

CITY OF REDDING

777 CYPRESS AVENUE, REDDING, CA 96001

P.O. Box 496071, REDDING, CA 96049-6071

MITIGATED NEGATIVE DECLARATION

Use Permit Application UP-2016-00219
State Clearinghouse No. _____

SUBJECT

Use Permit UP-2016-00219 for Churn Creek MarketPlace.

PROJECT DESCRIPTION

The 18.8 acre project site consists of the former Kenworth Sales and Service truck yard located at 4601 Churn Creek Road. The proposal consists of the development of a grocery store anchored shopping center on the site. The proposed shopping center consists of a primary grocery store, a secondary large box type retail store, a junior box retail, and strip retail facilities including restaurants, banks, and office buildings. The proposed retail facilities east of Churn Creek Road total approximately 143,225 square feet. The project also includes 6,185 square feet of fast food drive-through restaurants on the west side of Churn Creek Road.

ENVIRONMENTAL SETTING

The topography of the site is relatively level, with an elevation range of 512 to 518 feet above mean sea level (MSL) and with a high point in the vicinity of Arizona Street. The majority of the project site was previously cleared for development of the truck yard. The remaining vegetated portions of the site consist of blue oak woodland, consisting of stands of blue oak and interior live oak with grey pine, manzanita, and poison oak. Outside this area, are areas of non-native annual grasses with a variety trees, shrubs and other plants.

FINDINGS AND DETERMINATION

The City of Redding conducted an Initial Study (attached), which determined that the proposed project could have significant environmental effects. Subsequent revisions in the project proposal create the specific mitigation measures identified below. The project, as revised and as agreed to by the applicant, avoids or mitigates the potentially significant environmental effects identified, and the preparation of an environmental impact report will not be required. There is no substantial evidence, in light of the whole record before the City, that the project as revised may have a significant effect on the environment. If there are substantial changes that alter the character or impacts of the proposed project, another environmental impact determination will be necessary.

The project includes measures to mitigate potentially significant impacts of biological impacts, noise, onsite hazards, and traffic. The full list of mitigations is listed in the attached Initial Study.

Prior to approval of the project, the lead agency may conclude, at a public hearing, that certain mitigation measures identified in the Mitigated Negative Declaration are infeasible or undesirable. In accordance with CEQA Section 15074.1, the lead agency may delete those mitigation measures and substitute other measures which it determines are equivalent or more effective. The lead agency would adopt written findings that the new measure is equivalent or more effective in mitigating or avoiding potential significant effects and that it, in itself, would not cause any potentially significant effect on the environment.

- 1. Based on the whole record (including the Initial Study and any supporting documentation) and the mitigation measures incorporated into the project, the City of Redding has determined that there is no substantial evidence that the project will have a significant effect on the environment.**
- 2. The Mitigated Negative Declaration, with its supporting documentation, reflects the independent judgment and analysis of the lead agency, which is the City of Redding.**

DOCUMENTATION

The attached Initial Study documents the reasons to support the above determination.

MITIGATION MEASURES

Biological Resources

- Invertebrates - Elderberry shrubs should be mitigated by transplanting the affected elderberry shrub clusters and purchasing credits at the Stillwater Plains Mitigation Bank or another USFWS-approved mitigation area.
- Mammals - Typical suitable roosting habitats for special-status bats include buildings, bridges, and trees. Although there is a lack of suitable habitat for special status bats, the following recommendations are made to minimize potential effects to bats:

Within 14 days prior to commencement of vegetation or structure removal activities, a preconstruction bat survey shall be conducted by a qualified biologist for the presence of any roosting bats on-site during the appropriate time of day to maximize detectability. Survey methodology may include visual surveys of bats (e.g., observation of bats during foraging period), inspection for suitable habitat or bat signs (e.g., guano). The type of survey will depend on the condition of the potential roosting habitat. If no bat roosts are found, then no further study is required. Any trees that have been identified as potential roosting sites shall be removed between October 1 and February 28. When trees must be removed during the maternity roost season (March 1 to September 30), a qualified biologist shall conduct a preconstruction survey to identify those trees proposed for disturbance that could provide hibernacula or nursery colony roosting habitat for bats. Trees identified as potentially supporting an active nursery roost shall be inspected by a qualified biologist no greater than seven days prior to tree disturbance to determine presence or absence of roosting bats. Trees determined to support active maternity

roosts will be left in place until the end of the maternity season (September 30) or until the qualified biologist determines that bats are no longer present.

