigation Measure 4.3.2--65th Street @ Q Street: The significant impacts at this intersection (65th Street @ Q Street) during the PM peak-hour can be mitigated with optimized corridor signal timings. In addition, the applicant shall also pay toward the City of Sacramento traffic operations center for the re-timing and monitoring of the signal to improve vehicle progression along the corridor. This mitigation measure results in LOS C during the PM peak-hour under Cumulative (2027) plus Proposed Project Conditions.</p> <p>Mitigation Measure 4.3.3--65th Street @ S Street/US-50 WB Off-Ramp: The significant impacts at this intersection (65th Street @ S Street/US-50 WB off-Ramp) during the PM peak-hour</p>		Applicant	City of Sacramento, Department of Transportation, Development Services	The applicant shall pay toward the City of Sacramento traffic operations center for the re-timing and monitoring of the 65 th Street @ Q Street signal.		
<p>The applicant shall pay toward the City of Traffic operations center for the re-timing and monitoring of the 65th Street @ S Street/US-50</p>		Applicant	City of Sacramento, Department of Transportation, Development Services			

65th Street Center (P07-063)
MITIGATION MONITORING PLAN

MITIGATION MEASURE		IMPLEMENTATION RESPONSIBILITY	MONITORING RESPONSIBILITY	VERIFICATION OF COMPLIANCE		
				COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)
<p>can be mitigated with optimized corridor signal timings. In addition, the applicant shall also pay toward the City of Sacramento traffic operations center for the re-timing and monitoring of the signal to improve vehicle progression along the corridor. This mitigation measure reduces the average delay to below without project conditions during the PM peak-hour under Baseline plus Proposed Project and Cumulative (2027) plus Proposed Project Conditions.</p>		Applicant	City of Sacramento, Department of Transportation, Development Services	WB off-Ramp signal.		
<p>Mitigation Measure 4.3-4 65th Street @ US-50 EB Off-Ramp: The significant impacts at this intersection (65th Street @ US-50 EB off-Ramp) during the PM peak-hour can be mitigated with optimized corridor signal timings. In addition, the applicant shall also pay toward the City of Sacramento traffic operations center for the re-timing and monitoring of the signal to improve vehicle progression along the corridor. This mitigation measure reduces the average delay to below without project conditions during the PM</p>				The applicant shall pay toward the City of Traffic operations center for the re-timing and monitoring of the 65 th Street @ US-50 EB off-Ramp signal.		