Planning Commission Agenda Report Meeting Date 03/16/17

File: UP 16-01
AR 16-08

DATE: March 1, 2017

TO: PLANNING COMMISSION

FROM: Mark Corcoran, Senior Planner (879-6810, mark.corcoran@chicoca.gov)

RE: The Arcadian Courtyard Apartments Use Permit 16-01 (vanOverbeek)
248 West 8th Avenue, APN 003-573-001

SUMMARY

The applicant proposes to construct a new 15-unit apartment complex on a 0.83 acre site located at the southeast corner of the intersection of West 8th Avenue and Arcadian Avenue. The project site previously contained residential and commercial development. The site is designated Office Mixed Use on the City of Chico General Plan Land Use Diagram, and it is located in the OC-SD4 (Office Commercial with the West Avenue Neighborhood Area zoning overlay) zoning district and the Avenues Neighborhood Plan area.

The construction of multi-family housing may be permitted in the OC zoning district with the issuance of a use permit. To obtain the required use permit the proposed project was presented to the zoning administrator on March 22, 2016. Due to the presence of underground storage tanks (UST) on the site, the zoning administrator determined that the proposed project required the preparation of an Initial Study / Mitigated Negative Declaration (IS/MND) to satisfy the requirements of the California Environmental Quality Act (CEQA). In determining that the proposed project required the preparation of an IS/MND and in response to concerns expressed by neighbors in attendance as the hearing, the Zoning Administrator referred the proposed project to the Planning Commission.

The Architectural Review and Historic Preservation Board (ARHPB) reviewed the site design and architecture of the proposed project on May 18, 2016 and conditionally recommended approval of it.

The IS/MND concludes that the proposed project would not result in any significant and unavoidable environmental impacts. A draft of the document was available for public review from February 16, 2017 until March 7, 2017. During the period of public review no public comments were received.

Recommendation:

Planning staff recommends adoption of Resolution No. 17-04 (**Attachment A**) adopting the mitigated negative declaration and approving the use permit and site design and architecture for the Arcadian Courtyard Apartments (UP 16-01 and AR 16-08) subject to the conditions contained therein.

Proposed Motion:

I move that the Planning Commission adopt Resolution No. 17-04, adopting a mitigated negative declaration and approving the use permit and site design and architecture for the Arcadian Courtyard Apartments (UP 16-01 and AR 16-08), subject to the attached conditions.

BACKGROUND

The applicant proposes to construct a new 15-unit apartment complex on a 0.83 acre site located at the southeast corner of the intersection of West 8th Avenue and Arcadian Avenue (see **Attachment B**, Location Map). Residential uses in the OC zoning district require a use permit pursuant to Chico Municipal Code (CMC) section 19.44.020, Table 4-6. The site is also located within the –SD4 (Special Design Consideration 4) overlay zoning district which regulates second dwelling units. There are no second dwelling units associated with the project.

A soils and site history report submitted with the application states that the California State Division of Highways occupied the site from approximately 1940 to 1968, and that a small vehicle refueling area was located on the central eastern portion of the property. The station included one 750-gallon UST for unleaded fuel and one 500-gallon UST for leaded fuel. The same report reviewed California Department of Transportation (Caltrans) records and determined that both tanks has been filled with concrete prior to current UST state regulations. A subsequent soils report and an investigation by the Central Regional Water Quality Control Board determined that the tanks are unlikely to pose a threat to human health or the environment (see **Attachment C**, Initial Study).

Site Design

The proposed site design positions the apartment complex close to the street frontages with off-street parking located at the rear of the site and accessed from an adjacent alley (see **Attachment D**, Site Plan). Building footprints are comprised of two primary masses, each configured in a "C"-shape that fit together around the central courtyard. Decorative 4-foot and 6-foot tall privacy fences wrap the street corner, and are proposed around the ground-floor apartment unit facing the street corner, and two ground-level units facing the parking lot.

All required parking is located at the rear of the site and accessed from a public alley that extends across the east property line from West 8th to West 7th Avenues. The City Public Works Department requires that the alley be fully improved up to the southerly property line, however, not the entire distance to West 7th Avenue. Two single-story garages are proposed to provide sheltered parking for 12 cars, and include storage closets for tenants. The remaining balance of 17 exterior parking spaces are provided. Bicycle parking is accommodated in the private storage closets of the garages, plus four (4) guest spaces at exterior bike racks located on either side of walkway between the parking lot and the apartment complex. A trash enclosure adjacent to the rear alley is designed with a single gate for tenant access on its west side, and a double swing gate facing that alley for trash and recycling collection.

Architecture

Building architecture provides an interpretation of the Monterey Style (or Monterey Revival) which blends old Spanish elements including stucco walls, heavy timber balcony beams, columns, guard rails, window, and door trim (see **Attachment E**, Elevations). A historic narrative on the Monterey Style is provided in **Attachment F**. Wall surfaces are stucco with integral color of La Habra "Eggshell". Composition roofing color is "Spanish Tile"; gutters and downspouts are Sherwin Williams "Pewter"; door and window frames are "Patina Green"; wrought iron accents are Sherwin Williams "Enduring Bronze"; and wooden balconies are Sherwin Williams "Rockwood Dark Brown" (see **Attachment G**, material/color details). **Attachment E** also illustrates details of the trash enclosure (block wall, timber trellis, and lilac vines) and decorative wood privacy fences, 4-feet and six-feet tall.

Landscape Design

The proposed landscape plan illustrates that 10 mature trees (predominantly large sycamores) will be preserved around the periphery of the site and incorporated with new plantings (see **Attachment H**, Landscape Plan). As illustrated, new plantings include scarlet oak trees providing 62 percent shading of exterior parking areas, October glory maple trees for shade and accent in the parking area, and crape myrtle and dogwood trees for accents at the front entry and courtyard. The preserved trees lend immediate compatibility with the established character of the neighborhood and maintain the shaded atmosphere of the tree lined streets. Although not visible from the exterior of the project, gravel ground cover is proposed for internal courtyards at various units, without a specific type of gravel noted.

Prior Review

On May 18, 2016, the Architectural Review and Historic Preservation Board (ARHPB) reviewed the proposal and voted unanimously to recommend conditional approval with the following recommendations:

1. The front page of all approved building plans shall note in bold type face that the project shall comply with AR 16-08 (van Overbeek). No building permits related to this approval shall be finaled without prior authorization of Community Development Department planning staff.
2. Approval of AR 16-08 (van Overbeek) is contingent on approval of Use Permit 16-01 (van Overbeek) and subject to all conditions and mitigation measures of Use Permit 16-01 (van Overbeek) including mitigation measures that limit the scope of any tree removals or preservation.
3. As required by CMC 16.66, trees removed shall be replaced as follows:
    a. On-site. For every six inches in DBH removed, a new 15 gallon tree shall be planted on-site. Replacement trees shall be of similar species, unless otherwise approved by the urban forest manager, and shall be placed in areas dedicated for tree plantings. New plantings' survival shall be ensured for three years after the date of planting and shall be verified by the applicant upon request by the director. If any replacement trees die or fail within the first three years of their planting, then the applicant shall pay an in-lieu fee as established by a fee schedule adopted by the City Council.
    b. Off-site. If it is not feasible or desirable to plant replacement trees on-site, payment of an in-lieu fee as established by a fee schedule adopted by the City Council shall be required.
    c. Replacement trees shall not receive credit as satisfying shade or street tree requirements otherwise mandated by the municipal code.
    d. Tree removal shall be subject to the in-lieu fee payment requirements set forth by Chico Municipal Code (CMC) 16.66 and fee schedule adopted by the City Council.
    e. All trees not approved for removal shall be preserved on and adjacent to the project site. A tree preservation plan, including fencing around drip lines and methods for excavation within the drip lines of protected trees to be preserved shall be prepared by the project developer pursuant to CMC 16.66.110 and 19.68.060 for review and approval by planning staff prior to any ground-disturbing activities.
4. The front gate signage and style shall be consistent with the design presented at the meeting with final design approval delegated to planning staff. Signage shall be consistent with the "filigree" style presented at the meeting.
5. Additional light fixtures shall be installed in the rear parking area and pathways to the apartment buildings as determined by planning staff. The style of the fixtures shall be

elegant in keeping with the project's architectural style, and shall be compliant with dark sky standards.

6. The proposed six-foot tall decorative wood fence shall be continued along the entire south property line and behind the south garage structure for security purposes.

DISCUSSION

Use Permit

The proposed project is within the Office Commercial zoning district which requires a use permit for the construction of multi-family housing.

The Planning Commission is required to hold a public hearing on a use permit application. At the public hearing the Commission should determine what effect the proposed activity or use will have on location and whether the proposed activity or use is compatible with existing and designated uses in the general vicinity.

To facilitate review of the use permit the Commission must first make the findings listed in the Required Findings for Approval section of this report. Staff has not identified any incompatibilities between the proposed residential use and the surrounding residential uses and therefore believes that the required findings can be made.

Architectural Review

Unless exempted, each project that requires the issuance of building permit requires site plan and architectural review. In addition, the site plan and design of a project that also requires a discretionary permit must first be reviewed by the Architectural Review and Historic Preservation Board (ARHPB) prior to any consideration by the Planning Commission or City Council of the discretionary permits. The site plan and design of the proposed project was reviewed by the ARHPB on May 18, 2016. The ARHPB voted to recommend conditional approval of the proposed project to the Planning Commission based on their review of the site plan and design. The conditions proposed by the ARHPB are located in the Prior Review section of this report and the findings ARHPB made to reach their decision are listed in the Required Findings for Approval section of this report.

ENVIRONMENTAL REVIEW

An initial study was prepared for the project (see **Attachment C**). Based upon the information contained within the initial study, planning staff is recommending that a Mitigated Negative Declaration (MND) be adopted for the project pursuant to the California Environmental Quality Act (CEQA). An MND is a determination that a project will not have a significant impact on the environment with the incorporation of mitigation measures (see **Attachment A, Exhibit I**).

REQUIRED FINDINGS FOR APPROVAL

Use Permit Findings (CMC Section 19.24.040)

Following a public hearing, the Planning Commission may approve or conditionally approve a planned development permit only after making all of the following findings:

A. The proposed use is allowed within the subject zoning district and complies with all of the applicable provisions of Chapter 19.24 of the Chico Municipal Code.

Table 4-6 of Chapter 19.44 of the CMC states that Multi-family housing is permitted in the OC zoning district pending the issuance of a Use Permit. The proposed project is consistent with the development standards for the OC zone including front, side, and rear yard setbacks, landscaping, site coverage, residential building density, and height.

B. The proposed use would not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the proposed use.

The proposed multi-family residential use would be consistent with existing residential uses in the neighborhood and provide employee housing for existing office and commercial uses in the neighborhood.

C. The proposed use would not be detrimental and/or injurious to property and improvements in the neighborhood of the proposed use, as well as the general welfare of the City.

Required public improvements to the site's adjacent street frontages, alley, and storm water facilities, as anticipated in the adopted Chico Avenue Neighborhood Plan, will reduce current deficiencies to better serve the neighborhood. Civil Design of the parking lot and alley improvements will be in accordance with City Best Management Practices (BMPs) and standards including directing storm water flows away from adjacent properties and into existing drain facilities.

D. The proposed entitlement is consistent with the General Plan, and applicable specific plan, and any applicable neighborhood or area plan.

The project is consistent with the following policy of the Land Use Element of the General Plan that supports compatible infill development:

> Policy LU-4.2 (Infill Compatibility) - Support infill development, redevelopment, and rehabilitation projects that are compatible with surrounding properties and neighborhoods.

The project is consistent with the following goal and policies contained in the Community Design Element of the General Plan:

Goal CD-3: Ensure project design that reinforces a sense of place with context sensitive elements and a human scale.

Policy CD-3.1 (Lasting Design and Materials) - Promote architectural design that exhibits timeless character and is constructed with high quality materials.

> Policy CD-5.3 (Context Sensitive Design) - For infill development, incorporate context sensitive design elements that maintain compatibility and raise the quality of the area's architectural character.

Public improvements to the street frontage, alley, stormwater facilities, and bulbing of the street corner at the intersection of W. 8th and Arcadian Avenues is consistent with goals and objectives of the adopted Chico Avenues Neighborhood Plan.

E. *The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.*

The proposed apartment buildings are located close to street frontages with decorative privacy walls and balconies. Parking areas are located to the rear of the site and screened from public views by apartment buildings and decorative screen walls. Parking lot shade trees are provided over exposed parking spaces.

Architectural Review (CMC Section 19.18.060)

Per Chico Municipal Code Section 19.18.060, on December 7, 2016 the Architectural Review and Historic Preservation Board recommend that the Planning Commission approve Architectural Review 16-18 following their consideration of the following findings:

A. The proposed development is consistent with the General Plan, any applicable specific plan, and any applicable neighborhood or area plans.

Policy LU-4.2 (Infill Compatibility) - Support infill development, redevelopment, and rehabilitation projects that are compatible with surrounding properties and neighborhoods.

The project is consistent with the following goal and policies contained in the Community Design Element of the General Plan:

Goal CD-3: Ensure project design that reinforces a sense of place with context sensitive elements and a human scale.

Policy CD-3.1 (Lasting Design and Materials) - Promote architectural design that exhibits timeless character and is constructed with high quality materials.

Policy CD-5.3 (Context Sensitive Design) - For infill development, incorporate context sensitive design elements that maintain compatibility and raise the quality of the area's architectural character.

Goal CD-6: Enhance gateways and wayfinding systems for an improved sense of arrival and orientation for residents and visitors throughout Chico.

Action CD-6.1.2 (Landmarks) – Construct landmarks to support wayfinding at key locations throughout the City such as entries to historic neighborhoods, points of interest, significant buildings, and natural features.

B. The proposed development, including the character, scale, and quality of design are consistent with the purpose/intent of this chapter and any adopted design guidelines.

From Chapter 1: Community Design, the project is consistent with the following Objective:

"Add visual interest with building materials and color that reinforces the overall architectural design concept and sense of place."

From Chapter 4: Residential Project Types, the project is consistent with the following guidelines:

DG 4.1.11 – Create a sense of community with residential building designs oriented to the pedestrian by incorporating porches, entries, stoops, and windows that face the street and sidewalk.

DG 4.1.13 – Orient multiple-family residential development to the street and pedestrians.

DG 4.1.24 – Include front porches and balconies in multi-family buildings that are oriented to streets to enliven public street space, create a sense of community, and provide "eyes on the street" for safety and security.

DG 4.1.61 - …for multi-family projects utilizing garages, minimize the visual impact of garages by…placing the garage at the rear of lot accessed from a side street or an alley…

Design Objective 4.2.3 – Design details of residential building elevations that reinforce a clear architectural style.

C. *The architectural design of structures, including all elevations, materials and colors are visually compatible with surrounding development. Design elements, including screening of equipment, exterior lighting, signs, and awnings, have been incorporated into the project to further ensure its compatibility with the character and uses of adjacent development.*

The proposed project would feature a unique an identifiable architectural design allowing it to blend with, and contribute to, the surrounding residential development. Exterior lighting has been proposed to be low-intensive and is situated to minimize impacts to surrounding property. All equipment is proposed to be screened from view. .

D. *The location and configuration of structures are compatible with their sites and with surrounding sites and structures, and do not unnecessarily block views from other structures or dominate their surroundings.*

The proposed project includes two street-orientated two-story apartment buildings with parking facilities in the rear of the complex. The size and massing of the project would not dominate the existing residential development or block views in the area.

E. *The general landscape design, including the color, location, size, texture, type, and coverage of plant materials, and provisions for irrigation and maintenance, and protection of landscape elements, have been considered to ensure visual relief, to complement structures, and to provide an attractive environment.*

Preservation of mature sycamore and oak trees will allow the proposed project to blend with the existing setting of the surrounding neighborhood. In addition, additional landscaping in the required street side setbacks will create an attractive, useable area for residents of the project.

PUBLIC CONTACT

A 20-day public hearing notice and notice of intent to adopt a mitigated negative declaration was circulated to county and state agencies, as required, and published in the *Chico Enterprise Record*. Also, a 10-day public hearing notice was mailed to all landowners and residents within 500 feet of the site. As of the date of this report, no correspondence has been received in response to the public notice.

DISTRIBUTION:

Internal (2)
Mark Corcoran, Senior Planner
Files: UP 16-01 and AR 16-08

External (5)
Thomas T. van Overbeek, 10163 Miguelito Road, San Jose, CA 95127
Roderick Mummert (Project Manager, copy by email)

ATTACHMENTS:

A. Planning Commission Resolution No. 17-14
Exhibit I: Mitigated Negative Declaration and Mitigation Monitoring Reporting Program

Exhibit II: Conditions of Approval

B. Location Map
C. Initial Study
D. Site Plan
E. Elevations
F. Applicant's Project Information
G. Colors and Materials
H. Landscape Plans
I. Public Comments received to date

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RESOLUTION NO. 17-04

RESOLUTION OF THE CITY OF CHICO PLANNING COMMISSION ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING USE PERMIT 16-01 AND ARCHITECTURAL REVIEW 16-08 (Van Overbeek)

WHEREAS, applications have been submitted to construct a 15-unit apartment complex at 248 West 8th Avenue, identified as Assessor's Parcel No. 003-573-001 (the "Project"); and

WHEREAS, the Planning Commission considered the Project, staff report, and comments submitted at a noticed public hearing held on March 16, 2017; and

WHEREAS, the Planning Commission has considered the Initial Study and proposed mitigated negative declaration which conclude that the Project, with mitigation included, will not result in a significant impact on the environment.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF CHICO AS FOLLOWS:

1. With regard to the mitigated negative declaration the Planning Commission finds that:
   A. There is no substantial evidence supporting a fair argument that the Project may have a significant effect on the environment;
   B. The mitigated negative declaration has been prepared in conformance with the provisions of the California Environmental Quality Act and the Chico Municipal Code (CMC) , Chapter 1.40, "Environmental Review Guidelines; and
   C. The mitigated negative declaration prepared for the Project reflects the independent judgment of the City of Chico.
2. With regard to the use permit the Planning Commission finds that:
   A. Multi-family housing is allowed within the OC (Office Commercial) zoning district, subject to use permit approval, pursuant to Table 4-6 under CMC 19.44.020. Use permit 16-01 (Arcadian Courtyard Apartments), has been processed in accordance with CMC 19.24 (Use Permits); and
   B. No aspects of the Project have been identified to be detrimental to the health, safety, or

general welfare of persons residing or working in the area; and

C. The Project will not be detrimental and/or injurious to property or improvements in the neighborhood or the general welfare of the city; and

D. The Project is consistent with several General Plan policies, including those that encourage infill development (LU-4.2), context sensitive design (CD-5.3), and high quality architectural design (CD-3.1) and the Project is consistent with the Design Guidelines of the Avenues Neighborhood Plan, including, guidelines for site design, building orientation, and architecture; and

E. The Project will be compatible with the existing and future land uses in the vicinity.

3. With regard to the site design and architectural review, the Planning Commission finds that:

A. The Project will be consistent with the General Plan for the same reasons cited in 2(D), above; and

B. The Project is consistent with the stated purpose of CMC 19.18. The Project is consistent with Design Guidelines that reinforce a pedestrian-friendly environment, and ensure that development does not overwhelm the surrounding neighborhood while including features that enhance safety and surveillance (DG 1.1.15, 1.2.13, and 1.1.35). The Project architecture utilizes sturdy materials that reinforce a sense of permanence and place, and clearly announces building entryways, consistent with DGs 1.2.32, 1.5.11, 5.2.21, and 5.1.11. The Project meets the Design Objectives of using an appropriate scale of building for the site, and accommodating all forms of transportation with the design (DOs 5.1.1 and 5.1.2, respectively). Conditions to limit light spillage beyond the Project site would achieve consistency with DGs 1.5.12, 1.5.14, 1.5.16, and 5.2.22; and

C. The design, materials and colors of the Project buildings are visually compatible with the existing nearby industrial businesses, and are not anticipated to result in compatibility issues with future residential or commercial development in the area. Exterior equipment will be properly screened from view by perimeter fencing and landscaping; and

D. The project will not dominate the surroundings or unnecessary block views; and

E. The proposed landscaping will provide visual relief around the Project and adequate shading of the parking area.

4. Based on all of the above, the Planning Commission hereby:

A. Adopts the mitigated negative declaration and mitigation monitoring program as set forth in Exhibit I, attached hereto; and

B. Approves Use Permit 16-01 and Architectural Review 16-08, subject to the conditions set forth in Exhibit II, attached hereto.

5. The Planning Commission hereby specifies that the materials and documents which constitute the record of proceedings upon which its decision is based are located at and under the custody of the City of Chico Community Development Department.

THE FOREGOING RESOLUTION WAS ADOPTED at a meeting of the Planning Commission of the City of Chico held on March 16, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DISQUALIFIED:

ATTEST:	APPROVED AS TO FORM AND CONTENT:
_____	_____
MARK WOLFE Planning Commission Secretary	ANDREW L. JARED Assistant City Attorney

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MITIGATED NEGATIVE DECLARATION & MITIGATION MONITORING PROGRAM

CITY OF CHICO PLANNING DIVISION

Based upon the analysis and findings contained within the attached Initial Study, a Mitigated Negative Declaration is proposed by the City of Chico Planning Division for the following project:

PROJECT NAME AND NUMBER: Arcadian Courtyard Apartments (UP 16-01 and AR 16-08)

APPLICANT'S NAME: Thomas van Overbeek
10163 Miguelito Road, San Jose, CA 95127

PROJECT LOCATION: 249 West 8th Avenue, Chico, CA 95926

PROJECT DESCRIPTION: The use permit request is to allow residential uses in the OC (Office Commercial) zoning district. The proposal consists of a 15-unit, two-story apartment development that would create a gross density of 12 units per acre which falls within the allowable density range of 6 to 20 units per gross acre in the Office Mixed Use General Plan designation. Located at the southeast corner of Arcadian and W. 8th Avenues, the proposed site plan illustrates two apartment buildings positioned close to the street frontages with off-street parking located at the rear of the site with access from an adjacent unimproved alley.

