



# REPORT TO COUNCIL

## City of Sacramento

915 I Street, Sacramento, CA 95814-2604  
www. CityofSacramento.org

Consent  
**November 13, 2007**

**Honorable Mayor and  
Members of the City Council**

**Title: Freeport Marketplace (P03-018)**

**Location/Council District:** Southeast corner at the intersection of Freeport Boulevard and Meadowview Road, Sacramento, CA; APNs: 052-0010-077 and 079 / Council District 8

**Recommendation:** 1) Review a **Resolution** adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan; 2) review a **Resolution** amending the General Plan Land Use Map from Low Density Residential to Community/Neighborhood Commercial & Office; 3) review a **Resolution** amending the Airport Meadowview Community Plan Land Use Map from Residential to Commercial; 4) review a **Resolution** approving a Tentative Map, Special Permits, Variances, and a Plan Review; 5) review an **Ordinance** rezoning from Single-family Alternative (R-1A) zone to the Shopping Center (SC) ; and 6) pass for publication the **Ordinance** title as required by Sacramento City Charter 32c to be adopted November 20, 2007.

**Contacts:** Kimberly Kaufmann-Brisby, Associate Planner, (916) 808-5590; Mark Martin, Senior Planner, (916) 808-5945

**Presenters:** Not Applicable

**Department:** Development Services

**Division:** Current Planning

**Organization No:** 4885

### **Description/Analysis**

**Issue:** The applicant is requesting a General Plan amendment to re-designate approximately 6.1 acres from the Low Density Residential [4-15 dwelling units per net acre (du/na)] to the Community/Neighborhood Commercial & Offices land use designation, a Community Plan Amendment to re-designate approximately 6.1 acres from Residential 7-15 du/na to the Commercial land use designation, a Rezone of approximately 6.1 acres from the Single-family Alternative (R-1A) zone to the Shopping Center (SC) zone, a Tentative Map to merge two parcels comprising approximately 6.1 acres then subdividing same into four parcels, a Special Permit to construct and operate a quick service restaurant drive-through facility, a Special Permit to construct and operate a drive-through facility for a pharmacy, a Variance to waive a portion of the



required stacking distance for the pharmacy's drive-through service facility, a Special Permit to construct and operate a veterinarian clinic in the Shopping Center (SC) zone, a Variance to waive a portion of a required masonry wall separating commercial and residential uses in order to preserve several heritage oaks, and a Plan Review of a commercial mixed-use development with an approximate building area of 52,200 square feet in the Shopping Center (SC) zone.

The project site has been designated for residential development for many years but never was developed. The applicant is seeking the entitlements required to move forward with the current development proposal.

The applicant proposes to subdivide the ±6.1 acre property into four parcels, with each parcel developed with a different use. The site landscaping and parking areas will be developed concurrent with the overall construction. The corner of Freeport and Meadowview is considered to be a "gateway" into the Meadowview area and, as such, will be enhanced with a special archway as identified in the Sacramento Housing and Redevelopment Agency's (SHRA's) Meadowview Urban Design Plan.

Uses proposed for the site are a veterinary clinic, a drugstore with drive-through service, a quick-service restaurant also with drive-through service, and a retail building shell. Overall, the architectural design provides visual interest, proportional massing and an appropriate use of exterior building materials and provides architectural and landscaping continuity throughout the center.

The developer has worked at length with the City to design the site around the numerous heritage oaks located along the east property line. A component of the solution to accommodate the trees is the substitution of a decorative wrought iron fence instead of a solid six foot tall masonry wall along a portion of the shared property line between the site's commercial uses and the residential use to the east.

### **Policy Considerations:**

General Plan and Community Plan: The General Plan re-designation to Community/Neighborhood Commercial & Offices and the Airport Meadowview Community Plan re-designation to Commercial reflect the current development proposal for the site. The amendments are consistent with the objectives of the plans to promote the reuse and revitalization of existing developed areas and to promote new employment opportunities in the community.

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 maintain important qualities of community character as well as providing a development design compatible with the scale and character of the existing neighborhood.

**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 community and will establish a sense of place with the enhanced landscaping and the gateway feature. Additionally, this project will preserve and maintain many heritage oaks located along the eastern property line. The oaks will serve a dual purpose to screen and shade the existing apartment complex from the new development as well as to enhance the Marketplace's natural aesthetic and sense of place.

**Strategic Plan Implementation:** The recommended action conforms with the City's Strategic Plan by subscribing to goals to achieve sustainability, enhance livability, and expand economic development.

**Committee/Commission Action:** On September 13, 2007, the City Planning Commission forwarded a recommendation for approval of all the project entitlements to the City Council with a vote of seven ayes and one no.

**Environmental Considerations:** Environmental Planning Services has determined that the project, as proposed, may have potentially significant impacts to the environment; however, mitigation measures have been incorporated into the project to reduce these impacts to a less-than-significant level. Therefore, a Mitigated Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act (CEQA) Guidelines, mitigation measures have been identified that are either incorporated into project plans or have been identified to reduce impacts to a less-than-significant level. These mitigation measures address transportation and circulation, biological resources, and cultural resources. The mitigation measures are listed in the attached Mitigation Monitoring Plan (Attachment 4-Exhibit A).

The Mitigated Negative Declaration was circulated for a 30-day public review from June 7, 2007, through July 6, 2007. Two comment letters on the document were received during the public review period from the Sacramento County Regional Sanitation District (SRCSD) and California Department of Water Resources (DWR). The exhibits are provided in Attachment 4-Exhibit B. The SRCSD letter identifies the capacity of the conveyance system of the sewer to their treatment plant. There is an existing 24-inch sewer main in Meadowview Road. To service the project site, a sewer main extension will be required in Freeport Boulevard from the existing 24-inch sewer main in Meadowview Road to the property frontage. City Department of Utilities staff has confirmed that this existing and proposed extension of sewer main is what is required to service the subject site. The letter from the DWR is the standard letter received on routed environmental documents. The subject project is not within a "Designated Floodway" nor is the project encroaching on a State Adopted Plan of Flood Control.

On August 27, 2007 revisions were made to the Initial Study in the Biological Resources section to provide clarification regarding the preservation of additional trees. Additionally, entitlements for two variances were added to the project list of entitlements not previously included. The revisions were made to clarify information and do not identify or create any new potential impacts. Pursuant to CEQA Guidelines Section 15073.5(c)(4) the revisions made on August 27, 2007 do not require recirculation of the Initial Study/Mitigated Negative Declaration.

**Rationale for Recommendation:** The project is consistent with the General Plan and the Airport Meadowview Community Plan objectives to promote the reuse and revitalization of existing developed areas as well as to promote new employment opportunities in the community. The project further is consistent with the City Council's vision for the future of the City by utilizing the existing infrastructure assets and promoting development designs compatible with the scale and character of the surrounding existing neighborhood.

**Financial Considerations:** This 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

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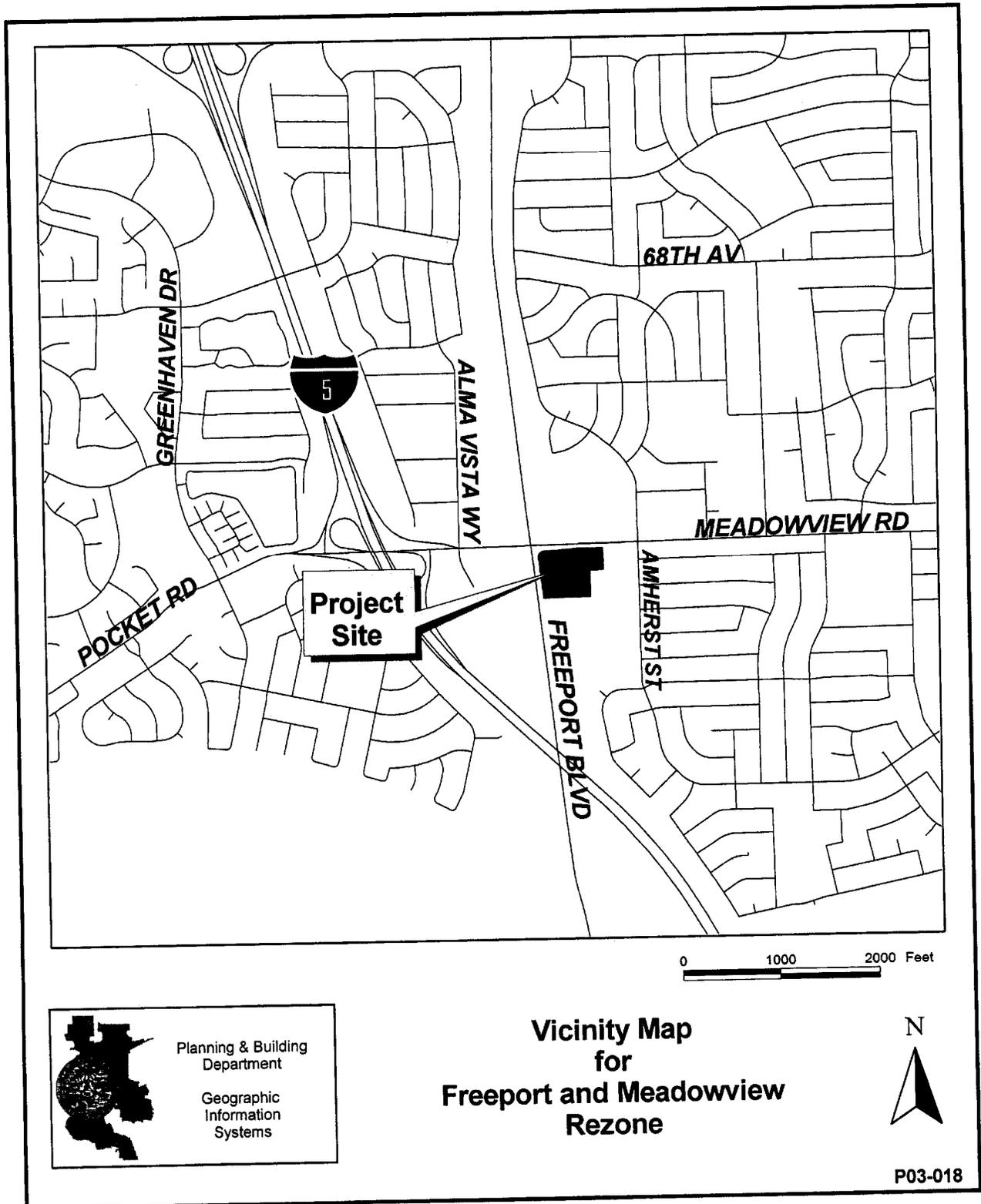
## Attachment 1 - Background

**Background Information:** There is no record of recent planning applications affecting this property.

**Public/Neighborhood Outreach and Comments:** Early Project Notification was sent to the Detroit Boulevard Area Neighborhood Association, the Meadowview Development Committee, the Meadowview Neighborhood Association, and the Z'Berg Park Neighborhood Association. The areas of interest expressed by the Z'Berg Park Neighborhood Association were the design, landscaping, building materials, lighting, and colors. The Meadowview Neighborhood Association indicated the need for the project to include the Meadowview gateway feature at the intersection. The project has been the subject of several community meetings.

Staff has worked at length with the applicant to develop an architecturally unified center, including the design, landscaping, building material, lighting and color schemes. Additionally, the applicant has indicated on the Landscape Plan the intention of constructing the gateway feature, as shown in the Meadowview Urban Design Plan and the project is conditioned to design and construct the feature to the satisfaction of planning staff.

**Attachment 2 – Vicinity Map**





**Attachment 4 – Mitigated Negative Declaration**

**RESOLUTION NO. 2007-**

Adopted by the Sacramento City Council

**ADOPTING THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION  
MONITORING PLAN FOR THE FREEPORT MARKETPLACE PROJECT  
(P03-018)**

**BACKGROUND**

- A. On September 13, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Freeport Marketplace project.
- B. On November 20, 2007, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Section 16.24.0097, 17.204.020(C), 17.208.020(C), 17.212.035, 17.216.035, 17.220.035, and 17.200.010(C)(2)(a, b, and c)(publication, posting, and mail 500”) and received and considered evidence concerning the Freeport Marketplace 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 identified potentially significant effects of the Project. Revisions to the Project made by or agreed to by the Project applicant before the proposed mitigated negative declaration and initial study were released for public review were determined by the 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 would 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 7, 2007, a Notice of Intent to Adopt the MND (NOI) dated June 6, 2007, 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 June 7, 2007, 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.

3. On August 27, 2007, revisions were made to the Initial Study in the Biological Resources section to provide clarification regarding the preservation of additional trees. Additionally, entitlements for two variances were added to the project list of entitlements not previously included. The revisions were made to clarify information and do not identify or create any new potential impacts. Pursuant to CEQA Guidelines Section 15073.5(c)(4) the revisions made on August 27, 2007, do not require recirculation of the Initial Study/Mitigated Negative Declaration.

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. The Project is located within two nautical miles of a public use airport, is consistent with the Comprehensive Land Use Plan and is not located within the restricted zones identified for safety hazards and/or noise. The City Council has determined that the Project will not result in a safety or noise hazard for persons using the airport or for persons residing or working in the Project area.

Section 4. 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 5. The City Council adopts the MND for the Project.

Section 6. 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 Monitoring Plan 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 Plan.

Section 7. 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 8. 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 Monitoring Plan
- Exhibit B: Comment Letters

**Exhibit A – Mitigation Monitoring Plan**

**MITIGATION MONITORING PLAN**

FOR  
**FREPORT MARKETPLACE (P03-018)**

**TYPE OF ENVIRONMENTAL DOCUMENT:  
INITIAL STUDY/ NEGATIVE DECLARATION**

**PREPARED FOR:**  
CITY OF SACRAMENTO, DEVELOPMENT SERVICES DEPARTMENT

**DATE:**  
MAY 30, 2007

**ADOPTED BY:**  
CITY OF SACRAMENTO  
CITY PROGRAMMING COMMISSION

DATE:  
\_\_\_\_\_

ATTEST:  
\_\_\_\_\_

## FREEPORT MARKETPLACE (P03-018) MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program (MMP) has been required by and prepared for the City of Sacramento Development Services Department, Environmental Programming Services, 2101 Arena Blvd, Suite 200, Sacramento, CA 95834, pursuant to CEQA Guidelines Section 21081.6.

### SECTION 1: PROJECT IDENTIFICATION

**Project Name / File Number:** Freeport Marketplace / P03-018  
**Owner/Developer- Name:** John Saca  
**Address:** 77 Cadillac Drive, Suite 150  
 Sacramento, CA 95825

#### **Project Location / Legal Description of Property** (if recorded):

The project site is located on the southeast corner at the intersection of Freeport Boulevard and Meadowview Road, in the Airport Meadowview Community Plan area of the City of Sacramento, Sacramento County (APN: 052-0010-077 and -079).

#### **Project Description:**

The proposed project includes the development of four commercial buildings including a 17,272 s.f. drugstore, a 3,177 s.f. fast food restaurant, a 5,952 s.f. retail space (possible sit-down restaurant), and a 25,785 s.f. veterinary clinic on 6.1 vacant acres for a total of approximately 52,186 s.f. of commercial mixed use buildings in the proposed Shopping Center (SC) zone within the Airport Meadowview Community Plan area. Specific entitlements include:

- **General Plan Amendment** of 6.1 acres from the Low Density Residential (4-15 du/na) to the Community/Neighborhood Commercial & Offices land use designation;
- **Community Plan Amendment** of 6.1 acres from the Residential 7-15 du/na to the Commercial land use designation;
- **Rezone** of 6.1 acres from the Single-family Alternative (R-1A) to the Shopping Center (SC) zone;
- **Tentative Map** to merge two parcels comprising 6.1 acres and then subdividing same into four parcels;
- **Special Permit** to construct and operate a drive-through facility;
- **Special Permit** to construct and operate a drive through facility;
- **Variance** to modify the required vehicle stacking distance for a drive-through facility;
- **Special Permit** to construct and operate a veterinarian clinic in the Shopping Center (SC) zone;
- **Variance** to waive a portion of a required masonry wall separating commercial and residential uses;
- **Plan Review** of an approximate 52,186 square foot commercial mixed use development in the Shopping Center (SC) zone.

### SECTION 2: GENERAL INFORMATION

The Program includes mitigation for Transportation, Biological Resources, and Cultural Resources. The intent of the Program 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 Program shall be funded by the owner/developer identified above. This Mitigation Monitoring Program (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 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 with the MMP. The City of Sacramento will be responsible for ensuring compliance.

		VERIFICATION OF COMPLIANCE			
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<b>6. TRANSPORTATION AND CIRCULATION</b>					
T-1	Provide and construct a dedicated right-turn lane on the northbound approach at the intersection of Meadowview Road at Freeport Boulevard to the satisfaction of the City of Sacramento Development Services Department, Development Engineering Division. The project applicant shall revise the site plan and include the dedicated right-turn lane in the improvement plans.	Applicant / Developer	City Development Services Department	Include the dedicated right-turn lane in the improvement plans.	At the time of submitting the improvement plans
T-2	Modify the timing of the traffic signal at the southbound I-5 exit ramp to Pocket Road to allocate more green time to the southbound approach. The applicant/developer for the proposed project shall pay a fair share to recover the costs for the City's Traffic Operation Center monitoring and future retiming of this signal.	Applicant / Developer	City Development Services Department and City DOT	Project Applicant pay fair share to City DOT	Prior to issuance of building permit

		VERIFICATION OF COMPLIANCE			
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<b>7. BIOLOGICAL RESOURCES</b>					
BR-1. Prior to issuance of grading permits, the project applicant/developer shall have a biologist conduct a pre-construction survey to determine whether the stick nest identified in the 19-inch valley oak (Tree #: 6421 in the Abacus report) is being used. If so, no removal of the nest tree or disturbance of the active nest should occur during the nesting season for the species using the nest (generally March through July).	Applicant / Developer	City of Sacramento - Development Services Department (DSD);  DFG	Pre-construction biological surveys shall be completed as specified and submitted with grading/building plans.	Prior to issuance of any grading or 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. Measures shall also be implemented concurrent with construction activities.	
BR-2a Prior to issuance of a grading permit, a pre-construction survey shall be completed by a qualified biologist, within 30 days prior to construction, to determine whether any Swainson's hawk nest trees will be removed on-site, or active Swainson's hawk nest sites occur within 1/2 mile of the development site. These surveys shall be conducted according to the Swainson's Hawk Technical Advisory Committee's (May 31, 2000) methodology or updated methodologies, as approved by the U.S. Fish and Wildlife Service (USFWS) and California	Applicant / Developer	City of Sacramento - DSD;  DFG	Mitigation Measures, shall be included on the Construction Specifications. Pre-construction biological surveys shall be completed as specified and submitted with grading/building plans.	Prior to issuance of any grading, and/or construction permit, measures identified on plans shall be verified for compliance. The Development Services Dept. shall assure that measures are identified on construction plans and confirm compliance prior to issuance of any grading permit.	

		VERIFICATION OF COMPLIANCE			
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>Department of Fish and Game (CDFG), using experienced Swainson's hawk surveyors.</p> <p>2b. If breeding Swainson's hawks (i.e. exhibiting nest building or nesting behavior) are identified, no new disturbances (e.g. heavy equipment operation associated with construction) shall occur within 1/2 mile of an active nest between March 1 and September 15, or until a qualified biologist, with concurrence by CDFG, has determined that young have fledged or that the nest is no longer occupied. If the active nest site is located within 1/4 mile of existing urban development, the no new disturbance zone can be limited to the 1/4 mile versus the 1/2 mile.</p> <p>2c. If construction or other project related activities which may cause nest abandonment or forced fledgling are proposed within the 1/4 mile buffer zone, intensive monitoring (funded by the project sponsor) by a Department of Fish and Game approved raptor biologist will be required. Exact implementation of this measure will be based on specific site</p>					

		VERIFICATION OF COMPLIANCE			
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>conditions.</p> <p>2d. Trees on the site that need to be removed to accommodate construction shall be felled between September 15 and January 31, outside of the general nesting season for raptors and other birds. Alternately, a pre-construction survey for nesting birds shall be conducted prior to tree removal between February 1 and September 15. Temporal restrictions shall be determined by a qualified biologist.</p>	Applicant / Developer	City of Sacramento - DSD;	Applicant / Developer shall provide written verification prior to issuance of Grading Permit.	Measures shall be implemented prior to and concurrent with construction activities.	
<p>BR-3. Prior to issuance of grading permits, the project applicant shall be required to purchase compensatory Swainson's hawk foraging habitat credits for each developed acre, at the required ratio, from an approved mitigation bank, or develop other arrangements acceptable to and approved by the CDFG.</p>	Applicant / Developer	City of Sacramento - DSD and Urban Forest Services Division	Verification of compliance from the Urban Forest Services Arborist shall be provided to Development Services Staff prior to issuance of building permits.	Measure shall be implemented prior to issuance of any building permits or as agreed upon by the Urban Forest Services Arborist	
<p>BR-4. If Tree #'s 6415 and 6417 are removed, prior to issuance of Certificate of Occupancy removal of Tree #6411, a 14-inch diameter-at-breast height (DBH) valley oak, shall require the planting of six (6) 24-inch box trees on the</p>	Applicant / Developer	City of Sacramento - DSD and Urban Forest Services	Mitigation Measures, shall be included on		

		VERIFICATION OF COMPLIANCE			
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>subject site.</p> <p><b>BR-5.</b> If Tree #'s 6415 and 6417 are removed, prior to issuance of Certificate of Occupancy, removal of Tree #6415, a 14-inch DBH valley oak shall require the planting of six (6) 24-inch box trees on the subject site.</p> <p><b>BR-6.</b> If Tree #'s 6415 and 6417 are removed, prior to issuance of Certificate of Occupancy, removal of Tree #6417, a 3 stemmed (18, 15, 9-inch DBH) valley oak, shall require the planting ten (10) 24-inch box trees on the subject site.</p>	Applicant / Developer	<p>Division</p> <p>City of Sacramento - DSD and Urban Forest Services Division</p>	the Construction Specifications and Plan		
<p><b>14. CULTURAL RESOURCES:</b></p> <p><b>CR-1</b> In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that</p>	Applicant / Developer	City Development Services Department	Mitigation Measures shall be included on the Map and within the Standard Construction Specifications.	Measures shall be implemented in field during grading and construction activities.	

		VERIFICATION OF COMPLIANCE			
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 meters of the resources shall be halted, and the City shall consult with a qualified archeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, representatives of the City and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the qualified archeologist according to current professional standards.</p>			<p>Verification of compliance shall be provided to the Development Services Staff</p>		
<p>CR-2 If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native</p>	<p>Applicant / Developer</p>	<p>City Development Services Department</p>	<p>Mitigation Measures shall be included on the Map and within the Standard Construction Specifications.</p>	<p>Measures shall be implemented in field during grading and construction activities.</p>	

		VERIFICATION OF COMPLIANCE			
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>American representatives.</p> <p>If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archeologists, who are certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions.</p> <p>In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61</p>	Applicant / Developer	City Development Services Department	<p>Verification of compliance shall be provided to the Development Services Staff</p> <p>Mitigation Measures shall be included on the Map and</p>	Measures shall be implemented in field during grading and	

			VERIFICATION OF COMPLIANCE		
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>requirements.</p> <p><b>CR-3</b> If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-interment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.</p>			<p>within the Standard Construction Specifications. If required, verification of compliance shall be provided to the Development Services Staff</p>	<p>construction activities.</p>	

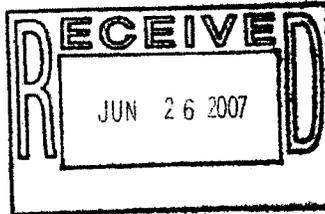
**Exhibit 2 – Comment Letters**

STATE OF CALIFORNIA – THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

**DEPARTMENT OF WATER RESOURCES**

1416 NINTH STREET, P.O. BOX 942836  
SACRAMENTO, CA 942360001  
(916) 653-5791



June 21, 2007

Scott Johnson  
City of Sacramento  
2101 Area Boulevard, Suite 200  
Sacramento, California 95834

Freeport Marketplace (P03-018)  
State Clearinghouse (SCH) Number: 2007062029

The project corresponding to the subject SCH identification number has come to our attention. The limited project description suggests your project may be an encroachment on the State Adopted Plan of Flood Control. You may refer to the California Code of Regulations, Title 23 and Designated Floodway maps at <http://recbd.ca.gov/>. Please be advised that your county office also has copies of the Board's designated floodways for your review. If indeed your project encroaches on an adopted food control plan, you will need to obtain an encroachment permit from the Reclamation Board prior to initiating any activities. The attached Fact Sheet explains the permitting process. Please note that the permitting process may take as much as 45 to 60 days to process. Also note that a condition of the permit requires the securing all of the appropriate additional permits before initiating work. This information is provided so that you may plan accordingly.

If after careful evaluation, it is your assessment that your project is not within the authority of the Reclamation Board, you may disregard this notice. For further information, please contact me at (916) 574-1249.