3. Migratory Birds – Impacts to native nesting birds will be avoided by not conducting project activities that involve clearing of vegetation, generation of mechanical noise, or ground disturbance during the typical breeding season (March 1 to September 1). Therefore, vegetation removal or ground disturbance should be conducted between September 1 and February 28 during the non-breeding season. If vegetation removal or ground disturbance occurs during the breeding season (March 1 and September 1) then, within 14 days prior to the commencement of construction activities, a qualified biologist shall conduct a survey for all birds protected by the MBTA and FGC. All on-site nests located within 300 feet of construction areas shall be mapped. Should nesting birds be observed within 300 feet of the construction activities, then appropriate avoidance measures will be implemented including: buffers around active nests will be a minimum of 250 feet, unless a qualified biologist determines that smaller buffers would be sufficient to avoid impacts to nesting birds. Factors to be considered for determining buffer size will include: the presence of natural buffers provided by vegetation or topography or topography; nest height; locations of foraging territory; and baseline levels of noise and human activity. Buffers will be maintained until young have fledged or the nests become inactive.

4. Aquatic Resources – An updated Draft Delineation of the WOUS will be prepared and submitted to the U.S. Army Corps of Engineers (USACE) as part of the Nationwide 404 permitting process. It is anticipated that the project proponent will purchase mitigation credits for the 0.144 acres of wetland features and 0.007 acres of other WOUS at a USACE and CDFW approved bank.

Hazards & Hazardous Materials

5. If areas within the project are found to be contaminated, appropriate action shall be taken to handle and dispose of any contaminated soil and/or suspect materials. All applicable Federal, State, and local laws and regulations shall be followed.

6. The site shall be fully covered by buildings, parking lots, or landscaping, if the project is phased; the undeveloped portions shall be landscaped to maintain a cover of rocks/bark/plants or other landscaping to prevent exposed soils.

Noise

7. The applicant shall construct a decorative, solid-masonry wall 8-9 feet in height on the north and east property lines adjacent to the residential district. The wall shall be 9 feet in height when adjacent to truck loading bays or docks. The design of the wall shall be submitted to the Planning Division for design review and approval prior to issuance of a building permit. The wall shall include a pedestrian-access opening shall be installed along the east and north boundary of the property. The design of the wall shall be submitted to the Planning Division for design review and approval prior to issuance of a building permit. The project's final landscape plan shall include irrigation and landscape of the area between the wall and the property lines.

8. Delivery-truck movements shall not occur on-site between the hours of 10 p.m. and 6 a.m. Any delivery trucks parked on-site shall have motors turned off, and refrigerator units on the trucks shall be turned off between the hours of 10 p.m. and 6 a.m.

9. Forklift operations with back-up beepers: pallet loading or unloading; and/or the opening, closing, or other handling of boxes, crates, containers, building materials, or other similar materials shall not occur outdoors between the hours of 10 p.m. and 6 a.m. in order to avoid noise disturbances across residential property lines to the north and east.

Transportation/Traffic

10. Prior to issuance of the first Certificate of Occupancy, the applicant shall be responsible to design and construct improvements at the South Bonnyview Road and I-5 southbound ramps. These improvements include modifying the traffic signal and pavement delineation to accommodate modification to the South Bonnyview Road and I-5 northbound ramps intersection, as described in (11) below.

11. Prior to issuance of the first Certificate of Occupancy, the applicant shall be responsible to design and construct improvements at the South Bonnyview Road and I-5 northbound ramps. These improvements include modifying the traffic signal and pavement delineation to add a second eastbound left-turn lane.