FINDING: As supported by the attached Initial Study there is no substantial evidence, in light of the whole record before the agency, that the project will have a significant effect on the environment if the following mitigation measures are adopted and implemented for the project:

MITIGATION C.1 (Air Quality): To minimize air quality impacts during the construction phase of the project, specific best practices shall be incorporated during initial grading and subdivision improvement phases of the project as specified in Appendix C of the Butte County Air Quality Management District's CEQA Air Quality Handbook, October 23, 2014, available at http://www.bcaqmd.org/page/_files/CEQA-Handbook-Appendices-2014.pdf. Examples of these types of measures include but are not limited to:

- Limiting idling of construction vehicles to 5 minutes or less.
- Ensuring that all small engines are tuned to the manufacturer's specifications.
- Powering diesel equipment with Air Resources Board-certified motor vehicle diesel fuel.
- Utilizing construction equipment that meets ARB's 2007 certification standard or cleaner.
- Using electric powered equipment when feasible.

MITIGATION MONITORING C.1: Prior to approving grading permits or subdivision improvement plans City staff will review the plans to ensure that Mitigation Measure C.1 is incorporated into the construction documents, as appropriate.

Implementation of the above measure will minimize potential air quality impacts to a level that is considered **less than significant with mitigation incorporated**.

MITIGATION D.1 (Biological Resources):
If tree removal, grading, or initial construction is scheduled to occur within the nesting season (February 1 – August 31), the developer shall hire a qualified biologist to conduct a preconstruction survey of the project site to identify any active nests within the property. The survey shall be conducted no more than 7 days prior to commencement of tree removal, grading or construction activities. The survey shall identify and map all nests within 200 feet of construction areas and recommend appropriate buffer zones. No construction activities shall occur within the buffer area(s) until a qualified biologist confirms that the nest is no longer active. Active nests shall be monitored by the biologist at least twice per week and a report of the monitoring efforts shall be provided to the Community Development Department on a monthly basis. The survey shall be repeated if construction activity cease for a continuous 15-day period prior to resuming.

MITIGATION MONITORING D.1: Planning and Engineering staff will require submittal of a bird nest survey prior to issuance of any grading or building permit for the project, unless the work will commence during the non-breeding season (September 1 through January 31).

Implementation of the above measure will avoid potential violations of the Migratory Bird Treaty Act of 1918, as amended, and will reduce potential impacts to migratory birds to a level that is considered **less than significant with mitigation incorporated**.

MITIGATION E.1. (Cultural Resources): A note shall be placed on all grading and construction plans which informs the construction contractor that if any bones, pottery fragments or other potential cultural resources are encountered during construction, all work shall cease within the area of the find pending an examination of the site and materials by a professional archaeologist. If during ground disturbing activities, any bones, pottery fragments or other potential cultural resources are encountered, the developer or their supervising contractor shall cease all work immediately within the area of the find and notify Planning staff at (530) 879-6800. Planning staff shall immediately notify the Mechoopda Indian Tribe Environmental Director Mike DeSpain at (530) 899-8922 to provide the opportunity for evaluation of the find. A professional archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology and who is familiar with the archaeological record of Butte County, shall be immediately retained by the applicant to evaluate the significance of the find. Site work shall not resume until the archaeologist conducts sufficient research, testing and analysis of the archaeological evidence to make a determination that the resource is either not cultural in origin or not potentially significant. If a potentially significant resource is encountered, the archaeologist shall prepare a mitigation plan for review and approval by the Community Development Director, including recommendations for total data recovery, Tribal monitoring, disposition protocol, or avoidance, if applicable. All measures determined by the Community Development Director to be appropriate shall be implemented pursuant to the terms of the archaeologist's report in consultation with the Mechoopda Indian Tribe. The preceding requirement shall be incorporated into construction contracts and plans to ensure contractor knowledge and responsibility for proper implementation.

Mitigation Monitoring E.1: Planning staff will verify that the above wording is included on construction plans. Should cultural resources be encountered, the supervising contractor shall be responsible for reporting any such findings to Planning staff, and contacting a professional archaeologist, in consultation with Planning staff, to evaluate the find.

Implementation of the above measure will minimize potentially significant impacts to previously unknown cultural resources that could be unearthed during construction activities, and will reduce potential impacts to cultural resources to a level that is considered **less than significant with mitigation incorporated**.

PROJECT APPLICANT'S INCORPORATION OF MITIGATION INTO THE PROPOSED PROJECT:

I have reviewed the Initial Study for the Arcadian Courtyard Apartments (UP 16-01 and AR 16-08), and the mitigation measures identified herein. I hereby modify the project on file with the City of Chico to include and incorporate all mitigation set forth in this document.

Thomas van Overbeek
Project Applicant

Prepared by: _____ _____
Mark Corcoran, Senior Planner — Date
Community Development Department

Adopted via: Resolution No:_____ _____
City of Chico Planning Commission — Date

EXHIBIT II
CONDITIONS OF APPROVAL
Architectural Review 16-08 Use Permit 16-01
(Arcadian Courtyard Apartments)

1. The front page of all approved building plans shall note in bold type face that the project shall comply with AR 16-08 (van Overbeek).

2. Approval of AR 16-08 (van Overbeek) is contingent on approval of Use Permit 16-01 (van Overbeek) and subject to all conditions and mitigation measures of Use Permit 16-01 (van Overbeek) including mitigation measures that limit the scope of any tree removals or preservation.

3. As required by CMC 16.66, trees removed shall be replaced as follows:
    a. On-site. For every six inches in DBH removed, a new 15 gallon tree shall be planted on-site. Replacement trees shall be of similar species, unless otherwise approved by the urban forest manager, and shall be placed in areas dedicated for tree plantings. New plantings' survival shall be ensured for three years after the date of planting and shall be verified by the applicant upon request by the director. If any replacement trees die or fail within the first three years of their planting, then the applicant shall pay an in-lieu fee as established by a fee schedule adopted by the City Council.
    b. Off-site. If it is not feasible or desirable to plant replacement trees on-site, payment of an in-lieu fee as established by a fee schedule adopted by the City Council shall be required.
    c. Replacement trees shall not receive credit as satisfying shade or street tree requirements otherwise mandated by the municipal code.
    d. Tree removal shall be subject to the in-lieu fee payment requirements set forth by Chico Municipal Code (CMC) 16.66 and fee schedule adopted by the City Council.
    e. All trees not approved for removal shall be preserved on and adjacent to the project site. A tree preservation plan, including fencing around drip lines and methods for excavation within the drip lines of protected trees to be preserved shall be prepared by the project developer pursuant to CMC 16.66.110 and 19.68.060 for review and approval by planning staff prior to any ground-disturbing activities.

4. The front gate signage and style shall be consistent with the design presented at the meeting with final design approval delegated to planning staff. Signage shall be consistent with the "filigree" style presented at the meeting.

5. Additional light fixtures shall be installed in the rear parking area and pathways to the apartment buildings as determined by planning staff. The style of the fixtures shall be elegant in keeping with the project's architectural style, and shall be compliant with dark sky standards.

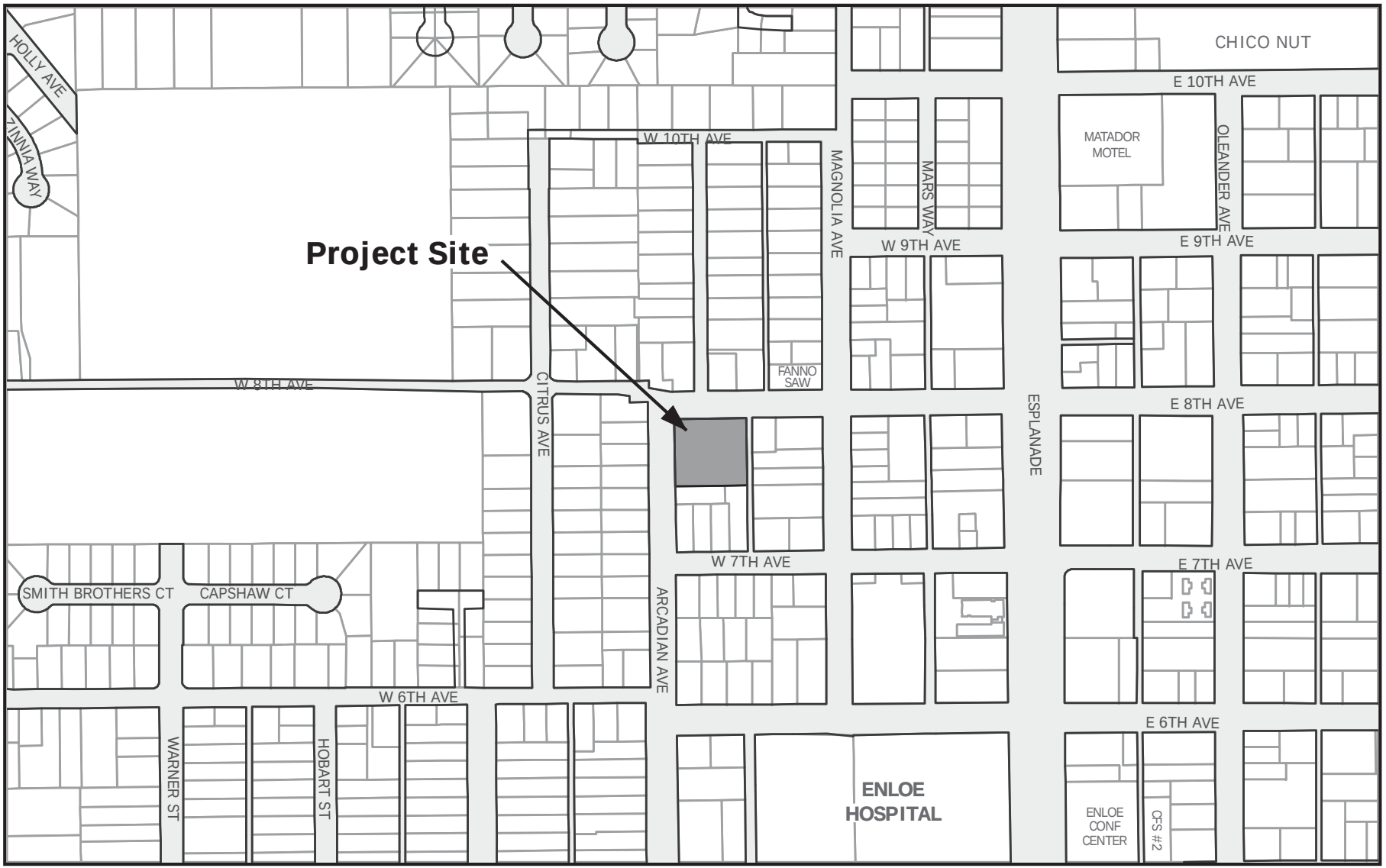
6. The proposed six-foot tall decorative wood fence shall be continued along the entire south property line and behind the south garage structure for security purposes.

7. To minimize air quality impacts during the construction phase of the project, specific best practices shall be incorporated during initial grading and subdivision improvement phases of the project as specified in Appendix C of the Butte County Air Quality Management District's CEQA Air Quality Handbook, October 23, 2014, available at http://www.bcaqmd.org/page/_files/CEQA-Handbook-Appendices-2014.pdf. Examples of these types of measures include but are not limited to:

    - Limiting idling of construction vehicles to 5 minutes or less.
    - Ensuring that all small engines are tuned to the manufacturer's specifications.
    - Powering diesel equipment with Air Resources Board-certified motor vehicle diesel fuel.
    - Utilizing construction equipment that meets ARB's 2007 certification standard or cleaner.
    - Using electric powered equipment when feasible.

8. If tree removal, grading, or initial construction is scheduled to occur within the nesting season (February 1 – August 31), the developer shall hire a qualified biologist to conduct a preconstruction survey of the project site to identify any active nests within the property. The survey shall be conducted no more than 7 days prior to commencement of tree removal, grading or construction activities. The survey shall identify and map all nests within 200 feet of construction areas and recommend appropriate buffer zones. No construction activities shall occur within the buffer area(s) until a qualified biologist confirms that the nest is no longer active. Active nests shall be monitored by the biologist at least twice per week and a report of the monitoring efforts shall be provided to the Community Development Department on a monthly basis. The survey shall be repeated if construction activity cease for a continuous 15-day period prior to resuming.

9. A note shall be placed on all grading and construction plans which informs the construction contractor that if any bones, pottery fragments or other potential cultural resources are encountered during construction, all work shall cease within the area of the find pending an examination of the site and materials by a professional archaeologist. If during ground disturbing activities, any bones, pottery fragments or other potential cultural resources are encountered, the developer or their supervising contractor shall cease all work immediately within the area of the find and notify Planning staff at (530) 879-6800. Planning staff shall immediately notify the Mechoopda Indian Tribe Environmental Director Mike DeSpain at (530) 899-8922 to provide the opportunity for evaluation of the find. A professional archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology and who is familiar with the archaeological record of Butte County, shall be immediately retained by the applicant to evaluate the significance of the find. Site work shall not resume until the archaeologist conducts sufficient research, testing and analysis of the archaeological evidence to make a determination that the resource is either not cultural in origin or not potentially significant. If a potentially significant resource is encountered, the archaeologist shall prepare a mitigation plan for review and approval by the Community Development Director, including recommendations for total data recovery, Tribal monitoring, disposition protocol, or avoidance, if applicable. All measures determined by the Community Development Director to be appropriate shall be implemented pursuant to the terms of the archaeologist's report in consultation with the Mechoopda Indian Tribe. The preceding requirement shall be incorporated into construction contracts and plans to ensure contractor knowledge and responsibility for proper implementation.



AR 16-08 (The Arcadians) and Use Permit 16-01 (Van OverBeck)
249 W 8th Avenue
APN 003-573-001-000

0 250
Feet

ATTACHMENT B

Draft Initial Study / Environmental Checklist

City of Chico

Environmental Coordination and Review

I. PROJECT DESCRIPTION

A. Project Title: The Arcadians Apartment Complex

B. Project Location: 249 W. 8th Avenue, southwest corner of W. 8th and Arcadian Avenues

C. Applications: Use Permit 16-01 and Architectural Review 16-08 (van Overbeek)

D. Assessor's Parcel Number (APN): 003-573-001

E. Parcel Size: 0.83 acre (net), 1.25 acres (gross)

F. General Plan Designation: Office Mixed Use

G. Zoning: OC-SD4 (Office Commercial-Special Design Overlay 4)

H. Environmental Setting: The project site is located in a fully urbanized neighborhood at the intersection of two collector streets (W. 8th and Arcadian Avenues), (**Figure 1: Location Map**). The frontage of W. 8th Avenue has been fully improved with curb, gutter, and sidewalks; however, the Arcadian Avenue frontage is not improved. An adjacent public alley that borders the site's east side remains unimproved (gravel only). Surrounding uses are predominantly single family residential developed over the past century, with some long-established, low-intensive commercial uses operating to the north and northeast.

A single-family home was constructed on the site close to the street corner approximately 85 years ago. In addition, there was an open-air utility barn and shed on the project site. The single family home, barn, and shed have all been demolished. A site plan prepared by the applicant of existing conditions illustrate 25 mature trees across the site including 10 sycamores ranging from 18 to 36-inches in diameter at breast height (dbh), and some oaks, and walnuts.

A soils and site history report (see **Appendix A**, Subsurface Investigation Report) submitted with the use permit application notes that the site was used by Caltrans as a maintenance facility, including fueling station, from the 1940s through the 1960s. The report notes that two underground storage tanks (USTs) were filled with concrete prior to current UST regulations. The report concludes that benzene is present in soil vapor above regulatory guidelines and may pose a threat to human and environmental health. Removal of the tanks and over excavation of the soils is recommended. Further soil testing and analysis was completed with regulatory oversight by the Regional Water Quality Control Board (RWQCB), Redding Office. The additional testing and analysis led the RWQCB to conclude that the localized remaining hydrocarbons are not likely to pose a threat to human health or the environment. The RWQCB further recommended that the environmental case on the subject be closed. (A copy of the report is available at the City of Chico Planning Division office and available upon request. See additional details in this Initial Study, Section H. Hazards/Hazardous Materials).

Project Description:

The use permit request is to allow residential uses on the ground floor in the OC (Office Commercial) zoning district. The proposal consists of a 15-unit, two-story apartment development that would create a gross density of 12 units per acre which falls within the allowable density range of 6 to 20 units per gross acre in the Office Mixed Use General Plan designation. Located at the southeast corner of Arcadian and W. 8th Avenues, the proposed site plan illustrates two apartment buildings positioned close to the street frontages with off-street parking located at the rear of the site with access from an adjacent unimproved alley (see location map and site plan below).

I. Public Agency Approvals:

1. Use Permit 16-01 and Architectural Review 16-08 (City of Chico)
2. Remediation of petroleum ground pollution (California Regional Water Quality Control Board