Sincerely,

Christopher Huitt  
Staff Environmental Scientist  
Floodway Protection Section

cc: Governor's Office of Planning and Research  
State Clearinghouse  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

## Encroachment Permits Fact Sheet

### **Basis for Authority**

State law (Water Code Sections 8534, 8608, 8609, and 8710 – 8723) tasks the Reclamation Board with enforcing appropriate standards for the construction, maintenance, and protection of adopted flood control plans. Regulations implementing these directives are found in California Code of Regulations (CCR) Title 23, Division 1.

### **Area of Reclamation Board Jurisdiction**

The adopted plan of flood control under the jurisdiction and authority of the Reclamation Board includes the Sacramento and San Joaquin Rivers and their tributaries and distributaries and the designated floodways.

Streams regulated by the Reclamation Board can be found in Title 23 Section 112. Information on designated floodways can be found on the Reclamation Board's website at [http://recbd.ca.gov/designated\\_floodway/](http://recbd.ca.gov/designated_floodway/) and CCR Title 23 Sections 101 - 107.

### **Regulatory Process**

The Reclamation Board ensures the integrity of the flood control system through a permit process (Water Code Section 8710). A permit must be obtained prior to initiating any activity, including excavation and construction, removal or planting of landscaping within floodways, levees, and 10 feet landward of the landside levee toes. Additionally, activities located outside of the adopted plan of flood control but which may foreseeable interfere with the functioning or operation of the plan of flood control is also subject to a permit of the Reclamation Board.

Details regarding the permitting process and the regulations can be found on the Reclamation Board's website at <http://recbd.ca.gov/> under "Frequently Asked Questions" and "Regulations," respectively. The application form and the accompanying environmental questionnaire can be found on the Reclamation Board's website at <http://recbd.ca.gov/forms.cfm>.

### **Application Review Process**

Applications when deemed complete will undergo technical and environmental review by Reclamation Board and/or Department of Water Resources staff.

### **Technical Review**

A technical review is conducted of the application to ensure consistency with the regulatory standards designed to ensure the function and structural integrity of the adopted plan of flood control for the protection of public welfare and safety. Standards and permitted uses of designated floodways are found in CCR Title 23 Sections 107 and Article 8 (Sections 111 to 137). The permit contains 12 standard conditions and additional special conditions may be placed on the permit as the situation warrants. Special conditions, for example, may include mitigation for the hydraulic impacts of the project by reducing or eliminating the additional flood risk to third parties that may caused by the project.

Additional information may be requested in support of the technical review of

your application pursuant to CCR Title 23 Section 8(b)(4). This information may include but not limited to geotechnical exploration, soil testing, hydraulic or sediment transport studies, and other analyses may be required at any time prior to a determination on the application.

#### Environmental Review

A determination on an encroachment application is a discretionary action by the Reclamation Board and its staff and subject to the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code 21000 et seq.). Additional environmental considerations are placed on the issuance of the encroachment permit by Water Code Section 8608 and the corresponding implementing regulations (California Code of Regulations – CCR Title 23 Sections 10 and 16).

In most cases, the Reclamation Board will be assuming the role of a "responsible agency" within the meaning of CEQA. In these situations, the application must include a certified CEQA document by the "lead agency" [CCR Title 23 Section 8(b)(2)]. We emphasize that such a document must include within its project description and environmental assessment of the activities for which are being considered under the permit.

Encroachment applications will also undergo a review by an interagency Environmental Review Committee (ERC) pursuant to CCR Title 23 Section 10. Review of your application will be facilitated by providing as much additional environmental information as pertinent and available to the applicant at the time of submission of the encroachment application.

These additional documentations may include the following documentation:

- California Department of Fish and Game Streambed Alteration Notification (<http://www.dfg.ca.gov/1600/>),
- Clean Water Act Section 404 applications, and Rivers and Harbors Section 10 application (US Army Corp of Engineers),
- Clean Water Act Section 401 Water Quality Certification, and
- corresponding determinations by the respective regulatory agencies to the aforementioned applications, including Biological Opinions, if available at the time of submission of your application.

The submission of this information, if pertinent to your application, will expedite review and prevent overlapping requirements. This information should be made available as a supplement to your application as it becomes available. Transmittal information should reference the application number provided by the Reclamation Board.

In some limited situations, such as for minor projects, there may be no other agency with approval authority over the project, other than the encroachment permit by Reclamation Board. In these limited instances, the Reclamation Board

may choose to serve as the "lead agency" within the meaning of CEQA and in most cases the projects are of such a nature that a categorical or statutory exemption will apply. The Reclamation Board cannot invest staff resources to prepare complex environmental documentation.

Additional information may be requested in support of the environmental review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include biological surveys or other environmental surveys and may be required at anytime prior to a determination on the application.



Wastewater Treatment

Technology in balance with nature

June 14, 2007

10545 Armstrong Avenue  
Mather, CA 95655  
Tele: [916] 876-6000  
Fax: [916] 876-6160  
Website: www.srcsd.com

Scott Johnson  
Associate Planner  
City of Sacramento  
Development Services Department  
2101 Arena Blvd. Ste 200  
Sacramento, CA 95843

**Subject: SRCSD's Comments on the Freeport Marketplace Project Draft Mitigated Negative Declaration**

**Board of Directors**  
Representing:

- County of Sacramento
- County of Yolo
- City of Citrus Heights
- City of Elk Grove
- City of Folsom
- City of Rancho Cordova
- City of Sacramento
- City of West Sacramento

The Sacramento Regional County Sanitation District (SRCSD) has reviewed the subject document and has the following comments:

Local service for the Freeport Marketplace development will be provided by the City of Sacramento's local sewer collection system. Ultimate conveyance to the Sacramento Regional Wastewater Treatment Plant (SRWTP) will be provided via the 96-inch City Interceptor. The City Interceptor has limited capacity. The effects this project may have on increasing flows to this system and any potential to exceed the maximum capacity of the City Interceptor should be recognized and evaluated.

If you have any questions regarding these comments please contact me at 916.876.9994.

- Mary K. Snyder  
District Engineer
- Stan R. Dean  
Plant Manager
- Wendell H. Kido  
District Manager
- Marcia Maurer  
Chief Financial Officer

Sincerely,

Sarena Deeble  
Policy and Planning

cc: SRCSD Development Services  
CSD-1 Development Services  
Michael Meyer  
Ruben Robles

**Attachment 5 – General Plan Amendment Resolution**

**RESOLUTION NO.**

Adopted by the Sacramento City Council

**AMENDING THE GENERAL PLAN LAND USE MAP FROM LOW DENSITY RESIDENTIAL (4-15 DU/NA) TO COMMUNITY/NEIGHBORHOOD COMMERCIAL AND OFFICES FOR THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF FREEPORT BOULEVARD AND MEADOWVIEW ROAD (P03-018)(APNs: 052-0010-077 and 079)**

**BACKGROUND**

A. On September 13, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the General Plan Amendment for the Freeport Marketplace project.

B. On November 20, 2007 the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Section 17.204.020(C) and 17.200.010(C)(2)(a) (publication), and received and considered evidence concerning the Freeport Marketplace project.

C. The proposed land use amendment is consistent with the conversion of this site to Community/Neighborhood Commercial and Offices to implement the General Plan policy to promote strategic development of vacant, underutilized, and infill land, especially along transportation and commercial corridors to improve the City's economic outlook and to focus investment and revitalization in distressed neighborhoods.

D. The proposal is consistent with the goals of the General Plan to promote the reuse and revitalization of existing developed areas, with special emphasis on commercial and industrial districts.

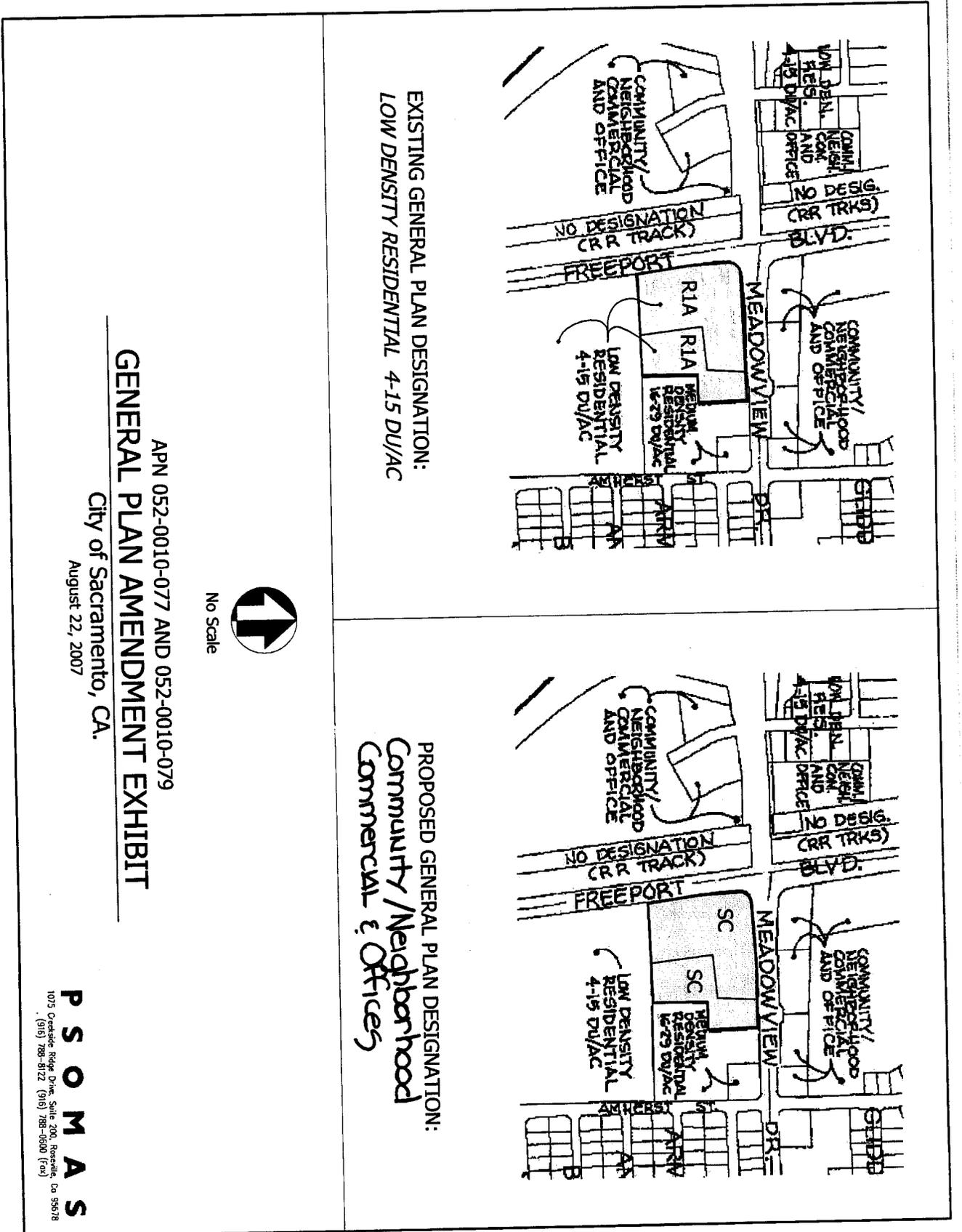
**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

Section 1. The property (APNs: 052-0010-077 and 079), as described on the attached Exhibit A, within the City of Sacramento, is hereby designated on the General Plan land use map as Community/Neighborhood Commercial and Offices.

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Exhibit A: General Plan Amendment – 1 page

Exhibit A – General Plan Amendment



EXISTING GENERAL PLAN DESIGNATION:  
 LOW DENSITY RESIDENTIAL 4-15 DU/AC

PROPOSED GENERAL PLAN DESIGNATION:  
 Community/Neighborhood  
 Commercial & Offices



No Scale

APN 052-0010-077 AND 052-0010-079  
**GENERAL PLAN AMENDMENT EXHIBIT**

City of Sacramento, CA.  
 August 22, 2007

**P S O M A S**  
 1075 Overstate Ridge Drive, Suite 200, Roseville, CA 95678  
 (916) 785-8122 (916) 785-8800 (fax)

**Attachment 6 – Community Plan Amendment Resolution**  
**RESOLUTION NO.**

Adopted by the Sacramento City Council

**AMENDING THE AIRPORT MEADOWVIEW COMMUNITY PLAN LAND USE MAP  
FROM RESIDENTIAL (7-15 DU/AC) FOR THE PROPERTY LOCATED AT THE  
SOUTHEAST CORNER AT THE INTERSECTION OF FREEPORT BOULEVARD AND  
MEADOWVIEW ROAD  
(P03-018)(APNS: 052-0010-077 AND 079)**

**BACKGROUND**

- A. On September 13, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the Community Plan Amendment for the Freeport Marketplace project.
- B. On November 20, 2007, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Section 17.204.020(C) and 17.200.010(C)(2)(a) (publication), and received and considered evidence concerning the Freeport Marketplace project.
- C. The proposed land use amendment is consistent with the conversion of this site to Commercial to implement the goals and policies of the Airport Meadowview Community Plan to attract new, functional commercial development and to increase employment opportunities in the community.
- D. The proposed plan amendment is compatible with the surrounding uses.

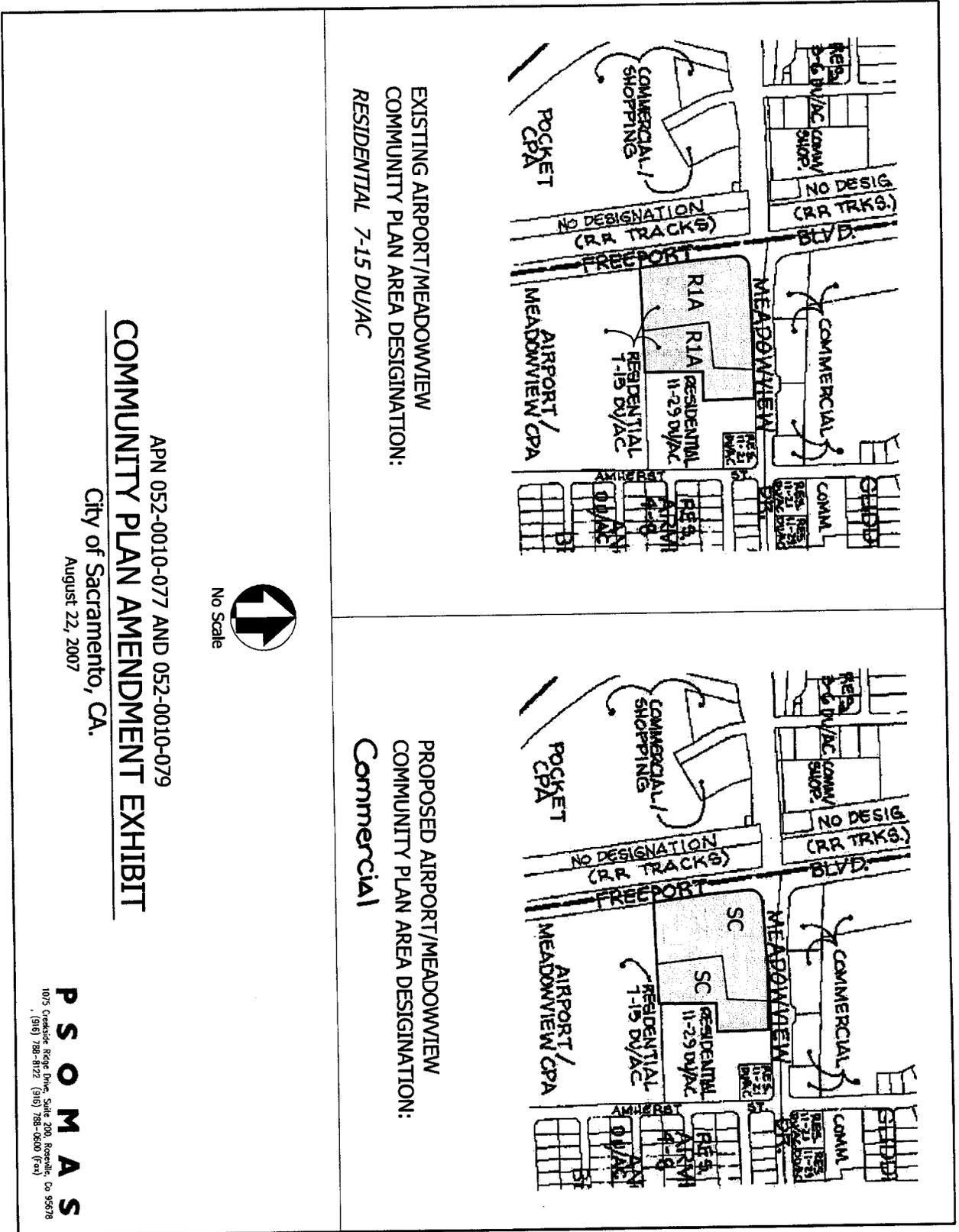
**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL  
RESOLVES AS FOLLOWS:**

Section 1. The property (APNs: 052-0010-077 and 079), as described on the attached Exhibit A, within the City of Sacramento, is hereby designated on the Airport Meadowview Community Plan land use map as Commercial.

Table of Contents:

Exhibit A: Community Plan Amendment – 1 page

**Exhibit A – Community Plan Amendment**



No Scale

**COMMUNITY PLAN AMENDMENT EXHIBIT**

APN 052-0010-077 AND 052-0010-079  
 City of Sacramento, CA.  
 August 22, 2007

**P S O M A S**  
 1075 Crestside Ridge Drive, Suite 200, Roseville, CA 95678  
 (916) 788-8122 (916) 788-0600 (Fax)

**Attachment 7 – Project Approval Resolution**

**RESOLUTION NO.**

Adopted by the Sacramento City Council

**APPROVING THE  
FREEPORT MARKETPLACE PROJECT (P03-018)**

**BACKGROUND**

A. On September 13, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Freeport Marketplace.

B. On November 20, 2007, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Section 17.212.035, 17.216.035, 17.220.035, 16.24.097, and 17.200.010 (C)(2)(a), (b), and (c) (publication, posting, and mail 500'), and received and considered evidence concerning the Freeport Marketplace project.

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

Section 1. Based on the verbal and documentary evidence received at the hearing on the Freeport Marketplace, the City Council approves the Project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council approves the Project entitlements based on the following findings of fact:

**A. Environmental Determination:** The Mitigated Negative Declaration and Mitigation Monitoring Plan for the Project have been adopted by Resolution No.

\_\_\_\_\_.

**B. Tentative Map:** The Tentative Map to merge two parcels comprising ±6.1 acres and then subdividing same into four parcels is approved based on the following findings of fact:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (e), inclusive, exist with respect to the proposed subdivision as follows:

a. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, all applicable community and specific plans, and Title 16 of the City Code, which is a specific plan of the City;

b. The site is physically suitable for the type of development proposed and suited for the proposed density;

c. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife their habitat;

d. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;

e. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use, of, property within the proposed subdivision.

2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, the Airport Meadowview Community Plan and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5);

3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6);

4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1);

5. The City Council has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).

**C. Special Permit:** The Special Permits to construct and operate two drive-through facilities are approved based on the following Findings of Fact:

1. The project, as conditioned, is based upon sound principles of land use in that the proposed use is allowed in the Shopping Center (SC) zone with the approval of a special permit.

2. The proposed use would not be detrimental to the public health, safety or welfare, or result in the creation of a nuisance in that the project, as conditioned, will establish a unique architectural presence in the community, and will provide:

a. Landscaping that will be placed to screen the drive-through service facilities and will be maintained to provide optimum surveillance opportunities for security purposes;

- b. On-site lighting that will be placed to illuminate the project but will be screened from impacting adjacent roadways or properties;
- c. Sufficient parking spaces to meet the City's parking space requirement for a shopping center of this size.

3. The proposed project is consistent with the commercial land use policies and development requirements of the General Plan in that the project will be promoting the strategic development of a vacant, underutilized, infill property located at a key commercial transportation corridor.

4. The design and location of the facility will not contribute to increased congestion on public or private streets or alleys adjacent to the subject property in that the stacking space of the drive-through service facilities is sufficient for the designated uses. The drive-through stacking distance for the restaurant exceeds the City's requirement. The operation of the drugstore's pharmacy dual stacking drive-through is anticipated to require less stacking room by virtue of differing operating demands and stacking needs. Both of the drive-through facilities are distant from the driveways so the intrusion into or added congestion caused by the facilities is not anticipated to occur.

5. The design and location of the facility will not impede access to or exit from the parking lot serving the business nor impair normal circulation within the parking lot in that the drive-through locations are sufficiently distanced from the parking lot entrances as well as the on-site circulation alleys so the normal circulation of the marketplace will not be impeded. Additionally, the specially stamped and colored pedestrian pathways cross the drive-through service lanes only at the terminus of the drive-through lanes.

6. The design and location of the facility will not create a nuisance for adjacent properties in that the drive-through service facilities are located within the interior of the development, away from adjacent streets and the apartment complex to the east so no nuisance should be created for the adjacent properties.

**D. Special Permit:** The Special Permit to construct and operate a veterinarian clinic in the Shopping Center (SC) zone is approved based on the following Findings of Fact;

1. The project, as conditioned, is based upon sound principles of land use in that the proposed use is allowed in the Shopping Center (SC) zone with the approval of a special permit.

2. The proposed use would not be detrimental to the public health, safety or welfare, nor result in the creation of a nuisance in that the project, as conditioned, will establish a unique architectural presence in the community, and will provide:

- (i) A seven foot tall wall separating the clinic from the apartment complex to the east and a majority of the heritage oaks currently growing along the east property line will be maintained, helping to screen the clinic from the apartments and provide shade to both properties.

- (ii) On-site lighting that will be placed to illuminate the clinic but will be screened from impacting adjacent roadways or properties;
- (iii) Sufficient parking spaces to meet the City's shopping center parking space requirement.

3. The proposed project is consistent with the commercial land use policies and development requirements of the General Plan in that the project will be promoting the strategic development of a vacant, underutilized, infill property located at a key commercial transportation corridor.

**E. Variance:** The Variance to modify the required vehicle stacking distance for a drive-through facility is approved based on the following Findings of Fact:

1. Granting the Variance does not constitute a special privilege extended to one individual property owner in that the pharmacy drive-through would operate differently from a quick-service food facility because there would normally be no peak hour(s) of operation to pickup prescriptions so additional stacking room would not be needed.
2. Granting the variance does not constitute a use variance in that the proposed use is permitted subject to the granting of a special permit.
3. Granting the variance will not be detrimental to the public welfare, nor to property in the vicinity of the project in that because of operational differences between the pharmacy drive-through and a typical quick service food drive through facility, (for which the stacking distance was developed), the area provided for stacking will be sufficient and will not alter onsite vehicle or pedestrian circulation.
4. The variance is consistent with the general purpose and intent of the City Zoning Code (Title 17 of the City Code) including the open space zoning regulations and General Plan in that the safety and proper functioning of the drive-through facility and the marketplace is not impaired. The proposal does not violate any applicable General Plan policies.

**F. Variance:** The Variance to waive a portion of a required masonry wall separating commercial and residential uses is approved based on the following Findings of Fact:

1. Granting the variance does not constitute a special privilege extended to one individual property owner in that because the heritage size oaks are being preserved at the request of the City, a unique hardship exists which justifies relief from the wall requirement regulations.
2. Granting the variance does not constitute a use variance in that the proposed use is permitted subject to City plan review approval.
3. Granting the variance will not be detrimental to the public welfare, nor to property in the vicinity of the applicant in that the  $\pm 70$  foot span, where the wrought iron fence will separate the uses instead of a solid wall, is screened and separated by the heritage oaks.

The preservation of the oaks benefits the residential use by providing shade in the summer and habitat for birds as well as a natural screen from the adjacent commercial uses.

4. The variance is consistent with the general purpose and intent of the City Zoning Code (Title 17 of the City Code) including the open space regulations and the General plan in that the proposed development is otherwise consistent with the zoning regulations in that the safety and aesthetic of the residential use is not impaired. The proposal does not violate any applicable General Plan policies.

**G. Plan Review:** The Plan Review of a commercial mixed use development with an approximate building area of 52,200 square feet in the Shopping Center (SC) zone is approved based on the following Findings of Fact:

1. The proposed development, including but not limited to the density of a proposed residential development, is consistent with the general plan and any applicable community or specific plan in that the commercial mixed-use project is a use consistent with the Community and Neighborhood Commercial land use designation and applicable policies related to commercial development.

2. Facilities, including utilities, access roads, sanitation and drainage are adequate and consistent with city standards, and the proposed improvements are properly related to existing and proposed streets and highways in that staff have reviewed the proposal and found it to comply with all applicable city policies related to facilities and infrastructure, and have included conditions to ensure adequate drainage capacity and street frontage improvements.

3. The property involved is of adequate size and shape to accommodate the proposed use and required yard, building coverage, setback, parking area and other requirements of this title in that the design of the project complies with applicable setback, lot coverage, density, height and parking regulations. Conditions have been added to ensure compliance with landscaping requirements.

4. Approval of the plan review will not be contrary to the public health or safety or injurious to the property or improvements of adjacent properties in that with the addition of conditions relating to the development of the drive-through lanes and the solid seven foot tall wall separating the residential and commercial uses, the proposal will comply with safety standards and will not pose a threat to the public health nor be injurious to the surrounding area.