12. Prior to issuance of the first Certificate of Occupancy, the applicant shall be responsible to design and construct improvements at the South Bonnyview and I-5 northbound on ramp. These improvements include modifying the northbound on ramp to accommodate the improvement identified in (11) above. The associated improvements may include ramp lengthening or an acceleration lane to accommodate the increased flow of traffic merging onto the freeway from the dual left turn lanes. The final design shall be approved by Caltrans.

13. Prior to issuance of the first Certificate of Occupancy, the applicant shall be responsible to design and construct improvements at the South Bonnyview Road and Churn Creek Road intersection. These improvements include modifying the traffic signal to provide a southbound right-turn permitted signal phase that will operate concurrent with the eastbound Churn Creek Road left turn signal phase (i.e., a southbound right turn overlap phase).

14. Prior to issuance of the first Certificate of Occupancy, the applicant shall be responsible to design and construct a traffic signal at the Churn Creek Road and Southern Full-Access Project Driveway.

15. Prior to issuance of each Certificate of Occupancy, the applicant shall be responsible to pay a fair share of the improvements required at the Churn Creek Road and Alrose Lane intersection. The applicant will be required to pay into a newly formed City of Redding account 19 percent of the cost of the required improvements. The amount paid at the time of issuance of each individual Certificate of Occupancy will be the proportionate share of the amount of building square footage of requested Certificate of Occupancy to the total approved by the project (i.e., $\text{Cost of Improvements} * 19 \text{ percent} / \text{total project square footage} = \text{price per square foot} * \text{square footage of requested Certificate of Occupancy}$). The improvements include adding an eastbound left turn lane and widening the eastbound approach to accommodate a through lane and through right-turn lane.

16. Prior to issuance of each Certificate of Occupancy, the applicant shall be responsible to pay a fair share of the improvements required at the Churn Creek Road and Hartmeyer intersection. The applicant will be required to pay into a newly formed City of Redding account 26 percent of the cost of the required improvements. The amount paid at the time of issuance of

each individual Certificate of Occupancy will be the proportionate share of the amount of building square footage of requested Certificate of Occupancy to the total approved by the project. (i.e., Cost of Improvements * 26 percent/total project square footage = price per square foot * square footage of requested Certificate of Occupancy)These improvements include reconstructing the intersection to accommodate northbound lefts by providing a protected merge lane and a northbound right-turn pocket.

PUBLIC REVIEW DISTRIBUTION

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

- State Clearinghouse (if necessary)
- Shasta County Clerk
- All property owners within 300 feet of the property boundary

PUBLIC REVIEW

- (X) Draft document referred for comments 07/08/2016.
- () No comments were received during the public review period.
- () Comments were received but did not address the draft Mitigated Negative Declaration findings or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- () Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public review period. The letters and responses follow (see Response to Comments, attached).