J. Applicant: Thomas T. van Overbeek, 10163 Miguelito Road, San Jose, CA 95127

K. City Contact:

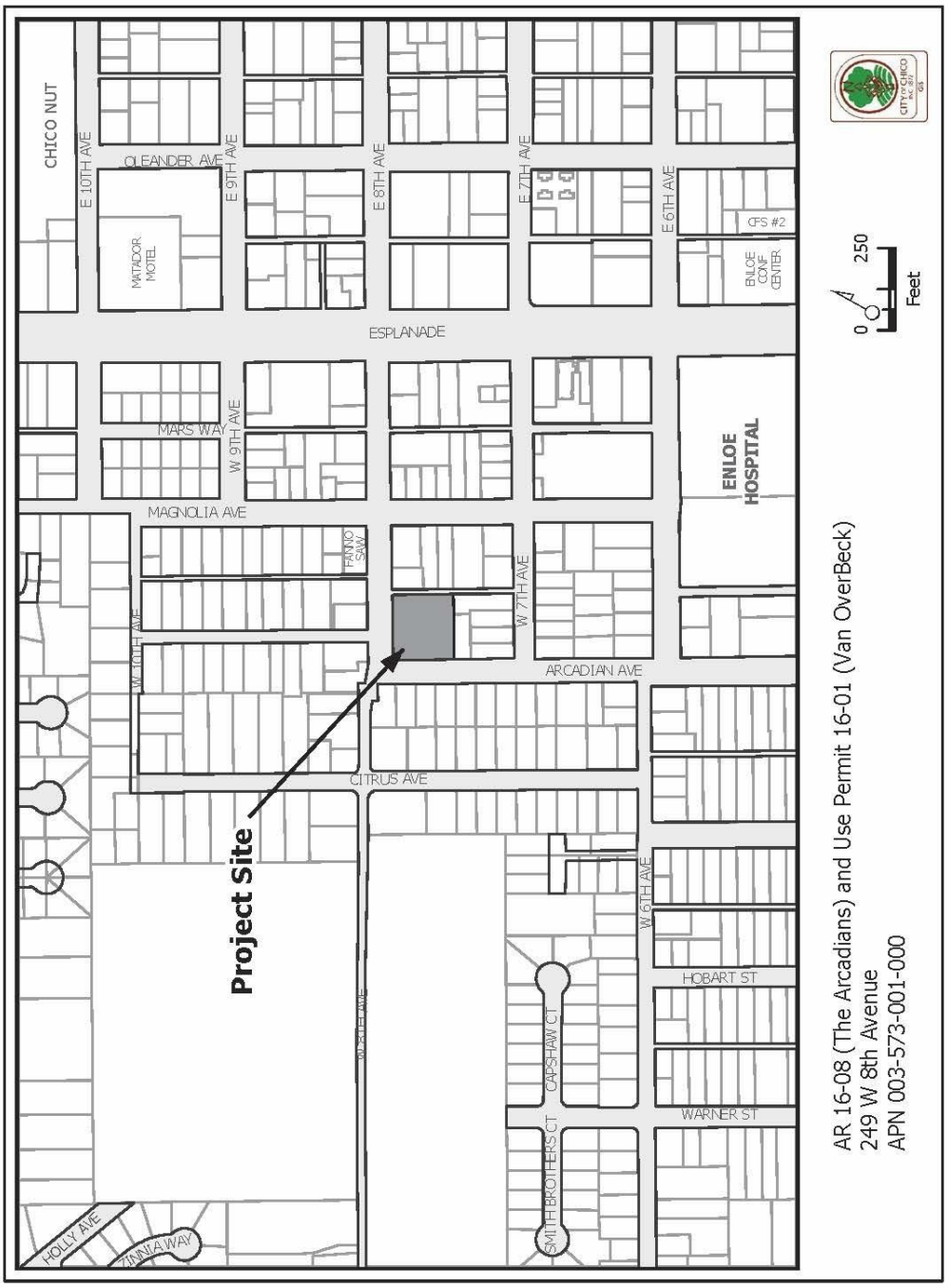
Mark Corcoran, AICP, Senior Planner

City of Chico Planning Division

411 Main Street, Chico, CA 95928

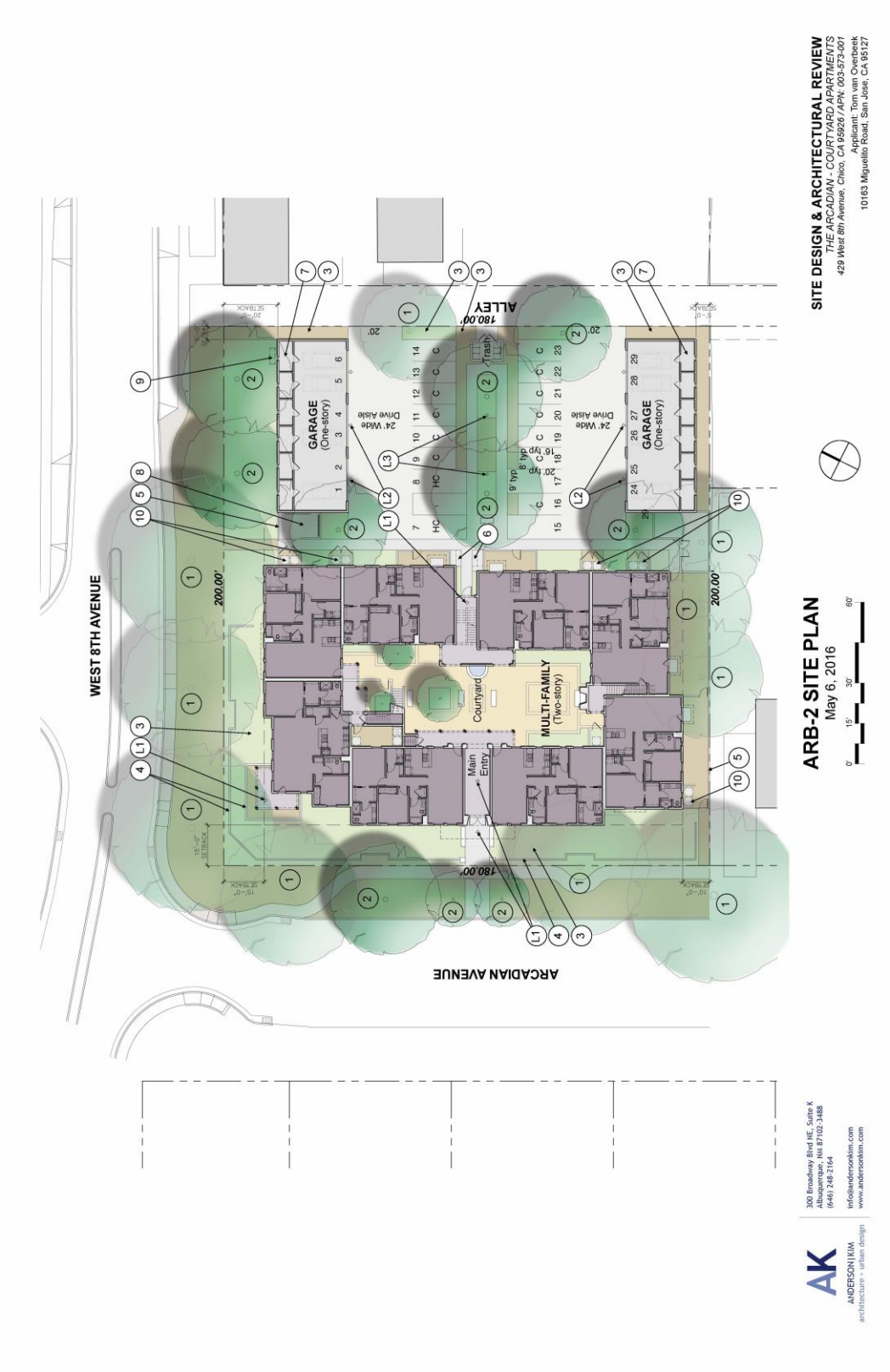
Phone: (530) 879-6810, email: mark.corcoran@chicoca.gov

FIGURE 1: LOCATON MAP



ATTACHMENT C

FIGURE 2: PROPOSED SITE PLAN



ATTACHMENT C

II. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Geology/Soils	☐ Noise
☐ Agriculture and Forest	☐ Greenhouse Gas Emissions	☐ Open Space/Recreation
☒ Air Quality	☐ Hazards/Hazardous Materials	☐ Population/Housing
☒ Biological Resources	☐ Hydrology/Water Quality	☐ Public Services
☒ Cultural Resources	☐ Land Use and Planning	☒ Transportation/Circulation
☐ Utilities		

III. COMMUNITY DEVELOPMENT DIRECTOR DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a potentially significant impact or have a potentially significant impact unless mitigated, but at least one effect has been adequately analyzed in an earlier document pursuant to applicable legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT (EIR) is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION including revisions or mitigation measures that are imposed upon the proposed project. No further study is required.

Signature Date

Mark Corcoran, AICP, Senior Planner

for Mark Wolfe, AICP, Community Development Director

IV. EVALUATION OF ENVIRONMENTAL IMPACTS

- Responses to the following questions and related discussion indicate if the proposed project will have or potentially have a significant adverse impact on the environment.

- A brief explanation is required for all answers except "No Impact" answers that are adequately supported by referenced information sources. A "No Impact' answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors or general standards.

- All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

- Once it has been determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there is at least one "Potentially Significant Impact" entry when the determination is made an EIR is required.

- Negative Declaration: "Less than Significant with Mitigation Incorporated" applies when the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The initial study will describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 4, "Earlier Analysis," may be cross-referenced).

- Earlier analyses may be used where, pursuant to tiering, a program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration [Section 15063(c)(3)(D)].

- Initial studies may incorporate references to information sources for potential impacts (e.g. the general plan or zoning ordinances, etc.). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list attached, and other sources used or individuals contacted are cited in the discussion.

- The explanation of each issue should identify:
  a. The significance criteria or threshold, if any, used to evaluate each question; and
  b. The mitigation measure identified, if any, to reduce the impact to less than significant.

A. Aesthetics Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista, including scenic roadways as defined in the General Plan, or a Federal Wild and Scenic River?				X
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
3. Affect lands preserved under a scenic easement or contract?				X
4. Substantially degrade the existing visual character or quality of the site and its surroundings including the scenic quality of the foothills as addressed in the General Plan?			X	
5. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

DISCUSSION:

A.1, A.3. The project will not impact a scenic vista, including scenic roadways as defined in the General Plan, Federal Wild and Scenic River, historic buildings, or state scenic highway. The project site is neither located in the vicinity of a designated Wild and Scenic River, nor is it preserved under a scenic easement or contract.

Although the site fronts on Arcadian and West 8th Avenues, no physical changes are proposed that would significantly adversely affect the aesthetics of the residential or semi-commercial character of the neighborhood. The project will preserve several mature shade trees around the perimeter of the site in order to maintain the established character of the site.

The project will have **No Impact** on any lands preserved under a scenic easement or contract.

A.2, A.4. Development associated with the project will change the visual character of the 0.83-acre site, consistent with residential zoning. Although tree removal is proposed, the site is not considered sensitive with regard to scenic resources, therefore, the project would have **Less Than Significant** impact on the visual character or quality of the site and its surroundings.

A.5. The project will introduce street lighting and typical residential outdoor lighting, similar to the light levels of surrounding residential properties. The project would have **Less Than Significant** impact on light or glare that could affect day or nighttime views.

MITIGATION: None Required.

B. Agriculture and Forest Resources: Would the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code Section 4526, or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
4. Result in the loss of forest land or conversion of forest land to non-forest use?				X
5. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

DISCUSSION

B.1.–B.5. The project will not convert Prime or Unique Farmland, or Farmland of Statewide Importance. The California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program's 'Butte County Important Farmland 2010' map, identifies the project site as "Urban and Built-up Land" with a small portion nearest Lindo Channel as "Other Land" (see ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/but10.pdf).

The project will not conflict with existing zoning for agricultural use or forest land and is not under a Williamson Act Contract. The project will not result in the loss of forest land, conversion of forest land, or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland or forest land. The site is located a vacant parcel with no agriculture or timber resources, is surrounded by existing urban development, and is designated for residential development in the Chico 2030 General Plan. The project will result in **No Impact** to Agriculture and Forest Resources.

MITIGATION: None required.

C. Air Quality Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plans (e.g., Northern Sacramento Valley Planning Area 2012 Triennial Air Quality Attainment Plan, Chico Urban Area CO Attainment Plan, and Butte County AQMD Indirect Source Review Guidelines)?			X	
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.		X		
3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X		
4. Expose sensitive receptors to substantial pollutant concentrations?			X	
5. Create objectionable odors affecting a substantial number of people?			X	

DISCUSSION:

C.1–3. The project consists of developing less than one (1) acre of previously developed land with 15 multi-family apartment units. The project will neither conflict with nor obstruct implementation of the applicable air quality plan for the Northern Sacramento Valley, nor will the project violate any air quality standard or contribute substantially to an existing or projected air quality violation. The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

According to Butte County Air Quality Management District (BCAQMD or Air District) CEQA Air Quality Handbook, October 23, 2014, http://www.bcaqmd.org/page/_files/CEQA-Handbook-Appendices-2014.pdf, Butte County is designated as a federal and state non-attainment area for ozone and particulate matter.

BUTTE COUNTY AMBIENT AIR QUALITY ATTAINMENT STATUS (September, 2014)		
POLLUTANT	***STATE***	***FEDERAL***
1-hour Ozone	Nonattainment	--
8-hour Ozone	Nonattainment	Nonattainment
Carbon Monoxide	Attainment	Attainment
Nitrogen Dioxide	Attainment	Attainment
Sulfur Dioxide	Attainment	Attainment
24-Hour PM10**	Nonattainment	Attainment
24-Hour PM2.5**	No Standard	Nonattainment
Annual PM10**	Attainment	No Standard
Annual PM2.5**	Nonattainment	Attainment
** PM10: Respirable particulate matter less than 10 microns in size. PM2.5: Fine particulate matter less than 2.5 microns in size.		

Potential air quality impacts related to development are separated into two categories:

1) Temporary impacts resulting from construction-related activities (earth moving and heavy-duty vehicle emissions), and

2) Long-term indirect source emission impacts related to ongoing operations, such a motor vehicle usage, water and space heating, etc.

Construction-related activities such as grading and operation of construction vehicles would create a temporary increase in fugitive dust within the immediate vicinity of the project site and contribute temporarily to slight increases in vehicle emissions (ozone precursor emissions, such as reactive organic gases (ROG) and oxides of nitrogen (NOx), and fine particulate matter). All stationary construction equipment, other than internal combustion engines less than 50 horsepower, require an "Authority to Construct" and "Permit to Operate" from the District. Emissions are prevented from creating a nuisance to surrounding properties under BCAQMD Rule 200 *Nuisance*, and visible emissions from stationary diesel-powered equipment are also regulated under BCAQMD Rule 201 *Visible Emissions*.

With regard to fugitive dust, the majority of the particulate generated as a result of grading operations is anticipated to quickly settle. Under the Air District's Rule 205 (Fugitive Dust Emissions) all development projects are required to minimize fugitive dust emissions by implementing Best Management Practices (BMPs) for dust control. These BMPs include but are not limited to the following:

- Watering de-stabilized surfaces and stock piles to minimize windborne dust.
- Ceasing operations when high winds are present.
- Covering or watering loose material during transport.
- Minimizing the amount of disturbed area during construction.
- Seeding and watering any portions of the site that will remain inactive for 3 months or longer.
- Paving, periodically watering, or chemically stabilizing on-site construction roads.

- Minimizing exhaust emissions by maintaining equipment in good repair and tuning engines according to manufacturer specifications.
- Minimizing engine idle time, particularly during smog season (May-October).

Continuing the City practice of ensuring that grading plans and improvement plans include fugitive dust BMPs and compliance with existing BCAQMD rules will ensure that construction related dust impacts are minimized.

The District's CEQA Air Quality Handbook provides screening criteria for when a quantified air emissions analysis is required to assess and mitigate potential air quality impacts from non-exempt CEQA projects. Projects that fall below screening thresholds need only to implement best practices to ensure that operational air quality impacts remain less than significant. The screening criteria are as follows:

LAND USE TYPE	***Model Emissions for Project Greater Than:***
Single Family Unit Residential	30 units
Multi-Family Residential	75 units
Commercial	15,000 square feet
Retail	11,000 square feet
Industrial	59,000 square feet

The proposed subdivision would result in the creation of 15 apartment units. Since the number of new units is less than the applicable screening criteria in the table above, no enhanced mitigation is required.

Although no enhanced mitigation is required, implementing standard construction BMP's is still necessary to avoid potentially significant contributions to cumulative air quality impacts in the region. No air quality BMP's were included as part of the proposed project, therefore Mitigation C.1 is included below to ensure that Air District BMPs are selected and applied to the construction phase of the project. With Mitigation C.1, below, air quality impacts would be **Less Than Significant with Mitigation Incorporated**.

C.4.-5. Apart from the potential for temporary odors associated with construction activities (i.e., paving operations), the proposed project will neither expose sensitive receptors to substantial pollutant concentrations, nor create significant objectionable odors that are inconsistent with residential uses. These potential impacts are short-term in nature, anticipated in an urban area, and considered **Less Than Significant**.

MITIGATION C.1 (Air Quality): To minimize air quality impacts during the construction phase of the project, specific best practices shall be incorporated during initial grading and subdivision improvement phases of the project as specified in Appendix C of the Butte County Air Quality Management District's CEQA Air Quality Handbook, October 23, 2014, available at

http://www.bcaqmd.org/page/_files/CEQA-Handbook-Appendices-2014.pdf. Examples of these types of measures include but are not limited to:

- Limiting idling of construction vehicles to 5 minutes or less.
- Ensuring that all small engines are tuned to the manufacturer's specifications.
- Powering diesel equipment with Air Resources Board-certified motor vehicle diesel fuel.
- Utilizing construction equipment that meets ARB's 2007 certification standard or cleaner.
- Using electric powered equipment when feasible.

MITIGATION MONITORING C.1: Prior to approving grading permits or subdivision improvement plans City staff will review the plans to ensure that Mitigation Measure C.1 is incorporated into the construction documents, as appropriate.

C. Biological Resources Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species as listed and mapped in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			X	
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.				X
3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
5. Result in the fragmentation of an existing wildlife habitat, such as blue oak woodland or riparian, and				X

an increase in the amount of edge with adjacent habitats.				
6. Conflict with any local policies or ordinances, protecting biological resources?				X

DISCUSSION:

D.1.-3, 5 and 6. Because the site and surrounding properties have been fully urbanized during the past 80+ years, the project is not anticipated to impact sensitive species or habitats with the exception of nesting raptors (see below). Regarding sensitive species or habitats addressed in **D.1.-3, 5 and 6**, impacts resulting from the project would be **Less Than Significant**.

D.4. The potential exists that during proposed tree removals, impacts to nesting raptors may occur which could potentially result in violations of the Migratory Bird Treaty Act (MBTA, 16 USC 703) and California Fish and Wildlife Code (Section 3503), unless mitigation is applied to avoid active nests during the breeding season. Incorporation of **Mitigation Measure D.1** would reduce the potential for impacts to nesting raptors and migratory birds to a level that is **Less Than Significant**.

MITIGATION D.1 (Biological Resources):

If tree removal, grading, or initial construction is scheduled to occur within the nesting season (February 1 – August 31), the developer shall hire a qualified biologist to conduct a preconstruction survey of the project site to identify any active nests within the property. The survey shall be conducted no more than 7 days prior to commencement of tree removal, grading or construction activities. The survey shall identify and map all nests within 200 feet of construction areas and recommend appropriate buffer zones. No construction activities shall occur within the buffer area(s) until a qualified biologist confirms that the nest is no longer active. Active nests shall be monitored by the biologist at least twice per week and a report of the monitoring efforts shall be provided to the Community Development Department on a monthly basis. The survey shall be repeated if construction activity cease for a continuous 15-day period prior to resuming.

MITIGATION MONITORING D.1 (Biological Resources): Planning and Engineering staff will require submittal of a bird nest survey prior to issuance of any grading or building permit for the project, unless the work will commence during the non-breeding season (September 1 through January 31).

D. Cultural Resources Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Cause a substantial adverse change in the significance of an historical resource as defined in PRC Section 15064.5?		X		
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to PRC Section 15064.5?		X		

3. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	X
4. Disturb any human remains, including those interred outside of formal cemeteries?	X

DISCUSSION:

E.1. – E.4. The project site is in an area of high archaeological sensitivity as designated by the Chico 2030 General Plan (Prehistoric Archaeological Sensitivity Areas map, Cultural Resources & Historic Preservation Element). Due to the level of site disturbance over the past 80+ years, the potential for surface-level resources to exist is low. However, the potential remains high for subsurface resources to be disturbed during grading and construction activities. Halting construction work and observing standard protocols for contacting appropriate City staff and arranging for an evaluation of cultural resources in the case of a discovery is a required standard City practice, typically noted on all grading and building plans. Mitigation Measure E.1, below, would minimize the potential damage to previously unknown cultural resources or human remains in the event that such resources are unearthed during construction and would reduce this potential impact to a level that is **Less Than Significant With Mitigation Incorporated**.

MITIGATION E.1. (Cultural Resources): A note shall be placed on all grading and construction plans which informs the construction contractor that if any bones, pottery fragments or other potential cultural resources are encountered during construction, all work shall cease within the area of the find pending an examination of the site and materials by a professional archaeologist. If during ground disturbing activities, any bones, pottery fragments or other potential cultural resources are encountered, the developer or their supervising contractor shall cease all work immediately within the area of the find and notify Planning staff at (530) 879-6800. Planning staff shall immediately notify the Mechoopda Indian Tribe Environmental Director Mike DeSpain at (530) 899-8922 to provide the opportunity for evaluation of the find. A professional archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology and who is familiar with the archaeological record of Butte County, shall be immediately retained by the applicant to evaluate the significance of the find. Site work shall not resume until the archaeologist conducts sufficient research, testing and analysis of the archaeological evidence to make a determination that the resource is either not cultural in origin or not potentially significant. If a potentially significant resource is encountered, the archaeologist shall prepare a mitigation plan for review and approval by the Community Development Director, including recommendations for total data recovery, Tribal monitoring, disposition protocol, or avoidance, if applicable. All measures determined by the Community Development Director to be appropriate shall be implemented pursuant to the terms of the archaeologist's report in consultation with the Mechoopda Indian Tribe. The preceding requirement shall be incorporated into construction contracts and plans to ensure contractor knowledge and responsibility for proper implementation.

MITIGATION MONITORING E.1.: Planning staff will verify that the above wording is included on construction plans. Should cultural resources be encountered, the supervising contractor shall be responsible for reporting any such findings to Planning staff, and contacting a professional archaeologist, in consultation with Planning staff, to evaluate the find.

E. Geology/Soils Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Expose people or structure to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Div. of Mines & Geology Special Publication 42)?			X	
b. Strong seismic ground shaking?			X	
c. Seismic-related ground failure/liquefaction?			X	
d. Landslides?			X	
2. Result in substantial soil erosion or the loss of topsoil?			X	
3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
5. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water, or is otherwise not consistent with the Chico Nitrate Action Plan or policies for sewer service control?				X

DISCUSSION:

F.1. The City of Chico is located in one of the least active seismic regions in California and contains no active faults. Currently, there are no designated Alquist-Priolo Special Studies Zones within the Planning Area, nor are there any known or inferred active faults. Thus, the potential for ground rupture

within the Chico area is considered very low. Under existing regulations, all future structures will incorporate California Building Code standards into the design and construction that are designed to minimize potential impacts associated with ground-shaking during an earthquake. The potential for seismically-related ground failure or landslides is considered **Less Than Significant.**

F.2.-4. Development of the site will be subject to the City's grading ordinance, which requires the inclusion of appropriate erosion control and sediment transport best management practices (BMPs) as standard conditions of grading permit issuance. Additionally, under the applicable National Pollution Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board (RWQCB) per §402 of the Clean Water Act, existing state/city storm water regulations require applicants disturbing over one acre to file a Storm Water Pollution Prevention Plan (SWPPP) with the State (which is confirmed by City staff prior to permit issuance) to gain coverage of the activity under the City's Construction General Permit. The project SWPPP is required to include specific measures to minimize potential erosion.

Further, the City and the Butte County Air Quality Management District require implementation of all applicable fugitive dust control measures, which further reduces the potential for construction-generated erosion. Development of the site will also be required to meet all requirements of the California Building Code which will address potential issues of ground shaking, soil swell/shrink, and the potential for liquefaction. As a result, potential future impacts relating to geology and soils are considered to be **Less Than Significant.**

F.5. The project will be connected to the City sewer system, resulting in **No Impact** relative to policies governing sewer service control.

MITIGATION: None Required

F. Greenhouse Gas Emissions Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

DISCUSSION:

G.1.-2. In 2012, the Chico City Council adopted a Climate Action Plan (CAP) which sets forth objectives and actions that will be undertaken to meet the City's GHG emission reduction target of 25 percent below 2005 levels by the year 2020. This target is consistent with the State Global Warming Solutions Act of 2006 (AB 32, Health & Safety Code, Section 38501[a]).

Development and implementation of the CAP are directed by a number of goals, policies and actions in the City's General Plan (SUS-6, SUS-6.1, SUS-6.2, SUS-6.2.1, SUS-6.2.2, SUS-6.2.3, S-1.2 and OS-4.3). Growth and development assumptions used for the CAP are consistent with the level of development anticipated in the General Plan Environmental Impact Report (EIR). The actions in the CAP, in most cases, mirror adopted General Plan policies calling for energy efficiency,

water conservation, waste minimization and diversion, reduction of vehicle miles traveled, and preservation of open space and sensitive habitat.

Section 15183.5(b) of Title 14 of the California Code of Regulations states that a GHG Reduction Plan, or a Climate Action Plan, may be used for tiering and streamlining the analysis of GHG emissions in subsequent CEQA project evaluation provided that the CAP does the following:

A. Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;

B. Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;

C. Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;

D. Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;

E. Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels; and

F. Be adopted in a public process following environmental review.

Chico's CAP, in conjunction with the General Plan, meet the criteria listed above. Therefore, to the extent that a development project is consistent with CAP requirements, potential impacts with regard to GHG emissions for that project are considered to be less than significant.