Section 3. The City Council approves the Project entitlements subject to the following conditions of approval:

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**B. Tentative Map:** The Tentative Map to merge two parcels comprising ±6.1 acres and then subdividing same into four parcels is approved subject to the following conditions of approval:

**NOTE:** These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P03-018). The design of any improvement not covered by these conditions shall be to City standard.

The applicant shall satisfy each of the following conditions prior to filing the Parcel Map unless a different time for compliance is specifically stated in these conditions. Any condition requiring an improvement that has already been designed and secured under a City Approved

improvement agreement may be considered satisfied at the discretion of the Development Engineering Division.

The City strongly encourages the applicant to thoroughly discuss the conditions of approval for the project with their Engineer/Land Surveyor consultants prior to City Planning Commission approval. The improvements required of a Tentative Map can be costly and are completely dependent upon the condition of the existing improvements. Careful evaluation of the potential cost of the improvements required by the City will enable the applicant to ask questions of the City prior to project approval and will result in a smoother plan check process after project approval:

**GENERAL: All Projects**

1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
2. Private reciprocal ingress, egress, maneuvering and parking easements are required for future development of the area covered by this Tentative Map. The applicant shall enter into and record an Agreement For Conveyance of Easements with the City stating that a private reciprocal ingress/egress, maneuvering, and parking easement shall be conveyed to and reserved from Parcels 1, 2, 3 and 4, at no cost, at the time of sale or other conveyance of either parcel.;
3. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P03-018);
4. Show all continuing and proposed/required easements on the Parcel Map;
5. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition;

**Development Engineering: Streets**

6. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Development Engineering Division. Improvements required shall be determined by the city. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering Division;
7. The applicant shall dedicate sufficient right-of-way (if needed) and construct full frontage improvements along Meadowview Road per City standards and to the

satisfaction of the Development Engineering Division. The construction of Meadowview Road shall be consistent with the City's 4-lane arterial standard with no parking;

8. The applicant shall dedicate sufficient right-of-way (if needed) and construct full frontage improvements along Freeport Boulevard per City standards and to the satisfaction of the Development Engineering Division. The construction of Freeport Boulevard shall be consistent with the City's 4-lane arterial standard with no parking and shall have separated sidewalks;
9. The applicant shall construct a northbound right turn lane at the intersection of Freeport Boulevard and Meadowview Road as stated in the traffic analysis for this project and to the satisfaction of the Development Engineering Division;
10. The applicant shall pay a fair share contribution for future retiming of the traffic signal at the southbound I-5 exit ramp to Pocket Road (PM peak hour) to allocate more green time to the southbound approaches;
11. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Development Engineering Division;
12. All right-of-way and street improvement transitions that result from changing the right-of-way of any street shall be located, designed and constructed to the satisfaction of the Development Engineering Division. The center lines of such streets shall be aligned.
13. Construct A.D.A. compliant ramps at the south-east corner of the intersection of Freeport Boulevard and Meadowview Road to the satisfaction of the Development Engineering Division;
14. The applicant shall make provisions for bus stops, shelters, transit centers, etc. to the satisfaction of Regional Transit;

#### **PUBLIC/PRIVATE UTILITIES**

15. Dedicate a standard 12.5 foot public utility easement (PUE) for underground facilities and appurtenances adjacent to all public street right of ways;
16. The owner/developer must disclose to future/potential owners the existing 69KV electrical facilities. SMUD has an existing 69KV line on the north side of Meadowview Road and is proposing a 69KV line on the west side of Freeport Boulevard;

**CITY UTILITIES**

17. The property owner/developer shall construct an off-site water main extension (12" minimum distribution main) in Freeport Boulevard from the existing 12" water main in Meadowview Road to the property frontage. The water main extension may need to be looped with the existing 8" water main on the west side of the property in Klotz Ranch Ct. per the Fire Department requirements. (Note: There is an existing 12", 18" and 30" water main in Meadowview Road. No connections will be allowed to the existing 18" and 30" transmission main in Meadowview Road.);
18. Only one domestic water service is allowed per parcel. Any new domestic water service shall be metered. Excess services shall be abandoned to the satisfaction of the Department of Utilities;
19. Each parcel shall have a separate, metered irrigation service; provided that an owner or entity possessing an easement or other property right authorizing a common irrigation service for multiple parcels may request a common irrigation service for such parcels, and the DOU may, in its sole discretion, approve a Utility Service Agreement to provide a common irrigation service, on such terms and conditions as may be determined by the DOU;
20. Prior to the submittal of improvement plans, a project specific water study shall be approved by the Department of Utilities. The water distribution system shall be designed to satisfy the more critical of the two following conditions: (1) at maximum day peak hour demand, the operating or "residual" pressure at all water service connections shall be a least 30 pounds per square inch and (2) at average maximum day demand plus fire flow, the operating or "residual" pressure in the area of the fire shall not be less than 20 pounds per square inch. The water study shall determine if the existing and proposed water distribution system is adequate to supply fire flow demands for the project. A water supply test may be required for this project. Contact the Department of Utilities for the pressure boundary conditions to be used in the water study;
21. A sewer main extension is required in Freeport Boulevard from the existing 24" sewer main in Meadowview Road to the property frontage. The design and construction of the sewer main shall be to the satisfaction of the Department of Utilities;
22. The applicant shall enter into and record an Agreement of Conveyance of Easements with the City, in a form acceptable to the City Attorney, stating that each parcel shall be conveyed to the remaining parcels as needed, private easements for water and sanitary sewer at no cost at the time of sale or other conveyance of either parcel. A note stating the following must be placed on the Final Map: "THE PARCELS CREATED BY THIS MAP SHALL BE DEVELOPED IN ACCORDANCE WITH RECORD AGREEMENT FOR CONVEYANCE OF EASEMENTS # (BOOK \_\_\_\_\_, PAGE \_\_\_\_\_)";

23. Prior to the submittal of improvement plans, a drainage study is required and shall be approved by the Department of Utilities (DOU). The applicant shall use the SWMM model for this project to size the drainage pipes and to determine the 10 and 100 year HGL's. There is a complete drainage study for the Antioch Church. The applicant/developer shall coordinate the drainage study for this development with the existing study. Depending on the result of the drainage study, onsite storage may be required. All drainage lines shall be placed within the asphalt section of the public right-of-ways as per the City's Design and Procedure Manual, unless otherwise approved by the DOU. The 10 and 100 year HGL shall be shown in both the drainage study and improvement plans. All new drainage system shall be connected to the existing public system in Freeport Blvd (MH 309 per Drainage/Sewer map page VV13). No new drainage system shall be connected to the existing system in Amherst Street;
24. An onsite surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap. All onsite systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual);
25. The applicant shall enter into and record an Agreement of Conveyance of Easements with the City, in a form acceptable to the City Attorney, stating that a private reciprocal drainage easement shall be conveyed to and reserved from each parcel as needed, at no cost, at the time of sale or other conveyance of either parcel. A note stating the following must be placed on the Final Map: "THE PARCELS CREATED BY THIS MAP SHALL BE DEVELOPED IN ACCORDANCE WITH RECORD AGREEMENT FOR CONVEYANCE OF EASEMENTS # (BOOK\_\_\_\_, PAGE \_\_\_\_\_)";
26. Lot pad elevations shall be a minimum of 1.5 feet above the controlling overland release elevation and a minimum of 1.2 feet above the highest adjoining back of sidewalk elevation. Finished lot pad elevations shall be accepted by the Department of Utilities;
27. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities;
28. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment methods on the improvement plans. These plans shall also show methods to control urban runoff pollution from the project site during construction;
29. This project is greater than 1 acre. Therefore, the applicant is required to comply with the "NPDES General Permit for Storm water Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Storm water Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from

[www.swrcb.ca.gov/stormstr/construction.html](http://www.swrcb.ca.gov/stormstr/construction.html). The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative;

30. Post construction, storm water quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is greater than 1 acre, both source controls and on-site treatment control measures are required. On-site treatment control measures may affect site design and site configuration and therefore, should be considered during the early planning stages. Improvement plans must include both source controls and on-site treatment control measures. Refer to the latest revision of the "Guidance Manual for On-site Storm water Quality Control Measures" for appropriate source control measures and recommended on-site control measures;

## **FIRE**

31. Dead Ends exceeding 150 feet in length require a turnaround to the satisfaction of the Fire Department. Note: The dimensions of the proposed turnaround for the building access on parcel are acceptable provided that the 36-inch oak tree is scheduled for removal;
32. A reciprocal ingress/egress agreement shall be provided for review by City Attorney for all shared driveways being used for Fire Department access;

## **MISCELLANEOUS**

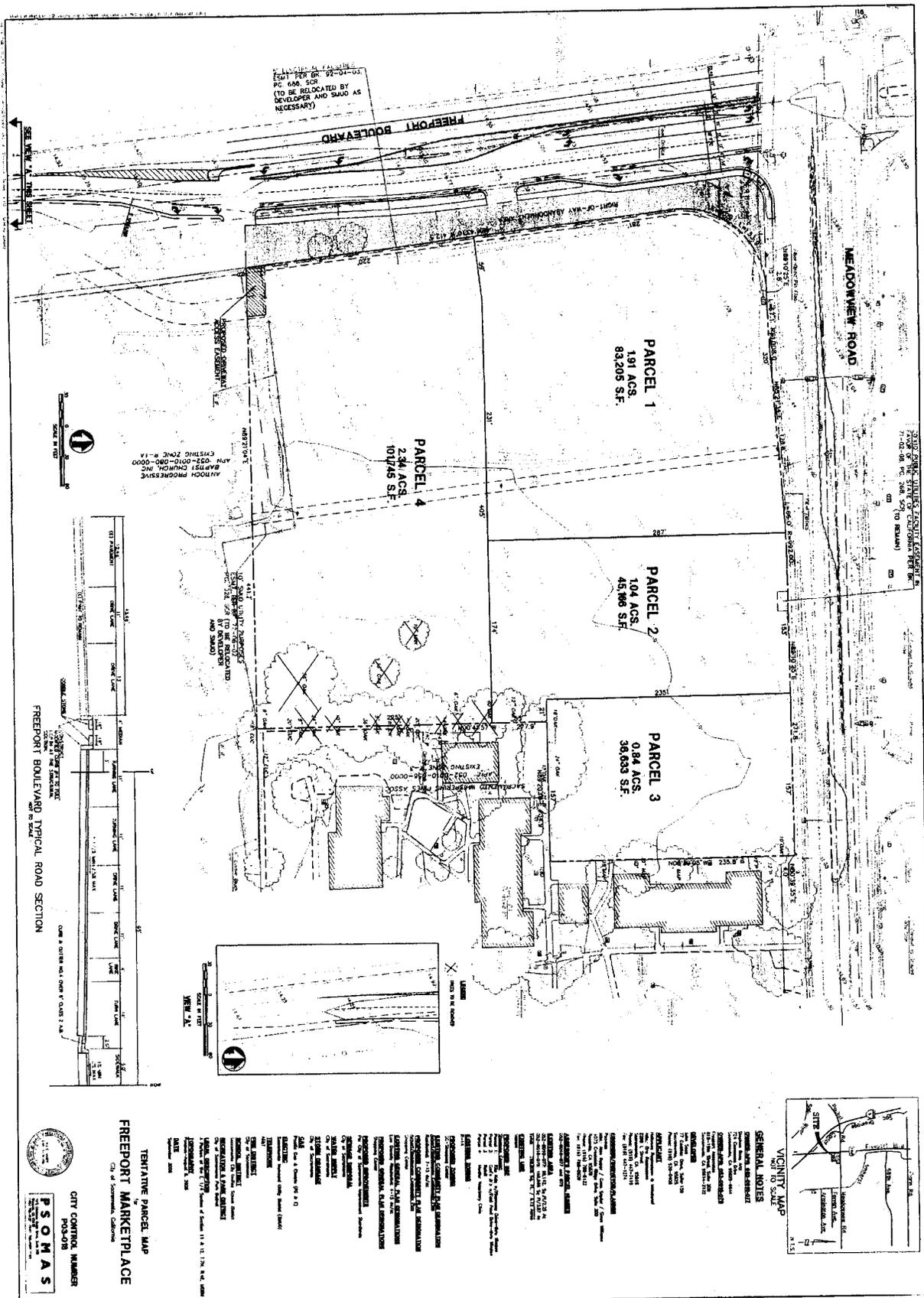
33. Title to any property required to be dedicated to the City in fee shall be conveyed free and clear of all rights, restrictions, easements, impediments, encumbrances, liens, taxes, assessments or other security interests of any kind (hereafter collectively referred to as "Encumbrances"), except as provided herein. The applicant shall take all actions necessary to remove any and all Encumbrances prior to approval of the Final Map and acceptance of the dedication by City, except that the applicant shall not be required to remove Encumbrances of record, including but not limited to easements or rights-of-way for public roads or public utilities, which, in the sole and exclusive judgment of the City, cannot be removed and/or would not interfere with the City's future use of the property. The applicant shall provide title insurance with the City as the named beneficiary assuring the conveyance of such title to City;

## **ADVISORY NOTES:**

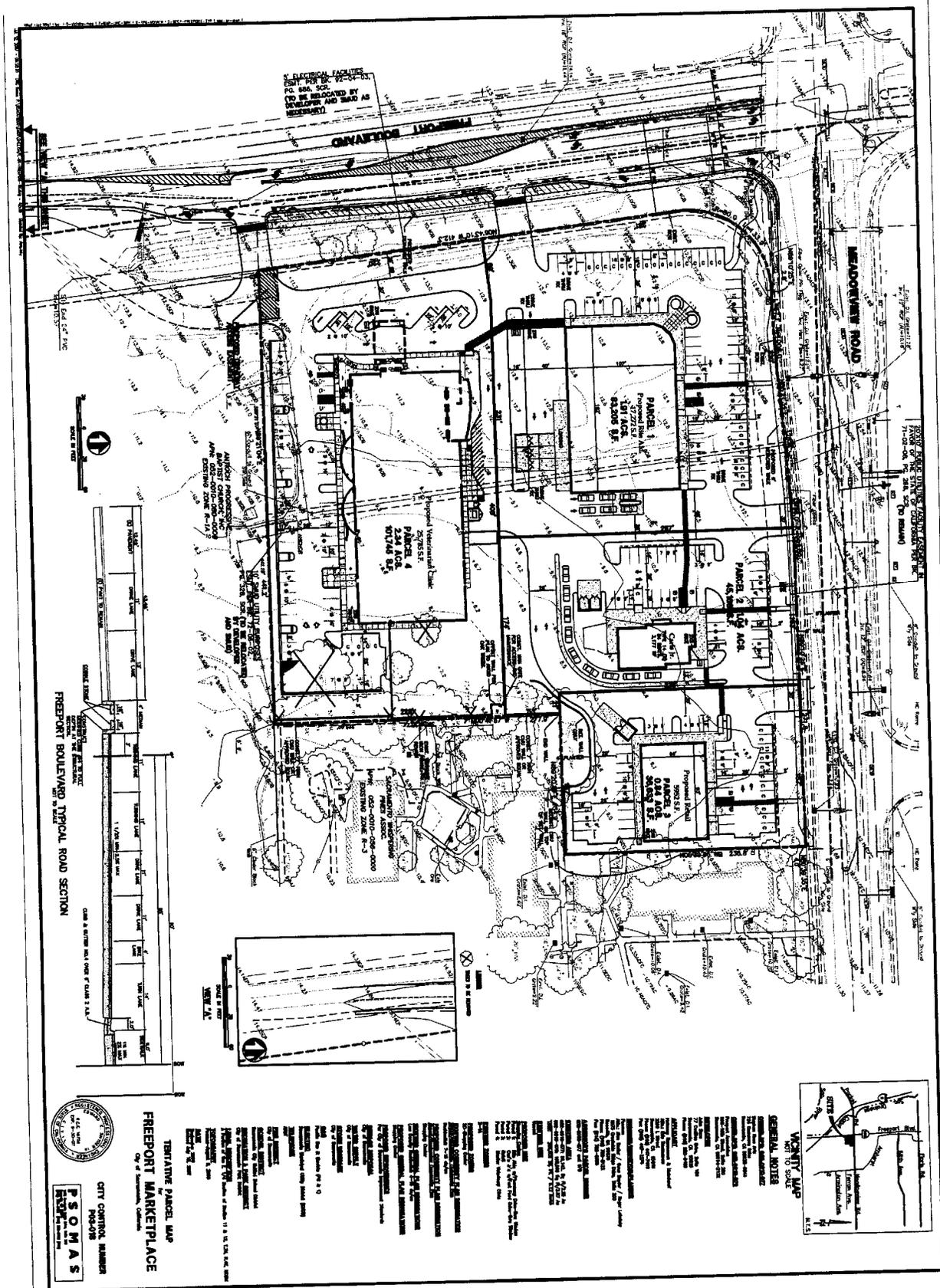
The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

34. Many projects within the City of Sacramento require booster pumps for fire suppression and domestic water system. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the fire suppression and domestic water systems;
35. The proposed project is located in the Flood zone designated as a Shaded X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a letter of Map Revision effective February 18, 2005. Within the Shaded X zone, there are no requirements to elevate or flood proof;
36. City Code 13.04.570 requires that no fire service shall be installed across any parcel other than the parcel to which the services is being furnished, provided that the fire chief may in his or her discretion, authorize a fire service line that serves more than one parcel, upon the recording of an agreement, in a form approved by the City, that fully provides for the operation, maintenance and repair of the line, and grants a permanent easement for these purposes, at no cost or liability to the City;
37. As per City Code, the applicant will be responsible to meet his/her obligations regarding Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permits. The total Park Development Impact Fee due for this project is estimated at \$16,704. This is based on the total shopping center figures of 52,200 square feet at the commercial retail rate of \$0.32 per square foot. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit

Exhibit B-1 Tentative Map



### Exhibit B-2 Tentative Map with Building Footprints



**C1. Special Permit:** The **Special Permit** to construct and operate a drive-through facility for a quick service restaurant is approved subject to the following conditions of approval:

- a. Obtain all necessary building permits prior to construction.
- b. Development of this site shall be in compliance with the attached Site plan (Exhibit C1-A).
- c. Any modification to the project shall be subject to review and approval by planning staff prior to the issuance of building permits. Any significant modification to the project may require subsequent entitlements.
- d. The hours of operation of the Drive-through service facility shall be restricted to between the hours of seven a.m. and ten p.m.
- e. Any detached signage shall be monument signage. No pole signs are allowed.
- f. The applicant, or any other occupant, owner or operator of this building shall be prohibited from hanging any banners from or on the exterior of the building or any other structure or plant material.
- g. The applicant or owner/operator of this business shall operate and maintain closed circuit television camera(s) to provide surveillance outside the rear (south elevation) door.
- h. The rear (south elevation) door shall have "fisheye peephole(s) for surveillance purposes.
- i. The hours of operation of the drive-through service facility shall be restricted to between the hours of seven a.m. and ten p.m.
- j. The applicant/owner shall be responsible for the daily removal of all litter generated by the business, from the subject site, adjacent properties, and streets.
- k. The applicant/owner shall agree to a "good neighbor policy". The good neighbor policy" shall require that if any significant problems arise and the City receives complaints about the use, the City will commence with Special Permit revocation hearings at the cost of the property owner. The revocation hearing shall be at the discretion and direction of the Planning Commission.
- l. Continuous 6" high, 6" wide concrete curbing shall be provided around all planter areas within or adjacent to parking areas and driveways.
- m. Landscaping shall be provided, as allowed, to screen ground-mounted mechanical equipment, backflow preventors, transformers, and other similar

appurtenances to the satisfaction of the Planning Director.

- n. The owner/operator/owner's association shall maintain the grounds and landscaped areas in a clean, weed free and groomed manner. Landscaping shall be replaced with live, healthy plants, trees and turf as needed if original landscaping dies.

Exhibit C1-A Site Plan

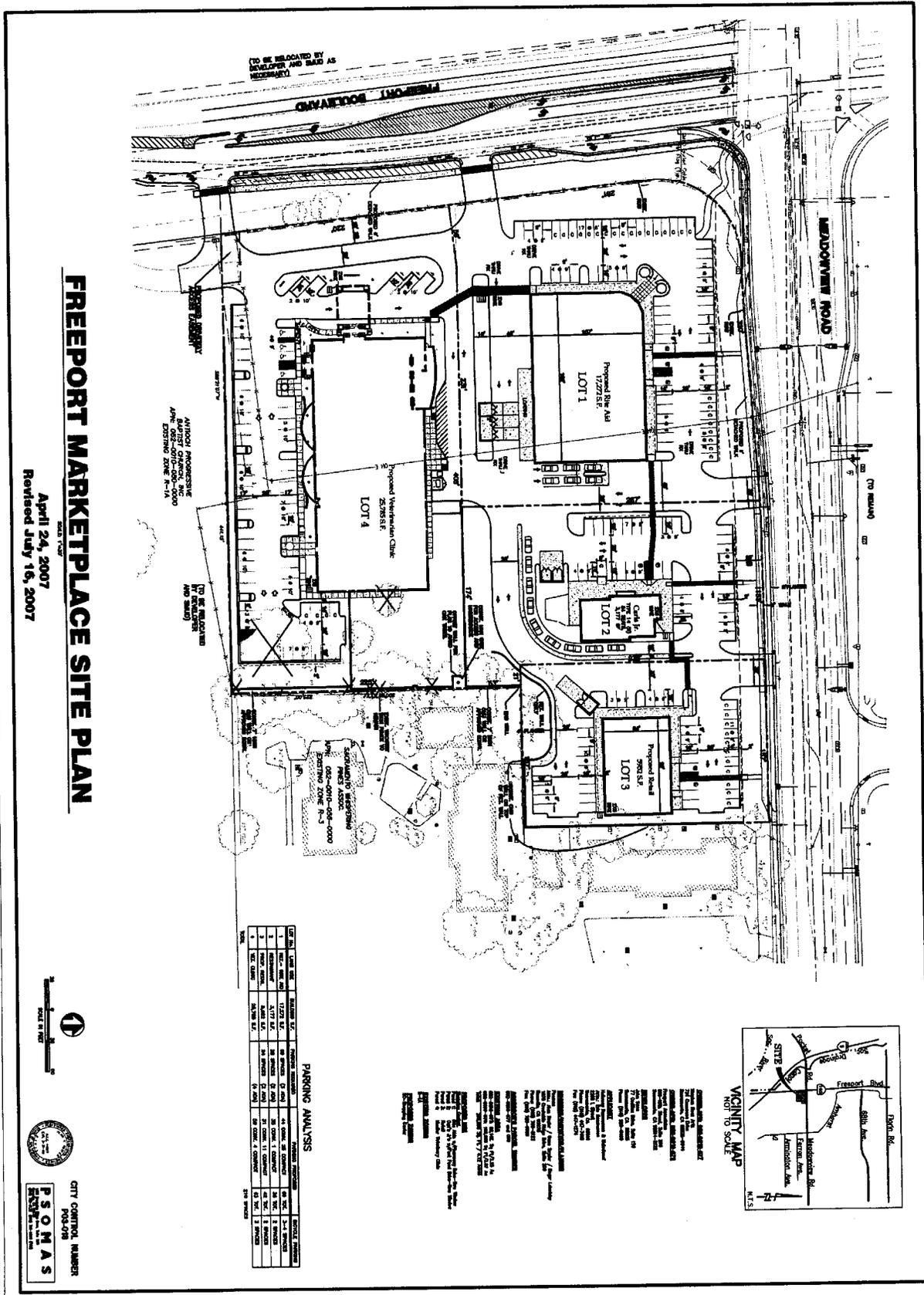
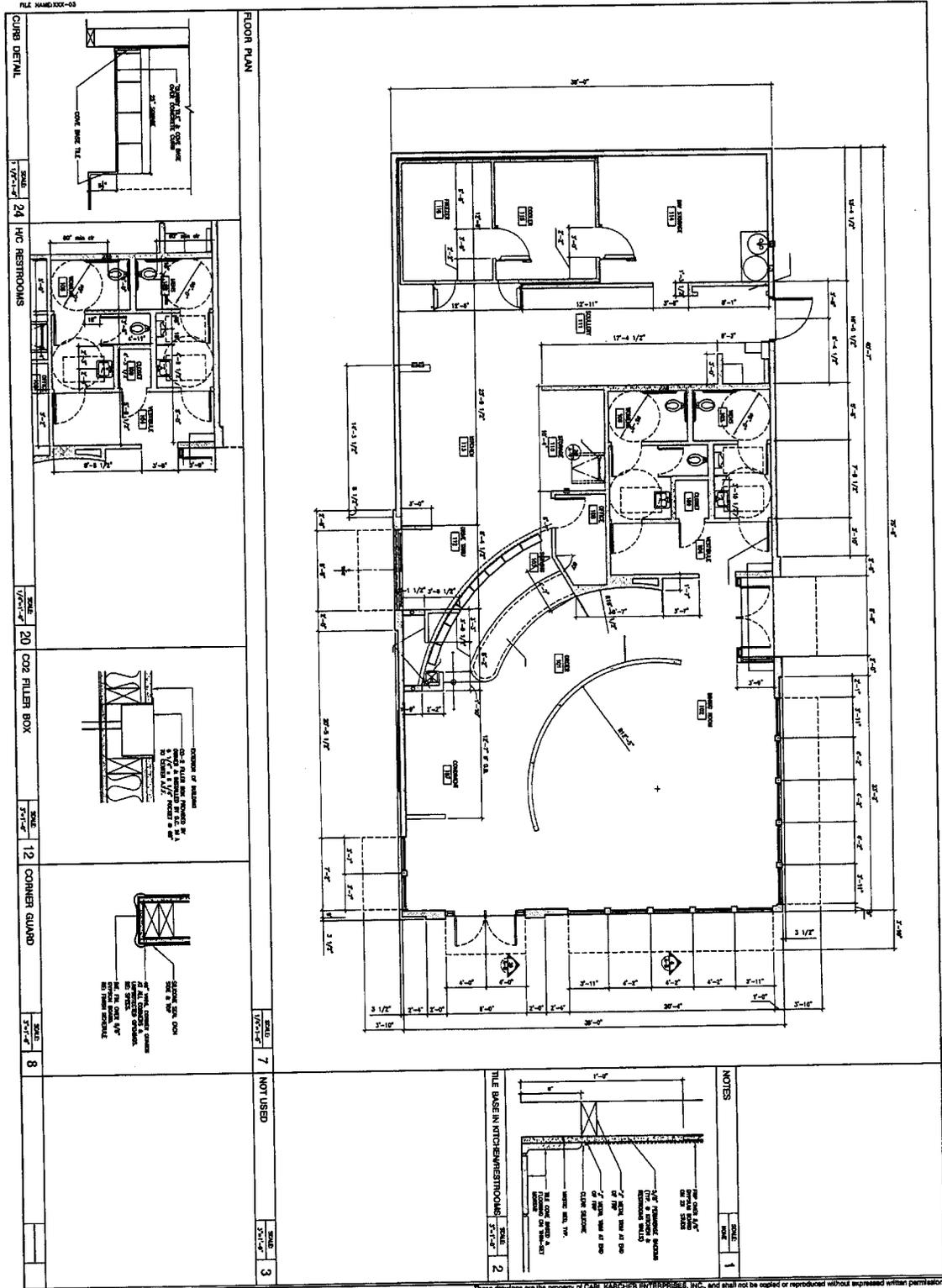


Exhibit C1-B Floor Plan-Carl's Jr.



