

RESOLUTION NO. 2006-778

Adopted by the Sacramento City Council

October 24, 2006

APPROVING THE MITIGATED NEGATIVE DECLARATION AND APPROVING THE MITIGATION MONITORING PLAN FOR THE EVERGREEN PHASE I PROJECT, LOCATED SOUTH OF EL CAMINO AVENUE AND NORTH OF DIXIEANNE AVENUE BETWEEN ERICKSON STREET AND BOXWOOD STREET IN NORTH SACRAMENTO, SACRAMENTO, CALIFORNIA. (P06-028) (APN: 277-0012-001, -002, -008 & -011,)

BACKGROUND

- A. The City of Sacramento's Environmental Planning Services conducted or caused to be conducted an initial study on Evergreen Phase I, P06-028 ("Project") to determine if the Project may have a significant effect on the environment.
- B. The initial study identified potentially significant effects of the Project which were agreed to by the applicant before the proposed mitigated negative declaration and initial study were released for public review. Mitigation measures were determined by the City's Environmental Planning Services Division 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 June 9, 2006 a Notice of Intent (NOI) to Adopt the MND dated June 9, 2006 was circulated for public comments for twenty 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 during the twenty-day review period.
 - 2. On June 9, 2006 the project site was posted with the NOI, the NOI was published in the Daily Recorder, a newspaper of general circulation, and the NOI was posted in the office of the Sacramento County Clerk.
- C. 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, as well as the hearing of the Project. Some comments were received

during the public review process; however, they did not affect the findings of the MND. The City Council has determined that the MND constitutes an adequate, accurate, objective and complete review of the environmental effects of the proposed project.

- D. 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.

The City Council has final approval authority over the following Project entitlement:

1. Rezone 3.79± acres from General Commercial (C-2) to Multi-Family (R-2B).
- E. Pursuant to CEQA 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.

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

- Section 1. With respect to the entitlements over which the City Council has final approval authority, the City Council adopts the Mitigated Negative Declaration for the Project.
- Section 2. Pursuant to CEQA Guidelines Section 15074, and in support of its approval of the Project, the City Council adopts a Mitigation Monitoring Plan to require that all reasonably feasible mitigation measures be implemented.
- Section 3. Upon approval of the Project, the City's Environmental Planning Services Division 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 the State Environmental Impact Report Guidelines adopted pursuant thereto.

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Exhibit A: Mitigation Monitoring Plan – 3 pages

Adopted by the City of Sacramento City Council on October 24, 2006 by the following vote:

Ayes: Councilmembers, Cohn, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters and Vice Mayor Fong.

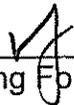
Noes: None.

Abstain: None.

Absent: Mayor Fargo.

Attest:


Shirley Concolino, City Clerk


Robert King Fong, Vice Mayor

MITIGATION MONITORING PLAN

FOR:
EVERGREEN PHASE 1 AND PHASE 2 (P06-028 AND P06-029)

PREPARED BY:
CITY OF SACRAMENTO
DEVELOPMENT SERVICES DEPARTMENT

TYPE OF ENVIRONMENTAL DOCUMENT:
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

DATE:
June 8, 2006

ADOPTED BY:
CITY OF SACRAMENTO,
PLANNING COMMISSION

DATE:

ATTEST:

EVERGREEN PHASE 1 AND PHASE 2 (P06-028 AND P06-029)

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MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Development Services Department, Environmental Planning Services, 2101 Arena Boulevard, Second Floor, Sacramento, CA 95834, pursuant to CEQA Guidelines Section 21081.6

SECTION 1: PROJECT IDENTIFICATION

Project Name/File Number: Evergreen Phase 1 and Phase 2 (P06-028 and P06-029)

Owner/Developer: David Nybo
Signature Properties, Inc
1322 Blue Oaks Blvd., Ste 100
Roseville, CA 956378
(916) 789-2400

Project Location:

Phase 1 (P06-028) is located on the south side of El Camino Ave. between Boxwood St. and Erickson St (APN 277-0012-001, 002, 008 & 011), in North Sacramento. Phase 2 (P06-029) is located on the north side of Calvados Ave. between Evergreen St. and Green St (APN 277-0081-002, 003), in North Sacramento.

Project Description:

The project Applicant proposes to develop two separate and vacant plots of land in the North Sacramento Community Plan Area into residential uses. Each site will require a zoning change to accommodate the residential use. The project will be done in two phases. Phase 1 is the location at El Camino Ave. between Boxwood St. and Erickson St. Phase 2 is the location at Calvados Ave. between Evergreen St. and Green St. A total of 79 new single family homes will be built upon completion.

P06-028 (Phase 1): Entitlement to rezone the existing C-2 zone to R-2B zone and construct 60 detached single family residential units on 3.79± acres undeveloped parcels within the North Sacramento Community Plan. P06-029 (Phase 2): Entitlement to rezone the existing M-1 zone to R-2B zone and construct 19 detached single family residential units on 1.57± acres undeveloped parcels within the North Sacramento Community Plan.

SECTION 2: GENERAL INFORMATION

The MMP includes mitigation for Cultural Resources. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The mitigation measures have been taken verbatim from the Initial Study and are assigned the same number they have in the document. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Sacramento will be responsible for ensuring compliance.

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EVERGREEN PHASE 1 AND PHASE 2 (P06-028 AND P06-029) Mitigation Monitoring Plan

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>Cultural Resources:</p> <p>CR-1. If subsurface archaeological or historical remains are discovered during construction, work in the area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.</p>	Project Applicant/ Developer	City of Sacramento Development Services Department	<p>Incorporate the protocol and procedures into grading and construction contracts.</p> <p>If any cultural resources are discovered:</p> <p>a) Cease all work in the immediate area</p> <p>b) Retain a qualified archaeologist or cultural resources consultant to perform a site investigation and take appropriate action.</p>	<p>During grading and construction and contract agreements</p> <p>During construction activities</p>	
<p>CR-2. If human burials are encountered, all work in the area shall stop immediately and the Sacramento County Coroner's office shall be notified immediately. If the remains are determined to be Native American in origin, both the Native American Heritage Commission and any identified descendants must be notified and recommendations for treatment solicited (CEQA Section 15064.5); Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94 and 5097.98.</p>	Project Applicant/ Developer	City of Sacramento Development Services Department	<p>Incorporate the protocol and procedures into grading and construction contracts.</p> <p>If any cultural resources are discovered:</p> <p>a) Cease all work in the immediate area</p> <p>b) Retain a qualified archaeologist or cultural resources consultant to perform a site investigation and take appropriate action.</p>	<p>During grading and construction and contract agreements</p> <p>During construction activities</p>	