

## RESOLUTION NO. 2010-632

Adopted by the Sacramento City Council

November 4, 2010

### ADOPTING THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION REPORTING PROGRAM FOR THE CARS ON K STREET PROJECT (T15095300)

#### BACKGROUND

- A. On November 4, 2010, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code and received and considered evidence concerning the Cars on K Street 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 Project initial study determined, based on substantial evidence, that the Project is an anticipated subsequent project identified and described in the 2030 General Plan Master EIR; that the discussions of cumulative impacts, growth inducing impacts, and irreversible significant effects in the Master EIR are adequate for the Project; and that the Project would have additional potentially significant environmental effects not previously examined in the Master EIR. Mitigation measures from the Master EIR were applied to the Project as appropriate, and revisions to the Project made before the proposed mitigated negative declaration and initial study were released for public review were determined by City's Environmental Planning Services to avoid or reduce the potentially significant effects to a less than significant level, and, therefore, there was no substantial evidence that the Project as revised and conditioned may have a significant effect on the environment. A Mitigated Negative Declaration (MND) for the Project was then completed, noticed and circulated in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures as follows:
1. On September 3, 2010 a Notice of Intent to Adopt the MND (NOI) was circulated for public comments for 30 days. The NOI was sent to those public agencies that have jurisdiction by law with respect to the proposed project and to other interested parties and agencies, including property owners within 500 feet of the boundaries of the proposed project. The comments of such persons and agencies were sought.
  2. On September 3, 2010 the NOI was published in the Sacramento Bulletin, a newspaper of general circulation, and the NOI was posted in the office of the Sacramento County Clerk.

3. Pursuant to CEQA Guidelines Section 15073.5 (c)(4), new information regarding Sacramento Regional County Sanitation District owned sewer interceptors has been added to the mitigated negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration, and recirculation is not required.
- Section 2. The City Council has reviewed and considered the information contained in the MND, including the initial study, the revisions and conditions incorporated into the Project, and the comments received during the public review process and the hearing on the Project. The City Council has determined that the MND constitutes an adequate, accurate, objective and complete review of the environmental effects of the proposed project.
- Section 3. Based on its review of the MND and on the basis of the whole record, the City Council finds that the MND reflects the City Council's independent judgment and analysis and that there is no substantial evidence that the Project will have a significant effect on the environment.
- Section 4. The City Council approves the Cars on K Project and adopts the MND for the Project.
- Section 5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15074, and in support of its approval of the Project, the City Council adopts a Mitigation Reporting Program to require all reasonably feasible mitigation measures, including mitigation measures from the Master EIR as appropriate, be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Reporting Program.
- Section 6. Upon approval of the Project, the City's Environmental Planning Services shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and section 15075 of the State EIR Guidelines adopted pursuant thereto.
- 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.

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Exhibit A: Mitigation Reporting Program

Adopted by the City of Sacramento City Council on November 4, 2010 by the following vote:

Ayes: Councilmembers Cohn, Fong, McCarty, Pannell, Sheedy, Tretheway, and Mayor Johnson.

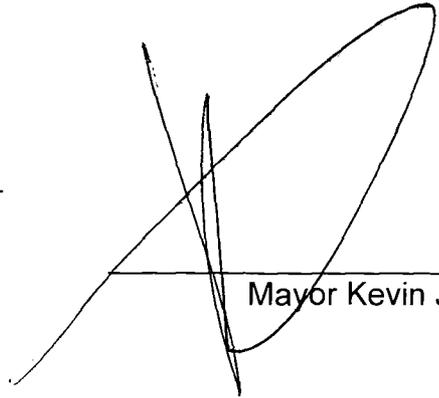
Noes: None.

Abstain: None.

Absent: Councilmembers Hammond, and Waters.

Attest:

  
Shirley Concolino, City Clerk

  
Mayor Kevin Johnson

## Cars on K Street Project Mitigation Reporting Program

In January 1989, Assembly Bill 3180 went into effect requiring the City to monitor all mitigation measures applicable to this project and included in the Mitigated Negative Declaration. For this project, mitigation reporting will be performed by the City of Sacramento Department of Transportation (DOT) in accordance with the monitoring and reporting program developed by the City to implement AB 3180.

This Mitigation Reporting Program is being prepared for the Community Development Department, Environmental Planning Services, 300 Richards Boulevard, 3<sup>rd</sup> Floor, Sacramento, CA 95811, pursuant to the California Environmental Quality Guidelines, Section 21081.

**Project Number:** T15095300

**Project Name:** Cars on K Street – Re-introduction of Vehicle Traffic on K Street

**Project Location:** The project is located in the City and County of Sacramento along K Street between 8<sup>th</sup> and 12<sup>th</sup> Street. This section of K Street is located in the Central City of Sacramento.