CKE VERSION - PROTOTYPE 24 - 60

These drawings are the property of CARL KARCHER ENTERPRISES, INC. and shall not be copied or reproduced without expressed written permission.

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FLOOR PLAN & DETAILS

**Carl's Jr.**  
 2007  
 PROTOTYPE 24-60  
 FREEPORT MARKETPLACE  
 (MIDDLETOWN)  
 SACRAMENTO, CALIFORNIA  
 UNIT # (T.B.D.)

**CKE** CARL KARCHER ENTERPRISES, INC.  
 401 West Carl Karcher Way  
 Anaheim, CA 92801  
 (714) 254-4813

**LEIKA** ARCHITECTS - PLANNERS  
 401 West Carl Karcher Way  
 Anaheim, CA 92801  
 (714) 254-4813



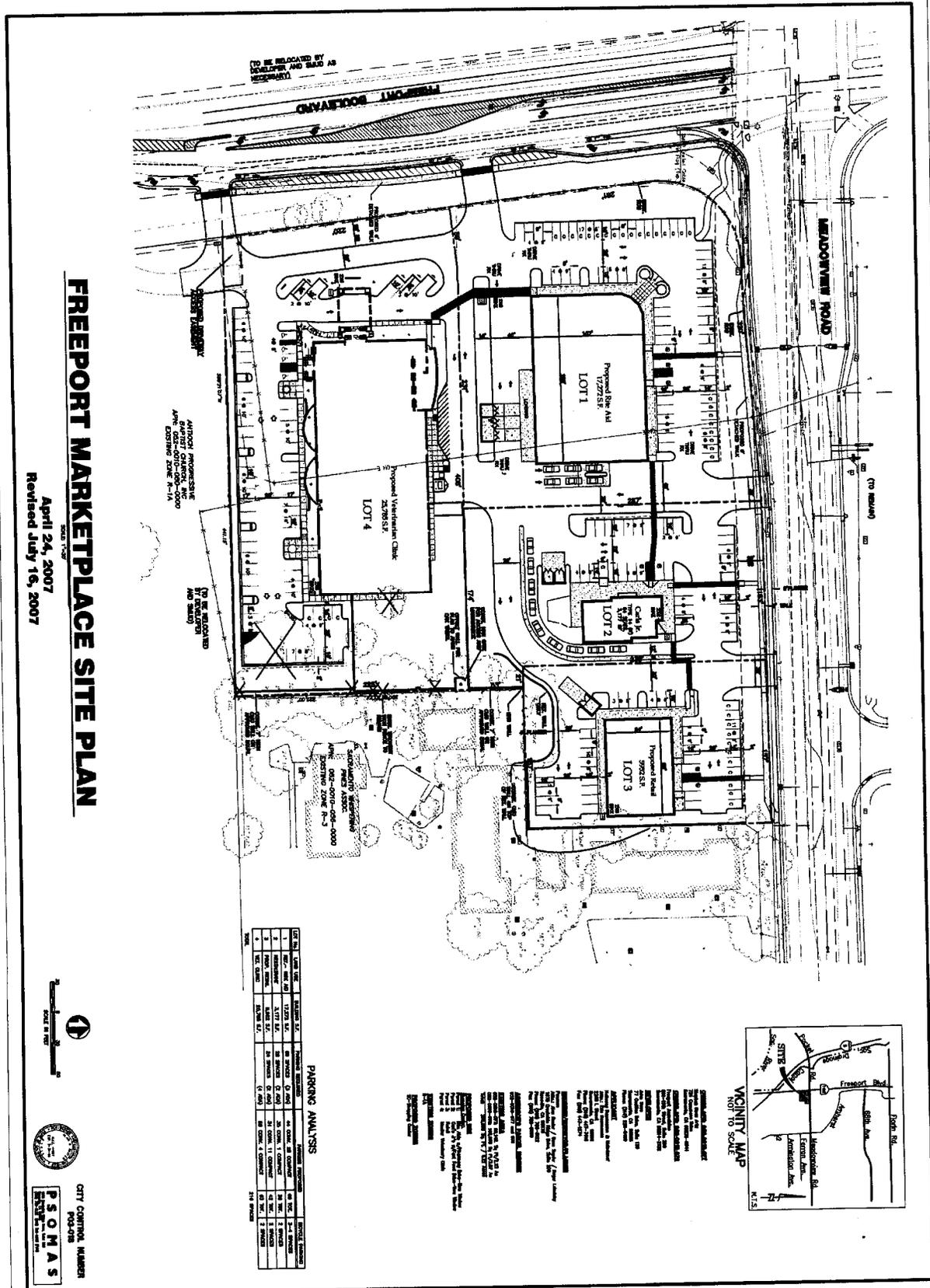
**C2. Special Permit:** The Special Permit to construct and operate a drive-through facility (pharmacy) is approved subject to the following conditions of approval:

- a. Obtain all necessary building permits prior to construction.
- b. Development of this site shall be in compliance with the attached Site plan (Exhibit C2-A).
- c. Any modification to the project shall be subject to review and approval by planning staff prior to the issuance of building permits. Any significant modification to the project may require subsequent entitlements.
- d. The drive-through facility dual lanes aggregate length may not be less than 120 linear feet in distance.
- e. Any detached signage shall be monument signage. No pole signs are allowed.
- f. The applicant, or any other occupant, owner or operator of this building shall be prohibited from hanging any banners from or on the exterior of the building or any other structure or plant material.
- g. The applicant shall paint electrical meters/cabinets, telephone connection boxes, and other utility appurtenances to match the building to which they are attached.
- h. The hours of operation of the pharmacy Drive-through service facility shall be restricted to between the hours of seven a.m. and ten p.m.
- i. The applicant or owner/operator of this business shall operate and maintain closed circuit television camera(s) to provide surveillance outside the north and south elevations viewing the doors as well as for the drive-through pickup area.
- j. Any employee/delivery access doors to the outside shall have "fisheye peephole(s) for surveillance purposes.
- k. The applicant/owner shall be responsible for the daily removal of all litter generated by the business, from the subject site, adjacent properties, and streets.
- l. The applicant/owner shall agree to a "good neighbor policy". The good neighbor policy" shall require that if any significant problems arise and the City receives complaints about the use, the City will commence with Special Permit revocation hearings at the cost of the property owner. The revocation hearing shall be at the discretion and direction of the Planning Commission.
- m. Continuous 6" high, 6" wide concrete curbing shall be provided around all planter

areas within or adjacent to parking areas and driveways.

- n. Landscaping shall be provided, as allowed, to screen ground-mounted mechanical equipment, backflow preventors, transformers, and other similar appurtenances to the satisfaction of the Planning Director.
- o. The owner/operator/owner's association shall maintain the grounds and landscaped areas in a clean, weed free and groomed manner. Landscaping shall be replaced with live, healthy plants, trees and turf as needed if original landscaping dies.

Exhibit C2-A Site Plan



**FREEPORT MARKETPLACE SITE PLAN**

April 24, 2007  
 Revised July 16, 2007



CITY CONTROL NUMBER  
**PSOMAS**  
 ENGINEERS

**PARKING ANALYSIS**

USE	TYPE	AREA (SQ. FT.)	PERCENT COVERED						
1	LOT 1	12,000	100%	100%	100%	100%	100%	100%	100%
2	LOT 2	10,000	100%	100%	100%	100%	100%	100%	100%
3	LOT 3	10,000	100%	100%	100%	100%	100%	100%	100%
4	LOT 4	10,000	100%	100%	100%	100%	100%	100%	100%
5	LOT 5	10,000	100%	100%	100%	100%	100%	100%	100%
6	LOT 6	10,000	100%	100%	100%	100%	100%	100%	100%
7	LOT 7	10,000	100%	100%	100%	100%	100%	100%	100%
8	LOT 8	10,000	100%	100%	100%	100%	100%	100%	100%
9	LOT 9	10,000	100%	100%	100%	100%	100%	100%	100%
10	LOT 10	10,000	100%	100%	100%	100%	100%	100%	100%
11	LOT 11	10,000	100%	100%	100%	100%	100%	100%	100%
12	LOT 12	10,000	100%	100%	100%	100%	100%	100%	100%
13	LOT 13	10,000	100%	100%	100%	100%	100%	100%	100%
14	LOT 14	10,000	100%	100%	100%	100%	100%	100%	100%
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99	LOT 99	10,000	100%	100%	100%	100%	100%	100%	100%
100	LOT 100	10,000	100%	100%	100%	100%	100%	100%	100%

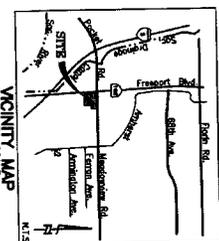
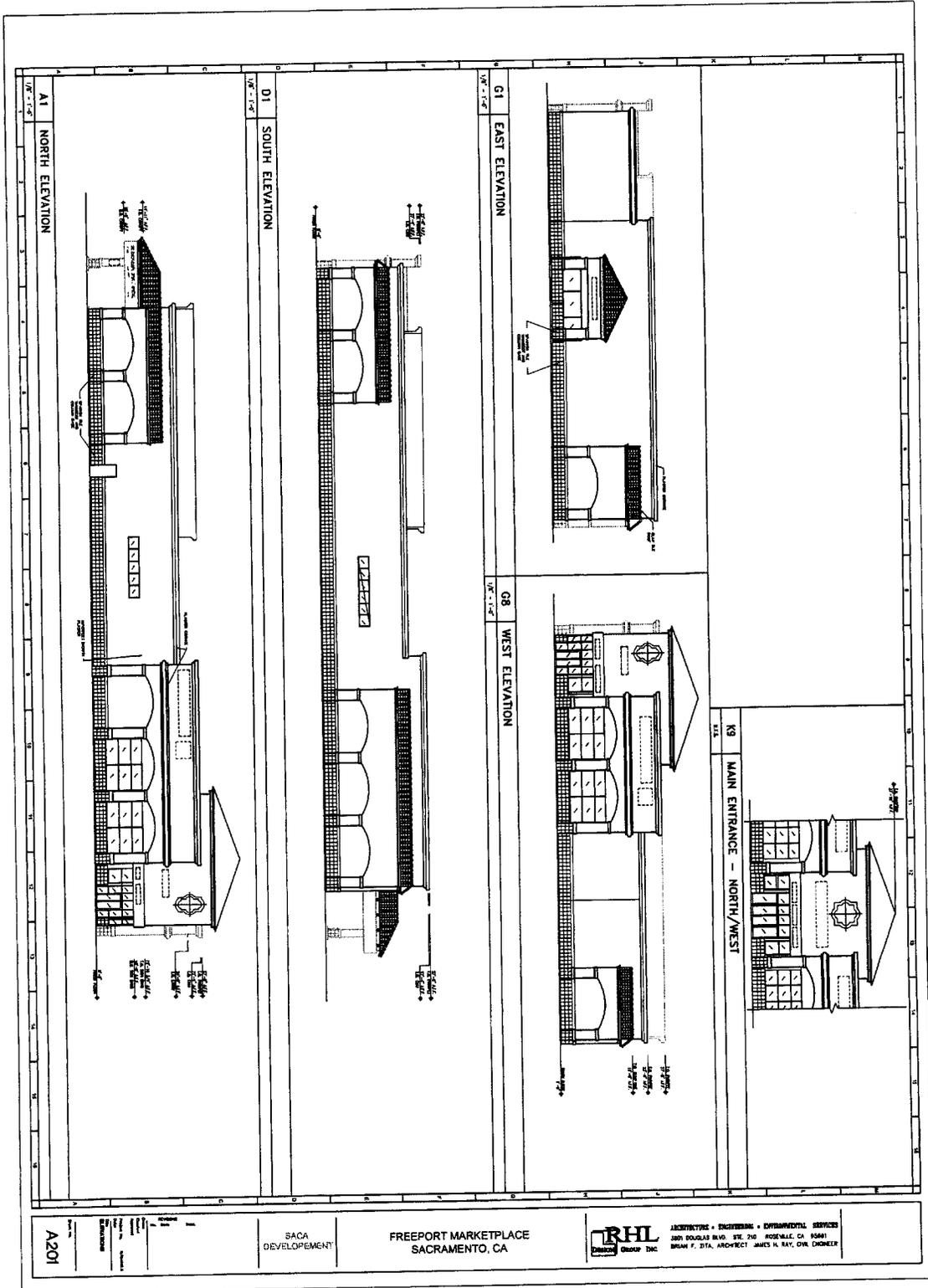




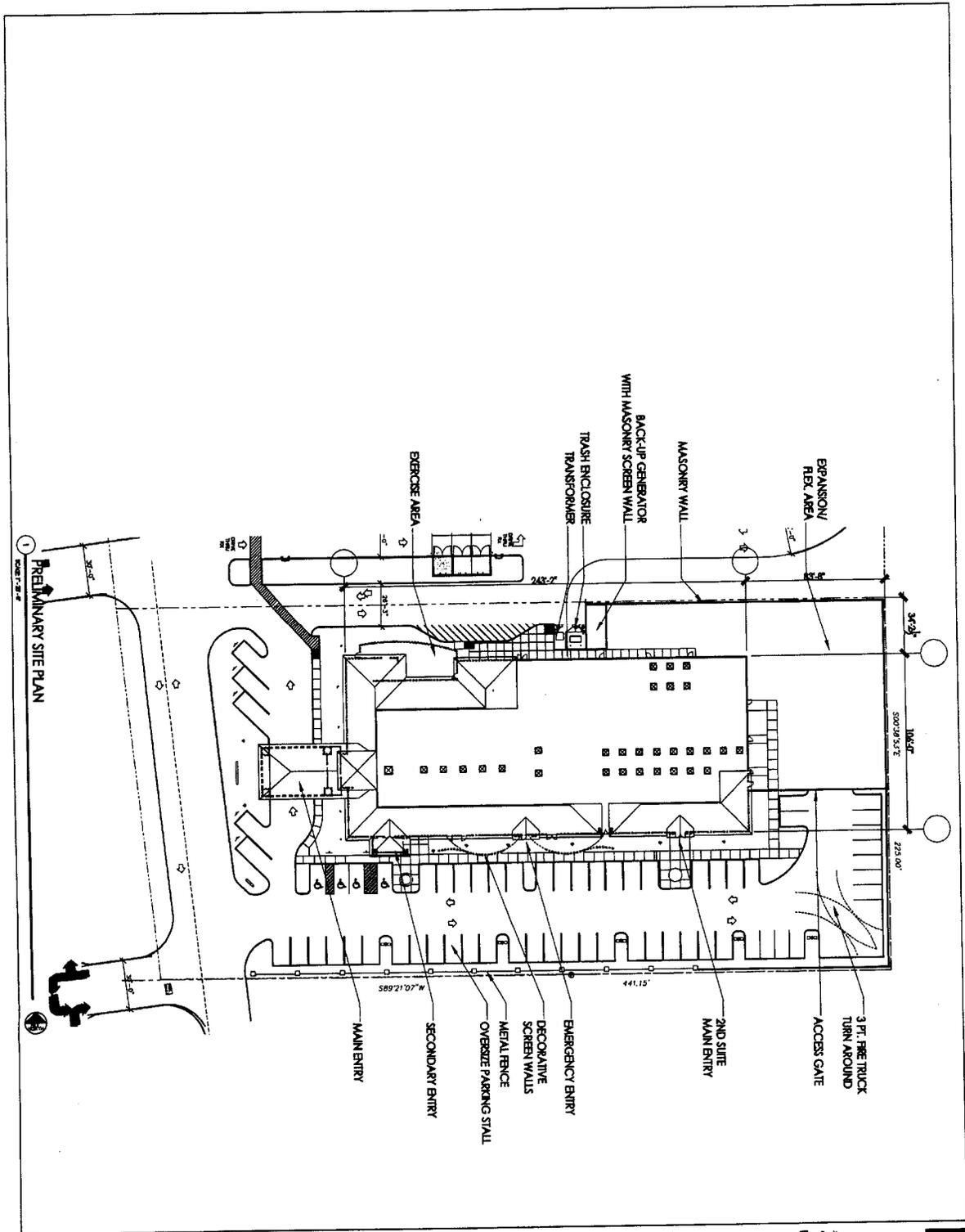
Exhibit C2-C Elevations- Rite Aid



- D. Special Permit:** The Special Permit to construct and operate a veterinarian clinic in the Shopping Center (SC) zone is approved subject to the following conditions of approval:
- a. Obtain all necessary building permits prior to construction.
  - b. Development of this site shall be in substantial compliance with the attached Site, Floor, Elevation, plans (Exhibit J-1 through 7).
  - c. Any modification to the project shall be subject to review and approval by planning staff prior to the issuance of building permits. Any significant modification to the project may require subsequent entitlements.
  - d. No outdoor boarding of animals is allowed.
  - e. The building's tower element height shall be reduced to no more than 42'.
  - f. A decorative solid wall (proto wall II) with decorative pilasters/columns with a minimum height of 6' shall be constructed along the east and south property lines of parcel 4. The elevation design of the wall and columns/pilasters shall be submitted to the planning director for review and approval prior to construction. The wall location shall avoid impacting the heritage oaks along the property line with footings located so as to avoid disturbing the roots as much as possible and as shown on the Exhibits D-1 and D-7, Site Plan and the Proto Wall II details.
  - g. The emergency veterinarian clinic may operate 24-hours a day, seven days a week. The veterinarian clinic hours of operation shall be limited to opening no earlier than 7 a.m. and closing no later than 10 p.m., seven days a week.



# Exhibit D-2 Mueller Veterinarian Clinic Site Plan



1  
PRELIMINARY SITE PLAN

JOB NO. 2007-10  
 SCALE AS SHOWN  
 DATE June 11, 2007  
 DRAWN BY [Name]  
 CHECKED BY [Name]

PRELIMINARY  
 SITE PLAN

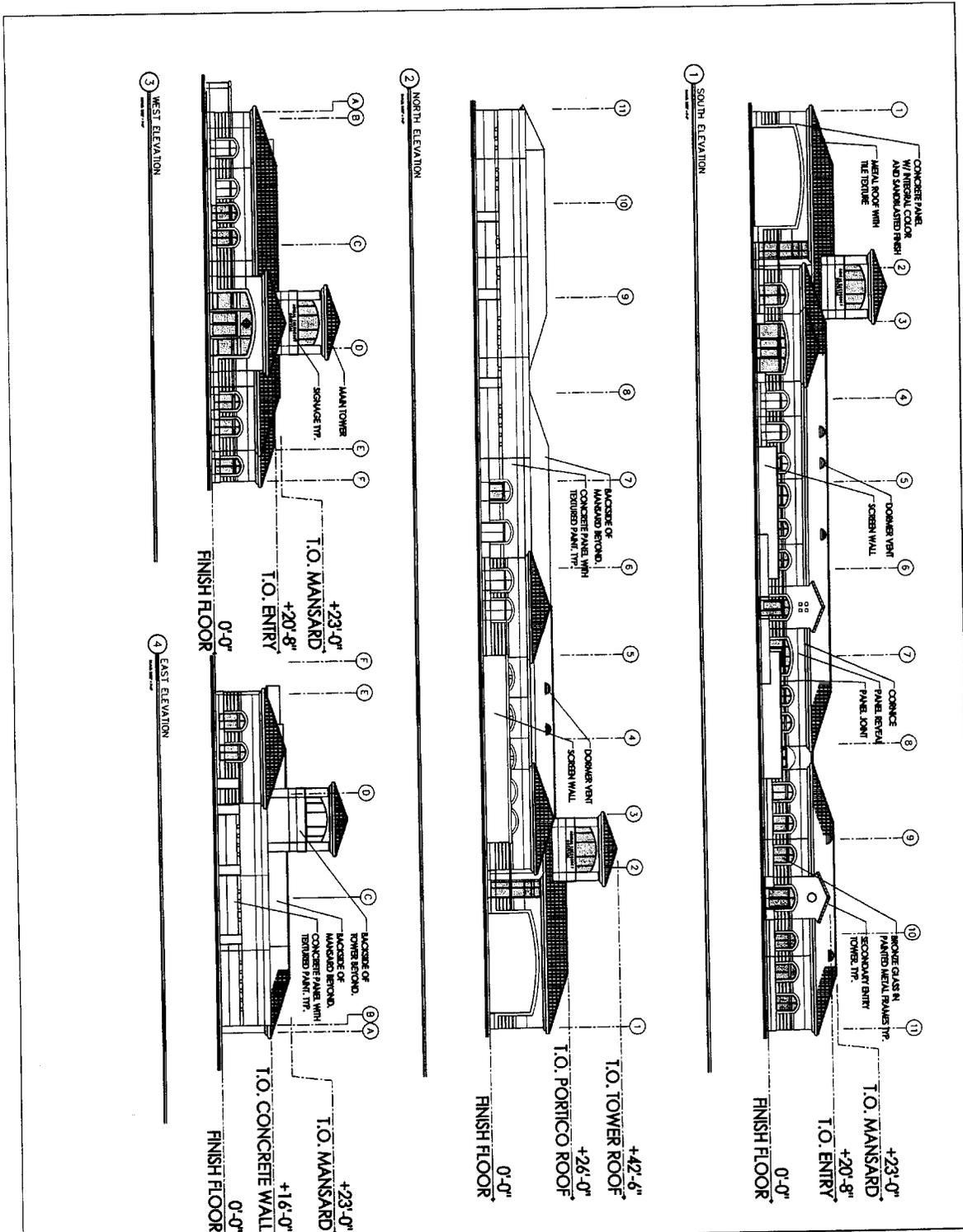
A1.01

**Studalco**  
 ARCHITECTS/ENGINEERS/PLANNERS, INC.  
 10000 W. 10th Avenue, Suite 100  
 Denver, CO 80202  
 (303) 751-1000  
 www.studalco.com

**MUELLER**  
 MEDICAL CENTER

**Paw Print**  
 MUeller  
 MEDICAL CENTER

Exhibit D-3 Elevations



**Studio**  
ARCHITECTURE INTERIOR

**MUELLER**

**pet**  
MEDICAL CENTER

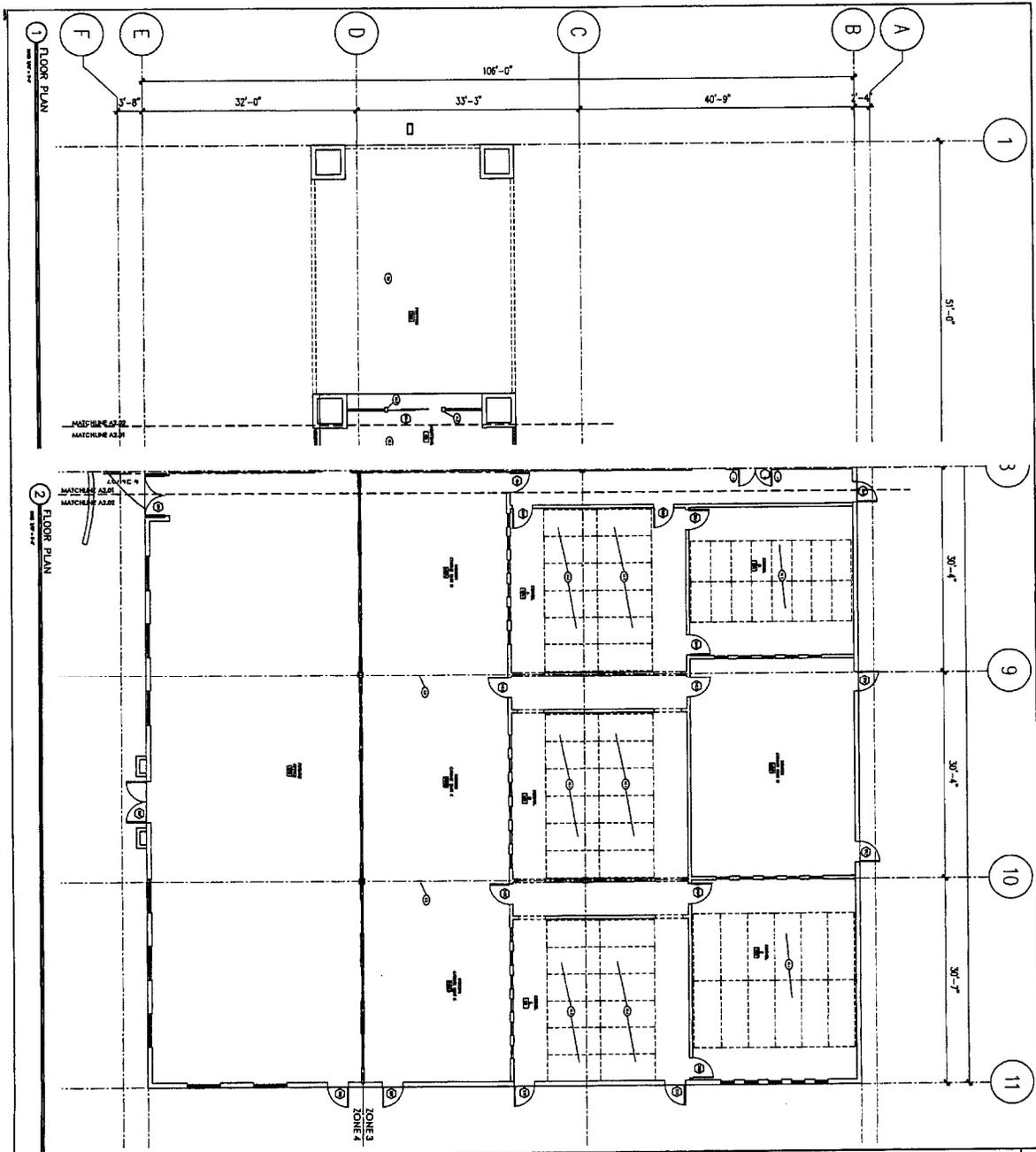
DATE: 04-11-07  
SCALE: AS SHOWN  
DRAWN BY: [unintelligible]  
CHECKED BY: [unintelligible]  
DESIGNED BY: [unintelligible]

**PRELIMINARY EXTERIOR ELEVATIONS**

**A3.01**



**Exhibit D-5 Floor Plan B**



**REMARKS:**  
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS.  
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.  
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
 4. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.  
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.  
 6. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.  
 7. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL CHANGES AND REVISIONS.  
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE.  
 9. THE CONTRACTOR SHALL MAINTAIN A SAFE WORKING ENVIRONMENT AT ALL TIMES.  
 10. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE LOCAL AUTHORITIES.  
 12. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
 13. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.  
 14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.  
 15. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.  
 16. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL CHANGES AND REVISIONS.  
 17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE.  
 18. THE CONTRACTOR SHALL MAINTAIN A SAFE WORKING ENVIRONMENT AT ALL TIMES.  
 19. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE LOCAL AUTHORITIES.