New development and redevelopment must adhere to a number of City policy documents, building code requirements, development standards, design guidelines, and standard practices that collectively further the goals and, in many cases, directly implement specific actions required by the CAP. Below is a list of measures found in the CAP which are applied on a project-by-project basis, and which aid in implementing the CAP:

- Consistency with key General Plan goals, policies, and actions that address sustainability, smart growth principles, multi-modal circulation improvements, and quality community design
- Compliance with California's Title 24 Building Energy Efficiency Standards for Residential and Non-Residential Buildings
- Compliance with the City's tree preservation ordinance
- Incorporation of street trees and landscaping consistent with the City's Municipal Code
- Consistency with the City's Design Guidelines Manual
- Consistency with the State's Water Efficient Landscape Ordinance (AB 1881)
- Compliance with the City's Residential Energy Conservation Ordinance, which requires energy and water efficiency upgrades at the point-of-sale, prior to transfer of ownership (e.g., attic insulation, programmable thermostats, water heater insulation, hot water pipe insulation, etc.)
- Provision of bicycle facilities and infrastructure pursuant to the City's Bicycle Master Plan
- Installation of bicycle and vehicle parking consistent with the City's Municipal Code

- Coordination with the Butte County Association of Governments to provide high quality transit service and infrastructure, where appropriate
- Consistency with the Butte County Air Quality Management District's CEQA Handbook
- Adherence to Butte County Air Quality Management District mitigation requirements for construction sites (e.g., dust suppression measures, reducing idling equipment, maintenance of equipment per manufacturer specs, etc.)
- Requirement for new employers of 100+ employees to submit a Transportation Demand Management Plan
- Diversion of fifty percent (50%) of construction waste
- Compliance with the City's Capital Improvement Plan, which identifies new multi-modal facilities and connections
- Option to incorporate solar arrays in parking areas in lieu of tree shading requirements
- Consistency with the City's Storm Drainage Master Plan

As part of the City's land use entitlement and building plan check review processes, development projects in the City are required to include and implement applicable measures identified in the City's CAP. As the proposed project is consistent with the City's General Plan, includes development contemplated in the scope of the General Plan Update EIR, and is subject to measures identified in the City-adopted CAP, it is therefore considered to be **Less Than Significant.**

MITIGATION: None Required.

G. Hazards /Hazardous Materials Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
2. Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X

G. Hazards /Hazardous Materials Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
5. For a project located within the airport land use plan, would the project result in a safety hazard for people residing or working in the Study Area?				X
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the Study Area?				X
7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
8. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

DISCUSSION:

H.1. The nature of the proposed residential use does not involve the transport of hazardous materials. There would be **No Impact**.

H.2. From approximately 1940 to 1968 the State Division of Highways (Caltrans) operated a maintenance shop and fueling facility on the proposed project site. The fueling system included one 750-gallon unleaded gasoline Underground Storage Tank (UST) and one 500-gallon leaded gasoline UST. Both USTs were abandoned in place by backfilling with concrete prior to promulgation of UST regulations.

As part of a property transaction, on May 18, 2015, a Phase I Environmental Site Assessment (ESA) included a shallow soil and vapor survey of the UST area conducted by Chico Environmental Science & Planning reported benzene greater than the California Human Health Screening Level for protection of occupied structures against vapor intrusion hazards (see Subsurface Investigation Report, **Attachment A**).

Based on the findings of the Phase I ESA a Limited Phase II Environmental Site Investigation (ESI) was performed by Chico Environmental Science & Planning on April 27, 2015.The Phase II ESI included the collection of subsurface soil vapor samples. While the Phase II ESI detected elevated benzne and 1,2,4-trimethylbenzene and a UST unauthorized release report was submitted to the State Water Resources Control Board, the potential contamination was not successfully delineated. Due to the unsuccessful delineation of the potential contamination the property owner and the State Water Resources Control Board requested a further investigation by Chico Environmental Science & Planning.

A Report on Findings based on the results of the Phase II Environmental Site Investigation prepared by Chico Environmental Science & Planning and dated May 10, 2016 (see Report of Findings, **Attachment B**), concluded that while one soil vapor sample contained benzene above the corresponding Environmental Screening Level, the conditions could be described as *de minimis* and

the site was suitable for use as a paved parking area. The Report of Findings further recommended a request for site closure by the Central Valley Regional Water Quality Control Board (RWQCB).

On March 23, 2016, the Butte County Department of Environmental Health referred the case to the RWQCB. RWQCB staff requested an investigation of the horizontal and vertical extent of pollution. The investigation determined that the chlorinated ethene and petroleum hydrocarbons detected in the soil and soil vapor borings were localized and that they did not extend beneath the proposed residential structures of the proposed project. RWQCB staff further concluded that the remaining hydrocarbons are unlikely to pose a threat to human health or the environment.

Given these findings, the RWQCB recommended that the environmental case on the proposed project be closed. The recommendation by the RWQCB as well as the investigation and findings by RWQCB staff was made available for public review from January 9, 2017 to February 8, 2017. During this time no comments were received. A of Closure of Environmental Cases was published by the RWQCB is included as **Attachment C.**

Based on the findings of the Phase I ESA, Phase II ESI, Report on Findings, and the RWQCB investigation, any impact has been determined to be **Less Than Significant**.

H.3 The site is not located within one-quarter mile of a school, however, is within one-quarter mile of a regional hospital. The proposed project will not emit or handle significant quantities of hazardous materials. Any potential impact would be **Less Than Significant**.

H.4. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. There would be **No Impact**.

H.5 and 6. The site is not located within an airport land use plan area or within the vicinity of a private air strip. There would be **No Impact**.

H.7 – 8. The residential nature of the project will not interfere with an adopted emergency response plan, nor expose people to wildland fire threat. There would be **No Impact**.

MITIGATION: None Required

H. Hydrology/ Water Quality Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Violate any water quality standards or waste discharge requirements?			X	
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?			X	
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of			X	

H. Hydrology/ Water Quality Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				
4. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?			X	
5. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
6. Otherwise substantially degrade water quality?			X	
7. Place real property within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
8. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
10. Inundation by seiche, tsunami, or mudflow?				X

DISCUSSION:

I.1. Storm water attenuation will be provided connection to an existing 54-inch storm line located adjacent to the site in West 8th Avenue. The project will be required to obtain coverage under the State Construction General Permit and will also need to comply with the City of Chico Post Construction Standards Requirement as outlined in Chico Municipal Code section 15.50 which effects current Low Impact Development (LID) state requirements. Existing State permitting requirements by the Regional Water Quality Control Board (RWQCB), along with storm water (LID) requirements as outlined below, will ensure that the project will not result in the violation of any water quality standards or waste discharge requirements. With these existing permitting and water quality requirements in place, potential impacts to water quality from the project are considered to be **Less Than Significant.**

I.2. The project will not utilize or impact groundwater supplies since it will be required to connect to existing water supply facilities provided by the California Water Service Company that have adequate capacity to serve the project and is the sole source of water for the Chico District. Cal Water relies entirely on groundwater pumped from the Sacramento Valley Basin, which is characterized as having

abundant supplies and having demonstrated a historic ability for its groundwater levels to recover quickly after drought events. Cal Water's *Urban Water Management Plan for the Chico-Hamilton City District* indicates that potable water supplies were estimated to be 32,069 acre-feet in 2015 and are expected to increase to 42,550 acre-feet by 2040. Actual groundwater supplies available to Cal Water are significantly greater that the 2015–2040 supply totals reported in the Plan, as the company only pumps what it needs to meet customer demand (Based on the design capacity of its current wells, Cal Water could pump as much as 90,288 acre-feet/year). Thus, the proposed project's net increase of approximately 15 acre-feet annually (assuming typical usage of 1 acre-foot per household per year), represents less than one-tenth of one percent of Cal Water's 2015 supply of 32,069 acre-feet and its 2040 supply of 42,550 acre-feet. Therefore, groundwater depletion associated with the proposed project is anticipated to be **Less Than Significant.**

I.3.-I.6. The project would alter the existing drainage patterns at the site, however, it would not result in substantial erosion or siltation on- or off-site, or create excessive runoff because prior to construction the project would have to demonstrate compliance with City/State post-construction storm water management requirements.

As of July, 2015, all development projects that create or replace 5,000 square feet or more of impervious surface are considered "regulated projects" subject to post-construction storm water management requirements, including source control measures and Low Impact Development (LID) design standards. Source control measures deal with specific onsite pollution-generating activities and sources, and LID design standards apply techniques that infiltrate, filter, store, evaporate and detain runoff close to the source of rainfall to maintain a site's pre-development runoff rates and volumes. Project compliance with these storm water regulations is assessed and required by City staff prior to issuance of building permits.

With the application of the existing regulations outlined above, the project will not substantially degrade water quality drainage systems or provide substantial additional sources of polluted runoff. Under existing City/State requirements for the project to implement best management practices (BMPs) and incorporate LID design standards, storm water impacts from construction and operation of the project would be **Less Than Significant.**

I.7.-I.9. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map No. 06007C0505E, the project site is located in "Zone X (Unshaded)", and not located in a special flood hazard area. Potential flooding impacts are considered **Less Than Significant**.

I.10. The project site is not in an area subject to inundation by seiche, tsunami, or mudflow; therefore, the project will result in **No Impact**.

MITIGATION: None Required

I. Land Use and Planning Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Result in physically dividing an established community?				X

2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the City of Chico General Plan, Title 19 "Land Use and Development Regulations", or any applicable specific plan) adopted for the purpose of avoiding or mitigating an environmental effect?	X	
3. Results in a conflict with any applicable Resource Management or Resource Conservation Plan?		X
4. Result in substantial conflict with the established character, aesthetics or functioning of the surrounding community?	X	
5. Result in a project that is a part of a larger project involving a series of cumulative actions?		X
6. Result in displacement of people or business activity?		X

DISCUSSION:

J.1, J.3. The project will not physically divide an established community, or conflict with any applicable resource management or conservation plans. **No Impact**.

J.2 and J.4. The proposed project requires a use permit to allow residential uses on the ground floor of the OC (Office Commercial) zoning district in accordance with Title 19 (Land Use and Development Regulations) of the Chico Municipal Code. Approval of the use permit by the City of Chico Planning Commission will be required prior to the issuance of building permits. Similarly, the project requires design approval by the City's Architectural Review & Historic Preservation Board (ARHPB) to ensure compliance with Chapter 19.18 (Architectural Review and Site Design) of the Chico Municipal Code and consistency with the Community Design Element of the General Plan and the City's Design Guidelines Manual. The ARHPB approved the project at its May 18, 2016 meeting subject to the use permit approval.

Creating a gross density of 12 units per gross acre, the proposal falls within the density range of 6 to 20 units per gross acre allowed in the Office Mixed Use General Plan designation. The project is consistent with the following policy of the Land Use Element of the General Plan that supports compatible infill development:

- *Policy LU-4.2 (Infill Compatibility) - Support infill development, redevelopment, and rehabilitation projects that are compatible with surrounding properties and neighborhoods.*

The project is consistent with the following goal and policies contained in the Community Design Element of the General Plan:

- *Goal CD-3: Ensure project design that reinforces a sense of place with context sensitive elements and a human scale.*
- *Policy CD-3.1 (Lasting Design and Materials) - Promote architectural design that exhibits timeless character and is constructed with high quality materials.*
- *Policy CD-5.3 (Context Sensitive Design) - For infill development, incorporate context sensitive design elements that maintain compatibility and raise the quality of the area's architectural character.*

- *Goal CD-6: Enhance gateways and wayfinding systems for an improved sense of arrival and orientation for residents and visitors throughout Chico.*
- *Action CD-6.1.2 (Landmarks) – Construct landmarks to support wayfinding at key locations throughout the City such as entries to historic neighborhoods, points of interest, significant buildings, and natural features.*

The project is consistent with the City's Design Guidelines Manual as follows:

- *From Chapter 1: Community Design, the project is consistent with the following Objective:*
- *"Add visual interest with building materials and color that reinforces the overall architectural design concept and sense of place."*
- *From Chapter 4: Residential Project Types, the project is consistent with the following guidelines:*
- *DG 4.1.11 – Create a sense of community with residential building designs oriented to the pedestrian by incorporating porches, entries, stoops, and windows that face the street and sidewalk.*
- *DG 4.1.13 – Orient multiple-family residential development to the street and pedestrians.*
- *DG 4.1.24 – Include front porches and balconies in multi-family buildings that are oriented to streets to enliven public street space, create a sense of community, and provide "eyes on the street" for safety and security.*

- *DG 4.1.61 - …for multi-family projects utilizing garages, minimize the visual impact of garages by…placing the garage at the rear of lot accessed from a side street or an alley…*
- *Design Objective 4.2.3 – Design details of residential building elevations that reinforce a clear architectural style.*

Review and approval by the Planning Commission and the ARHPB will ensure that the project will not conflict with the established character, aesthetics or functioning of the surrounding community and compatible with existing residential uses adjacent to the project site. Related impacts are anticipated be **less than significant**.

J.5 and **J.6.** The nature of the project does not involve subsequent phases or cumulative actions. Use of the site has been inactive for over the past year and will not displace people or businesses. **No impact.**

MITIGATION: None Required.

K. Mineral Resources. Would the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
2. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

DISCUSSION:

K.1.-2. The nature of the project does not involve the extraction of mineral resources or loss of a related recovery site. **No Impact.**

MITIGATION: None Required.

L. Noise Will the project or its related activities result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Exposure of persons to or generation of noise levels in excess of standards established in the Chico 2030 General Plan or noise ordinance.			X	
2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
3. Exposure of sensitive receptors (residential, parks, hospitals, schools) to exterior noise levels (CNEL) of 65 dBA or higher?			X	
4. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
5. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
6. For a project located within the airport land use plan, would the project expose people residing or working in the Study Area to excessive noise levels?			X	
7. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the Study Area to excessive noise levels?			X	

DISCUSSION:

L.1, L.3, L.4. Noise levels associated with anticipated future residential uses would be consistent with existing adjacent residential uses and would not result in a substantial increase in the future noise levels at the site or surrounding area. Therefore, noise exposure levels resulting from the project would be **Less Than Significant**.

L.2. There are no sources of excessive groundborne vibration or groundborne noise levels in the project vicinity. Any groundborne vibration due to construction at the site will be temporary in nature and cease once that phase of the project is constructed. Therefore, the impact from groundborne vibration will be **Less Than Significant**.

L.5. Temporary noise events will be generated during the construction phase, however these impacts are considered to be less than significant because they are short term, and project contractors will be required to comply with the City's existing noise regulations which limit the hours of construction and maximum allowable noise levels.

Under section 9.38 of the Chico Municipal Code, construction activities are limited to occur between the hours of 7 a.m. and 9 p.m. on most days, and 10 a.m. to 6 p.m. on Sundays and holidays. During the warmest summer months, June 15 - September 15, construction is allowed between the hours of 6 a.m. and 9 p.m. on most days, and 10 a.m. to 6 p.m. on Sundays and holidays.

During the allowable times for construction outlined above, noise-generating activities are limited by the following criteria:

- No individual device or piece of equipment shall produce a noise level exceeding eighty-three (83) dBA at a distance of twenty-five (25) feet from the source. If the device or equipment is housed within a structure on the property, the measurement shall be made outside the structure at a distance as close as possible to twenty-five (25) feet from the equipment, and

- The noise level at any point outside of the property plane of the project shall not exceed eighty-six (86) dBA.

These existing noise limitations imposed by the municipal code for temporary construction activities will ensure that the project would not result in significant temporary increases in noise levels that require mitigation. Therefore, temporary increases in ambient noise levels associated with the project are considered to be **Less Than Significant.**

L.6, L.7. The project site is located over two miles from the nearest runway at the Chico Municipal Airport, which is not close enough to be subject to significant aircraft noise levels, and is not located within vicinity of a private airstrip. Therefore, noise exposure levels from aircraft would be **Less Than Significant**.

MITIGATION: None Required

M. Open Space/ Recreation Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Affect lands preserved under an open space contract or easement?				X
2. Affect an existing or potential community recreation area?				X
3. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
4. Does the project include recreational facilities or require the construction or expansion of recreational			X	

facilities which might have an adverse physical effect on the environment?

DISCUSSION:

M.1.-2. The project site is private property that is not in an open space contract, nor does it contain an open space easement. **No Impact**.

M.3.-4. The proposed project will incrementally add users of parks and recreation facilities in the Chico area. Such increase in users of these facilities is expected as General Plan build-out occurs, therefore impacts on open space, parks and recreational facilities are considered **Less Than Significant**.

MITIGATION: None Required.

N. Population/ Housing Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

DISCUSSION:

N.1.-N.3. The proposed project would not induce substantial population growth, nor would it displace people or housing. Project impacts to population/housing are therefore considered to have **No Impact.**

MITIGATION: None Required.

O. Public Services Will the project or its related activities have an effect upon or result in a need for altered governmental services in any of the following areas:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Fire protection?			X	

2. Police protection?	X
3. Schools?	X
4. Parks and recreation facilities? (See Section J Open Space/Recreation)	X
5. Other government services?	X

DISCUSSION:

O.1.-5. The future new residences at the project site will require payment of development impact fees to offset the cost of new facilities for police, fire, parks, and other public services. With the payment of impact fees, impacts to police, fire, and other public services are considered **Less Than Significant**.

MITIGATION: None Required.

P. Transportation/Circulation Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
2. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
3. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X

P. Transportation/Circulation Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
5. Result in inadequate emergency access?				X
6. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

DISCUSSION:

P.1.-2., P.6. The proposed project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, nor will it conflict with an applicable congestion management program or adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or safety of such facilities.

The publication Trip Generation, 7th Edition by the Institute of Transportation Engineers (ITE) defines the proposed project as Low-rise apartments, units located in rental buildings that have one or two levels (floors) such as garden apartments. ITE, 2004

According to the ITE Trip Generation manual, Low-rise apartments generate an average rate of 6.59 daily weekday vehicle trips per occupied dwelling unit (trips are one-way; a “round-trip” is considered two trips). The Trip Generation Manual further predicts an average of 0.46 vehicle trips during weekday morning peak hours (7:00 am to 9:00 am) per occupied unit and an average of 0.58 vehicle trips during evening peak hours (4:00 pm to 6:00 pm) per occupied unit. This means that the proposed 15 residential units would be anticipated to generate 99 vehicle trips per day, seven (7) of which would occur during AM peak hours and nine (9) of which would occur during PM peak hours.

The City of Chico 2030 General Plan Environmental Impact Report (EIR) identified 8th Avenue as a Major Collector and included data forecasting that the roadway segment of 8th Avenue from Magnolia Avenue to Esplanade is operating at an acceptable Level of Service (LOS) C with 400 daily PM peak hour trips. The EIR further predicts that the roadway will remain well within acceptable LOS C levels under future build-out conditions and would accommodate approximately 730 PM peak hour trips at that level of service.

Assuming that every vehicle trip from the proposed project travels east to travel along 8th Avenue between Magnolia Avenue and Esplanade, any impact from the addition of nine (9) PM peak hour trips would be considered **Less Than Significant**.

No aspect of the proposed project has been identified to be in conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, nor will the project conflict with an applicable congestion management program or adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or safety of such facilities.

Development of new residences at the site will require payment of street facility impact fees, which constitute the project's fair share contribution toward addressing any cumulative traffic issues that arise as General Plan build-out occurs. The traffic increases associated with project are **Less Than Significant**.

P.3. The project would not affect air traffic patterns and would therefore have **No Impact**.

P.4.-5. The proposed project does not include the creation of any new roads and will not impact the design or position of any existing road. Vehicle access to the proposed project will be via an existing driveway from West 8th Avenue along the western property boundary, and emergency vehicles will be able to access the residential units from West 8th or Arcadian Avenues or the existing vehicle driveway. Any impact is **Less Than Significant**.

MITIGATION: None required

Q. Utilities Will the project or its related activities have an effect upon or result in a need for new systems or substantial alterations to the following utilities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Water for domestic use and fire protection?			X	
2. Natural gas, electricity, telephone, or other communications?			X	
3. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
4. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
5. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
6. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
7. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
8. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
9. Comply with federal, state, and local statutes and regulations related to solid waste?			X	

DISCUSSION:

Q.1.-7. All necessary utilities (water, storm drain, sewer, gas, phone or other communications, and electric facilities) are available near the site and extending them throughout the development will be required. The project would not exceed the capacity of wastewater treatment facilities. Utilities are available and adequate to serve the proposed development. Impacts regarding the provision of utilities and wastewater services are considered **Less Than Significant**.

Q.8.-9. Available capacity exists at the Neal Road landfill to accommodate waste generated by the project. Recycling containers and service will be provided for the project as required by state law. This impact would be **Less Than Significant**.

MITIGATION: None Required.

V. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
A. The project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.			X	
B. The project has possible environmental effects which are individually limited but cumulatively considerable. (Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past, current and probable future projects).			X	
C. The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.				X

DISCUSSION:

A-C: The project does not have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Based on the preceding environmental analysis, the application of existing regulations and incorporation of identified mitigation measures will ensure that

all potentially significant environmental impacts associated with the project, including those related to air quality, biological resources, emergency response/access, and cultural resources would be minimized or avoided, and the project will not result in direct or indirect adverse effects on human beings or the environment, nor result in significant cumulative impacts. Therefore, with the incorporation of the identified mitigation measures, the project will result in a **Less Than Significant** impact.

VI. REFERENCES

Butte County General Plan 2030. 2010. Butte County General Plan Adopted October 26, 2010.

Butte County. 2000. The Butte County Airport Land Use Compatibility Plan, Shutt Moen, February, 2000.