### Project Description:

K Street is currently designated by City Code as a “pedestrian mall.” The proposed project would re-open a section of the K Street Mall to vehicle traffic as part of an effort to reactivate retail activity. The Cars on K Street project will include improvements to traffic signals, intersection modifications, drainage improvements, striping and modifications to existing mini-high light rail ramps and associated improvements located along K Street between 8th and 12th Streets. Street intersections will be modified to meet ADA requirements, including placement of detectable warning tiles and bollards.

The project includes the following components and design elements:

- **Travel Lanes and Speeds.** K Street will have two-way traffic with one lane in each direction. Vehicles will operate mixed flow, sharing a lane with light rail trains. The desirable speed for vehicles would be at low speeds (approximately 15 to 20 mph). Regional Transit’s speed limit for trains on K Street is currently 20 mph.
- **Light Rail Trains.** Light rail trains will continue to operate on the same tracks and stop at the same stations. Implementation of signal timing and operational strategies are included in the project to minimize delays to train operations. Detailed traffic operation analysis and design recommendations for K Street may include implementation of protected phasing; signal coordination and preemption strategies; vehicle turn restrictions during peak hour periods (possibly using —blank-out// LED signing); and other methods to reduce vehicle-train conflicts and minimize delay of light rail trains.
- **Pedestrians.** The project is designed to direct pedestrians to intersection crossing areas and to encourage and direct pedestrian movement to sidewalks for safety in conformance with urban pedestrian travel path and crossing locations. The pedestrian sidewalk area is defined as the area between the face of the buildings on K Street and the outside edge of the yellow truncated warning tiles which is typically about 24 feet along the sides of K Street. While existing uses occupy this 24 foot area, such as café seating, tree wells, bike racks, and planters, the project will generally maintain a minimum sidewalk width of 8 feet (unless conditions limit the available right-of-way for sidewalk).

- **Streetscape Enhancements.** Streetscape enhancements would be very limited with the initial four block project between 8th and 12th Streets. Along specified segments, streetscape features (such as planters, benches or other features) will be utilized to fill in gaps between existing features that are greater than 30 feet apart.
- **Vehicle and Truck Restrictions.** This project does not propose vehicular access on K Street west of 8th Street or east of 12th Street. The project proposes to restrict heavy duty truck and delivery access to K Street through adoption/amendment of a local ordinance(s).
- **Drop-Off Areas.** The project does not include any on-street parking. Three drop-off areas are proposed to be located at the south side of the 1000 block of K Street, the south side of the 900 block, and the north side of the 800 block. A passenger drop-off area needs adequate length for easy access and egress. A desirable drop-off area would be approximately 60 feet long and provide storage for 3 vehicles. While the boundary between the sidewalk and the drop-off areas will not have a curb, the edge would be defined by streetscape features and/or bollards. Approximately 3 existing street trees located in the proposed drop-off area would need to be removed.
- **Striping.** There is currently 32 feet of available width between the yellow detectable warning tiles that run parallel to the light rail tracks. The tiles are 2 feet wide on either side of K Street, leaving a distance of 28 feet for the proposed roadway. The roadway will be striped with 12 foot travel lanes and a 2-foot area between the warning tiles and the edge stripe in each direction. This width places the striping for the outside edge of the travel lanes just inside and below the edge of the —mini-highll platforms at the light-rail stations along K Street. Options to increase the visibility of the mini-high platforms may include construction of a curb, addition of reflective markers or other means to reduce the potential for vehicle collisions with the platform ramps.
- **Bikes.** The City currently allows bikes on K Street as a Class III bikeway, with bicycles traveling in the shared space with light rail trains between the yellow warning tiles. There would be no separate bike lane on this section of K Street. Bicycle use would continue to use K Street as a Class III facility. Bicycle use in the pedestrian area between the yellow warning tiles and buildings would continue to be prohibited.
- **Signal Equipment.** Existing traffic signal equipment will be replaced as necessary to control traffic movements at intersections. Proposed signal modifications include addition of full pedestrian controls, and development of timing plans to fit new east/west vehicle phases into existing City and RT signaling systems. Modifications required along K Street at 8th, 9th, 10th and 12th Streets involve adding vehicular signal heads for traffic on K Street. Modifications required on K Street at 11th Street include a proposed pedestrian traffic signal for crossing K Street and safety lighting installation.
- **Intersections.** The project will modify intersections and upgrade traffic signals along the K Street corridor to bring them into compliance with ADA requirements and to allow vehicular movements to and from K Street. After reintroduction of vehicular traffic to K Street, pedestrians will be directed to cross at intersections.

#### Policy and Ordinance Amendments Required.

The proposed project may require amendments to several local ordinances to allow cars on K Street and to prohibit truck traffic. These include the following sections of the City of Sacramento Code:

- Section 12.44.020. This section defines the areas of the City that are defined as Pedestrian

- Malls;
- Section 12.44.050. This section states that vehicles are prohibited from the Pedestrian Malls, and;
  - Section 12.44.090. This section defines the speed limit for vehicles that are currently allowed on
  - the Mall; and
  - Through a local ordinance, truck access and deliveries will be prohibited on this section of K Street.