**GENERAL NOTES:**  
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS.  
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.  
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
 4. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.  
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.  
 6. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.  
 7. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL CHANGES AND REVISIONS.  
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE.  
 9. THE CONTRACTOR SHALL MAINTAIN A SAFE WORKING ENVIRONMENT AT ALL TIMES.  
 10. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE LOCAL AUTHORITIES.

**LEGEND:**  
 1. SEE EXHIBIT D-1 FOR WALL TYPES.  
 2. SEE EXHIBIT D-2 FOR DOOR TYPES.  
 3. SEE EXHIBIT D-3 FOR WINDOW TYPES.  
 4. SEE EXHIBIT D-4 FOR STAIR TYPES.  
 5. SEE EXHIBIT D-5 FOR FURNITURE TYPES.

**WALL LEGEND:**  
 1. SEE EXHIBIT D-1 FOR WALL TYPES.  
 2. SEE EXHIBIT D-2 FOR DOOR TYPES.  
 3. SEE EXHIBIT D-3 FOR WINDOW TYPES.  
 4. SEE EXHIBIT D-4 FOR STAIR TYPES.  
 5. SEE EXHIBIT D-5 FOR FURNITURE TYPES.

**KEY PLAN:**  
 1. SEE EXHIBIT D-6 FOR KEY PLAN.

**ASHBEGGIAN + PARTNERS**  
 ARCHITECTS

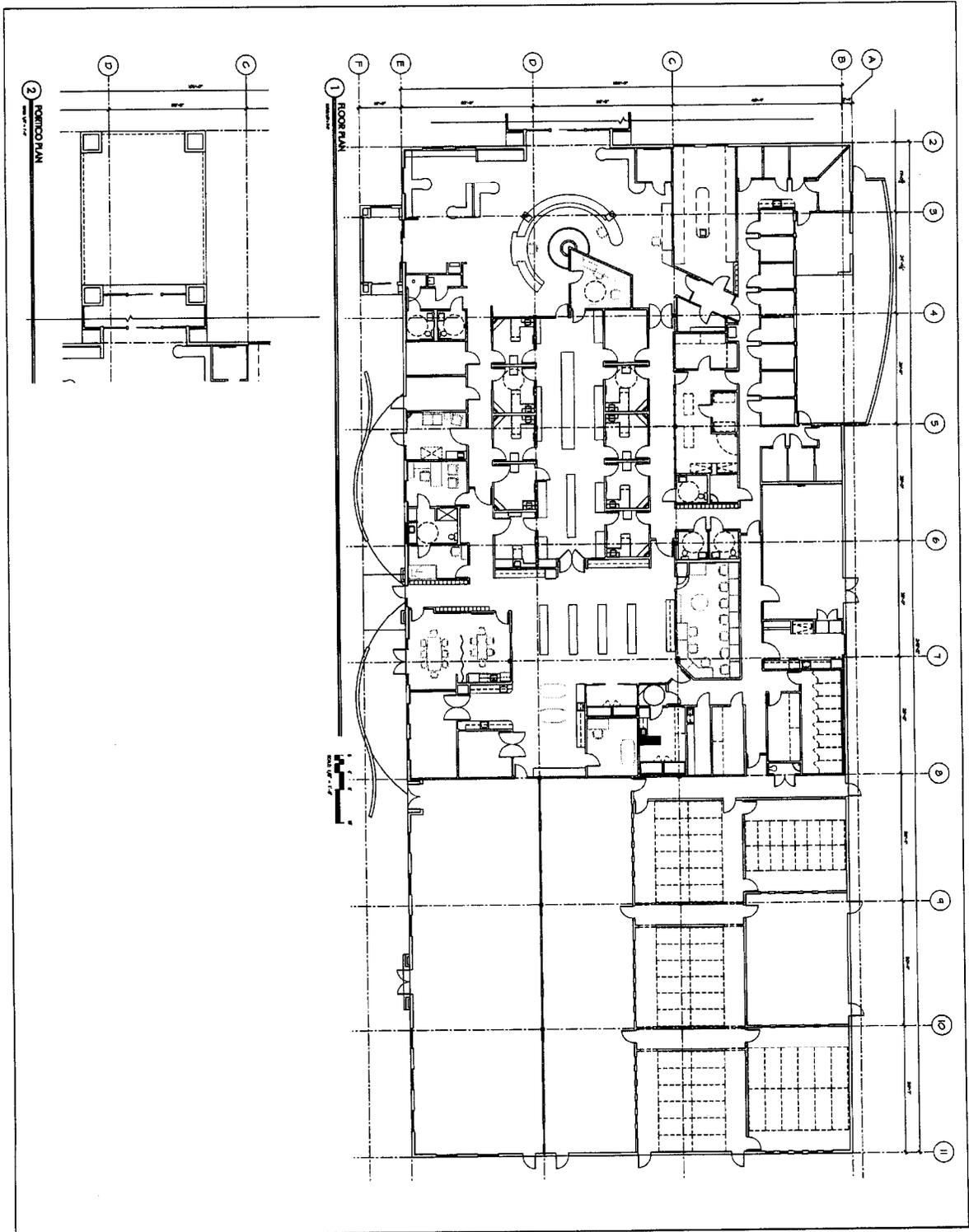
**MULLER**  
 MEDICAL CENTER

**pet**  
 MEDICAL CENTER

**SCALE:**  
 1/4" = 1'-0"  
 DATE: 11/13/07  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT NO: [Number]

**A2.02**  
**FLOOR PLAN 'B**

### Exhibit D-6 Overall Floor Plan



<p><b>PRELIMINARY FLOOR PLAN</b></p> <p><b>A2.00</b></p>	<p>DATE: April 11, 2007        CHECKED BY: [Signature]        DRAWN BY: [Signature]</p>	<p>SCALE: As Shown</p>	<p>PROJECT: Pet Medical Center</p>	<p>ARCHITECT: <b>Studios</b>        ARCHITECTS/INTERIORS</p>	<p>ARCHITECT: <b>HUELLER</b>        ARCHITECTS</p>	<p>ARCHITECT: <b>pet</b>        MEDICAL CENTER</p>
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**G. Plan Review:** The Plan Review of a commercial mixed use development with an approximate building area of 52,200 square feet in the Shopping Center (SC) zone is approved subject to the following conditions of approval:

**G1. Current Planning General Conditions:**

- a. The applicant shall obtain all necessary building permits prior to commencing construction.
- b. Prior to issuance of any building permits, the applicant shall provide appropriate documentation indicating compliance with all mitigation measures as prescribed in the adopted Mitigation Monitoring Plan (Exhibit L-1).
- c. The project shall substantially conform to the approved plans as shown on the attached exhibits and as conditioned to revise (Exhibits L-2 through L-16). Any modification to the project shall be subject to review and approval by Planning staff (and may require additional entitlements) prior to the issuance of building permits.
- d. All mechanical equipment shall be screened. All rooftop mechanical and communications equipment shall be completely screened from view from public streets and the adjacent apartments by the building parapet, and/or architectural projections that are integral to the building design.
- e. The applicant shall paint electrical meters/cabinets, telephone connection boxes, and other utility appurtenances to match the building to which they are attached.
- f. The daily business hours for the Freeport Marketplace (excepting the veterinary clinic emergency hours) shall be no earlier than 7 a.m. and no later than 10 p.m., seven days a week. Deliveries may occur as early as 7 a.m. and no later than 9:30 p.m.
- g. The applicant/owner shall be responsible for the daily removal of all litter generated by the business, from the subject site, adjacent properties, and streets.
- h. The applicant/developer shall construct the gateway feature at the corner of Freeport Blvd. and Meadowview Road, as shown in the Meadowview Urban Design Plan. The design of the gateway feature shall include a seat wall, an archway, a monument sign, perennial flowering landscaping components, and a monument sign welcoming the visitor to the Meadowview neighborhood. The design of the archway-gateway feature, welcome monument sign on pedestal, landscaping, etcetera shall be submitted to the planning director for review and approval prior to construction. The gateway feature and all the attendant components shall be constructed /installed concurrent with the construction of the marketplace landscaping.

- i. A specially stamped pedestrian pathway connecting the gateway feature at the northwest corner of the project to the internal pathways shall be provided. The Site and Landscape plans shall be revised to include the pathway. The pathway shall be constructed concurrent with the paving of the marketplace parking areas.
- j. The proposed retail building (Lot 3) shall be redesigned and reviewed and approved by the planning director planning prior to any building permits being issued for the building.
- k. The Rite Aid building shall be revised to add a metal lattice wall structure-designed in a grid pattern echoing the window grid on the wall in both length and grid pattern along both the north and south elevations to soften and breakup the massing. The metal grid shall be painted to match/complement the tile wainscot and shall be mounted onto and away from the building to allow for climbing vines/landscape material(s) to prosper and grow upward and outward. A minimum 2' deep landscape planter shall be provided along the length of the base of the lattice structure for both elevations. The planter shall be automatically irrigated and shall be landscaped with climbing vines, or other appropriate perennial planting. Along the north elevation, the sidewalk shall be widened to at least 10' to accommodate the planter and the lattice, and landscaped planter space along the building's south elevation shall be surrounded by a 6' high vertical curb.
- l. Revise the Landscape Plan and replace the majority of the turf areas along both Freeport Blvd. and Meadowview Road with drought tolerant groundcover or mulch, as appropriate. Submit the revised plan to the planning director for review and approval prior to construction.
- m. The applicant/developer shall provide a Master Signage Program complete with graphics and text outlining the specific signage criteria for the Marketplace as a whole.

**G2. Landscaping: if current planning and urban forest services landscaping conditions conflict, urban forest services conditions take precedence.**

- a. Landscaping plans shall be submitted to the Building Division - Site Conditions Unit for review and approval by the Site Conditions Unit and the Landscape Architecture Section. The scope of the review shall include plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met.
- b. Continuous 6" high, 6" wide concrete curbing shall be provided around all planter areas within or adjacent to parking areas and driveways.
- c. Landscaping shall be provided, as allowed, to screen ground-mounted mechanical equipment, backflow preventors, transformers, and other similar

appurtenances to the satisfaction of the Planning Director.

- d. Prior to issuance of building permits, submit to Planning-Site Design group for review and approval landscape plans exhibiting the following criteria: Thirty percent of the trees shall be a minimum 24" box size; the remaining trees shall be a minimum 15 gal. container size. A mix of shrubbery and groundcover shall be planted and maintained throughout the marketplace. Drought tolerant groundcover shall be planted to cover all planter soil areas within 2 years of installation. All landscape areas shall have automatic irrigation installed and operational.
- e. Adequate spacing shall be provided between the trees to allow the trees to obtain full maturity growth potential. All landscaped area soil surfaces shall be covered with living groundcover within two years of installation. If groundcover is contraindicated beneath the trees a covering 6" deep with mulch shall be applied and maintained in perpetuity beneath and around the trees to an average diameter of six feet around the base of each tree.
- f. The project shall comply with the fifty percent shading requirement (Section 17.64.030(H) of the Zoning Code) for all parking and maneuvering areas and drive-through lane(s), provide planters with a minimum inside width of 8-feet, be fully automatically irrigated and landscape with a mix of at least six different (minimum 15 gallon size) tree types (genera) throughout the required shading area (staff recommends the landscaping plan include no more than 20 percent oak trees). All planter soil surfaces shall be covered with living groundcover within two years of installation. All "finger planters" must maintain a minimum inside width dimension (without curb) of 8-feet, be fully automatically irrigated, and enclosed with 6" concrete curbing on all sides.
- g. Details of the outdoor furniture and accessories shall be provided the planning director for review and approval prior to the issuance of building permits. For example, trash containers and metal benches, bicycle racks, to name some but not all outdoor furniture and accessories. All outdoor furniture shall be installed prior to the issuance of any certificate of occupancy.
- h. The owner/operator/owner's association shall maintain the grounds and landscaped areas in a clean, weed free and groomed manner. Landscaping shall be replaced with live, healthy plants, trees and turf as needed if original landscaping dies;
- i. All landscaping shall be maintained so that ground cover plants and shrubs do not exceed a maximum height of thirty inches (30") except where climbing vines are indicated; and tree limbs shall be trimmed (at maturity) so that they hang no lower than six feet (6') above grade level at maturity.

**G3. Fencing:**

- a. The placement of walls, gates/openings, fencing and the vehicular access points shall conform to the site plan. Any modifications may require additional staff review and/or a special permit modification.
- b. Prior to the issuance of building permits, details of the minimum 6' tall solid decorative stucco-clad solid proto II wall (Exhibit L-7), interrupted at regular intervals by stucco-clad column/pilasters topped with pre-cast concrete caps shall be constructed at a maximum spacing of 28'-30' along the entirety of the walls along all portions of the site adjacent to the residential uses or zones except as indicated on the Site plan along the south property line of Lot 3 and outlined in the staff report (south, and east property lines), shall be reviewed and approved by the Planning Director.

**G4. Trash enclosures:**

- a. Trash enclosures shall be constructed of concrete block or similar masonry material and finished with stucco that is compatible in color and texture to the buildings' facades;
- b. The trash enclosure structure shall have heavy gauge metal gates and designed with cane bolts on the doors to secure the gates when in the open position. The hinges shall be sufficient in size, strength, and number to adequately support the metal gates;
- c. The trash enclosure and recycling enclosure (if separate) facility shall be designed to allow walk-in access without having to open the main enclosure gates.
- d. The trash enclosure shall be screened with landscaping, including a combination of shrubs and/or climbing evergreen vines and shall be automatically irrigated.
- e. The owner/operator/owner's association shall maintain the grounds and landscaped areas in a clean, weed free and groomed manner. Landscaping shall be replaced with live, healthy plants, trees and turf as needed if original landscaping dies;
- f. No wall is to be constructed along a  $\pm 70'$  section along the southwestern property line of Parcel 3, as shown on the July 16, 2007, Site Plan, and the Tentative Map.

**G5. Exterior Lighting:**

- a. Lighting fixtures shall be of a high quality decorative design, having a color and style, which is compatible with the building architecture, as determined by the

Planning Director.

- b. Lighting shall be designed so as not to produce hazardous and/or annoying glare to motorists and building occupants, adjacent residents, or the general public.
- c. Each building address number shall be illuminated;
- d. The height of pole mounted light fixtures shall be a mix of fixtures between 14' and 18' in height. No more than 50 percent of the light fixtures shall be 18' in height and no less than 50 percent of the fixtures shall be 14' in height.
- e. Adequate overall exterior site lighting shall be installed and shall be coordinated with the landscaping plan so there is minimal interference between the light standards and required illumination and the trees and required shading. Project lighting shall be provided as follows: 1.5 foot-candles of minimum maintained illumination per square foot of parking space during business hours and .25 foot-candles of minimum maintained illumination per square foot of surface on any walkway, alcove, passageway, etcetera, from one-half hour before dusk to one-half hour after dawn. All light fixtures are to be vandal-resistant. On-site lighting shall be shielded from adjacent parcels and the street so the on-site illumination will not shine on to, or impact the adjacent residential properties or the street.

**G6. Parking:**

- a. Parking design shall be provided as required by the Zoning Ordinance. Parking shall also be consistent with the currently proposed number of a minimum of 209 spaces, including the required number of ADA accessible spaces.
- b. Prior to the issuance of the Certificate of Occupancy, the applicant shall distribute at regular intervals-12 Class I bicycle parking spaces as shown on the Site and Landscape plans. A minimum of six (6) Class II, and/or III bicycle parking spaces placed in secure, well lit areas near building entrances throughout the marketplace shall be added to the Site and Landscape plans and shall be installed prior to the issuance of the Certificate of Occupancy for the building by which the parking spaces will be added.

**G7. Signage:**

- a. The applicant shall submit a Master Signage Program for all project signage for the site including but not limited to monument signs, entry signs, building identification and address signs, trash enclosure signs, and directional signage prior to the issuance of any sign permits. The sign program shall be reviewed by both the Planning and Building divisions for conformance and compatibility with the project.
- b. All signage shall comply with the City of Sacramento's Sign Ordinance.

- c. No monument sign shall exceed 8' in height. All monument signs shall be ten feet away from the ultimate right-of-way as well as out of the line of sight triangle as defined by the Development Engineering Division.

d. GENERAL SIGN SPECIFICATIONS

1. All attached signs shall consist of individually applied letters (no "can" signs).
2. No animated, flashing or audible signs are allowed, unless otherwise provided for within these guidelines.
3. No exposed lamps are permitted. Neon is acceptable in tenant storefront windows subject to approval by the City of Sacramento Planning Division.
4. All signs and their installation shall comply with all local building codes, electrical codes and the approved planned sign permit program for this center.
5. No portable signs are allowed.
6. No exposed crossovers, raceway, or conduit are permitted.
7. All cabinets, conductors, transformers and other equipment shall be concealed.
8. Painted lettering is not permitted.
9. Sign colors shall be complementary to the overall architecture of the shopping center and will be considered on an individual basis and will be subject to the review and approval of the owner/landlord and the City of Sacramento, Planning Division.
10. Sign copy shall be limited to the name and established logo design of Tenant. Additional copy may be permitted to include products sold or services offered and is at the discretion of Owner/Landlord and is referred to as SUB-COPY.

All manufacturers are advised that prior to acceptance, each unit will be inspected for conformance by an Authorized representative of the Owner/Landlord. Any signs found not in conformance will be rejected and removed at Tenant's expense.

e. LOCATION OF SIGNS

1. All signs shall be located as near as possible to the center of Tenant's leased space, both horizontally and vertically. Situations not allowing this placement will be reviewed and advised by the Owner/Landlord.

f. SHOPS

1. Tenants shall be allowed a maximum of two (2) attached signs indicating only the name and nature of the occupancy, for each occupancy within the developed parcel.
2. Maximum width of signs shall be equal to 70 percent of Tenant's leased lineal frontage and located per above. Not to exceed an aggregate total of 200 square feet per occupancy.
3. Letter size for a single row shall not exceed 24" maximum height. For a sign with two rows of copy, the maximum height dimension are 18" for the upper row, and 10" for the lower row, with a 2" separation between rows, for a total of 30" maximum.
4. Cabinet signage will not be allowed except with regard to logos. Logos will be constructed in the same manner as are the letters. Logos shall be a maximum of 2'-0" x 2'-0" or 4 sq. ft.

**G8. Maintenance and Security**

- a. Decorative planting shall be maintained so as not to obstruct or diminish lighting level throughout the project. Landscaping shall not obscure common areas;
- b. Parking spaces shall be steam cleaned a minimum of twice per year.
- c. Owner/Operator shall post and maintain signage on the premises that provides the phone number to contact maintenance and management staff. Signage shall be subject to approval by the Planning Director.
- d. Owner/Operator shall conduct periodic inspections and repairs, as needed not less than monthly, of the exterior of all buildings, trash enclosures and walls/fences.
- e. Owner/Operator shall establish and conduct a regular program of routine maintenance for the property. Such a program shall inspect the property and schedule repainting, replanting and other similar activities that typically require attention at periodic intervals but not necessarily continuously. Owner/Operator shall repaint or retreat all painted or treated areas at least once every 8 years; provided that the Planning Director may approve less frequent repainting or retreatment upon a determination that less frequent treatment is appropriate, given the nature of the materials used or other factors. The program shall be subject to review and approval by the Planning Director.
- f. Owner/Operator shall maintain landscaping and irrigation in a healthy and serviceable condition.

- g. Owner/Operator shall indicate and maintain the location of the parking stall for handicapped/disabled access and strictly enforce rules related thereto.
- h. The owner/operator shall be responsible for the abatement/removal of any and all graffiti on the buildings and walls within 48 hours. The Neighborhood Services Department at [www.cityofsacramento.org/npsds/graffiti](http://www.cityofsacramento.org/npsds/graffiti) or (916) 808-5948, is available to assist the operator by providing information for preventative measures to reduce the occurrence of graffiti.

Graffiti shall mean any unauthorized inscription, work, figure or design that is marked, etched, scratched, drawn, or painted on or otherwise affixed to or on any surface;

#### **G9. Development Engineering**

- a. Construct standard improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Development Engineering Division. Improvements required shall be determined by the city. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering Division.
- b. The applicant shall dedicate sufficient right-of-way (if needed) and construct full frontage improvements along Meadowview Road per City standards and to the satisfaction of the Development Engineering Division. The construction of Meadowview Road shall be consistent with the City's 4-lane arterial standard with no parking.
- c. The applicant shall dedicate sufficient right-of-way (if needed) and construct full frontage improvements along Freeport Boulevard per City standards and to the satisfaction of the Development Engineering Division. The construction of Freeport Boulevard shall be consistent with the City's 4-lane arterial standard with no parking and shall have separated sidewalks.
- d. The applicant shall construct a northbound right turn lane at the intersection of Freeport Boulevard and Meadowview Road as stated in the traffic analysis for this project and to the satisfaction of the Development Engineering Division.
- e. The applicant shall pay a fair share contribution for future retiming of the traffic signal at the southbound I-5 exit ramp to Pocket Road (PM peak hour) to allocate more green time to the southbound approaches.

- f. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Development Engineering Division.
- g. All right-of-way and street improvement transitions that result from changing the right-of-way of any street shall be located, designed and constructed to the satisfaction of the Development Engineering Division. The center lines of such streets shall be aligned.
- h. Construct A.D.A. compliant ramps at the south-east corner of the intersection of Freeport Boulevard and Meadowview Road to the satisfaction of the Development Engineering Division.
- i. The applicant shall make provisions for bus stops, shelters, transit centers, etc. to the satisfaction of Regional Transit.
- j. All new driveways shall be designed and constructed to City Standards to the satisfaction of the Development Engineering Division.
- k. The site plan shall conform to A.D.A. requirements in all respects.
- l. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance).