Butte Regional Transit website, B-Line Route Map. http://www.blinetransit.com/Schedules/Bus-Stop-Location-Maps/index.html

BCAQMD. 2014. CEQA Air Quality Handbook. http://bcaqmd.shasta.com/wp-content/uploads/CEQA-Handbook-Appendices-2014.pdf. 2014

Cal Water. 2010. California Water Service Company, 2010 Urban Water Management Plan, Chico-Hamilton District, Final Draft. California.

California Department of Conservation, Division of Land Resource Protection. Farmland Mapping and Monitoring Program. Butte County Important Farmland 2010
Online resource: ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/but10.pdf

Chico General Plan 2030. 2011. City of Chico General Plan, adopted April 12, 2011.

Chico GP EIR. 2011. City of Chico General Plan Environmental Impact Report. State Clearinghouse Number 2008122038. Certified April 12, 2011.

Chico Municipal Code. 2015.
http://www.amlegal.com/nxt/gateway.dll/California/chico_ca/chicomunicipalcode?f=templates$fn=default.htm$3.0$vid=amlegal:chico_ca. 2015.

Chico Urban Area Bicycle Plan. 2012.
http://www.chico.ca.us/building_development_services/traffic/documents/2012BIKEPLAN.pdf

Chico Urban Area Nitrate Compliance Plan Environmental Impact Report. 2001. Butte County State Clearinghouse # 1999102080. Certified on September 25, 2001.

Chico Urban Area Nitrate Compliance Program http://www.nitratecompliance.org/

DTSC. 2011. California Department of Toxic Substances Control. Hazardous Waste and Substances Sites List. www.envirostar.dtsc.ca.gov. 2011.

ITE. 2004 Trip Generation Manual, 7th Edition. Institute of Transportation Engineers.

FEMA. 2011. Flood Insurance Rate Maps. http://map1.msc.fema.gov/. 2014.

NRCS. 2006. Soil Survey of Butte Area, California, Parts of Butte and Plumas Counties. Natural Resources Conservation Service. 2006.

SWRCB. 2016. State Water Resources Control Board. http://geotracker.swrcb.ca.gov. 2016.

APPENDIX A

ATTACHMENT C

SUBSURFACE INVESTIGATION REPORT OF FINDINGS

SOIL AND SOIL VAPOR SAMPLING

249 WEST 8TH AVENUE
CHICO, CA 95926

7/7/15 Call

- Governing Authority?: What is required?
- What prompted test?
- Soil samples consistent with oil-gas pumping?
- Recommendation
- What is 5 ft. BGS?

PREPARED FOR:

MS. KAREN SPRINGS

PREPARED BY:

CHICO ENVIRONMENTAL SCIENCE & PLANNING
333 MAIN STREET, SUITE 260
CHICO, CA 95928

19 MAY 2015

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John Lane
Professional Geologist 7717

Report of Findings

For:

Karen Springs

May 19, 2015

This Report of Findings has been prepared by the staff of Chico Environmental Science and Planning under direction of a State of California Registered Geologist whose seal and/or signature appears hereon.

This Report of Findings has been prepared in an objective and unbiased manner and in accord with generally accepted professional practice for this type of work. Chico Environmental believes the results, specifications, conclusions and professional opinions to be accurate and relevant but cannot accept responsibility for the accuracy or completeness of public documentation or possible withholding of information by interviewees or other private parties. **We make no other warranty, either expressed or implied.**

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1.0 INTRODUCTION

Chico Environmental prepared this Report of Findings based on the analysis of soil and soil vapor samples collected on April 27, 2015 from 249 West 8th Avenue in Chico, California. The samples were analyzed for contaminants associated with potential gasoline contamination, including volatile organic compounds and petroleum hydrocarbons.

2.0 SITE IDENTIFICATION INFORMATION

Site Information: 249 West 8th Avenue
Chico, CA 95926
APN: 003-573-001-000

Property Contact: Ms. Karen Springs
(916) 813-0722

3.0 SITE HISTORY AND BACKGROUND INFORMATION

A small fueling area is located in the central eastern portion of the property, with includes a 750-gallon unleaded fuel tank and one 500-gallon leaded fuel tank.

Chico Environmental reviewed an Underground Tank Inventory Update report from the California Department of Transportation's office, which indicated that both tanks had been filled with concrete at some point prior to Underground Storage Tank (UST) regulations. There was no indication that the USTs had previously released petroleum hydrocarbon material, and at the time, filling tanks with concrete was an acceptable practice. No soil staining or distressed vegetation have been observed at the property. Further investigation lead Chico Environmental to ascertain that the State Division of Highways occupied the subject property from approximately 1940 to 1968.

Soil vapor sampling was conducted at the site following a Phase I Environmental Site Assessment performed prior to sale of the property.

4.0 REGIONAL GEOLOGY AND HYDROGEOLOGY

The stratigraphy of the Chico area generally consists of the Tuscan Formation, unconformably overlain by cemented alluvium (fanglomerates) overlain by alluvial fan deposits. The Tuscan formation (Pliocene in age) consists of volcanic breccia and tuff-breccia, volcanic sandstone and conglomerate, coarse- to fine-grained tuff, and tuffaceous silt and clay units. Well logs in the Chico area indicate that over one half of the Tuscan formation below the valley consists of fluvial deposits, such as the conglomerates and sandstones. These deposits are not indurated or cemented. The Tuscan formation is thought to be over 1,000 feet thick beneath the Chico area (Olmsted and Davis, 1961). The depth to the top of the Tuscan formation is about 300 feet below ground surface (bgs) at the eastern part of the Chico area and gradually deepens to about 600 feet bgs in the western Chico area.

Above the Tuscan Formation are fanglomerates of Pleistocene age (Olmsted and Davis, 1961). The fanglomerate deposits range from 150 feet thick in the foothills east of Chico, to over 600 feet thick

ATTACHMENT C

west of Chico. Clasts in the fanglomerate are derived almost entirely from the underlying Tuscan formation.

Overlying the fanglomerates are consolidated and unconsolidated alluvial fan deposits of late Pleistocene and Recent age. Clasts range in size from cobbles to silts and clays. The unconsolidated alluvial deposits range in thickness from 0 to about 50 feet thick (Olmsted and Davis, 1961).

There are three aquifers underlying the Chico urban area. They are referred to as the shallow, intermediate, and deep aquifers. These three aquifers should be considered as discrete water-bearing units that are hydraulically connected, with the intermediate and deep aquifers receiving recharge through vertical leakage from the overlying aquifers. The aquifers are correlative to the alluvial fan deposits, the fanglomerate deposits, and the Tuscan formation, respectively. Recharge to the aquifers is from direct precipitation and local recharge from Big Chico Creek and Lindo channel. Some recharge to the deep aquifer comes from the foothills to the east (DWR, 1984).

The shallow aquifer is unconfined and ranges in thickness from 0 to about 50 feet. It consists mostly of consolidated and unconsolidated alluvial sand and gravel deposits, although there are silt and clay units present. This aquifer has limited storage capabilities, and very little water is pumped from it in the eastern part of the Chico area. The thickness of the aquifer increases up to 50 feet in the western part of the Chico area (DWR, 1984).

The intermediate aquifer ranges from 0 to 600 feet thick. The top of the unit ranges from 0 to 50 feet bgs in the Chico area. It is composed mostly of cemented older alluvial deposits (fanglomerates), unconsolidated sand and gravel beds, and thick clayey layers. Groundwater occurs mainly in the uncemented sand and gravel beds under semi confined conditions. Recharge to this zone is from streams incised into the overlying alluvial deposits, through vertical leakage from the overlying saturated alluvium, and possibly from inflow from the underlying Tuscan formation. The intermediate aquifer has limited vertical permeability because of the relatively impermeable cemented and clayey layers (DWR, 1984).

The deep aquifer consists of thick beds of black sand and/or coarse-grained gravel of the Tuscan formation. This unit is confined by less permeable clay, tuff, and mudflow deposits. The deep aquifer is highly permeable and yields abundant water for irrigation and municipal wells. This zone is recharged mainly by streams that drain the foothill area east of Chico, and from leakage from the overlying aquifers (DWR, 1984).

Flow directions in the general Chico vicinity are from the foothills to the east and northeast, toward the west-southwest.

According to measurements from monitoring wells on the adjacent property, the groundwater table is located between 45 and 65 feet below ground surface (bgs).

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5.0 SAMPLING METHODOLOGY

Two soil vapor samples were collected from approximately five feet bgs. The soil vapor samples were collected in Summa canisters and analyzed for volatile organic compounds by EPA method TO-15. Soil vapor sampling results are included in **Table 1.**

One soil sample was collected from the bottom of a Soil Boring #2 at five feet bgs. The soil sample was analyzed for total extractable petroleum hydrocarbons by EPA Method 8015C.

Sampling locations are denoted on **Figure 2.** Complete analytical reports can be found in **Appendix A.**

6.0 SAMPLING RESULTS

Contaminants present in concerning concentrations are highlighted in yellow.

TABLE 1: SOIL VAPOR RESULTS SUMMARY (µg/m³)					
PARAMETER	SAMPLES		REGULATORY GUIDELINES		
	SSAT-0452	SSAT - 0487	SWRCB ESLs[1]	OEHHA SG[2]	EPA GUIDANCE[3]
Isopropyl alcohol	-	59	-	-	-
Heptane	1100	61	-	-	-
Hexane	-	50	-	-	2000
4-Ethyltoluene	-	36	-	-	-
Tetrahydrofuran	-	11	-	-	-
Tetracholoroethene	-	19	210	180	810
Trichloroethane	-	23	300	990,000	22
1,2,4-Trimethylbenzene	-	210	-	-	60
Benzene	540	34	42	36	310
Toluene	2400	410	160,000	140,000	4,000
Ethylbenzene	370	140	490	420	2,200
m,p-Xylene	940	540	52,000	320,000	70,000
o-Xylene	320	170	52,000	320,000	70,000

[1] State Water Resources Control Board Environmental Screening Levels (ESLs)
[2] California EPA Office of Environmental Health Hazard Assessment (OEHHA) California Human Health Screening Levels (CHHSLs)
[3] U.S.EPA Subsurface Vapor Intrusion Guidance

TABLE 2: SOIL SAMPLING						
SAMPLE ID	SAMPLE DEPTH	Lead	C6-12 (GRO)	C13-C28 (DRO)	C29-C40 (MORO)	UNITS
SS1	5'	ND	ND	ND	ND	mg/kg

ND: None Detected/Parameters below laboratory detection limits.

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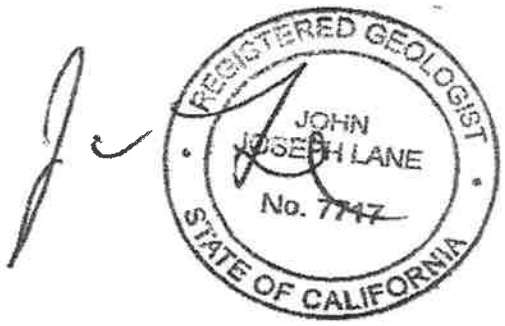
7.0 CONCLUSIONS AND RECOMMENDATIONS

Results of the sampling indicate that subsurface soil vapor (five feet bgs) has been impacted by historical activities associated with the two, onsite underground storage tanks. Benzene is present in soil vapor above regulatory guidelines and may pose a threat to human and environmental health. Chico Environmental recommends removal of the tanks and over excavation of the surrounding soil. The work should be carried our by a certified professional experienced in underground storage tank and contaminated-soil removal and disposal.

8.0 QUALIFICATIONS AND SIGNATURE

Chico Environmental has performed this assessment under my supervision in accordance with generally accepted environmental practices and procedures, as of the date of this report. I have employed the degree of care and skill ordinarily exercised under similar circumstances by reputable environmental professionals practicing in this area. The conclusions contained within this assessment are based upon site conditions readily observed or were reasonably ascertainable and present at the time of the site inspection.

The conclusions and recommendations stated in this report are based upon personal observations made by employees of Chico Environmental and upon information provided by others. I have no reason to suspect or believe that information provided is inaccurate.



John Lane, P.G. No. 7717
Chico Environmental Science & Planning
jlane@chicoenvironmental.com
(530) 899-2900

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9.0 REFERENCES

California Environmental Protection Agency. Office of Environmental Health Hazard Assessment (OEHHA). Risk Assessment – Soil and Soil Gas. <http://oehha.ca.gov/risk/chhsltable.html>

California State Water Resources Control Board. Geotracker database. Chico Central Plume, ID# SL0600712386. <http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=SL0600712386>

California State Water Resources Control Board. San Francisco Bay Regional Water Quality Control Board. 2013 Environmental Screening Levels. <http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/ESL/Lookup_Tables_Dec_2013_Summary.pdf>

Helley, Edward J., and David S. Harwood, Geologic Map of the Late Cenozoic Deposits of the Sacramento Valley and Northern Sierran Foothills, CA, Department of the Interior, U.S. Geological Survey, 1985.

Norris, R.M., and R.W. Webb., Geology of California, John Wiley & Sons, Inc., New York, 1976.

United States Agency for Toxic Substances and Disease Registry (US ATSDR), 1999. United States Department of Health and Human Services, U.S. Public Health Service Toxicological Profile, Total Petroleum Hydrocarbons. <http://www.atsdr.cdc.gov/toxprofiles/tp123.pdf>

United States Environmental Protection Agency (EPA). 2002. OSWER Draft Guidance for Evaluating the Vapor Intrusion to Indoor Air Pathway from Groundwater and Soils (Subsurface Vapor Intrusion Guidance) <http://www.epa.gov/epawaste/hazard/correctiveaction/eis/vapor.htm>

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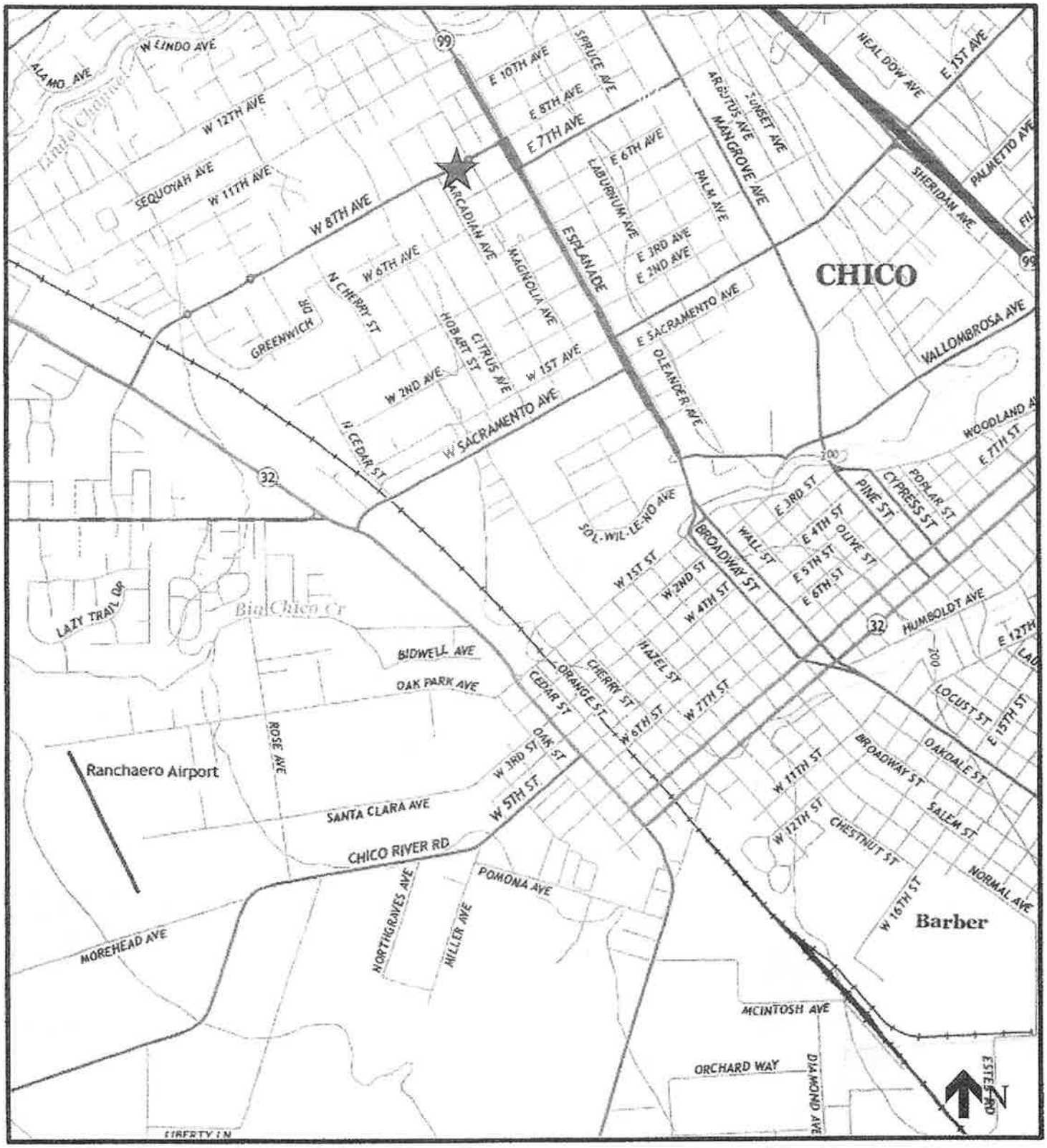

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FIGURE 1: SITE LOCATION
249 WEST 8th AVENUE
CHICO, BUTTE COUNTY, CALIFORNIA

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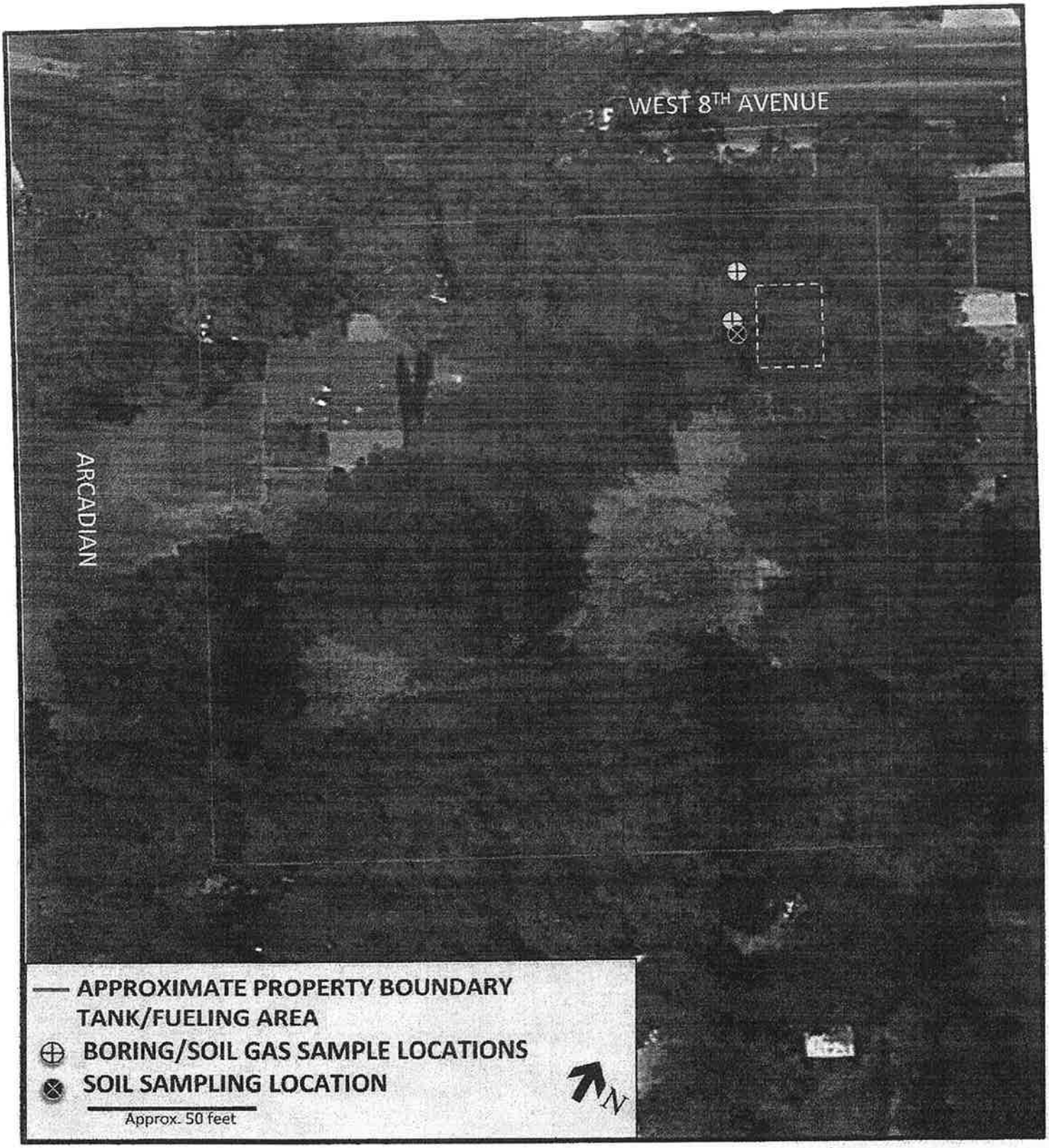

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FIGURE 2: SITE VICINITY
239 WEST 8th AVENUE
CHICO, BUTTE COUNTY, CALIFORNIA

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SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

04 May 2015

John Lane
Chico Environmental
333 Main Street, Suite 260
Chico, CA 95928

RE: W. 8th Ave

Enclosed are the results of analyses for samples received by the laboratory on 04/28/15 10:10. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Katherine RunningCrane

Katherine RunningCrane
Project Manager

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Lake Forest, California 92630
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Chico Environmental	Project: W. 8th Ave	
333 Main Street, Suite 260	Project Number: [none]	**Reported:**
Chico CA, 95928	Project Manager: John Lane	05/04/15 16:28

ANALYTICAL REPORT FOR SAMPLES

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
SSAT - 0452	T151017-01	Air	04/27/15 11:15	04/28/15 10:10
SSAT - 0487	T151017-02	Air	04/27/15 11:40	04/28/15 10:10

Katherine Running Crane

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Chico Environmental	Project: W. 8th Ave	
333 Main Street, Suite 260	Project Number: [none]	**Reported:**
Chico CA, 95928	Project Manager: John Lane	05/04/15 16:28

DETECTIONS SUMMARY

Sample ID: SSAT - 0452 **Laboratory ID:** T151017-01

Analyte	Result	Reporting Limit	Units	Method	Notes
Heptane	1100	210	ug/m³ Air	TO-15	TO-14
Benzene	540	160	ug/m³ Air	TO-15	TO-14
Toluene	2400	190	ug/m³ Air	TO-15	TO-14
Ethylbenzene	370	220	ug/m³ Air	TO-15	TO-14
m,p-Xylene	940	220	ug/m³ Air	TO-15	TO-14
o-Xylene	320	220	ug/m³ Air	TO-15	TO-14

Sample ID: SSAT - 0487 **Laboratory ID:** T151017-02

Analyte	Result	Reporting Limit	Units	Method	Notes
Isopropyl alcohol	59	13	ug/m³ Air	TO-15	
Heptane	61	4.2	ug/m³ Air	TO-15	
Hexane	50	3.6	ug/m³ Air	TO-15	
4-Ethyltoluene	63	5.0	ug/m³ Air	TO-15	
Tetrahydrofuran	11	3.0	ug/m³ Air	TO-15	
Tetrachloroethene	19	6.9	ug/m³ Air	TO-15	
Trichloroethene	23	5.5	ug/m³ Air	TO-15	
1,2,4-Trimethylbenzene	210	5.0	ug/m³ Air	TO-15	
Benzene	34	3.3	ug/m³ Air	TO-15	
Toluene	410	3.8	ug/m³ Air	TO-15	
Ethylbenzene	140	4.4	ug/m³ Air	TO-15	
m,p-Xylene	540	8.8	ug/m³ Air	TO-15	
o-Xylene	170	4.4	ug/m³ Air	TO-15	

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Chico Environmental	Project: W. 8th Ave	
333 Main Street, Suite 260	Project Number: [none]	Reported:
Chico CA, 95928	Project Manager: John Lane	05/04/15 16:28

SSAT - 0452

T151017-01(Air)

SunStar Laboratories, Inc.