**Other Actions or Permits Required**

- State Public Utilities Commission (PUC) State Public Utilities Commission (PUC) General Order Permit 88B
- City of Sacramento Tree removal permit

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
<b>BIOLOGICAL RESOURCES</b>				
<b>BIOLOGY 1: PROTECTION OF STREET TREES</b>				
<p>1. During construction, trees to be preserved shall be protected by ensuring implementation of the following procedures during construction. All work near the trees shall be coordinated with the City Arborist, Department of Transportation, Urban Forestry Services. The Contractor shall comply with direction as given by the City Arborist and the following City requirements regarding tree protection:</p> <p>a. No Storage of materials or parking of vehicles may occur on pervious surfaces within the driplines of the trees.</p> <p>b. If, during construction grading, tree roots two inches (2") in diameter or greater are encountered, work shall stop immediately and the City Arborist shall be contacted for a root inspection, and the root shall not be cut unless the arborist approves. Roots approved by the arborist to be severed during the course of project construction shall be neatly trimmed. If a large number of roots require cutting, the tree will then have to be evaluated by the certified arborist for possible removal.</p> <p>c. If construction activities will affect any of the limbs of the trees, a certified arborist (certified by International Society of Arborists, Western Chapter) shall be consulted prior to the cutting or removal of any limb. Limbs approved by the arborist to be severed during the course of project construction shall be neatly trimmed.</p> <p>d. The Contractor shall be responsible for damages to trees. Trees damaged by the Contractor during construction activities shall be assessed by the City Arborist using the International Society of Arborists (ISA) appraisal guide. The Contractor's responsibility for damaged trees will be determined by the Arborist.</p>	<p>Prior to and during construction –</p> <p>Mitigation measures shall be included in all construction documents for implementation during construction.</p>	<p>City of Sacramento Department of Transportation and Construction Contractor</p>		
<b>CULTURAL RESOURCES</b>				
<b>CULTURAL RESOURCES 1: PROTECTION OF HISTORIC STRUCTURES</b>				
<p>1. Any work within 5 feet of the façade of buildings in the project area shall be subject to the following protections:</p> <p>a. The existing concrete would be saw-cut six (6) inches from existing building faces. In order to break the concrete, a backhoe with a jackhammer attachment or loader would be used if the work is being done more than six (6) inches away from the buildings. The equipment would be located a safe distance from the buildings so any arms or attachments cannot reach the building.</p> <p>b. If the contractor needs to remove sections of concrete or sidewalk adjacent or within 6 inches of buildings, a hand-held hydraulic jackhammer would be used to break existing concrete into pieces within six (6) inches of the building faces. The broken concrete would then be</p>	<p>Prior to and during construction –</p> <p>Mitigation measures shall be included in all construction documents for implementation during construction.</p>	<p>City of Sacramento Department of Transportation and Contractor</p>		



Mitigation Measure	Milestone	Responsible Party	Initials	Date
<b>HAZARDS</b>				
<b>HAZARDS 1: WORKER AND PUBLIC SAFETY</b>				
<p>In the event hazardous or contaminated materials are encountered at the site for which separate handling or removal provisions have been made, the Contractor shall stop work on that item, contact the Engineer and schedule his operations to work elsewhere on the site if possible. The City will be responsible for handling and removal of hazardous material or may request that the Contractor be made available, through contract change order, to provide additional services as needed for the completion of the work. Additional services may consist of retaining subcontractors who possess a California license for hazardous substance removal and remedial actions. Hazardous or contaminated materials may only be removed and disposed from the project site in accordance with the following provisions:</p> <ol style="list-style-type: none"> <li>a. All work is to be completed in accordance with the following regulations and requirements: 1. Chapter 6.5, Division 20, California Health and Safety Code. 2. California Administration Code, Title 22, relating to Handling, Storage, and Treatment of Hazardous Materials.</li> <li>b. City of Sacramento Building Code and the Uniform Building Code, 1994 edition. Coordination shall be made with the County of Sacramento Environmental Management Department, Hazardous Materials Division, and the necessary applications shall be filed.</li> <li>c. All hazardous materials shall be disposed of at an approved disposal site and shall only be hauled by a current California registered hazardous waste hauler using correct manifesting procedures and vehicles displaying a current Certificate of Compliance. The Contractor shall identify by name and address the site where toxic substances shall be disposed of. No payment for removal and disposal services shall be made without a valid certificate from the approved disposal site that the material was delivered.</li> </ol>	<p>During construction – Mitigation measures shall be included in all construction documents for implementation during construction.</p>	<p>City of Sacramento Department of Transportation, City Preservation Director and Contractor</p>		