#### **G10. Utilities**

The following are conditions to be placed on the **Plan Review** of a ±52,200 square foot commercial mixed use development in the Shopping Center (SC) zone that shall be approved by the Department of Utilities prior to issuance of a building permit:

- a. The property owner/developer shall construct an off-site water main extension (12" minimum distribution main) in Freeport Boulevard from the existing 12" water main in Meadowview Road to the property frontage. The water main extension may need to be looped with the existing 8" water main on the west side of the property in Klotz Ranch Ct. per the Fire Department requirements. (Note: There is an existing 12", 18" and 30" water main in Meadowview Road. No connections will be allowed to the existing 18" and 30" transmission main in Meadowview Road.)
- b. Only one domestic water service is allowed per parcel. Any new domestic water service shall be metered. Excess services shall be abandoned to the satisfaction of the Department of Utilities.

- c. Each parcel shall have a separate, metered irrigation service; provided that an owner or entity possessing an easement or other property right authorizing a common irrigation service for multiple parcels may request a common irrigation service for such parcels, and the DOU may, in its sole discretion, approve a Utility Service Agreement to provide a common irrigation service, on such terms and conditions as may be determined by the DOU.
- d. Prior to the submittal of improvement plans, a project specific water study shall be approved by the Department of Utilities. The water distribution system shall be designed to satisfy the more critical of the two following conditions: (1) at maximum day peak hour demand, the operating or "residual" pressure at all water service connections shall be a least 30 pounds per square inch and (2) at average maximum day demand plus fire flow, the operating or "residual" pressure in the area of the fire shall not be less than 20 pounds per square inch. The water study shall determine if the existing and proposed water distribution system is adequate to supply fire flow demands for the project. A water supply test may be required for this project. Contact the Department of Utilities for the pressure boundary conditions to be used in the water study.
- e. A sewer main extension is required in Freeport Boulevard from the existing 24" sewer main in Meadowview Road to the property frontage. The design and construction of the sewer main shall be to the satisfaction of the Department of Utilities.
- f. The applicant shall enter into and record an Agreement of Conveyance of Easements with the City, in a form acceptable to the City Attorney, stating that each parcel shall be conveyed to the remaining parcels as needed, private easements for water and sanitary sewer at no cost at the time of sale or other conveyance of either parcel. A note stating the following must be placed on the Final Map: "THE PARCELS CREATED BY THIS MAP SHALL BE DEVELOPED IN ACCORDANCE WITH RECORD AGREEMENT FOR CONVEYANCE OF EASEMENTS # (BOOK\_\_\_\_\_, PAGE \_\_\_\_\_)".
- g. Prior to the submittal of improvement plans, a drainage study is required and shall be approved by the Department of Utilities (DOU). The applicant shall use the SWMM model for this project to size the drainage pipes and to determine the 10 and 100 year HGL's. There is a complete drainage study for the Antioch Church. The applicant/developer shall coordinate the drainage study for this development with the existing study. Depending on the result of the drainage study, onsite storage may be required. All drainage lines shall be placed within the asphalt section of the public right-of-ways as per the City's Design and Procedure Manual, unless otherwise approved by the DOU. The 10 and 100 year HGL shall be shown in both the drainage study and improvement plans. All new drainage system shall be connected to the existing public system in Freeport Blvd (MH 309

per Drainage/Sewer map page VV13). No new drainage system shall be connected to the existing system in Amherst Street.

- h. An onsite surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap. All onsite systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual).
- i. The applicant shall enter into and record an Agreement of Conveyance of Easements with the City, in a form acceptable to the City Attorney, stating that a private reciprocal drainage easement shall be conveyed to and reserved from each parcel as needed, at no cost, at the time of sale or other conveyance of either parcel. A note stating the following must be placed on the Final Map: "THE PARCELS CREATED BY THIS MAP SHALL BE DEVELOPED IN ACCORDANCE WITH RECORD AGREEMENT FOR CONVEYANCE OF EASEMENTS # (BOOK \_\_\_\_\_, PAGE \_\_\_\_\_)".
- j. Lot pad elevations shall be a minimum of 1.5 feet above the controlling overland release elevation and a minimum of 1.2 feet above the highest adjoining back of sidewalk elevation. Finished lot pad elevations shall be accepted by the Department of Utilities.
- k. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.
- l. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment methods on the improvement plans. These plans shall also show methods to control urban runoff pollution from the project site during construction.
- m. This project is greater than 1 acre. Therefore, the applicant is required to comply with the "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from [www.swrcb.ca.gov/stormstr/construction.html](http://www.swrcb.ca.gov/stormstr/construction.html). The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.

- n. Post construction, storm water quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is greater than 1 acre, both source controls and on-site treatment control measures are required. On-site treatment control measures may affect site design and site configuration and therefore, should be considered during the early planning stages. Improvement plans must include both source controls and on-site treatment control measures. Refer to the latest revision of the "Guidance Manual for On-site Storm water Quality Control Measures" for appropriate source control measures and recommended on-site control measures.

**Advisory notes for the Plan Review:**

- o. Many projects within the City of Sacramento require booster pumps for fire suppression and domestic water system. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the fire suppression and domestic water systems.
- p. The proposed project is located in the Flood zone designated as a Shaded X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a letter of Map Revision effective February 18, 2005. Within the Shaded X zone, there are no requirements to elevate or flood proof.
- q. City Code 13.04.570 requires that no fire service shall be installed across any parcel other than the parcel to which the services is being furnished, provided that the fire chief may in his or her discretion, authorize a fire service line that serves more than one parcel, upon the recording of an agreement, in a form approved by the City, that fully provides for the operation, maintenance and repair of the line, and grants a permanent easement for these purposes, at no cost or liability to the City.

**G11. Fire Department**

- a. Provide a Reciprocal Easement Agreement for the Fire Service mains that cross property lines.
- b. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.

- c. Provide a water flow test. (Make arrangements at the Downtown Permit Center's walk-in counter: New City Hall, 3<sup>rd</sup> Flr, 915 I St. OR the North Permit Center's walk-in counter: 2101 Arena Blvd., Suite 200, Sacramento, CA 95834)
- d. Provide appropriate Knox access for site. Man gate on east wall.
- e. Roads used for Fire Department access that are less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; roads less than 36 feet in width shall be marked on one side.
- f. An automatic fire sprinkler system shall be installed in any portion of a building when the floor area of the building exceeds 4,999 (3,599 as of 01/01/08) square feet. Refer to City Code 15.36.1003, Amendment of Article 10, Section 1003, for exceptions.
- g. Locate and identify Fire Department Connections (FDCs) on address side of building no further than 40 feet and no closer than 5 feet from a fire hydrant.

## **G12. Police Department**

### **Lighting**

- a. Project lighting shall be as follows: 1.5 foot candles of minimum maintained illumination per square foot of parking space during business hours and 0.25 foot candles of minimum illumination per square foot of surface on any walkway, alcove, passageway, etc from ½ hour before dusk to ½ hour after dawn.
- b. All light fixtures shall be equipped with vandal-resistant covers/lenses.
- c. Parking lots, aisles, passageways, recesses, & grounds contiguous to buildings shall be provided with high intensity discharge lighting with sufficient wattage to provide adequate illumination for the safety and security of vehicles and pedestrians using the site during the hours of darkness or diminished lighting.
- d. All exterior doors shall be adequately illuminated at all hours with their own light source.
- e. Exterior door, perimeter, canopy, & parking area lights shall be controlled by photocell and shall remain on during the hours of darkness or diminished lighting.
- f. Each entry, patio, & pedestrian outside door shall be equipped with its own light source.

**G13. Regional Transit**

- a. Contact Robert Hendrix, RT facilities (916) 649-2759 to determine if a bus shelter pad shall be provided. If determined appropriate by RT provide a bus shelter pad as directed.
- b. Transit information shall be displayed in a prominent location for employees and customers.
- c. The developer shall join the Sacramento TMA.

**G14. Solid Waste Division**

- a. The required recycling and solid waste capacities shall be met or exceeded.
- b. A recycling program shall be established. The developer shall send the name of the service provider, the frequency of service, and the processing facility to the Solid Waste Division to verify that service has been established.
- c. This project shall divert construction waste. The project proponent shall plan to target cardboard, wood waste, scrap metal, brick, concrete, asphalt, and dry wall for recovery. The developer shall submit the following information to the Solid Waste Division:

Method of recovery, Hauler information, Disposal facility, Diversion percentage, Weigh tickets documenting disposal and diversion.

**G15. Parks and Recreation Department****ADVISORY NOTE**

- a. As per City Code, the applicant will be responsible to meet his/her obligations regarding Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permits. The total Park Development Impact Fee due for this project is estimated at \$16,704. This is based on the total shopping center figures of 52,200 square feet at the commercial retail rate of \$0.32 per square foot. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.

**G16. Urban Forest Services Division****Tree Protection**

- a. Prior to the issuance of demolition/grading permits a 6 foot chain link fence shall be installed around the drip-line of trees within the construction area. The drip-line is an imaginary line on the ground directly below the outermost tips of the branches. Orange plastic fencing is acceptable but not recommended because it does not stand up to construction activity and is easily removed. The fencing shall remain in place for the duration of the project except for the temporary removal required to replace existing curb, gutter, and sidewalk.
- b. No excavation for utilities, trenching, grade changes, storage of materials or parking of vehicles shall be allowed within the fenced area. Boring or hand trenching for utilities shall be allowed within the fenced area under the supervision of the project arborist.
- c. The contractor shall hire an International Society of Arboriculture (ISA) certified arborist to do any required pruning for building or equipment clearances. The arborist will also perform any root inspections.
- d. If during excavation for the project or for any necessary sidewalk, curb, gutter repair or driveway construction, tree roots greater than two inches in diameter are encountered work shall stop immediately until project arborist can perform an on-site inspection. All roots shall be cut clean and the tree affected may require supplemental irrigation/fertilization and pruning as a result of root pruning.
- e. The contractor shall be held liable for any damage to existing trees. i.e. trunk wounds, broken limb, pouring of any deleterious materials, or washing out concrete under the drip line of the tree. Damages will be assessed using the "*Guide to Plant Appraisal*" ninth edition published by the ISA. The project arborist will submit a report to the property owner for review.

**The protection methods listed above shall be identified on all site plans for the project.**

**Specific Comments:**

- f. The minimum protection radius or construction exclusion zone for a heritage tree is assessed at a rate of 6" per DBH inch or 10' from trunk face in any direction provided there are no proposed grade alterations greater than 3" within 20' of the trunk face.
- g. If a heritage tree is proposed for removal the applicant shall request a heritage tree removal application which can be obtained by calling (916) 808 6370. After the application is completed and submitted to the City of Sacramento Urban Forest Services division fax; (916) 808 4005 the tree will be posted for public review for not

less than 10 days and a heritage tree removal hearing will be held. A decision will be rendered within 15 business days after the hearing.

The mitigation value for the removal of heritage trees has been assessed and waived giving way for the applicant to proceed with no tree mitigation fees or replacement. The applicant has agreed to preserve over 90 % of the aggregate tree diameter found on site. Furthermore the applicant has proposed to develop and install a retaining wall on the eastern edge of the project. Designed to preserve and number of heritage size oaks, the developer has gone far beyond the measures to provide and preserve such specimens.

#### **Irrigation:**

- h. All trees are to be irrigated on a non-turf station by a minimum of two pop-up heads w/3' radius nozzles installed 30" to 40" from center trunk line. Other irrigation designs may be pending City Landscape Architecture and UFS review.
- i. Irrigation plan shall be reviewed and approved by UFS prior to installation.

#### **Planting notes:**

- j. All trees are to be planted in a gradual mound 2" to 3" higher than the surrounding grade and mulched w/ wood chips (playground fiber or coarser) to a depth of approximately 3".
- k. No turf, groundcover or shrubs may be planted within 3' of any tree trunk, (landscape plan shall depict header board or concrete mow strip to create a 6'x 6' or larger break for any tree planted in turf).

#### **Protection of Trees: (Will not apply to this project if no City or heritage trees are to be preserved)**

- l. All heritage trees or trees in the City right of way that are not permitted for removal will be enclosed by a 6' high cyclone fence that defines a construction exclusion zone assigned at 1' of radius per DBH inch unless otherwise specified by the City of Sacramento Urban Forest Services Division
- m. Protection fencing must be installed prior to any construction activity.

#### **12.56.060 Protection of trees.**

- n. No person shall remove, trim, prune, cut or otherwise perform any maintenance on any city street tree without first obtaining a permit from the director pursuant to Section 12.56.070 of this chapter.

- o. No person shall interfere or cause any person to interfere with any tree related work being done pursuant to this chapter by any employee of the city or any person or firm doing work for the city.
- p. No person shall injure or destroy any city street tree by any means, including but not limited to the following:
- Constructing a concrete, asphalt, brick or gravel sidewalk, or otherwise filling up the ground area around any tree so as to shut off air, light or water from its roots, unless ordered or authorized to do so by the city.
  - Piling building material, equipment or other substance around any tree so as to injure the tree.
  - Pouring any deleterious matter on or around any tree or on the surrounding ground, lawn or sidewalk.
  - Posting any sign, poster, notice, or similar device on any tree, tree stake or guard, or by fastening any guy wire, cable, rope, nails, screws, or other device to any tree, tree stake or guard for any purpose other than supporting the tree.
  - Causing any fire or burning near or around any tree.
  - Cutting roots with a diameter of two inches or greater for sidewalk repair or any other purpose; provided, however, that roots with a diameter of two inches or greater may be cut if authorized in advance by the director.
- q. The director of public works and the planning director shall notify the director of any applications for new subdivisions, curb, gutter, sidewalk, street light or driveway installations, or other proposed improvements which might require the removal of or cause injury to, any city street tree, or interfere with the fulfillment of the maintenance easement private street tree plantings. (Prior code § 45.01.006)

#### **12.56.070 Maintenance and removal permits**

- r. The director shall issue permits to perform maintenance on or to remove city street trees, only if the following conditions are met:
- The applicant has established, to the director's satisfaction, that there is need for the proposed work on the tree; and
  - The applicant has established, to the director's satisfaction, that the persons who are to perform the work are qualified to do so; and
  - The director, in his or her sole discretion, has determined that any potential detriment to the city street tree population entailed by the proposed work, is justified in the individual case. In making this determination, the director shall consider factors such as the probability that the proposed work will destroy or seriously injure the tree, the tree's health, the desirability of that species as a street tree, whether the tree's condition and size threaten serious damage to property, the condition and number of other city street trees in the vicinity, whether there are other less onerous means of accomplishing the applicant's goals, and other related criteria.

- s. All work performed on city street trees pursuant to a permit issued by the director under this section shall be done within a sixty (60) day period from the issuance of said permit, or within such longer period as the director shall specify.
- t. The director shall condition any permit granted pursuant to this section for the removal of a city street tree, on the permittee removing, and where the director determines it to be appropriate, replacing the tree. In such case, the full cost of removal and replacement shall be borne by the permittee and such service shall not be provided by the city.
- u. The director may condition any permit granted pursuant to this section on any conditions as the director determines to be necessary.
- v. The provisions of Section 12.56.110 of this chapter shall be complied with whenever an applicant seeks a permit to remove or trim a city street tree to facilitate moving any building or other structure. (Prior code § 45.01.007)

#### **Site Specific Comments (Landscape Plan)**

- w. Ensure that all conditions are met with regards to irrigation, turf removal and planting pit areas in regards to using mulch. This condition is critical to the survival and vigor of trees and will decrease maintenance cost for the applicant.

#### **Tree Species Selection**

- x. The use of Chinese Elm (*Ulmus parvifolia*) will not be permitted on the outer planting strip along Meadowview Road. The use of elm species is permitted, but **conditioned to** disease resistant varieties. We recommend using a Bosque Elm (*Ulmus parvifolia*) 'UPMTF' PP 11295.

#### **Planter Size**

- y. Planters of no less than 8ft wide shall be used in the parking lot areas throughout the project. The western planter along the Carls Jr. parking lot is insufficient for tree establishment and shall be increased from 5ft to a minimum of 7.5ft.

**Exhibit G-1 Mitigation Monitoring Plan**

**MITIGATION MONITORING PROGRAM**

FOR

**FREEPORT MARKETPLACE (P03-018)**

**TYPE OF ENVIRONMENTAL DOCUMENT:  
INITIAL STUDY/ NEGATIVE DECLARATION**

**PREPARED FOR:**

CITY OF SACRAMENTO, DEVELOPMENT SERVICES DEPARTMENT

**DATE:**

MAY 30, 2007

**ADOPTED BY:**

CITY OF SACRAMENTO  
CITY PROGRAMMING COMMISSION

DATE:

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ATTEST:

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**FREEPORT MARKETPLACE (P03-018)  
MITIGATION MONITORING PROGRAM**

This Mitigation Monitoring Program (MMP) has been required by and prepared for the City of Sacramento Development Services Department, Environmental Programming Services, 2101 Arena Blvd, Suite 200, Sacramento, CA 95834, pursuant to CEQA Guidelines Section 21081.6.

**SECTION 1: PROJECT IDENTIFICATION**

**Project Name / File Number:** Freeport Marketplace / P03-018  
**Owner/Developer- Name:** John Saca  
**Address:** 77 Cadillac Drive, Suite 150

Sacramento, CA 95825

**Project Location / Legal Description of Property (if recorded):**

The project site is located on the southeast corner at the intersection of Freeport Boulevard and Meadowview Road, in the Airport Meadowview Community Plan area of the City of Sacramento, Sacramento County (APN: 052-0010-077 and -079).

**Project Description:**

The proposed project includes the development of four commercial buildings including a 17,272 sf drugstore, a 3,177 sf fast food restaurant, a 5,952 sf retail space (possible sit down restaurant), and a 25,785 sf veterinary clinic on 6.1 vacant acres for a total of approximately 52,186 s.f. of commercial mixed use buildings in the proposed Shopping Center (SC) zone within the Airport Meadowview Community Plan area. Specific entitlements include:

- **General Plan Amendment** of 6.1 acres from the Low Density Residential (4-15 du/na) to the Community/Neighborhood Commercial & Offices land use designation;
- **Community Plan Amendment** of 6.1 acres from the Residential 7-15 du/na to the Commercial land use designation;
- **Rezone** of 6.1 acres from the Single-family Alternative (R-1A) to the Shopping Center (SC) zone;
- **Tentative Map** to merge two parcels comprising 6.1 acres and then subdividing same into four parcels;
- **Special Permit** to construct and operate a drive-through facility;
- **Special Permit** to construct and operate a drive through facility;
- **Variance** to modify the required vehicle stacking distance for a drive-through facility;
- **Special Permit** to construct and operate a veterinarian clinic in the Shopping Center (SC) zone;
- **Variance** to waive a portion of a required masonry wall separating commercial and residential uses;
- **Plan Review** of an approximate 52,186 square foot commercial mixed use development in the Shopping Center (SC) zone.

**SECTION 2: GENERAL INFORMATION**

The Program includes mitigation for Transportation, Biological Resources, and Cultural Resources. The intent of the Program 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 Program shall be funded by the owner/developer identified above. This Mitigation Monitoring Program (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 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 with the MMP. The City of Sacramento will be responsible for ensuring compliance.

			VERIFICATION OF COMPLIANCE		
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<b>7. TRANSPORTATION AND CIRCULATION</b>					
T-1 Provide and construct a dedicated right-turn lane on the northbound approach at the intersection of Meadowview Road at Freeport Boulevard to the satisfaction of the City of Sacramento Development Services Department, Development Engineering Division. The project applicant shall revise the site plan and include the dedicated right-turn lane in the improvement plans.	Applicant / Developer	City Development Services Department	Include the dedicated right-turn lane in the improvement plans.	At the time of submitting the improvement plans	
T-2 Modify the timing of the traffic signal at the southbound I-5 exit ramp to Pocket Road to allocate more green time to the southbound approach. The applicant/developer for the proposed project shall pay a fair share to recover the costs for the City's Traffic Operation Center monitoring and future retiming of this signal.	Applicant / Developer	City Development Services Department and City DOT	Project Applicant pay fair share to City DOT	Prior to issuance of building permit	
<b>7. BIOLOGICAL RESOURCES</b>					
BR-1. Prior to issuance of grading permits, the project applicant/developer shall have a biologist	Applicant / Developer	City of Sacramento - Development Services Department (DSD);	Pre-construction biological surveys shall be completed as specified and submitted with grading/ building plans.	Prior to issuance of any grading or building permit, measures identified on plans shall be verified for	

			VERIFICATION OF COMPLIANCE		
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>conduct a pre-construction survey to determine whether the stick nest identified in the 19-inch valley oak (Tree #: 6421 in the Abacus report) is being used. If so, no removal of the nest tree or disturbance of the active nest should occur during the nesting season for the species using the nest (generally March through July).</p> <p>BR-2a Prior to issuance of a grading permit, a pre-construction survey shall be completed by a qualified biologist, within 30 days prior to construction, to determine whether any Swainson's hawk nest trees will be removed on-site, or active Swainson's hawk nest sites occur within 1/2 mile of the development site. These surveys shall be conducted according to the Swainson's Hawk Technical Advisory Committee's (May 31, 2000) methodology or updated methodologies, as approved by the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG), using experienced</p>	<p>Applicant / Developer</p>	<p>DFG</p> <p>City of Sacramento - DSD;</p> <p>DFG</p>	<p>Mitigation Measures, shall be included on the Construction Specifications. Pre-construction biological surveys shall be completed as specified and submitted with grading/ building plans.</p>	<p>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. Measures shall also be implemented concurrent with construction activities.</p> <p>Prior to issuance of any grading, and/or construction permit, measures identified on plans shall be verified for compliance. The Development Services Dept. shall assure that measures are identified on construction plans and confirm compliance prior to issuance of any grading permit.</p>	

			VERIFICATION OF COMPLIANCE		
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>Swainson's hawk surveyors.</p> <p>2b. If breeding Swainson's hawks (i.e. exhibiting nest building or nesting behavior) are identified, no new disturbances (e.g. heavy equipment operation associated with construction) shall occur within 1/2 mile of an active nest between March 1 and September 15, or until a qualified biologist, with concurrence by CDFG, has determined that young have fledged or that the nest is no longer occupied. If the active nest site is located within 1/4 mile of existing urban development, the no new disturbance zone can be limited to the 1/4 mile versus the 1/2 mile.</p> <p>2c. If construction or other project related activities which may cause nest abandonment or forced fledging are proposed within the 1/4 mile buffer zone, intensive monitoring (funded by the project sponsor) by a Department of Fish and Game approved raptor biologist will be required. Exact</p>					

			VERIFICATION OF COMPLIANCE		
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>implementation of this measure will be based on specific site conditions.</p> <p>2d. Trees on the site that need to be removed to accommodate construction shall be felled between September 15 and January 31, outside of the general nesting season for raptors and other birds. Alternately, a pre-construction survey for nesting birds shall be conducted prior to tree removal between February 1 and September 15. Temporal restrictions shall be determined by a qualified biologist.</p> <p>BR-3. Prior to issuance of grading permits, the project applicant shall be required to purchase compensatory Swainson's hawk foraging habitat credits for each developed acre, at the required ratio, from an approved mitigation bank, or develop other arrangements acceptable to and approved by the CDFG.</p> <p>BR-4 If Tree #'s 6415 and 6417 are removed,</p>	<p>Applicant / Developer</p>	<p>City of Sacramento - DSD;</p>	<p>Applicant / Developer shall provide written verification prior to issuance of Grading Permit.</p> <p>Verification of compliance</p>	<p>Measures shall be implemented prior to and concurrent with construction activities.</p>	

			VERIFICATION OF COMPLIANCE		
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>prior to issuance of Certificate of Occupancy removal of Tree #6411, a 14-inch diameter-at-breast height (DBH) valley oak, shall require the planting of six (6) 24-inch box trees on the subject site.</p> <p>Br-5 If Tree #'s 6415 and 6417 are removed, prior to issuance of Certificate of Occupancy, removal of Tree #6415, a 14-inch DBH valley oak shall require the planting of six (6) 24-inch box trees on the subject site.</p> <p>BR-6 If Tree #'s 6415 and 6417 are removed, prior to issuance of Certificate of Occupancy, removal of Tree #6417, a 3 stemmed (18, 15, 9-inch DBH) valley oak, shall require the planting ten (10) 24-inch box trees on the subject site.</p>	<p>Applicant / Developer</p> <p>Applicant / Developer</p> <p>Applicant / Developer</p>	<p>City of Sacramento - DSD and Urban Forest Services Division</p> <p>City of Sacramento - DSD and Urban Forest Services Division</p> <p>City of Sacramento - DSD and Urban Forest Services Division</p>	<p>from the Urban Forest Services Arborist shall be provided to Development Services Staff prior to issuance of building permits.</p> <p>Mitigation Measures, shall be included on the Construction Specifications and Plan</p>	<p>Measure shall be implemented prior to issuance of any building permits or as agreed upon by the Urban Forest Services Arborist</p>	
<p><b>14. CULTURAL RESOURCES:</b></p> <p>CR-1 In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that</p>	<p>Applicant / Developer</p>	<p>City Development Services Department</p>	<p>Mitigation Measures shall be included on the Map and within the Standard Construction Specifications.</p> <p>Verification of compliance</p>	<p>Measures shall be implemented in field during grading and construction activities.</p>	

