

RESOLUTION NO. 2006-360

Adopted by the Sacramento City Council

May 23, 2006

APPROVING THE ADDENDUM TO THE PREVIOUS NEGATIVE DECLARATION AND APPROVING THE MITIGATION MONITORING PLAN FOR THE CREEKSIDE PARCEL 3 PROJECT, LOCATED ON THE NORTHEAST CORNER OF NORTH PARK DRIVE AND KANKAKEE DRIVE IN SACRAMENTO, CALIFORNIA. (P05-182) (APN: 225-1780-003; 201-0300-126)

BACKGROUND

- A. The Environmental Coordinator has prepared an Addendum to the previous Negative Declaration for the above identified project; and
- B. The proposed project Addendum to the previous Negative Declaration finds that the proposed project will not have a significant effect on the environment provided that mitigation measures are added to the above identified project;
- C. The Environmental Coordinator has prepared a Mitigation Monitoring Plan for ensuring compliance and implementation of the mitigation measures as prescribed in the Initial Study for the above identified project; and
- D. In accordance with Section 21081.6 of the California Public Resources Code, the City of Sacramento requires that a Mitigation Monitoring Plan be developed for implementing mitigation measures as identified in the Initial Study for the project.

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

- Section 1. The City Council approves the Negative Declaration for the Creekside Parcel 3 project (P05-182).
- Section 2. The City Council approves the Mitigation Monitoring Plan for Creekside Parcel 3 (P05-182) based upon the following findings:
 - 1. One or more mitigation measures have been added to the above-identified project;
 - 2. A Mitigation Monitoring Plan has been prepared to ensure compliance and implementation of the mitigation measures for the above-identified project, a copy of which is attached as Exhibit A.

Table of Contents: Exhibit 1: Mitigation Monitoring Plan – 10 Pages

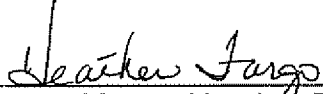
Adopted by the City of Sacramento City Council on May 23, 2006 by the following vote:

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

Noes: None.


Abstain: None.

Absent: None.



Mayor, Heather Fargo

Attest:



Shirley Concolino, City Clerk

EXHIBIT 1

**CREEKSIDE PARCEL 3
(P05-182)
MITIGATION MONITORING PLAN**

**FOR
LEWIS INVESTMENT COMPANY, LLC**

**TYPE OF ENVIRONMENTAL DOCUMENT:
INITIAL STUDY/ADDENDUM TO THE CREEKSIDE PUD (P99-128) NEGATIVE
DECLARATION**

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

**DATE:
April 13, 2006**

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

DATE:

ATTEST:

**CREEKSIDE PARCEL 3
(P05-182)
MITIGATION MONITORING PLAN**

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

SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: Creekside Parcel 3 (P05-182)
Owner/Developer- Name: Lewis Investment Company, LLC
Address: 9216 Kiefer Blvd.
Sacramento, CA 95827

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

The subject property consists of approximately 10.8 vacant acres located at the northeast corner of Kankakee Drive and North Park Drive in the North Natomas Community Plan area of the City of Sacramento (APN: 225-1780-003 and 201-0300-126)

Project Description:

The proposed project consists of an application for the necessary entitlements to subdivide approximately 10.8 vacant acres into 148 lots, 123 buildable lots for cluster homes, 20 common area lots for utilities and access and 3 common area lots in the Single Family Alternative Planned Unit Development (R-1A-PUD) zone in the Creekside Planned Unit Development (PUD) APN: 225-1780-003 and 201-0300-126 in Council District 1. The specific entitlements include:

- A. **Adopt Addendum** to previous Creekside PUD Negative Declaration (adopted August 15, 2000);
- B. **Adopt Mitigation Monitoring Plan;**
- C. **General Plan Amendment** to amend the designation from Public/Quasi-Public Miscellaneous to Low Density Residential (4-15 du/na);
- D. **Community Plan Amendment** to amend the designation from Elementary (General Public Facilities) to Medium Density Residential (7-21 du/na);
- E. **PUD Schematic Plan Amendment** to designate approximately 10.8 acres from School to Residential in the Single Family Alternative Planned Unit Development (R-1A-PUD) zone;
- F. **Tentative Map** to subdivide two lots into 146 lots (123 buildable lots, 3 remainder lots and 20 common area lots);
- G. **Subdivision Modification** to allow non-standard street intersection and elbow; and
- H. **Special Permits** for alternative housing and to develop within a PUD, a 123 unit cluster housing development on 7.7 net acres in the Creekside PUD.

SECTION 2: GENERAL INFORMATION

The Plan includes mitigation for Air Quality, Biological Resources, Noise, and Cultural Resources. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this

project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Sacramento will be responsible for ensuring compliance.