Analyte	Result	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
TO-15										
Acetone	ND	0.49	120	ug/m³ Air	2.79	5042833	04/28/15	04/30/15	TO-15	TO-14
1,3-Butadiene	ND	0.30	110	"	"	"	"	"	"	TO-14
Carbon Disulfide	ND	0.22	160	"	"	"	"	"	"	TO-14
1,1,2-trichloro-1,2,2-trifluoroetha ne (CFC 113)	ND	0.26	390	"	"	"	"	"	"	TO-14
Isopropyl alcohol	ND	0.56	130	"	"	"	"	"	"	TO-14
Bromodichloromethane	ND	0.15	340	"	"	"	"	"	"	TO-14
Bromoform	ND	0.23	530	"	"	"	"	"	"	TO-14
Bromomethane	ND	0.54	200	"	"	"	"	"	"	TO-14
Carbon tetrachloride	ND	0.055	320	"	"	"	"	"	"	TO-14
Chlorobenzene	ND	0.099	230	"	"	"	"	"	"	TO-14
Chloroethane	ND	0.36	130	"	"	"	"	"	"	TO-14
Chloroform	ND	0.15	250	"	"	"	"	"	"	TO-14
Chloromethane	ND	0.47	110	"	"	"	"	"	"	TO-14
Cyclohexane	ND	0.16	170	"	"	"	"	"	"	TO-14
Heptane	1100	0.15	210	"	"	"	"	"	"	TO-14
Hexane	ND	0.44	180	"	"	"	"	"	"	TO-14
Dibromochloromethane	ND	0.26	430	"	"	"	"	"	"	TO-14
1,2-Dibromoethane (EDB)	ND	0.18	390	"	"	"	"	"	"	TO-14
1,2-Dichlorobenzene	ND	0.36	310	"	"	"	"	"	"	TO-14
1,3-Dichlorobenzene	ND	0.44	310	"	"	"	"	"	"	TO-14
1,4-Dichlorobenzene	ND	0.44	310	"	"	"	"	"	"	TO-14
Dichlorodifluoromethane	ND	0.18	250	"	"	"	"	"	"	TO-14
1,1-Dichloroethane	ND	0.23	210	"	"	"	"	"	"	TO-14
1,2-Dichloroethane	ND	0.16	210	"	"	"	"	"	"	TO-14
1,1-Dichloroethene	ND	0.28	200	"	"	"	"	"	"	TO-14
cis-1,2-Dichloroethene	ND	0.25	200	"	"	"	"	"	"	TO-14
trans-1,2-Dichloroethene	ND	0.22	200	"	"	"	"	"	"	TO-14
1,2-Dichloropropane	ND	0.13	240	"	"	"	"	"	"	TO-14
cis-1,3-Dichloropropene	ND	0.21	230	"	"	"	"	"	"	TO-14
trans-1,3-Dichloropropene	ND	0.21	230	"	"	"	"	"	"	TO-14
4-Ethyltoluene	ND	0.25	250	"	"	"	"	"	"	TO-14
Methylene chloride	ND	0.079	180	"	"	"	"	"	"	TO-14

Katherine Running Crane

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Chico Environmental	Project: W. 8th Ave	
333 Main Street, Suite 260	Project Number: [none]	**Reported:**
Chico CA, 95928	Project Manager: John Lane	05/04/15 16:28

SSAT - 0452

T151017-01(Air)

Analyte	Result	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
				SunStar Laboratories, Inc.						
TO-15										
Styrene	ND	0.19	220	ug/m³ Air	2.79	5042833	04/28/15	04/30/15	TO-15	TO-14
1,1,2,2-Tetrachloroethane	ND	0.54	350	"	"	"	"	"	"	TO-14
Tetrahydrofuran	ND	0.25	150	"	"	"	"	"	"	TO-14
Tetrachloroethene	ND	0.21	350	"	"	"	"	"	"	TO-14
1,1,2-Trichloroethane	ND	0.19	280	"	"	"	"	"	"	TO-14
1,1,1-Trichloroethane	ND	0.24	280	"	"	"	"	"	"	TO-14
Trichloroethene	ND	0.21	270	"	"	"	"	"	"	TO-14
Trichlorofluoromethane	ND	0.24	290	"	"	"	"	"	"	TO-14
1,3,5-Trimethylbenzene	ND	0.49	250	"	"	"	"	"	"	TO-14
1,2,4-Trimethylbenzene	ND	0.33	250	"	"	"	"	"	"	TO-14
Vinyl acetate	ND	0.18	180	"	"	"	"	"	"	TO-14
Vinyl chloride	ND	0.052	130	"	"	"	"	"	"	TO-14
1,4-Dioxane	ND	0.97	180	"	"	"	"	"	"	TO-14
2-Butanone (MEK)	ND	0.45	150	"	"	"	"	"	"	TO-14
Methyl isobutyl ketone	ND	0.14	210	"	"	"	"	"	"	TO-14
Benzene	**540**	0.14	160	"	"	"	"	"	"	TO-14
Toluene	**2400**	0.14	190	"	"	"	"	"	"	TO-14
Ethylbenzene	**370**	0.14	220	"	"	"	"	"	"	TO-14
m,p-Xylene	**940**	0.20	220	"	"	"	"	"	"	TO-14
o-Xylene	**320**	0.085	220	"	"	"	"	"	"	TO-14

Katherine RunningCrane

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Chico Environmental	Project: W. 8th Ave	
333 Main Street, Suite 260	Project Number: [none]	**Reported:**
Chico CA, 95928	Project Manager: John Lane	05/04/15 16:28

SSAT - 0487

T151017-02(Air)

Analyte	Result	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
SunStar Laboratories, Inc.										
TO-15										
Acetone	ND	0.49	12	ug/m³ Air	3.45	5042833	04/28/15	04/30/15	TO-15	
1,3-Butadiene	ND	0.30	4.5	"	"	"	"	"	"	
Carbon Disulfide	ND	0.22	3.2	"	"	"	"	"	"	
1,1,2-trichloro-1,2,2-trifluoroethane (CFC 113)	ND	0.26	7.7	"	"	"	"	"	"	
Isopropyl alcohol	89	0.56	13	"	"	"	"	"	"	
Bromodichloromethane	ND	0.15	6.8	"	"	"	"	"	"	
Bromoform	ND	0.23	11	"	"	"	"	"	"	
Bromomethane	ND	0.54	4.0	"	"	"	"	"	"	
Carbon tetrachloride	ND	0.055	6.4	"	"	"	"	"	"	
Chlorobenzene	ND	0.099	4.7	"	"	"	"	"	"	
Chloroethane	ND	0.36	2.7	"	"	"	"	"	"	
Chloroform	ND	0.15	5.0	"	"	"	"	"	"	
Chloromethane	ND	0.47	11	"	"	"	"	"	"	
Cyclohexane	ND	0.16	3.5	"	"	"	"	"	"	
Heptane	61	0.15	4.2	"	"	"	"	"	"	
Hexane	50	0.44	3.6	"	"	"	"	"	"	
Dibromochloromethane	ND	0.26	8.7	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.18	7.8	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	0.36	6.1	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	0.44	6.1	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	0.44	6.1	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	0.18	5.0	"	"	"	"	"	"	
1,1-Dichloroethane	ND	0.23	4.1	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.16	4.1	"	"	"	"	"	"	
1,1-Dichloroethene	ND	0.28	4.0	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	0.25	4.0	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	0.22	4.0	"	"	"	"	"	"	
1,2-Dichloropropane	ND	0.13	4.7	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	0.21	4.6	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	0.21	4.6	"	"	"	"	"	"	
4-Ethyltoluene	63	0.25	5.0	"	"	"	"	"	"	
Methylene chloride	ND	0.079	3.5	"	"	"	"	"	"	

The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety.

Katherine RunningCrane

ATTACHMENT C

SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Chico Environmental	Project: W. 8th Ave	
333 Main Street, Suite 260	Project Number: [none]	**Reported:**
Chico CA, 95928	Project Manager: John Lane	05/04/15 16:28

SSAT - 0487

T151017-02(Air)

SunStar Laboratories, Inc.

Analyte	Result	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
TO-15										
Styrene	ND	0.19	4.3	ug/m³ Air	3.45	5042833	04/28/15	04/30/15	TO-15	
1,1,2,2-Tetrachloroethane	ND	0.54	7.0	"	"	"	"	"	"	
Tetrahydrofuran	11	0.25	3.0	"	"	"	"	"	"	
Tetrachloroethene	19	0.21	6.9	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	0.19	5.6	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	0.24	5.6	"	"	"	"	"	"	
Trichloroethene	23	0.21	5.5	"	"	"	"	"	"	
Trichlorofluoromethane	ND	0.24	5.7	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	0.49	5.0	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	210	0.33	5.0	"	"	"	"	"	"	
Vinyl acetate	ND	0.18	3.6	"	"	"	"	"	"	
Vinyl chloride	ND	0.052	2.6	"	"	"	"	"	"	
1,4-Dioxane	ND	0.97	18	"	"	"	"	"	"	
2-Butanone (MEK)	ND	0.45	15	"	"	"	"	"	"	
Methyl isobutyl ketone	ND	0.14	42	"	"	"	"	"	"	
Benzene	34	0.14	3.3	"	"	"	"	"	"	
Toluene	410	0.14	3.8	"	"	"	"	"	"	
Ethylbenzene	140	0.14	4.4	"	"	"	"	"	"	
m,p-Xylene	540	0.20	8.8	"	"	"	"	"	"	
o-Xylene	170	0.085	4.4	"	"	"	"	"	"	
Surrogate: 4-Bromofluorobenzene			*75.7 %*		*40-160*		"	"	"	

Katherine RunningCrane

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Providing Quality Analytical Services Nationwide

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Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Chico Environmental	Project: W. 8th Ave	
333 Main Street, Suite 260	Project Number: [none]	**Reported:**
Chico CA, 95928	Project Manager: John Lane	05/04/15 16:28

TO-15 - Quality Control

SunStar Laboratories, Inc.

Analyte	Result	MDL	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 5042833 - EPA 5030 GCMS											
Blank (5042833-BLK1)					Prepared: 04/28/15 Analyzed: 04/30/15						
Surrogate: 4-Bromofluorobenzene	*39.0*			*ug/m³ Air*	*45.3*		*86.2*	*40-160*			
Acetone	ND	0.49	12	"							
1,3-Butadiene	ND	0.30	4.5	"							
Carbon Disulfide	ND	0.22	3.2	"							
1,1,2-trichloro-1,2,2-trifluoroethane (CFC 113)	ND	0.26	7.7	"							
Isopropyl alcohol	ND	0.56	13	"							
Bromodichloromethane	ND	0.15	6.8	"							
Bromoform	ND	0.23	11	"							
Bromomethane	ND	0.54	4.0	"							
Carbon tetrachloride	ND	0.055	6.4	"							
Chlorobenzene	ND	0.099	4.7	"							
Chloroethane	ND	0.36	2.7	"							
Chloroform	ND	0.15	5.0	"							
Chloromethane	ND	0.47	11	"							
Cyclohexane	ND	0.16	3.5	"							
Heptane	ND	0.15	4.2	"							
Hexane	ND	0.44	3.6	"							
Dibromochloromethane	ND	0.26	8.7	"							
1,2-Dibromoethane (EDB)	ND	0.18	7.8	"							
1,2-Dichlorobenzene	ND	0.36	6.1	"							
1,3-Dichlorobenzene	ND	0.44	6.1	"							
1,4-Dichlorobenzene	ND	0.44	6.1	"							
Dichlorodifluoromethane	ND	0.18	5.0	"							
1,1-Dichloroethane	ND	0.23	4.1	"							
1,2-Dichloroethane	ND	0.16	4.1	"							
1,1-Dichloroethene	ND	0.28	4.0	"							

Katherine RunningCrane

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SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

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Lake Forest, California 92630
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949.297.5027 Fax

Chico Environmental	Project: W. 8th Ave	
333 Main Street, Suite 260	Project Number: [none]	**Reported:**
Chico CA, 95928	Project Manager: John Lane	05/04/15 16:28

TO-15 - Quality Control

SunStar Laboratories, Inc.

Analyte	Result	MDL	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 5042833 - EPA 5030 GCMS											
Blank (5042833-BLK1)					Prepared: 04/28/15 Analyzed: 04/30/15						
cis-1,2-Dichloroethene	ND	0.25	4.0	ug/m³ Air							
trans-1,2-Dichloroethene	ND	0.22	4.0	"							
1,2-Dichloropropane	ND	0.13	4.7	"							
cis-1,3-Dichloropropene	ND	0.21	4.6	"							
trans-1,3-Dichloropropene	ND	0.21	4.6	"							
4-Ethyltoluene	ND	0.25	5.0	"							
Methylene chloride	ND	0.079	3.5	"							
Styrene	ND	0.19	4.3	"							
1,1,2,2-Tetrachloroethane	ND	0.54	7.0	"							
Tetrahydrofuran	ND	0.25	3.0	"							
Tetrachloroethene	ND	0.21	6.9	"							
1,1,2-Trichloroethane	ND	0.19	5.6	"							
1,1,1-Trichloroethane	ND	0.24	5.6	"							
Trichloroethene	ND	0.21	5.5	"							
Trichlorofluoromethane	ND	0.24	5.7	"							
1,3,5-Trimethylbenzene	ND	0.49	5.0	"							
1,2,4-Trimethylbenzene	ND	0.33	5.0	"							
Vinyl acetate	ND	0.18	3.6	"							
Vinyl chloride	ND	0.052	2.6	"							
1,4-Dioxane	ND	0.97	18	"							
2-Butanone (MEK)	ND	0.45	15	"							
Methyl isobutyl ketone	ND	0.14	42	"							
Benzene	ND	0.14	3.3	"							
Toluene	ND	0.14	3.8	"							
Ethylbenzene	ND	0.14	4.4	"							
m,p-Xylene	ND	0.20	8.8	"							
o-Xylene	ND	0.085	4.4	"							

Katherine Running Crane

ATTACHMENT C

SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Chico Environmental
333 Main Street, Suite 260
Chico CA, 95928

Project: W. 8th Ave
Project Number: [none]
Project Manager: John Lane

Reported:
05/04/15 16:28

TO-15 - Quality Control

SunStar Laboratories, Inc.

Analyte	Result	MDL	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 5042833 - EPA 5030 GCMS											
Duplicate (5042833-DUP1)		**Source: T151017-01**			Prepared: 04/28/15 Analyzed: 04/30/15						
Acetone	ND	0.49	120	ug/m³ Air		ND				30	TO-14
1,3-Butadiene	ND	0.30	110	"		ND				30	TO-14
Carbon Disulfide	ND	0.22	160	"		ND				30	TO-14
1,1,2-trichloro-1,2,2-trifluoroethane (CFC 113)	ND	0.26	390	"		ND				30	TO-14
Isopropyl alcohol	ND	0.56	130	"		ND				30	TO-14
Bromodichloromethane	ND	0.15	340	"		ND				30	TO-14
Bromoform	ND	0.23	530	"		ND				30	TO-14
Bromomethane	ND	0.54	200	"		ND				30	TO-14
Carbon tetrachloride	ND	0.055	320	"		ND				30	TO-14
Chlorobenzene	ND	0.099	230	"		ND				30	TO-14
Chloroethane	ND	0.36	130	"		ND				30	TO-14
Chloroform	ND	0.15	250	"		ND				30	TO-14
Chloromethane	ND	0.47	110	"		ND				30	TO-14
Cyclohexane	ND	0.16	170	"		ND				30	TO-14
Heptane	1010	0.15	210	"		1060			4.41	30	TO-14
Hexane	ND	0.44	180	"		ND				30	TO-14
Dibromochloromethane	ND	0.26	430	"		ND				30	TO-14
1,2-Dibromoethane (EDB)	ND	0.18	390	"		ND				30	TO-14
1,2-Dichlorobenzene	ND	0.36	310	"		ND				30	TO-14
1,3-Dichlorobenzene	ND	0.44	310	"		ND				30	TO-14
1,4-Dichlorobenzene	ND	0.44	310	"		ND				30	TO-14
Dichlorodifluoromethane	ND	0.18	250	"		ND				30	TO-14
1,1-Dichloroethane	ND	0.23	210	"		ND				30	TO-14
1,2-Dichloroethane	ND	0.16	210	"		ND				30	TO-14
1,1-Dichloroethene	ND	0.28	200	"		ND				30	TO-14
cis-1,2-Dichloroethene	ND	0.25	200	"		ND				30	TO-14
trans-1,2-Dichloroethene	ND	0.22	200	"		ND				30	TO-14

SunStar Laboratories, Inc.

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Katherine Running Crane

ATTACHMENT C

SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Chico Environmental	Project: W. 8th Ave	
333 Main Street, Suite 260	Project Number: [none]	**Reported:**
Chico CA, 95928	Project Manager: John Lane	05/04/15 16:28

TO-15 - Quality Control

SunStar Laboratories, Inc.

Analyte	Result	MDL	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 5042833 - EPA 5030 GCMS											
Duplicate (5042833-DUP1)		**Source: T151017-01**			Prepared: 04/28/15 Analyzed: 04/30/15						
1,2-Dichloropropane	ND	0.13	240	ug/m³ Air		ND				30	TO-14
cis-1,3-Dichloropropene	ND	0.21	230	"		ND				30	TO-14
trans-1,3-Dichloropropene	ND	0.21	230	"		ND				30	TO-14
4-Ethyltoluene	ND	0.25	250	"		ND				30	TO-14
Methylene chloride	ND	0.079	180	"		ND				30	TO-14
Styrene	ND	0.19	220	"		ND				30	TO-14
1,1,2,2-Tetrachloroethane	ND	0.54	350	"		ND				30	TO-14
Tetrahydrofuran	ND	0.25	150	"		ND				30	TO-14
Tetrachloroethene	ND	0.21	350	"		ND				30	TO-14
1,1,2-Trichloroethane	ND	0.19	280	"		ND				30	TO-14
1,1,1-Trichloroethane	ND	0.24	280	"		ND				30	TO-14
Trichloroethene	ND	0.21	270	"		ND				30	TO-14
Trichlorofluoromethane	ND	0.24	290	"		ND				30	TO-14
1,3,5-Trimethylbenzene	ND	0.49	250	"		ND				30	TO-14
1,2,4-Trimethylbenzene	ND	0.33	250	"		ND				30	TO-14
Vinyl acetate	ND	0.18	180	"		ND				30	TO-14
Vinyl chloride	ND	0.052	130	"		ND				30	TO-14
1,4-Dioxane	ND	0.97	180	"		ND				30	TO-14
2-Butanone (MEK)	ND	0.45	150	"		ND				30	TO-14
Methyl isobutyl ketone	ND	0.14	210	"		ND				30	TO-14
Benzene	528	0.14	160	"		542			2.60	30	TO-14
Toluene	2360	0.14	190	"		2420			2.82	30	TO-14
Ethylbenzene	373	0.14	220	"		374			0.231	30	TO-14
m,p-Xylene	894	0.20	220	"		943			5.33	30	TO-14
o-Xylene	276	0.085	220	"		318			14.0	30	TO-14

SunStar Laboratories, Inc.