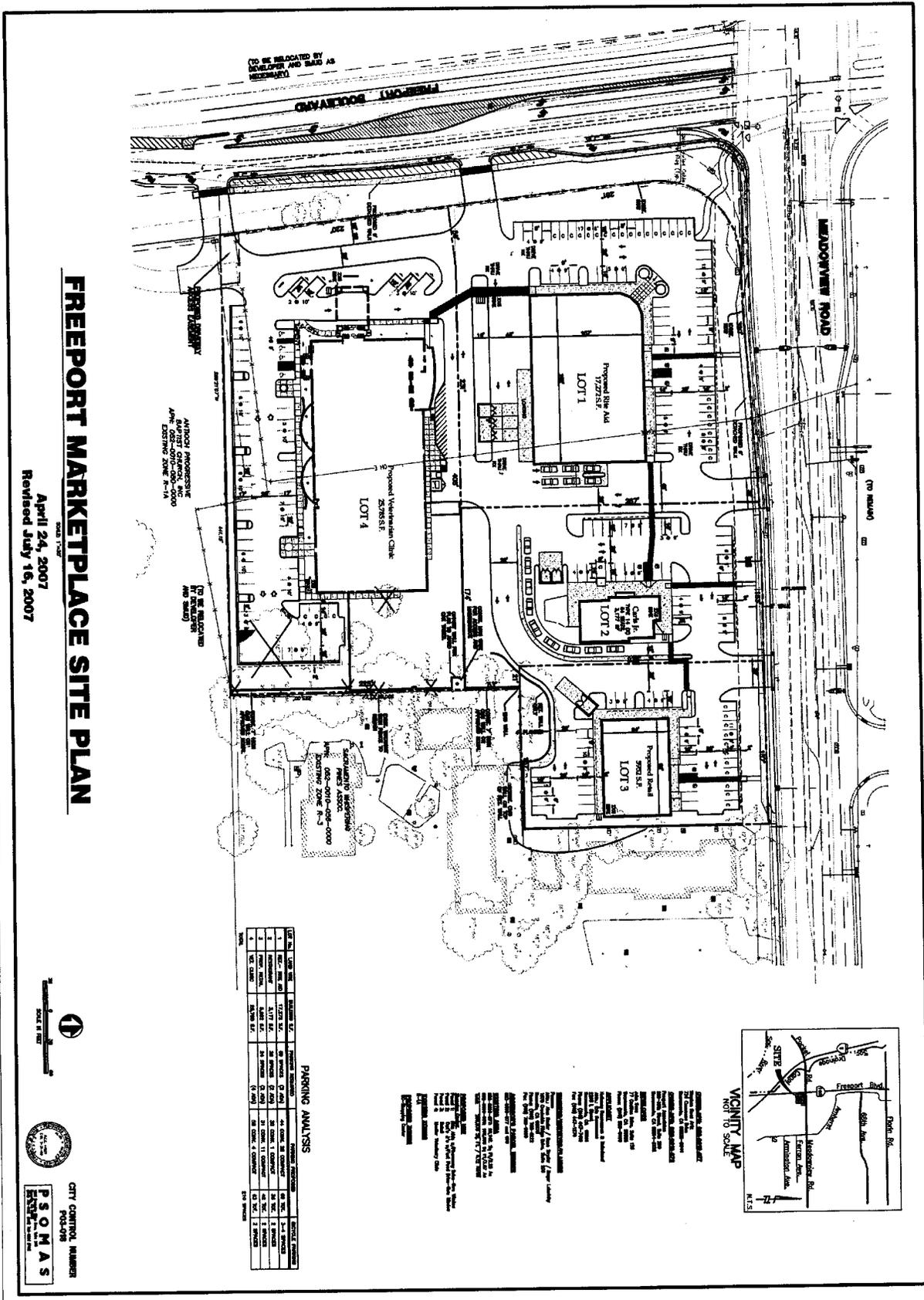
			VERIFICATION OF COMPLIANCE		
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 meters of the resources shall be halted, and the City shall consult with a qualified archeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, representatives of the City and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the qualified archeologist according to current professional standards.</p>	<p>Applicant /</p>	<p>City Development</p>	<p>shall be provided to the Development Services Staff</p> <p>Mitigation Measures shall be included on the Map and within the Standard Construction</p>	<p>Measures shall be implemented</p>	

			VERIFICATION OF COMPLIANCE		
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>CR-2 If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.</p> <p>If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archeologists, who are certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions.</p> <p>In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic</p>	Developer	Services Department	<p>Specifications.</p> <p>Verification of compliance shall be provided to the Development Services Staff</p>	in field during grading and construction activities.	

			VERIFICATION OF COMPLIANCE		
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.</p> <p><b>CR-3</b> If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.</p>	Applicant / Developer	City Development Services Department	Mitigation Measures shall be included on the Map and within the Standard Construction Specifications. If required, verification of compliance shall be provided to the Development Services Staff	Measures shall be implemented in field during grading and construction activities.	



Exhibit G-2 Site Plan

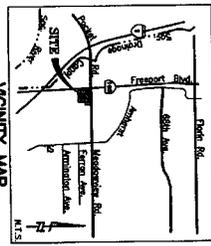


**FREEPORT MARKETPLACE SITE PLAN**

April 24, 2007  
 Revised July 16, 2007

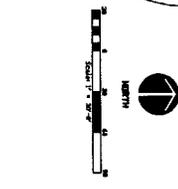
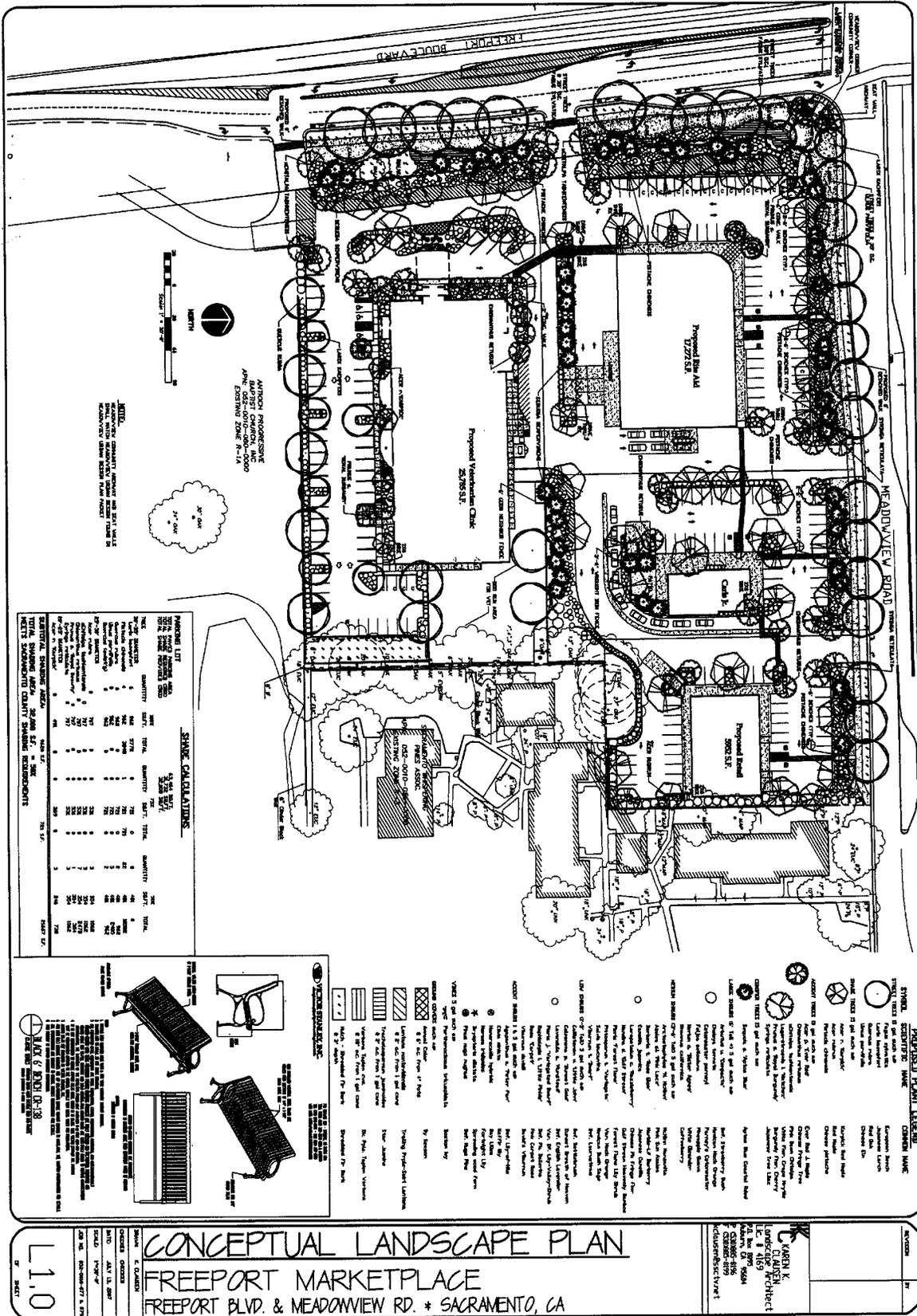
**PARKING ANALYSIS**

NO.	TYPE	AREA (SQ. FT.)	NO. OF SPACES	TYPE	AREA (SQ. FT.)	NO. OF SPACES
1	LOT 1	17,735	38	LOT 2	17,735	38
2	LOT 2	17,735	38	LOT 3	17,735	38
3	LOT 3	17,735	38	LOT 4	17,735	38
4	LOT 4	17,735	38	TOTAL	70,940	152



CITY CONTROL NUMBER  
 P03-018  
**PSOMAS**  
 CONSULTANTS

Exhibit G-3 Landscape Plan



ANTHONY PROGRESSIVE  
 840 FIRST STREET, SACRAMENTO, CA 95811  
 JAMES E. HENNING, ARCHITECT  
 1000 COLLEGE AVENUE, SACRAMENTO, CA 95811

**SHADE CALCULATIONS**

PLANT	QTY	AREA	SHADE	TOTAL
10' x 10' Tree	10	100	100	100
15' x 15' Tree	5	225	112.5	217.5
20' x 20' Tree	2	400	200	417.5
25' x 25' Tree	1	625	312.5	730
30' x 30' Tree	1	900	450	1180
35' x 35' Tree	1	1225	612.5	1792.5
40' x 40' Tree	1	1600	800	2592.5
45' x 45' Tree	1	2025	1012.5	3605
50' x 50' Tree	1	2500	1250	4855
55' x 55' Tree	1	3025	1512.5	6367.5
60' x 60' Tree	1	3600	1800	8167.5
65' x 65' Tree	1	4225	2112.5	10280
70' x 70' Tree	1	4900	2450	12730
75' x 75' Tree	1	5625	2812.5	15542.5
80' x 80' Tree	1	6400	3200	18742.5
85' x 85' Tree	1	7225	3612.5	22355
90' x 90' Tree	1	8100	4050	26405
95' x 95' Tree	1	9025	4512.5	30917.5
100' x 100' Tree	1	10000	5000	35917.5
<b>TOTAL</b>	<b>18</b>	<b>18000</b>	<b>9000</b>	<b>27000</b>

- PLANT LEGEND**
- 10' x 10' Tree
  - 15' x 15' Tree
  - 20' x 20' Tree
  - 25' x 25' Tree
  - 30' x 30' Tree
  - 35' x 35' Tree
  - 40' x 40' Tree
  - 45' x 45' Tree
  - 50' x 50' Tree
  - 55' x 55' Tree
  - 60' x 60' Tree
  - 65' x 65' Tree
  - 70' x 70' Tree
  - 75' x 75' Tree
  - 80' x 80' Tree
  - 85' x 85' Tree
  - 90' x 90' Tree
  - 95' x 95' Tree
  - 100' x 100' Tree
  - 15' x 15' Shrub
  - 20' x 20' Shrub
  - 25' x 25' Shrub
  - 30' x 30' Shrub
  - 35' x 35' Shrub
  - 40' x 40' Shrub
  - 45' x 45' Shrub
  - 50' x 50' Shrub
  - 55' x 55' Shrub
  - 60' x 60' Shrub
  - 65' x 65' Shrub
  - 70' x 70' Shrub
  - 75' x 75' Shrub
  - 80' x 80' Shrub
  - 85' x 85' Shrub
  - 90' x 90' Shrub
  - 95' x 95' Shrub
  - 100' x 100' Shrub
  - 10' x 10' Flower Bed
  - 15' x 15' Flower Bed
  - 20' x 20' Flower Bed
  - 25' x 25' Flower Bed
  - 30' x 30' Flower Bed
  - 35' x 35' Flower Bed
  - 40' x 40' Flower Bed
  - 45' x 45' Flower Bed
  - 50' x 50' Flower Bed
  - 55' x 55' Flower Bed
  - 60' x 60' Flower Bed
  - 65' x 65' Flower Bed
  - 70' x 70' Flower Bed
  - 75' x 75' Flower Bed
  - 80' x 80' Flower Bed
  - 85' x 85' Flower Bed
  - 90' x 90' Flower Bed
  - 95' x 95' Flower Bed
  - 100' x 100' Flower Bed
  - 10' x 10' Bench
  - 15' x 15' Bench
  - 20' x 20' Bench
  - 25' x 25' Bench
  - 30' x 30' Bench
  - 35' x 35' Bench
  - 40' x 40' Bench
  - 45' x 45' Bench
  - 50' x 50' Bench
  - 55' x 55' Bench
  - 60' x 60' Bench
  - 65' x 65' Bench
  - 70' x 70' Bench
  - 75' x 75' Bench
  - 80' x 80' Bench
  - 85' x 85' Bench
  - 90' x 90' Bench
  - 95' x 95' Bench
  - 100' x 100' Bench

**CONCEPTUAL LANDSCAPE PLAN**  
**FREEPORT MARKETPLACE**  
**FREEPORT BLVD. & MEADOWVIEW RD. \* SACRAMENTO, CA**

**L1.0**  
 SHEET 1 OF 1

**KAREN H. LANDSCAPE ARCHITECT**  
 1000 COLLEGE AVENUE, SACRAMENTO, CA 95811  
 TEL: 916.486.8888  
 FAX: 916.486.8889  
 WWW.KARENHLANDSCAPEARCHITECT.COM



**Exhibit G-5 Rite Aid Elevations**

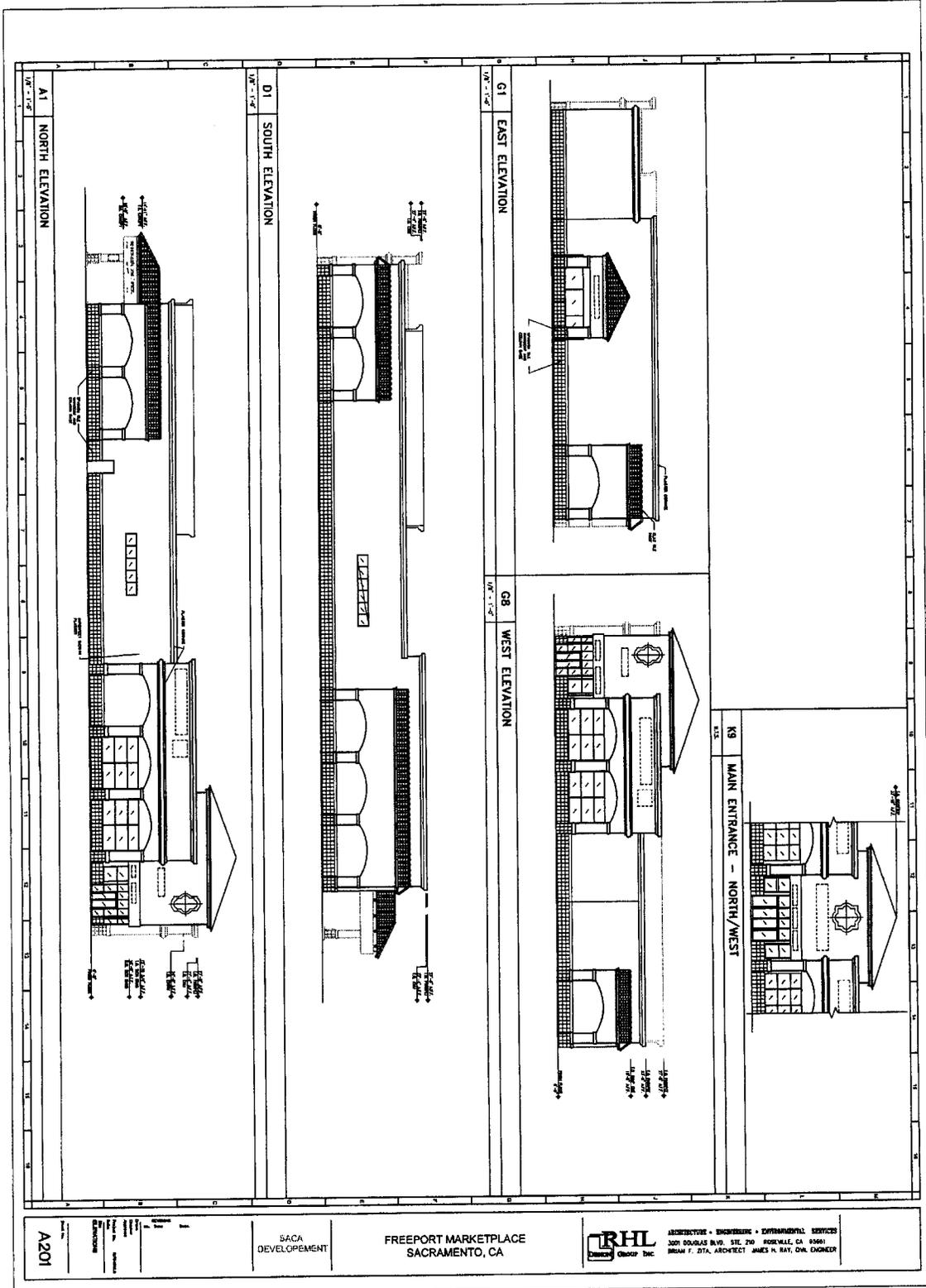


Exhibit G-6 Rite Aid Floor Plan

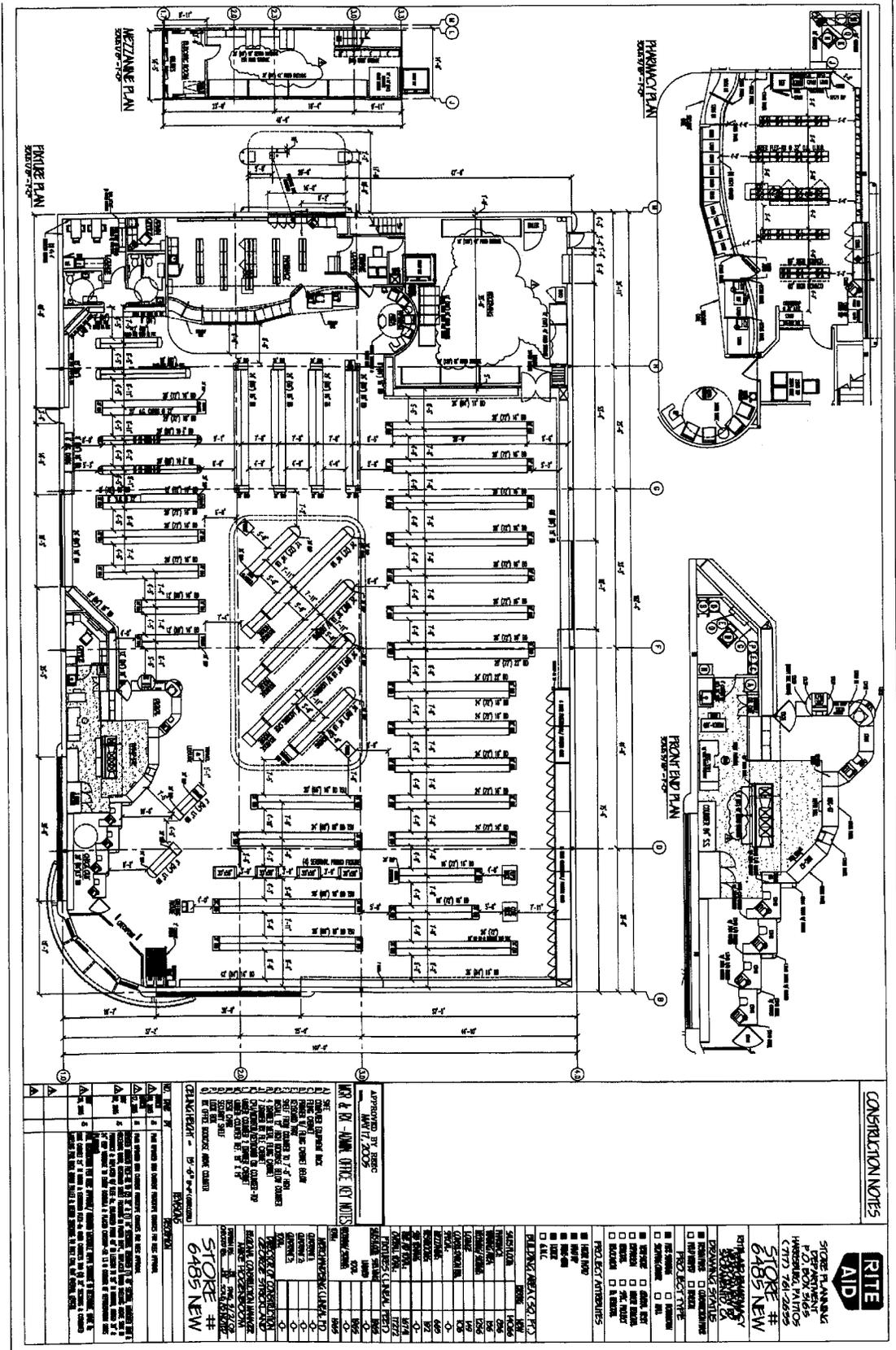
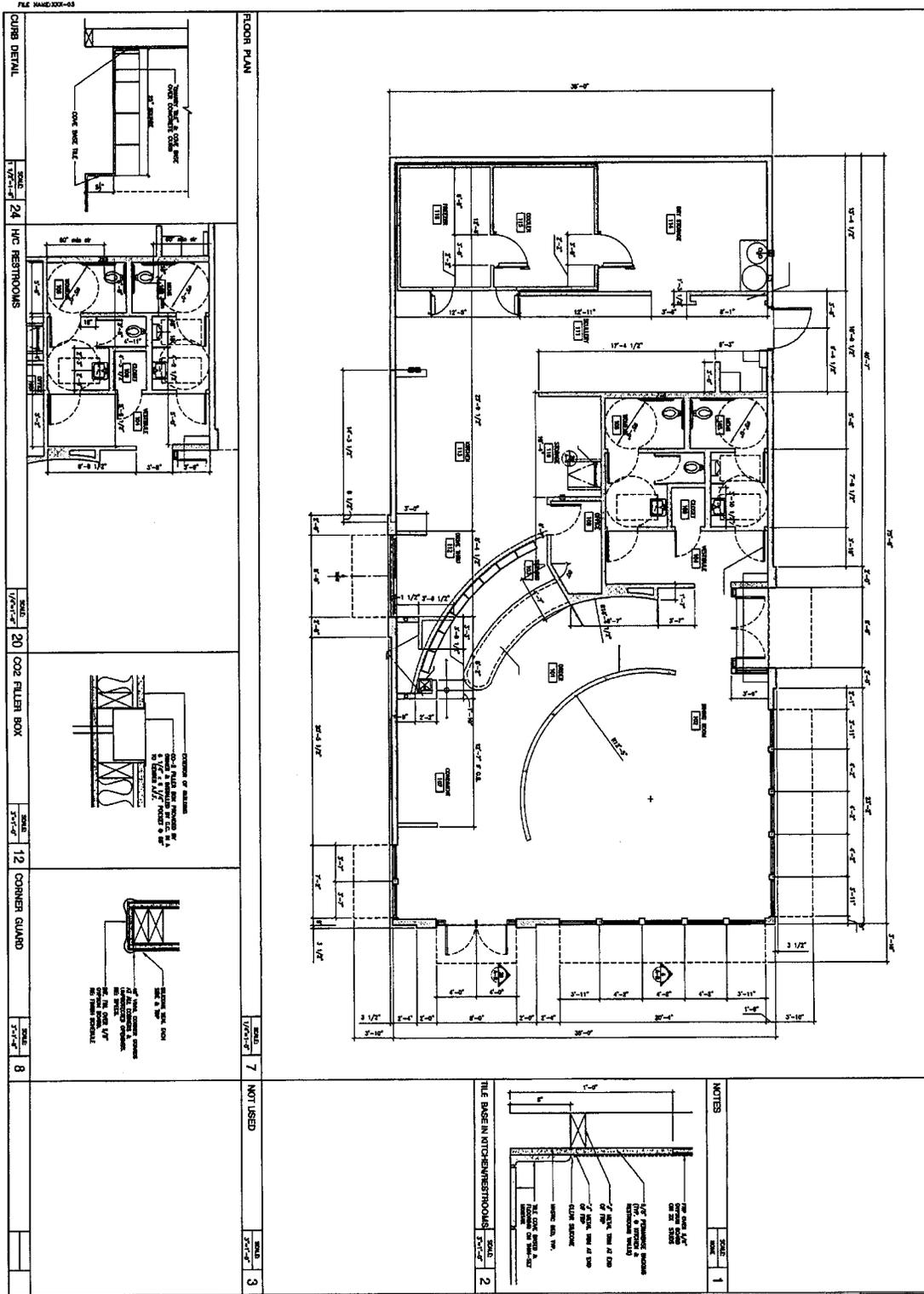




Exhibit G-8 Carl's Jr. Floor Plan



CKE VERSION - PROTOTYPE 24 - 60

These drawings are the property of CARL KARCHER ENTERPRISES, INC., and shall not be copied or reproduced without expressed written permission.