CREEKSIDE PARCEL 3
(P05-182)
MITIGATION MONITORING PLAN (MMP)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>Air Quality:</p> <p>Mitigation Measure #1 (taken from the original Negative Declaration (P99-128))</p> <p>Comply with the NNCIP's requirement to prepare an Air Quality Mitigation Strategy that reduces ROG emissions by 20 percent for residential uses and 50 percent for non-residential uses.</p>	Applicant	City Development Services Department and SMAQMD			
<p>Mitigation Measure #2 (taken from the original Negative Declaration (P99-128))</p> <p>The developer/contractor shall water exposed soil with adequate frequency to keep soil moist at all times;</p> <p>A. Enclose, cover or water all soil piles twice daily.</p> <p>B. Water all exposed soil twice daily.</p> <p>C. Water all haul roads twice daily.</p> <p>D. Maintain at least two feet of freeboard in hauling trucks.</p>		City Development Services Department and SMAQMD	The applicant shall include the listed measures on all grading plans (the City shall not approve any construction plans without them).	Measures shall be implemented in field during grading and construction activities	
<p>Mitigation Measure #3 (taken from the original Negative Declaration (P99-128))</p> <p>Properly tune and maintain mobile equipment (vehicles) in good</p>		City Development Services Department and SMAQMD	The applicant shall include the listed measures on all grading	Measures shall be implemented in field during grading and construction	

CREEKSIDE PARCEL 3
(P05-182)

MITIGATION MONITORING PLAN (MMP)

Mitigation Measure	VERIFICATION OF COMPLIANCE			
	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing Verification of Compliance (Initials/Date)
working order.			plans (the City shall not approve any construction plans without them).	activities
<p>Biological:</p> <p><u>Mitigation Measure # B-1</u></p> <p>The project applicant/developer shall: (i) comply with all requirements of the 2003 Natomas Basin Habitat Conservation Plan (NBHCP), together with any additional requirements specified in the North Natomas Community Plan EIR; (ii) comply with any additional mitigation measures identified in the NBHCP EIR/EIS; and (iii) comply with all conditions in the Incidental Take Permits (ITPs) issued by the United States Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG).</p>	Applicant / Developer	City of Sacramento Development Services Department	Mitigation Measures shall be included on the Construction Specifications. Applicant / Developer shall provide the City Planning & Building Dept. with written verification of	The Building Division shall assure that measures are identified on construction plans and confirm compliance prior to issuance of any grading or building permit. Measures shall

**CREEKSIDE PARCEL 3
(P06-182)**

MITIGATION MONITORING PLAN (MMP)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p><u>Mitigation Measure # B-2</u></p> <p>A pre-construction survey shall be conducted by a qualified biologist not less than 30 day or more than 6 months prior to construction activities in accordance with the 2003 Natomas Basin Habitat Conservation Plan (NBHCP). In the event that a non-breeding burrowing owl nest is observed during the pre-construction survey, the burrowing owl nest shall be relocated. In the event that a breeding burrowing owl nest is observed during the pre-construction survey, construction activities shall be postponed until after the breeding and fledging season (typically April -- July). The pre-construction survey shall be submitted to the City prior to issuance of building permits.</p>	<p>Applicant / Developer</p>	<p>City of Sacramento Development Services Department</p>	<p>consultation, agreement, and implementation as appropriate.</p> <p>Mitigation Measures shall be included on the Construction Specifications.</p> <p>Applicant / Developer shall provide the City Development Services Dept with written verification of consultation, agreement, and implementation as appropriate.</p>	<p>be implemented prior to and concurrent with construction activities.</p> <p>The Building Division shall assure that measures are identified on construction plans and confirm compliance prior to issuance of any grading or building permit.</p> <p>Measures shall be implemented prior to and concurrent with construction activities.</p>	
<p><u>Mitigation Measure # B-3</u></p> <p>A pre-construction survey shall be conducted by a qualified biologist not less than 30 day or more than 6 months prior to construction activities in accordance with the 2003 Natomas Basin Habitat Conservation Plan (NBHCP) to determine the presence or absence of active Swainson's hawk nests. This survey shall be conducted during the active Swainson's hawk</p>					

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MITIGATION MONITORING PLAN (MMP)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>nesting season, March 1 through September 15. In the event an active Swainson's hawk nest is identified, the nest site shall be avoided and no construction activities shall take place within ¼ mile of the nest site. The pre-construction survey shall be submitted to the City prior to issuance of building permits.</p>					
<p>Noise: <u>Mitigation Measure #13 [taken from the original Negative Declaration (P99-128)]</u> The applicant shall provide each unit with air conditioning so that each resident can close the windows and reduce the noise level to below the 45 dB Ldn interior noise level maximum criteria.</p>	Applicant / Developer	City of Sacramento, Development Services Department	Construction plans shall incorporate all applicable noise attenuation measures and be approved by the Building Division. The Building Division shall require full compliance and completion of the specified noise attenuation measures.	Prior to issuance of any Final Building Permits, Certificate of Occupancy.	

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MITIGATION MONITORING PLAN (MMP)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE	
			Compliance Standards	Timing Verification of Compliance (Initials/Date)
<p>Cultural Resources:</p> <p><u>Mitigation Measure #14 (taken from the original negative declaration, P96-082)</u></p> <p>If subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, work shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.</p>	Applicant/ Developer	City Development Services Department	<p>Site inspections by the Building Division shall inspect for any potential archeological resources</p> <p>The Site Conditions Unit staff person/resident engineer in the Building Division Department and a representative of the Environmental Planning Services shall be notified in case of an archaeological discovery. The Building Division shall include this measure as a random.</p>	

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MITIGATION MONITORING PLAN (MMP)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
			inspection item on the Special Conditions Attachment.		