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Katherine RunningCrane

ATTACHMENT C

SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Chico Environmental	Project: W. 8th Ave	
333 Main Street, Suite 260	Project Number: [none]	**Reported:**
Chico CA, 95928	Project Manager: John Lane	05/04/15 16:28

Notes and Definitions

TO-14	TO-15 analysis of sample was not performed due to high concentration of analyte(s). Sample was analyzed utilizing method TO-14 and reporting limit has been adjusted accordingly.
DET	Analyte DETECTED
ND	Analyte NOT DETECTED at or above the reporting limit
NR	Not Reported
dry	Sample results reported on a dry weight basis
RPD	Relative Percent Difference

Katherine RunningCrane

ATTACHMENT C

SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

01 May 2015

John Lane
Chico Environmental
333 Main Street, Suite 260
Chico, CA 95928
RE: W. 8th Ave

Enclosed are the results of analyses for samples received by the laboratory on 04/28/15 10:10. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Katherine RunningCrane

Katherine RunningCrane
Project Manager

ATTACHMENT C

SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Chico Environmental	Project: W. 8th Ave	
333 Main Street, Suite 260	Project Number: [none]	**Reported:**
Chico CA, 95928	Project Manager: John Lane	05/01/15 16:17

ANALYTICAL REPORT FOR SAMPLES

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
SB1	T151019-01	Soil	04/27/15 11:30	04/28/15 10:10

Katherine RunningCrane

ATTACHMENT C

SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Chico Environmental	Project: W. 8th Ave	
333 Main Street, Suite 260	Project Number: [none]	**Reported:**
Chico CA, 95928	Project Manager: John Lane	05/01/15 16:17

DETECTIONS SUMMARY

Sample ID: SB1 **Laboratory ID:** T151019-01

No Results Detected

Katherine RunningCrane

ATTACHMENT C

SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Chico Environmental	Project: W. 8th Ave	
333 Main Street, Suite 260	Project Number: [none]	**Reported:**
Chico CA, 95928	Project Manager: John Lane	05/01/15 16:17

SB1

T151019-01(Soil)

Analyte	Result	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
				SunStar Laboratories, Inc.						
Extractable Petroleum Hydrocarbons by 8015C										
C6-C12 (GRO)	ND	5.3	10	mg/kg	1	5042857	04/28/15	04/29/15	EPA 8015C	
C13-C28 (DRO)	ND	6.2	10	"	"	"	"	"	"	
C29-C40 (MORO)	ND	6.2	10	"	"	"	"	"	"	
Surrogate: p-Terphenyl			*113 %*		*65-135*		"	"	"	

SunStar Laboratories, Inc.

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ATTACHMENT C

SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Chico Environmental	Project: W. 8th Ave	
333 Main Street, Suite 260	Project Number: [none]	**Reported:**
Chico CA, 95928	Project Manager: John Lane	05/01/15 16:17

Extractable Petroleum Hydrocarbons by 8015C - Quality Control

SunStar Laboratories, Inc.

Analyte	Result	MDL	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 5042857 - EPA 3550B GC											
Blank (5042857-BLK1)					Prepared: 04/28/15 Analyzed: 04/29/15						
Surrogate: p-Terphenyl	*115*			*mg/kg*	*100*		*115*	*65-135*			
C6-C12 (GRO)	ND	5.3	10	"							
C13-C28 (DRO)	ND	6.2	10	"							
C29-C40 (MORO)	ND	6.2	10	"							
LCS (5042857-BS1)					Prepared: 04/28/15 Analyzed: 04/29/15						
Surrogate: p-Terphenyl	*115*			*mg/kg*	*100*		*115*	*65-135*			
C13-C28 (DRO)	510	6.2	10	"	500		101	75-125			
Matrix Spike (5042857-MS1)		Source: T151019-01			Prepared: 04/28/15 Analyzed: 04/29/15						
Surrogate: p-Terphenyl	*114*			*mg/kg*	*100*		*114*	*65-135*			
C13-C28 (DRO)	500	6.2	10	"	500	ND	99.1	75-125			
Matrix Spike Dup (5042857-MSD1)		Source: T151019-01			Prepared: 04/28/15 Analyzed: 04/29/15						
Surrogate: p-Terphenyl	*114*			*mg/kg*	*99.9*		*114*	*65-135*			
C13-C28 (DRO)	500	6.2	10	"	500	ND	99.2	75-125	0.0102	20	

SunStar Laboratories, Inc.

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Katherine Running Crane

ATTACHMENT C

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Chico Environmental	Project: W. 8th Ave	
333 Main Street, Suite 260	Project Number: [none]	**Reported:**
Chico CA, 95928	Project Manager: John Lane	05/01/15 16:17

Notes and Definitions

DET	Analyte DETECTED
ND	Analyte NOT DETECTED at or above the reporting limit
NR	Not Reported
dry	Sample results reported on a dry weight basis
RPD	Relative Percent Difference

Katherine RunningCrane

ATTACHMENT C

Items for Project Manager Review

LabNumber	Analysis	Analyte	Exception
	8015 Carbon Chain	(Soil)	Result calculations based on MDL
			VERSION 6.14:2004
			This is a modified report

ATTACHMENT C

SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

SAMPLE RECEIVING REVIEW SHEET

BATCH # 7151017

Client Name: Chiro Env. Project: W. 8TH Ave.

Received by: Sunny Date/Time Received: 4.28.15 / 10:10

Delivered by : ☐ Client ☐ SunStar Courier ☒ GSO ☐ FedEx ☐ Other _____

Total number of coolers received 0 **Temp criteria = 6°C > 0°C (no frozen containers)**

Temperature: cooler #1 20.2 °C +/- the CF (- 0.2°C) = 20.0 °C corrected temperature

cooler #2 _____ °C +/- the CF (- 0.2°C) = _____ °C corrected temperature

cooler #3 _____ °C +/- the CF (- 0.2°C) = _____ °C corrected temperature

Samples outside temp. but received on ice, w/in 6 hours of final sampling.	☐Yes	☐No*	☒N/A
Custody Seals Intact on Cooler/Sample	☐Yes	☐No*	☒N/A
Sample Containers Intact	☒Yes	☐No*	
Sample labels match COC ID's	☒Yes	☐No*	
Total number of containers received match COC	☒Yes	☐No*	
Proper containers received for analyses requested on COC	☒Yes	☐No*	
Proper preservative indicated on COC/containers for analyses requested	☐Yes	☐No*	☒N/A

Complete shipment received in good condition with correct temperatures, containers, labels, volumes preservatives and within method specified holding times. ☒ Yes ☐No*

* Complete Non-Conformance Receiving Sheet if checked Cooler/Sample Review - Initials and date SL 4-28-15

Comments:

_____

_____

_____

_____

ATTACHMENT C

SunStar Laboratories, Inc.

PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

Company: CHICO **Name: JOHN**

Item:	Quantity:	
2 oz Jars 24/CS		
4 oz Jars 24/CS		
8 oz Jars 12/CS		
40 ml Unp. Voas 72/BOX		
40 ml HCL Voas 72/BOX		
250 ml Poly 60/CS		
1 Liter Poly 30/CS		
500 ml Poly 16/CS		
500 ml Amber Bottle Wide 12/CS		
1 Liter Amber Bottle 12/CS		
1 Gallon Poly 4/BOX		
5035 kits:(2)Sodium Bisulfate Voas 72/BOX		
(1) Methanol Voa 72/BOX		
(1)Syringe 50/PACK		
Lock-N-Load Handle 1/PACK		
Tedlar Bags 10/PACK		
Manifold,Inst Sampler, Var. Sampler	2-MANIFOLDS (150)	CHARGE - 1
Sub Slab Insert w/ washer		
Soil Gas Drop Tubes		
Gas extraction fittings		
Soil Gas Filters		
B.C. Summa Cans 400cc:		
1L:	5 (2-PURGE)	CHARGE - 2
3L:		
6L:		
Certified Summa Cans 400cc:		
1L:		
3L:		
6L:		
Cooler (S,MED,LRG) Number & Quantity		
Swagelok Fittings: Ferrules,Unions, Nuts	3-NUTS/FERRULES	CHARGE - 2
Other: Poly Tube, Tools, etc		1 RETURNED
Prepared By: SUNNY	Date: 4-21-15	
Reviewed By:	Date:	

ATTACHMENT C

AIR LABORATORY

Chain of Custody Record

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE
25712 Commercentre Drive, Lake Forest, CA 92630
949-297-5020

Client: Chico Environmental
Address: on file
Phone: (530) 899-2599 Fax:
Project Manager: J. Lane

Date: 4/27/15 Page: 1 Of 1
Project Name: W. 8th Ave
Collector: J. Lane Client Project #:
Batch #: T151017 EDF #:

Sample ID	Date Sampled	Start Time	Finish Time	Sample Type : Soil Gas / Indoor Air	Container Type: Summa Can / Tedlar	Initial Pressure	Final Pressure	TO-3	TO-14	TO-15	8015m Methane	8015m Gasoline	Fixed Gases by TCD		Summa Can # / Comments	Laboratory ID #
SSAT-0452	4/27/15	11:15	11:20	SG	SC	-30	-15			X						01
SSAT-0487	4/27/15	11:40	11:45	SG	SC	-30	-17			X						02

Relinquished by: (signature)	Date / Time	Received by: (signature)	Date / Time
	4/27/15 1PM		
GSO	4-28-15 10:10		4-28-15 10:10
Relinquished by: (signature)	Date / Time	Received by: (signature)	Date / Time

Total # of containers: 2
Chain of Custody seals Y/N/NA
Seals intact? Y/N/NA
Received good condition/cold: 20.0

Turn around time: STD

Notes: LOWEST DET. LIMITS

* TO-15 SIM analysis available upon prior notification. **(Precertified Summa cans needed)**

COCAL 145454

ATTACHMENT C

SunStar Laboratories Inc.
25712 Commercentre Dr.
Lake Forest, CA 92630
(949)297-5020
(949)297-5027 fax

Form F-LP0005-1.2

Effective Date: 01/01/2013

ATTACHMENT C

PLEASE DO *NOT* WRITE ON OR PLACE LABELS ON SUMMA CANS

SunStar Laboratories

Canister Data Sheet

Client: CHICO ENV._JOHN_4-21-15_5+2

Shipping Information				Sampling Information					
Canister Serial #		CHECK Date	Pressure (-30 +/- 2 psia)	Sample ID	Sample Date	Initial Pressure	Final Pressure	Sample Start Time	Sample Finish Time
SSAT-	0419	4/21/2015	-30		4/27/15	N/A	N/A	N/A	N/A
SSAT-	0452	4/21/2015	-30			-30	-15	11:15	11:20
SSAT-	0487	4/21/2015	-30			-30	-17	11:40	11:45
SSAT-	0055	4/21/2015	-30	PURGE CAN		-30	0	11:00	11:15
SSAT-	0716	4/21/2015	-30	PURGE CAN		-30	0	11:25	11:40
SSAT-	2065	4/21/2015		MANIFOLD (150)				11:25	
SSAT-	2066	4/21/2015		MANIFOLD (150)				11:00	

APPENDIX B

ATTACHMENT C

May 10, 2016

REPORT OF FINDINGS

Site Information:
249 West 8th Avenue
Chico, CA 95926

Prepared for:
Thomas van Overbeek
10163 Miguelito Road
San Jose, CA 95127

Central Valley Regional Water Quality Control Board
Attn: William Bergmann
364 Knollcrest Drive, Suite 205
Redding, CA 96002

Prepared by:
Chico Environmental Science & Planning
333 Main Street, Suite 260
Chico, CA 95928
(530) 899-2900

ATTACHMENT C

TABLE OF CONTENTS

FIGURES

TABLES

APPENDICES

May 10, 2016

Mr. Thomas van Overbeek
10163 Miguelito Road
San Jose, CA 95127

Subject: Report of Findings
249 West 8th Avenue
Chico, CA 95926

Dear Mr. Overbeek,

Chico Environmental prepared this Report of Findings based on the results of soil and soil vapor samples collected on April 20, 2016 from 249 West 8th Avenue in Chico, California ("subject property" or "site"). The purpose of the subsurface investigation was to ascertain whether a former onsite fueling area resulted in contamination of surrounding soil and soil vapor. Samples were collected and analyzed for contaminants associated with potential gasoline and motor oil releases, including volatile organic compounds, lead and extractable petroleum hydrocarbons.

1.0 SITE INFORMATION

Street Address: 249 West 8th Avenue
Chico, CA 95926
APN: 010-260-073

Property Owner: Thomas van Overbeek
10163 Miguelito Road
San Jose, CA 95127

Lead Agency: Central Valley Regional Water Quality Control Board
Attn: William Bergmann
364 Knollcrest Drive
Redding, CA 96002
(530) 224-4852

Butte County Environmental Health Department
Attn: Thomas Parker
530-538-7581

Consultant: Chico Environmental Science & Planning
333 Main Street, Suite 260
Chico, CA 95928
530-899-2900

Drilling Contractor: Enprobe Environmental Direct Push Drilling Services
C-57 License #777-007
530-693-0219

Registration: Registered Geologist #7717

2.0 SITE DESCRIPTION

The subject property is located on the south side of West 8th Avenue in northern Chico, California (Figure 1). The site was previously occupied by State Division of Highways (approx. 1940-1968) and contains a small fueling area with two underground storage tanks (USTs): one 750-gal unleaded fuel tank and one 500-gal leaded fuel tank. According to Caltrans documentation, both tanks were filled with concrete prior to UST regulations. The fueling area is located in the northern portion of the property.

3.0 BACKGROUND

A Phase I Environmental Site Assessment (ESA) was performed by Chico Environmental Science and Planning, dated May 18, 2015. The Phase I ESA identified that subsurface conditions associated with a historical fueling area may present a recognized environmental condition at the site.

Based on these findings, a previous Limited Phase II Environmental Site Investigation was performed. On April 27, 2015, soil vapor samples collected at five feet below ground surface (bgs) indicated elevated levels of benzene and 1,2,4-trimethlybenzene (540, 210 µg/m3, respectively). A soil sample collected at five feet bgs did not contain detectable levels of petroleum hydrocarbons or lead and there was no evidence of distressed vegetation or soil staining in the tank vicinity. The date and extent of previous release(s) is not known. Groundwater was not encountered during subsurface investigation. Following detection of elevated benzene and 1,2,4-trimethylbenzene, an underground storage tank unauthorized release report was completed and submitted to the State Water Resources Control Board, who is the lead agency for the project.

The initial Limited Phase II Environmental Site Investigation did not successfully delineate the potential contamination. Upon the request of the SWRCB and current property owner, Chico Environmental performed an additional subsurface investigation.

Boring permits were obtained from the Butte County Environmental Health Department and a private underground utilities locator was hired to mark the tanks, piping and associated underground utilities.

4.0 DRILLING AND SOIL SAMPLE COLLECTION

On April 20, 2016, six borings were advanced in the vicinity of the historical fueling area (SB1 – SB6) as demonstrated on Figure 2. The borings were advanced by Enprobe Environmental Solutions, using a portable, truck-mounted direct-push drilling rig.

- Soil samples were collected at depths of 5, 10 and 15 feet bgs from four borings advanced at each corner of the fueling area (SB1, SB2, SB4 and SB5).

Borings were advanced using a 2.25-inch diameter rod and samples were collected in clean four-foot polypropylene sample liners. A California Professional Geologist logged each four-foot soil interval using the United Soil Classification System. A calibrated UltraRAE 3000 photo-ionization detection (PID) was calibrated for 5 ppm benzene and was used to screen soil samples during sample collection. Selected soil samples were sealed with polypropylene end caps and Teflon tape. Site lithology, PID readings and sample collection information is included in **Appendix A**. Groundwater was not encountered during subsurface investigation (maximum depth of 15 feet bgs).

5.0 SOIL VAPOR SAMPLE COLLECTION

Soil vapor samples were collected around the former fueling area according to the California Environmental Protection Agency's July 2015 Advisory – Active Soil Gas Investigations.

- Soil vapor was investigated in four of the six borings. Soil vapor was collected at five feet below ground surface (bgs) from borings SB3 and SB6, and 15 feet below ground surface from borings SB1 and SB4 (Figure 2).

6.0 BORING DESTRUCTION

Following sampling, all borings were backfilled with neat cement grout and surface-sealed with concrete as required by BCEH.

7.0 LABORATORY ANALYSES

All samples were labeled and placed in pre-cooled ice chests for overnight shipment to Sunstar Analytical Laboratory, an ELAP-accredited laboratory in Lake Forest, California. Proper chain of custody procedures were followed at all times.

Soil samples were analyzed for:

- Gasoline Range Organics by EPA Method 8015C
- Diesel Range Organics by EPA Method 8015C
- Motor Oil Range Organics by EPA Method 8015C
- (MTBE) by EPA Method by EPA Method 8260B
- Lead by EPA Method 6010B

Soil vapor samples were analyzed for:

- Volatile Organic Compounds by Method TO-15

8.0 FINDINGS

The results of this subsurface investigation were compared to current Tier 1 State Water Resources Control Board Environmental Screening Levels (ESLs). Environmental Screening Levels are conservative guidelines established to identify conditions that may potentially present a risk to human health and the environment. Levels below corresponding ESLs are generally assumed to not pose a significant risk to human or environmental health. Additional evaluation may be necessary at sites with contaminants in concentrations that exceed corresponding ESLs.

8.1 Geology and Hydrogeology

Sediment collected from onsite borings generally consisted of inorganic silts and very fine sands with low plasticity (**Appendix B**).

8.2 Soil Sample Analytical Results

None of the collected soil samples exceeded corresponding ESLs, as summarized in **Table 1**. Low levels of motor oil range petroleum hydrocarbons (19 mg/kg) and lead (16 mg/kg) were detected ten feet below ground surface in boring SB2 (25 mg/kg, southwest of the fueling area). Lead was also detected at ten feet bgs in boring SB4 (southeast of the fueling area). Complete soil analytical results in included in **Appendix C**.

TABLE 1: SOIL RESULTS SUMMARY (mg/kg)

PARAMETER		DEPTH (BGS)	Gasoline Range Organics (GRO)	Diesel Range Organics (DRO)	Motor Oil Range Organics (MORO)	Methyl tert-butyl ether (MTBE)	Lead
SAMPLES	SB1 5'	5'	-	-	-	-	-
	SB1 10'	10'	-	-	-	-	-
	SB1 15'	15'	-	-	-	-	-
	SB2 5'	5'	-	-	-	-	-
	SB2 10'	10'	-	-	19	-	16
	SB2 15'	15'	-	-	-	-	-
	SB4 5'	5'	-	-	-	-	-
	SB4 10'	10'	-	-	-	-	25
	SB4 15'	15'	-	-	-	-	-
	SB5 5'	5'	-	-	-	-	-
	SB5 10'	10'	-	-	-	-	-
	SB5 15'	15'	-	-	-	-	-
GUIDELINES	SWRCB ESLs[1]	-	100	230	5,100	0.023	80

1 Tier 1 Environmental Screening Levels (ESLs) established by the State Water Resources Control Board

" - " Constituent below laboratory detection limits

8.3 Soil Vapor Analytical Results

One soil vapor sample collected northwest of the fueling area (SB6) contained benzene and vinyl chloride in concentrations that exceed corresponding ESLs (59 µg/m³ and 5.2 µg/m³, respectively).

Benzene and toluene were detected in all four soil vapor samples and acetone, chloroform, styrene, tetrachloroethene, m,p-xylene, o-xylene, 1,2,4-trimethlbenzene, 1,3-butadiene, carbon disulfide, cyclohexane, heptane, hexane, and trichlorofluoromethane were detected in low levels in at least one boring, as summarized in **Table 2**. Complete soil vapor analytical results in included in **Appendix C**.

TABLE 2: SOIL VAPOR RESULTS SUMMARY (µg/m³)

PARAMETER	SAMPLES				GUIDELINES
	SB1	SB3	SB4	SB6	SWRCB ESLs[1]
DEPTH (BGS)	15'	5'	15'	5'	
Acetone	-	**21**	**45**	**15**	15,000,000
Benzene	**3.5**	**7.8**	**6.6**	**59**	48
Chloroform	-	-	-	5	61
Styrene	-	-	-	5.4	470000
Tetrachloroethene	**11**	**28**	-	-	240
Toluene	**14**	**7.4**	**15**	**25**	160,000
Vinyl Chloride	-	-	-	**5.2**	4.7
m,p-Xylene	**17**	-	-	**9.1**	52,000
o-Xylene	**4.6**	-	-	-	52,000
1,2,4-Trimethylbenzene	**13**	**8.3**	**7.7**	**11**	--
1,3-Butadiene	-	-	-	**39**	--
Carbon Disulfide	-	-	-	**4.1**	--
Cyclohexane	-	-	-	**6.9**	--
Heptane	-	-	-	**18**	--
Hexane	-	-	-	**10**	--
Trichlorofluoromethane	-	-	-	**6.6**	--

1 Tier 1 Environmental Screening Levels (ESLs) established by the State Water Resources Control Board

" - " Constituent below detection limits

" – " No applicable ESL

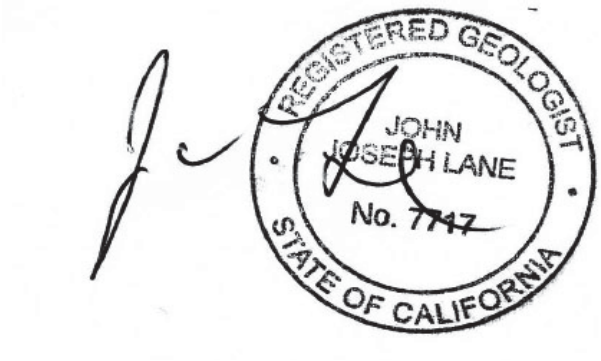
9.0 CONCLUSIONS AND RECOMMENDATIONS

Sampling performed during this subsurface investigation found that one soil vapor sample contained benzene above the corresponding Environmental Screening Level, however it is Chico Environmental's opinion that these conditions are *de minimis* and suitable for the proposed use as a paved parking area. Based on this subsurface investigation, Chico Environmental recommends a request for site closure letter by the RWQCB.