DATE	NO.	DESCRIPTION
MAY 7, 2007	1	ISSUED FOR PERMIT
MAY 7, 2007	2	ISSUED FOR PERMIT
MAY 7, 2007	3	ISSUED FOR PERMIT
MAY 7, 2007	4	ISSUED FOR PERMIT
MAY 7, 2007	5	ISSUED FOR PERMIT
MAY 7, 2007	6	ISSUED FOR PERMIT
MAY 7, 2007	7	ISSUED FOR PERMIT
MAY 7, 2007	8	ISSUED FOR PERMIT
MAY 7, 2007	9	ISSUED FOR PERMIT
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MAY 7, 2007	14	ISSUED FOR PERMIT
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MAY 7, 2007	28	ISSUED FOR PERMIT
MAY 7, 2007	29	ISSUED FOR PERMIT
MAY 7, 2007	30	ISSUED FOR PERMIT

DATE	NO.	DESCRIPTION
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MAY 7, 2007	2	ISSUED FOR PERMIT
MAY 7, 2007	3	ISSUED FOR PERMIT
MAY 7, 2007	4	ISSUED FOR PERMIT
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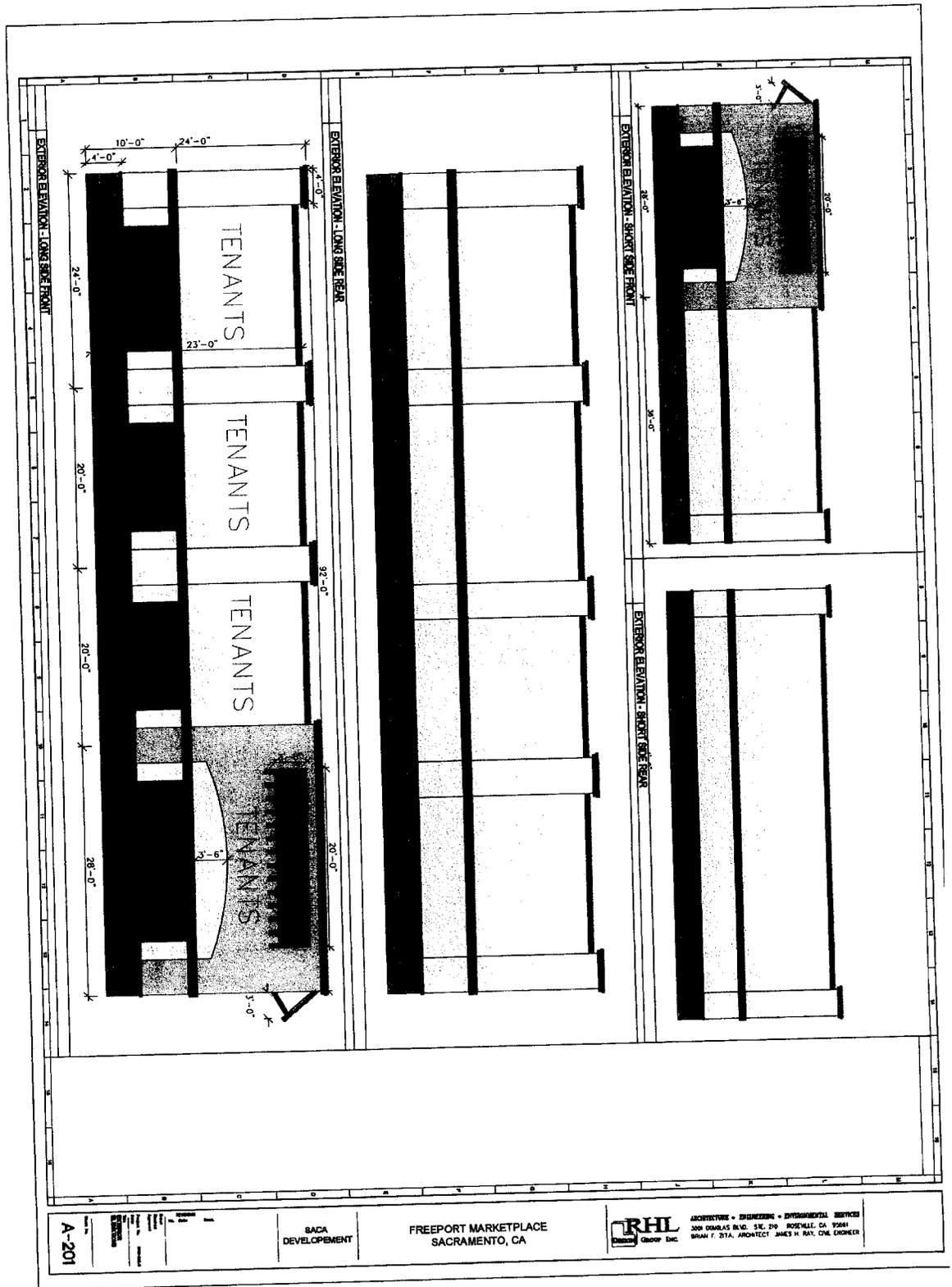
FLOOR PLAN & DETAILS

**Carl's Jr.**  
 CARL KARCHER ENTERPRISES, INC. 2007  
 PROTOTYPE 24-60  
 FREEPORT MARKETPLACE  
 (MEADOWVIEW)  
 GARDEN GROVE, CALIFORNIA  
 UNIT # (T.S.D.)

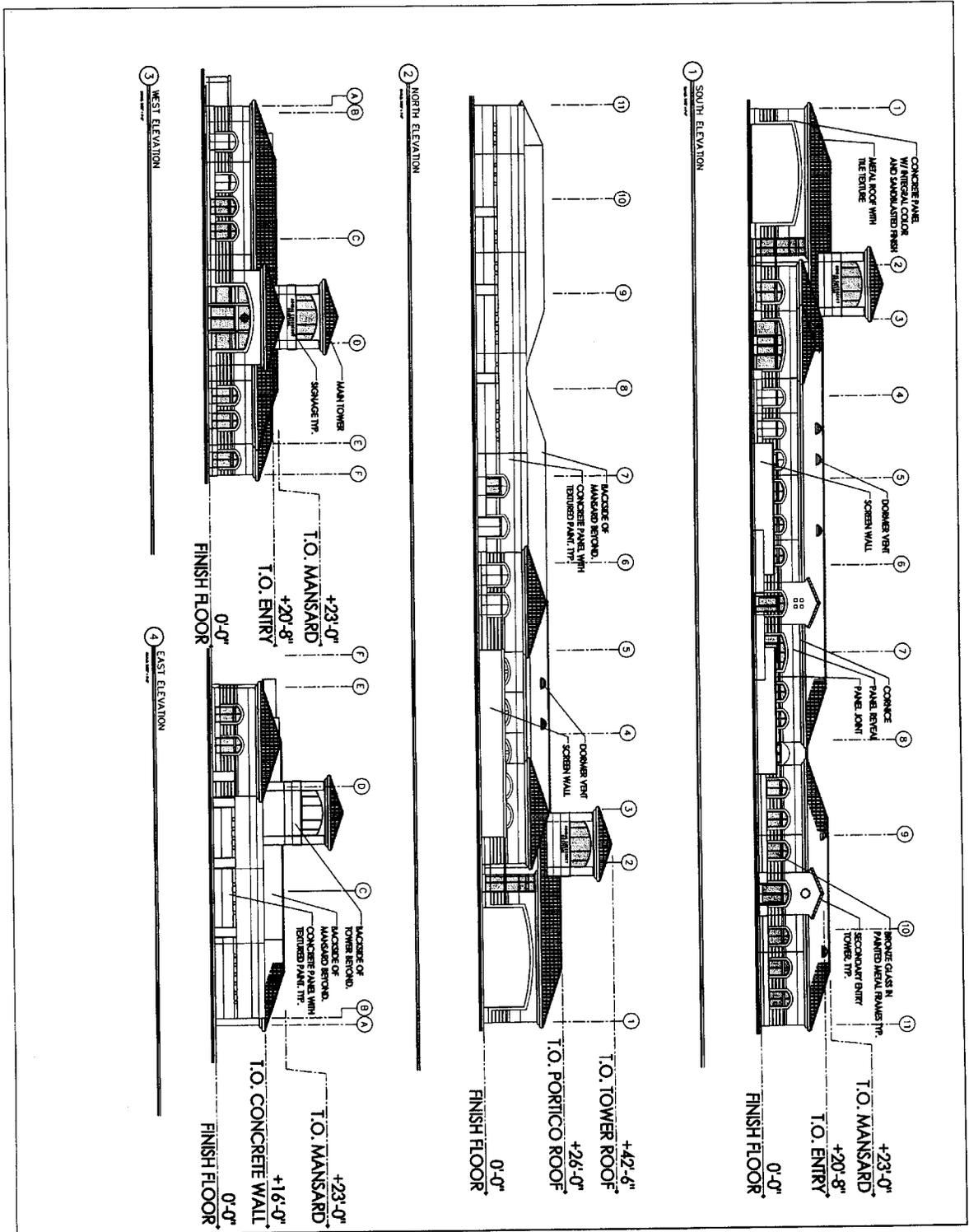
**CKE** CARL KARCHER ENTERPRISES, INC.  
 401 West Carl Karcher Way  
 Anaheim, CA 92801  
 (714) 254-4615

**LEEKA** LEONARD E. ELLIOTT ARCHITECTS - PLANNERS  
 2715 116th Avenue, Suite 100  
 San Diego, CA 92126  
 (619) 594-1111

### Exhibit G-9 Retail Building Elevations



### Exhibit G-10 Veterinarian Clinic Elevations

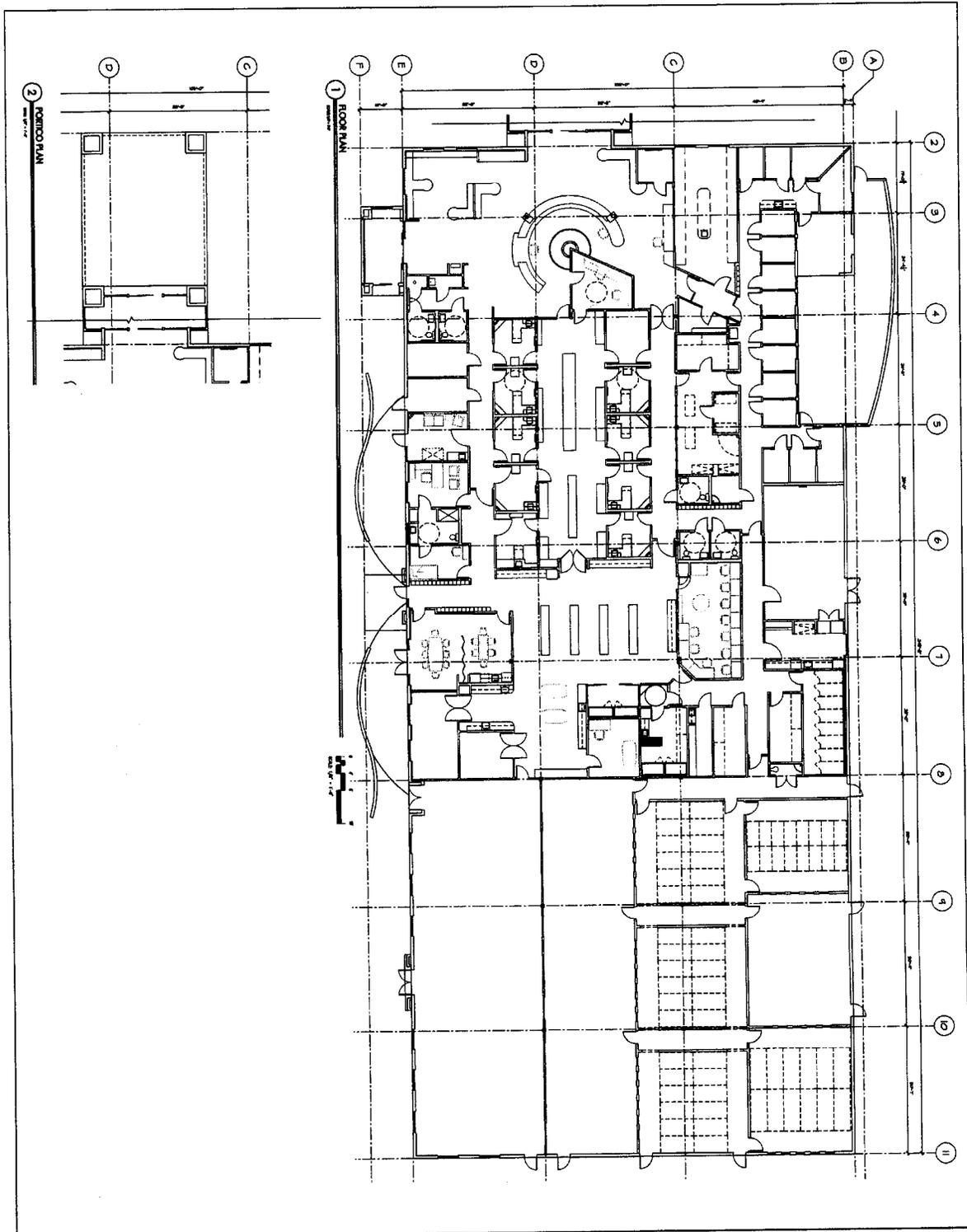


**PRELIMINARY EXTERIOR ELEVATIONS**

**A3.01**

DATE: APR 11, 2007  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 SCALE: AS SHOWN  
 PROJECT: [Name]

### Exhibit G-11 Veterinarian Clinic Floor Plan



**2 PORTICO PLAN**

**1 FLOOR PLAN**

Scale: 1/4" = 1'-0"

Scale: 1/8" = 1'-0"

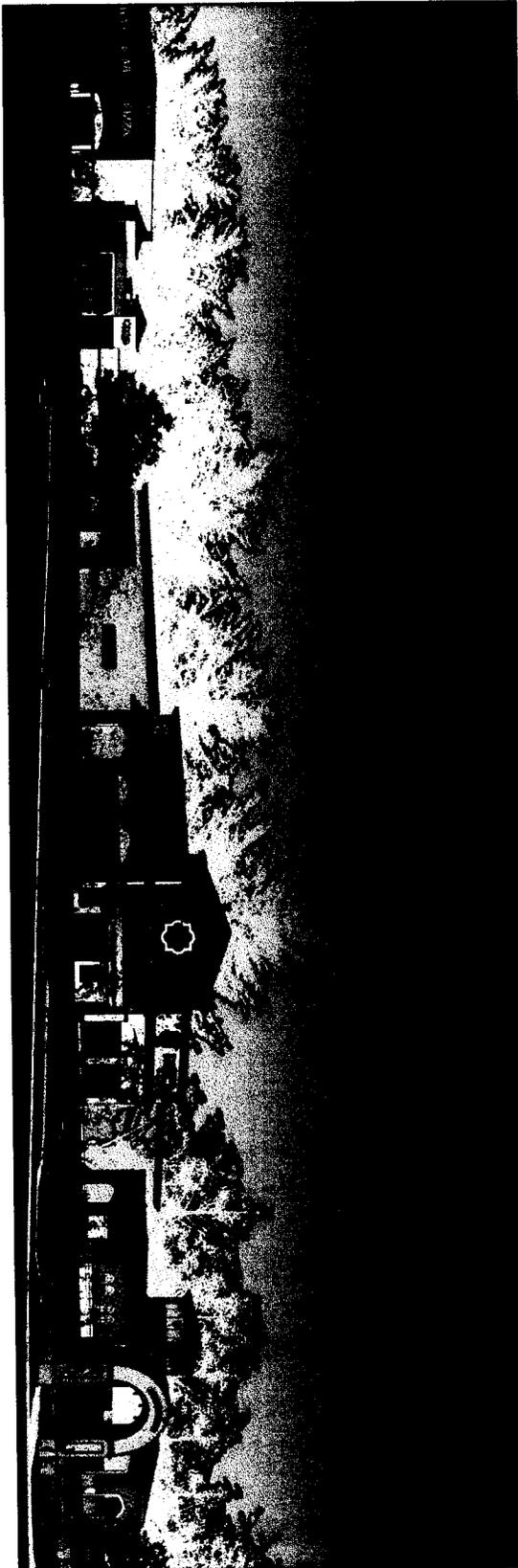
JOB NO. 07-001  
 SCALE AS SHOWN  
 DATE APRIL 11, 2007  
 CHECKED BY M. C. C.  
 DRAWN BY M. C. C.

**PRELIMINARY FLOOR PLAN**

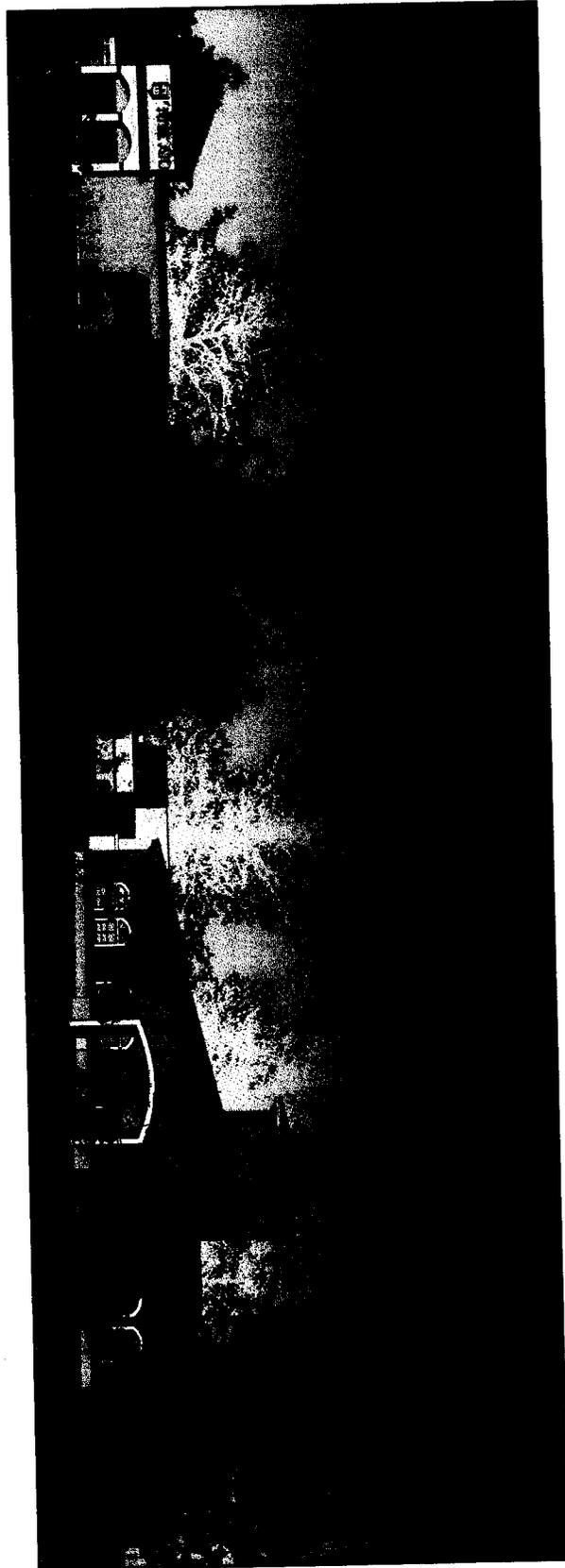
**A2.00**



**Exhibit G-12 Meadowview Road Streetscape**



**Exhibit G-13 Freeport Boulevard Streetscape**



## **Attachment 8 – Rezone Ordinance**

### **ORDINANCE NO.**

Adopted by the Sacramento City Council

**AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) BY REZONING CERTAIN REAL PROPERTY FROM SINGLE-FAMILY ALTERNATIVE (R-1A) TO SHOPPING CENTER (SC) (SOUTHEAST CORNER AT THE INTERSECTION OF FREEPORT BOULEVARD AND MEADOWVIEW ROAD)(P03-018)(APNS: 052-0010-077 AND 079)**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

Section 1. Title 17 of the Sacramento City Code (the Zoning Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known, and referred to as Freeport Marketplace located at the southeast corner at the intersection of Freeport Blvd. and Meadowview Rd. (APNs: 052-0010-077 AND 079) and consisting of  $\pm$  6.1 net acres, from Single-family Alternative (R-1A) to Shopping Center (SC).

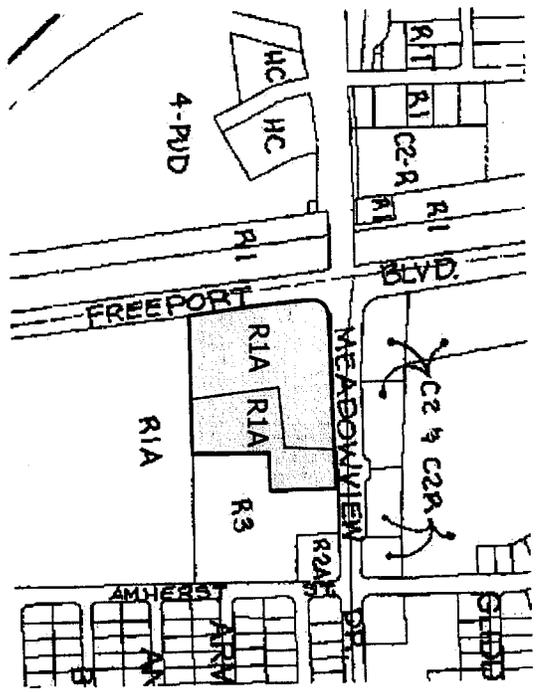
Section 2. Rezoning of the property shown in the attached Exhibit A, by the adoption of this Ordinance, will be considered to be in compliance with the requirements for the rezoning of property described in the Zoning Code, as amended, as those procedures have been affected by recent court decisions.

Section 3. The City Clerk of the City of Sacramento is directed to amend the official zoning maps, which are part of the Zoning Code, to conform to the provisions of this Ordinance.

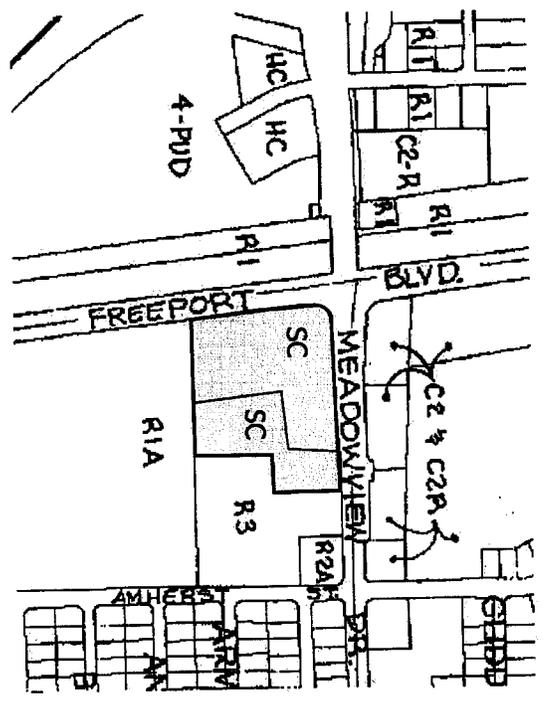
Table of Contents:

Exhibit A

**Exhibit A – Rezone**



EXISTING ZONING DESIGNATION:  
R1A LOW TO MEDIUM DENSITY RESIDENTIAL



PROPOSED ZONING DESIGNATION:  
SC-SHOPPING CENTER



No Scale

APN 052-0010-077 AND 052-0010-079

**REZONE EXHIBIT**

City of Sacramento, CA.

August 22, 2007

**P S O M A S**

1075 Creekside Ridge Drive, Suite 200, Roseville, Ca 95678  
(916) 788-8122 (916) 788-0600 (fax)

## **Attachment 9 – Mitigated Negative Declaration**

Initial Study/Mitigated Negative Declaration for the Freeport Marketplace project:

This information/document is available on the City of Sacramento Website at:  
[http://www.cityofsacramento.org/webtech/streaming\\_video/live\\_council\\_meetings.htm](http://www.cityofsacramento.org/webtech/streaming_video/live_council_meetings.htm)  
under Future and Archived Meetings and is on file in Hard Copy in the Office of the City Clerk at 915 I Street, Historic Building, First Floor.