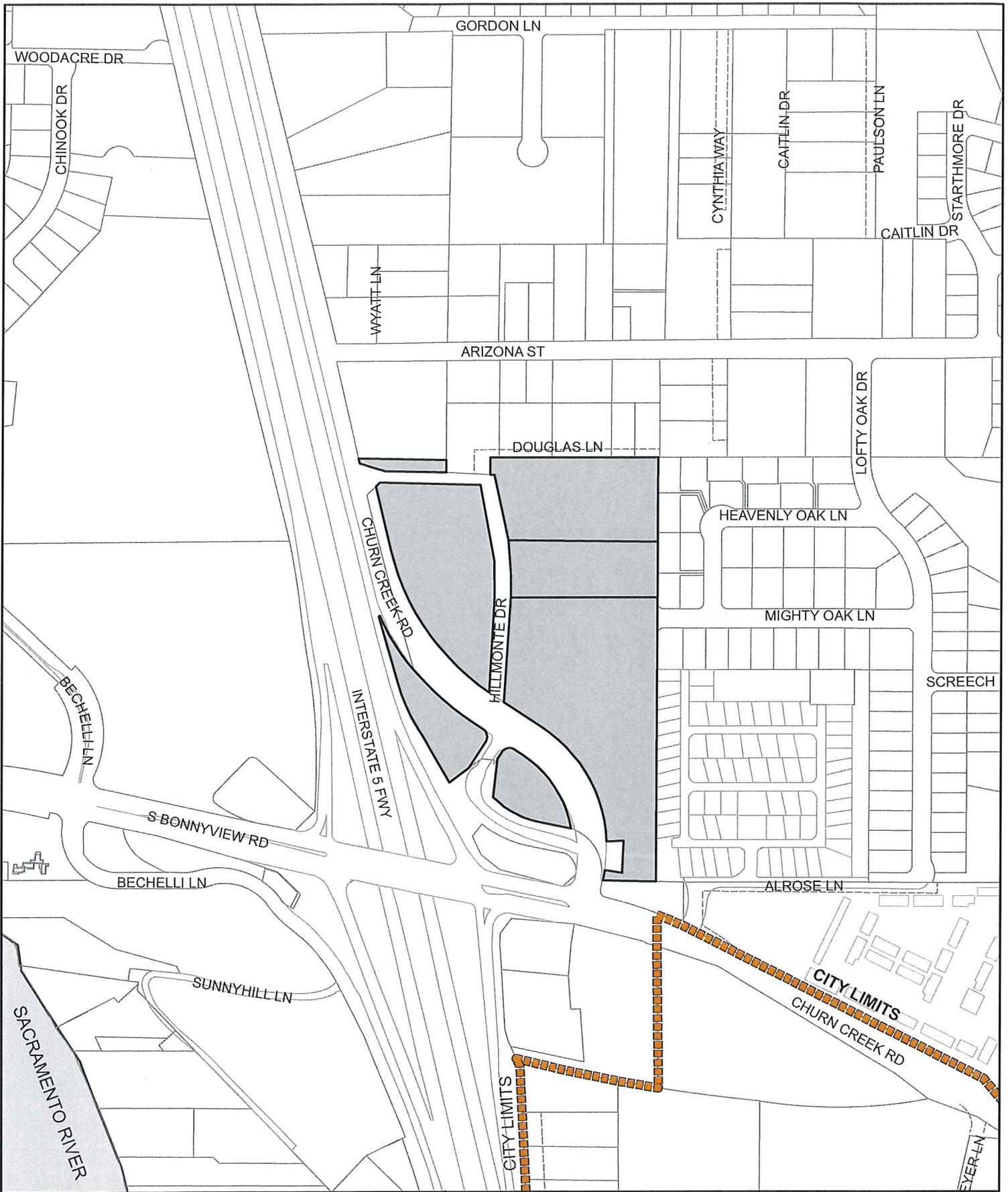
Copies of the Mitigated Negative Declaration, the Initial Study, documentation materials, and the Mitigation Monitoring Program may be obtained at the Planning Division of the Development Services Department, City of Redding, 777 Cypress Avenue, Redding, CA 96001. Contact: Zach Bonnin, 245-7112.

Paul A. Hell
Paul Hellman, Planning Manager

7-7-2016
Date

Attachments:

- A. Location map
- B. Initial Study
- C. Mitigation Monitoring Program
- D. Comments and Response to Comments (if any)



GIS DIVISION
 INFORMATION TECHNOLOGY DEPARTMENT

DATE PRODUCED:
 MARCH 7, 2016

0 200 400 Feet

LOCATION MAP

UP-2016-00219 \ A-2016-00281
 CALIFORNIA GOLD DEVELOPMENT CORP
 4601, 4755, & 4857 CHURN CREEK ROAD
 4505, 4545, 4551, & 4531 HILLMONTE DRIVE
 AP# 068-340-004, 005, 018, 020, 025, 026, & 036

MTG. DATE:

ITEM:

ATTACHMENT: