

# **RESOLUTION NO. 2007-219**

Adopted by the Sacramento City Council

April 10, 2007

## **APPROVING THE MITIGATED NEGATIVE DECLARATION AND APPROVING THE MITIGATION MONITORING PLAN FOR FLORIN WALGREENS, LOCATED AT THE SOUTHWEST CORNER OF FLORIN ROAD AND GREENHAVEN DRIVE, SACRAMENTO, CALIFORNIA (P06-149) (APN: 030-0042-050)**

### **BACKGROUND**

- A. The City of Sacramento's Environmental Planning Services conducted or caused to be conducted an initial study on Florin Walgreens (P06-149) ("Project") to determine if the Project may have a significant effect on the environment.
- B. The initial study identified potentially significant effects of the Project. 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 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 December 12, 2006 a Notice of Intent to Adopt the MND (NOI) dated December 13, 2006 was circulated for public comments for 20 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 December 12, 2006 the project site was posted with the NOI, the NOI was published in the Daily Recorder, a newspaper of general circulation, and the NOI was posted in the office of the Sacramento County Clerk.
- C. The City Council has reviewed and considered the information contained in the MND, including the initial study, the revisions and conditions incorporated into the Project, 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.

D. 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.

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

- Section 1. 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 2. The City Council adopts the MND for the Project.
- Section 3. 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 Program to require all reasonably feasible mitigation measures be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Program.
- Section 4. 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.

**Table of Contents:**

Exhibit A: Mitigation Monitoring Plan

Adopted by the City of Sacramento City Council on April 10, 2007 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:

  
\_\_\_\_\_  
Dawn Bullwinkel, Assistant City Clerk

**MITIGATION MONITORING PLAN**

for

**P06-149 – Florin Walgreen's**

**Prepared By:**

City of Sacramento  
Development Services Department  
Environmental Planning Services  
Rochelle Hall  
808-5914

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

**Preparation Date:**

December 28, 2006

**Adopted By:**

City of Sacramento  
Planning Commission

**Adoption Date:**

\_\_\_\_\_

**ATTEST:**

\_\_\_\_\_

**P06-149 – Florin Walgreen's**  
**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 Blvd., Ste. 200, Sacramento, CA 95834, pursuant to CEQA Guidelines Section 21081.6.

**SECTION 1: PROJECT IDENTIFICATION**

**Project Name/File Number:** Florin Walgreen's/ P06-149

**Owner/Developer:** Abby Davis  
Hawkins Companies  
5700 8<sup>th</sup> Avenue  
Sacramento, CA 95820

**City of Sacramento Contact:** Rochelle Hall, Assistant Planner  
Environmental Planning Services  
Development Services Dept  
2101 Arena Blvd., Ste. 200  
Sacramento, CA 95834  
(916) 808-5914

**Project Location**

The project is located at 250 Florin Road at the southwest corner of Florin Road and Riverside Boulevard in the Pocket Community Plan Area (APNs: 030-0042-050 and -049) in Council District 7.

**Project Components and Approvals**

The proposed project consists of entitlements to construct a 14,820 square foot retail store in the Shopping Center Review (SC-R) zone. Specific entitlements include:

- A) Environmental Determination: Mitigated Negative Declaration
- B) Mitigation Monitoring Plan
- C) Special Permit to allow drive-through pharmacy service for a 14,820 square-foot retail in the Shopping Center Review (SC-R) zone
- D) Plan Review to allow a new 14,820 square-foot retail store with pharmacy in the Shopping Center Review (SC-R) zone
- E) Special Permit to allow 10 off-site parking spaces for a 14,820 square-foot retail store in the Shopping Center Review (SC-R) zone
- F) Variance to exceed the maximum allowable number of attached signs by one (1) sign
- G) Variance to allow an LED readerboard

2

## SECTION 2: GENERAL INFORMATION

The Mitigation Monitoring Plan (MMP) includes mitigation for 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 mitigation measures were taken verbatim from the Initial Study and are assigned the same number they have in the document. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Sacramento, along with other applicable local, state or federal agencies, will be responsible for ensuring compliance.

**MITIGATION MONITORING PLAN  
Florin Walgreen's (P06-149)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p><b>CULTURAL RESOURCES</b></p> <p>CR-1a In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("middens"), that 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>	Applicant	City of Sacramento Development Services Department	Measure included on the grading plan and in the Construction Specifications	During construction	

**MITIGATION MONITORING PLAN  
Florin Walgreen's (P06-149)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>CR-1b 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 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>	Applicant	City of Sacramento Development Services Department  Native American Heritage Commission	Measure included on the grading plan and in the Construction Specifications	During construction	
	Applicant	City of		During	

**MITIGATION MONITORING PLAN  
Florin Walgreen's (P06-149)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>CR-2 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>Sacramento Development Services Department County Coroner Native American Heritage Commission</p>	<p>Measure included on the grading plan and in the Construction Specifications</p>	<p>construction</p>	
<p><b>TRANSPORTATION/CIRCULATION</b> T-1 Modifications shall be made to the location and/or design of structures and vegetation to improve the sight distance at the existing shopping center driveway at Riverside Boulevard to provide</p>	<p>Applicant</p>	<p>City of Sacramento Development Services Department, Engineering</p>	<p>Measures included in building design and approved by Development Engineering</p>	<p>Prior to issuance of Certificate of Occupancy</p>	



**MITIGATION MONITORING PLAN  
Florin Walgreen's (P06-149)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>adequate sight distance in accordance with City of Sacramento design standards to the satisfaction of the City Traffic Engineer.</p> <p>Potential modifications include:</p> <ol style="list-style-type: none"> <li>1) Lower fence to below line of sight</li> <li>2) Replace shrubs that must be trimmed with groundcover</li> <li>3) Move or lower electrical box to be out of line of sight</li> <li>4) Permanently remove signs in planter adjacent to sidewalk</li> </ol> <p>Line of sight shall be that required to provide stopping distance for vehicles leaving the driveway. According to Table 201.1 in the Caltrans Highway Design Manual, a minimum stopping sight distance of 105 meters (345 feet) would be required based upon a design speed of 70 km/h (43.5 mph). Setting the design speed equal to the 85<sup>th</sup> percentile running speed (45.6 mph), the required stopping distance is 370 feet.</p>					