10.0 QUALIFICATIONS AND SIGNATURE

Chico Environmental has performed this assessment under my supervision in accordance with generally accepted environmental practices and procedures, as of the date of this report. I have employed the degree of care and skill ordinarily exercised under similar circumstances by reputable environmental professionals practicing in this area. The conclusions contained within this assessment are based upon site conditions readily observed or were reasonably ascertainable and present at the time of the site inspection.

The conclusions and recommendations stated in this report are based upon personal observations made by employees of Chico Environmental and upon information provided by others. I have no reason to suspect or believe that information provided is inaccurate.



John Lane, P.G. No. 7717
Chico Environmental Science & Planning
jlane@chicoenvironmental.com
(530) 899-2900

11.0 REFERENCES

California Environmental Protection Agency. Advisory – Active Soil Gas Investigations. July 2015.

California Environmental Protection Agency. Office of Environmental Health Hazard Assessment (OEHHA). Risk Assessment – Soil and Soil Gas. <http://oehha.ca.gov/risk/chhsltable.html>

California State Water Resources Control Board. Geotracker database. 249 W 8th Ave, RB Case# 40303. <http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000008695#sitedocuments>

California State Water Resources Control Board. San Francisco Bay Regional Water Quality Control Board. February 2016 Environmental Screening Levels. <http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/ESL/Lookup_Tables_Feb_2016_Summary.pdf>

Helley, Edward J., and David S. Harwood, Geologic Map of the Late Cenozoic Deposits of the Sacramento Valley and Northern Sierran Foothills, CA, Department of the Interior, U.S. Geological Survey, 1985.

Norris, R.M., and R.W. Webb., Geology of California, John Wiley & Sons, Inc., New York, 1976.

United States Environmental Protection Agency (EPA). 2002. OSWER Draft Guidance for Evaluating the Vapor Intrusion to Indoor Air Pathway from Groundwater and Soils (Subsurface Vapor Intrusion Guidance) <http://www.epa.gov/epawaste/hazard/correctiveaction/eis/vapor.htm>

APPENDIX C

ATTACHMENT C

9 January 2017

Interested Parties

PUBLIC NOTICE, REVIEW FOR NO FURTHER ACTION, UST PROGRAM CASE NO. 40303 AND SITE CLEANUP PROGRAM CASE NO. SLT5R1096249 WEST 8TH AVENUE, CHICO, BUTTE COUNTY

Thomas van Overbeek (Discharger) owns a vacant 0.83-acre property located at 249 West 8th Avenue, Chico, Butte County Assessor's Parcel Number 003-573-001-000 (Site). The Discharger plans to construct an apartment complex on the Site. The State Division of Highways (Caltrans) operated a maintenance shop and fueling facility on the Site from approximately 1940 until1968. The fueling system included one 750-gallon unleaded gasoline Underground Storage Tank (UST) and one 500-gallon leaded gasoline UST. Both USTs were abandoned in place by backfilling with concrete prior to promulgation of UST regulations. The shop building was used by an automobile repair hobbyist before its demolition for the proposed development. The estimated depth to groundwater beneath the Site is 65 feet.

As part of a property transaction, in May 2015, a shallow soil and soil vapor survey of the UST area reported benzene greater than the California Human Health Screening Level for protection of occupied structures against vapor intrusion hazards. On 23 March 2016, Butte County Department of Environmental Health referred the case to the Central Valley Regional Water Quality Control Board (Central Valley Water Board). Central Valley Water Board staff requested an investigation of the horizontal and vertical extent of pollution. Chlorinated ethenes including vinyl chloride, perchloroethylene (PCE), and trichloroethylene (TCE) were detected in soil and soil vapor borings. Additional investigation of the chlorinated ethenes requested by Central Valley Water Board staff under the Site Cleanup Program determined that the chlorinated ethene and petroleum hydrocarbons were localized and did not extend beneath the proposed residential structures.

Staff concluded that the localized remaining hydrocarbons are unlikely to pose a threat to human health or the environment. Given these conditions, the Central Valley Water Board is recommending that the environmental case on the subject property be closed.

For details on the UST case, see:

http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000008695

For details on the SCP case, see:

http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000009405

If you do not have access to the internet you can make an appointment to review case files in our office at the footer address. Appointments can be made during regular business hours, which are 8:00 am to 5:00 pm Monday through Friday.

Section 2728, Article 11, Division 3, Chapter 16, Title 23 of the California Code of Regulations (CCR) requires Central Valley Water Board staff to solicit public comments prior to closure of the case. This letter serves as notice of a 30-day public comment period; please send written comments to me at the footer address. To be timely, we must receive written comments by 5:00 pm, **8 February 2017**. Please contact me at William.bergmann@waterboards.ca.gov or (530) 224-4852, with questions or comments.

William R. Bergmann, C.H.G.
Engineering Geologist
Groundwater Unit

WRB:reb

Enclosure: Public Notice – Closure of Environmental Case

cc w/ encl.: See attached List

ATTACHMENT C

DISTRIBUTION LIST

Michael & Cristie Mallon
4883 Lobinger Avenue
Corning, CA 96021

Daniel Houseman
1725 Magnolia Avenue
Chico, CA 95926

Richard & Brenda Bernasconi
1713 Magnolia Avenue
Chico, CA 95926

David Carroll
236 W. 7th Avenue
Chico, CA 95926

Lisa Johnson & Andy Reiko
12545 Prosser Road
Truckee, CA 96161

California Water Service Company
2222 Dr. Martin Luther King Jr. Pkwy
Chico, CA 95928

Tom Parker
Butte County Environmental Health
202 Mira Loma Drive
Oroville, CA 95965

Butte County Water & Resource Conservation
305 Nelson Avenue
Oroville, CA 95965

Stewart W. Black, P.G.
Site Cleanup Program Manager
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

Charlie Ridenour
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, CA 95826

Bob Summerville, Senior Planner
City of Chico
411 Main Street
Chico, CA 95928

ATTACHMENT C

State of California
Edmund G. Brown Jr.
Governor

California Environmental Protection Agency

Matthew Rodriquez

Secretary for Environmental Protection

California Regional Water Quality Control Boards, Central Valley Region

Karl E. Longley ScD, P.E.

Chair

Contact:

Bill Bergmann, C.H.G.

Regional Water Quality Control Board

(530) 224-4854

william.bergmann@waterboards.ca.gov

364 Knollcrest Drive, Suite 205, Redding, CA 96002

Public Notice – Closure of Environmental Cases

This will serve as notice that the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) will be soliciting comments from the public regarding the pending closure of an environmental underground storage tank (UST) case and Site Cleanup Program (SCP) Case at 249 West 8th Avenue, Chico, Butte County, California (Site).

SUBJECT SITE:
249 West Eighth Avenue
Chico, Butte County, California

PUBLIC PARTICIPATION COMMENT PERIOD:
9 January 2017 through 8 February 2017

SUMMARY:
Thomas van Overbeek (Discharger) owns a vacant 0.83-acre property located at 249 West 8th Avenue, Chico, Butte County Assessor's Parcel Number 003-573-001-000 (Site). The Discharger plans to construct an apartment complex on the Site. The State Division of Highways (Caltrans) operated a maintenance shop and fueling facility on the Site from approximately 1940 until1968. The fueling system included one 750-gallon unleaded gasoline Underground Storage Tank (UST) and one 500-gallon leaded gasoline UST. Both USTs were abandoned in place by backfilling with concrete prior to promulgation of UST regulations. The shop building was used by an automobile repair hobbyist before its demolition for the proposed development. The estimated depth to groundwater beneath the Site is 65 feet.

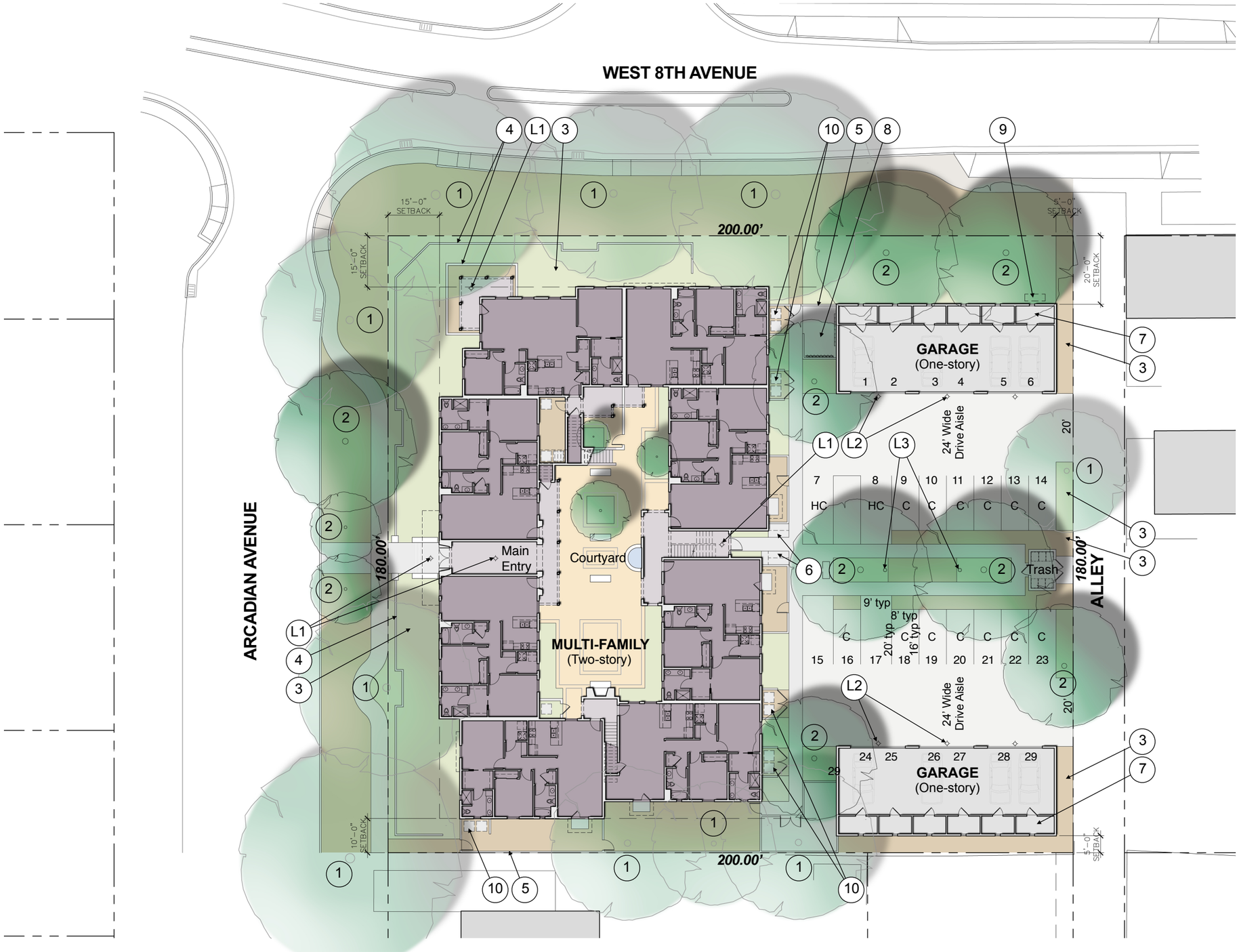
As part of a property transaction, in May 2015, a shallow soil and soil vapor survey of the UST area reported benzene greater than the California Human Health Screening Level for protection of occupied structures against vapor intrusion hazards. On 23 March 2016, Butte County Department of Environmental Health referred the case to the Central Valley Regional Water Quality Control Board (Central Valley Water Board). Central Valley Water Board staff requested an investigation of the horizontal and vertical extent of pollution. Chlorinated ethenes including vinyl chloride, perchloroethylene (PCE), and trichloroethylene (TCE) were detected in soil and soil vapor borings. Additional investigation of the chlorinated ethenes requested by Central Valley Water Board staff under the Site Cleanup Program determined that the chlorinated ethene and petroleum hydrocarbons were localized and did not extend beneath the proposed residential structures.

Staff concluded that the localized remaining hydrocarbons are unlikely to pose a threat to human health or the environment. Given these conditions, the Central Valley Water Board is recommending that the environmental case on the subject property be closed.

WHERE DO I GET MORE INFORMATION?
General Information regarding the Site can be obtained from the State Water Board's GeoTracker web site at:
http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000008695 and
http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000009405.

All interested agencies, groups and persons wishing to comment on the pending case closure must provide these comments in writing. The comments should be submitted by **8 February 2017** to the Central Valley Water Board's office at 364 Knollcrest Drive, Suite 205, Redding, CA 96002. For information, please call Bill Bergmann at (530) 224-4852, or contact him by e-mail at william.bergmann@waterboards.ca.gov.

ATTACHMENT C



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ANDERSON | KIM
architecture + urban design

300 Broadway Blvd NE, Suite K
Albuquerque, NM 87102-3488
(646) 248-2164

info@andersonkim.com
www.andersonkim.com

ARB-2 SITE PLAN

May 6, 2016

0' 15' 30' 60'

SITE DESIGN & ARCHITECTURAL REVIEW

THE ARCADIAN - COURTYARD APARTMENTS
429 West 8th Avenue, Chico, CA 95926 / APN: 003-573-001

Applicant: Tom van Overbeek
10163 Miguelito Road, San Jose, CA 95127

ZONING REQUIREMENTS

ZONE: OC-SD4
Office Commercial, Special Design Consideration 4 (permit required for all second dwelling units)
Use Permit required for Multi-family Housing in OC zone

GP DESIGNATION: OMU (Office Mixed Use)

RESIDENTIAL DENSITY: 6-20 units per acre

NUMBER OF UNITS ALLOWED:

- Property size: 180' x 200' = 36,000 SF
- Arcadian Ave: 80'(w) x ½ = 40'; 40' x 180' = 7,200 SF
- 8th Ave: 80'(assumed) x ½ = 40'; 40 ' x 200' = 8,000 SF
- Alley: 15'(w) x ½ = 7.5'; 7.5' x 180' = 1,350 SF
- Total Du/Acre = 36,000 + 7,200 + 8,000 + 1,350 = 52,550 SF or 1.21 acres 1.21 x 20 units = 24.1 or 24 units allowed

Number of units proposed: 15

Abutting Zone (on same block): R1-SD4 with LDR (Low Density Residential) GP Designation

DEVELOPMENT STANDARDS:

SETBACKS:

- Front: None, except block partly within R district, then comply with R district. R1 district front setback = 15' main bldg.; 20' for garage - ***15' provided.***
- Side and Rear: 10' where parcel abuts R district, none elsewhere - ***10' provided.***

HEIGHT LIMIT:

- Allowed maximum: 45 ft; 25 ft within 25 ft of an abutting R district
- Maximum ridge height: 29'-4"
- Maximum eave height: 23'-8"

Maximum average roof height - 26'-6"

SITE COVERAGE:

- Allowed Maximum: 85% (ARHPB may require less)
- Proposed building footprint: 13,148 SF; 13,148 / 36,000 = 0.36

Total site coverage proposed: 36%

PARKING (Automobiles):

- Multi-family Housing - Two bedroom units at 1.75 spaces (15 units x 1.75 = 26.25 spaces)
- Guest Parking at 1 space per each 5 units (15 units / 5 = 3 spaces)
- Total parking required - 26.25 + 3 = 29.25 or 29 required (round down per 19.70.040 E)

Total off-street parking proposed: 29

PARKING (bicycles):

- 1 space per unit
- Total required - 15 spaces

Total parking proposed - 16 spaces

EXTERIOR LIGHTING

L1 Seagull "Cape May"
#79240BL-780
(Ceiling mounted)

L2 Seagull One Light
Outdoor Wall Lantern
#79340BL-780
(Wall mounted)

L3 Seagull "One Light Outdoor Path"
#9226-12 (Path lighting)

LEGEND

1. Existing trees to remain
2. New trees
3. Landscaped areas
4. 4' tall wood fence, typical (see sheet ARB-4)
5. 6' tall wood fence, typical (see sheet ARB-4)
6. Guest bicycle parking (standard loops)
7. Bicycle parking in storage (1 each)
8. Utility meter location (electric & gas)
9. Irrigation valve manifold and back flow device (min. 3' from property line)
10. HVAC condenser locations screened by 6' tall wood fences/ gates (see sheet ARB-4c)

AK
ANDERSON | KIM
architecture + urban design

300 Broadway Blvd NE, Suite K
Albuquerque, NM 87102-3488
(646) 248-2164

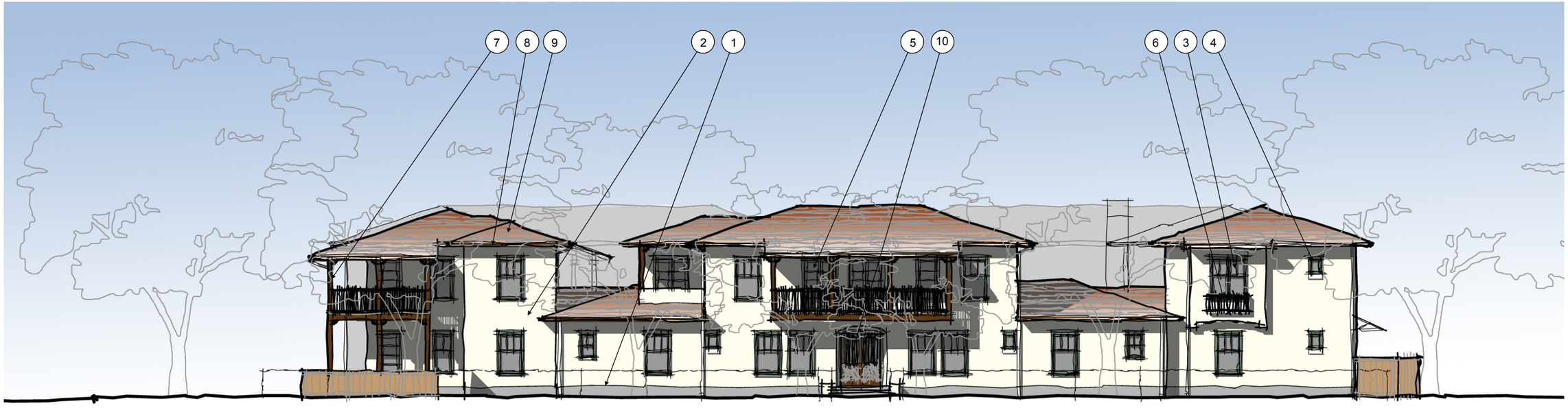
info@andersonkim.com
www.andersonkim.com

ARB-2 NOTES

May 6, 2016

SITE DESIGN & ARCHITECTURAL REVIEW
THE ARCADIAN - COURTYARD APARTMENTS
429 West 8th Avenue, Chico, CA 95926 / APN: 003-573-001
Applicant: Tom van Overbeek
10163 Miguelito Road, San Jose, CA 95127

BUILDING ELEVATION - SOUTH
(ARCADIAN AVENUE)



BUILDING ELEVATION - EAST
(WEST 8TH AVENUE)

ARB-4a ELEVATIONS

May 6, 2016

0’ 8’ 16’ 32’

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BUILDING ELEVATION - SOUTH

BUILDING ELEVATION - EAST

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ARB-4b ELEVATIONS

May 6, 2016

0' 8' 16' 32'

SITE DESIGN & ARCHITECTURAL REVIEW

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Monterey Revival

The Monterey style blended old Spanish building characteristics with those of eastern houses of the same period. The style can be traced back to a house built by merchant Thomas Larkin, America 's first and only consul to California (1844-48), in Monterey in 1837. Larkin constructed a residence that combined the two-story New England Colonial house with local adobe construction. Larkin's design established the defining feature of this style: a second floor with a balcony. At the time, one-story houses dominated the San Francisco Bay area, and Larkin's residence is considered the first two-story adobe in California. Other new features associated with Larkin's Yankee background were interior stairs to the second floor (Mexican residences typically had stairs on the exterior), the glazed window sash, and the fireplace. Hispanic settlers up to this point heated their rooms with braziers of charcoal taken from a fire source outside the house.

Hirigoven House (1930)
400 W. Brookdale Place

The Monterey Revival style, which was popular from 1915 to 1940, is one of California 's few indigenous architectural styles. Characteristics of this style, which has always been better suited to larger lots, include:

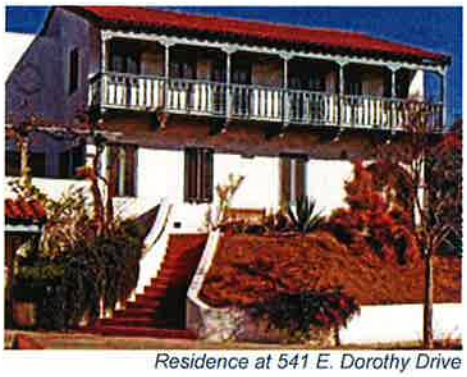
- Two story rectilinear volume
- Low pitched gable roofs covered with shingles or tiles
- Projecting cantilevered second floor balconies with wood railings
- Colonial double-hung windows; louvered shutters
- Plaster walls
- Picket fences around gardens

Bridgford House (1927)
401 Cannon Lane

A good example of the Monterey Revival style in Fullerton is the residence at 400 W. Brookdale Place, constructed in 1930. The Monterey-style balcony can also be seen on Spanish Colonial Revival houses, such as the Bridgford House (1927) at 401 Cannon Lane, and an adaptation of the style for the remodel of the residence at 541 E. Dorothy Drive

Read More about the Monterey Revival Style:

- Hannaford, Donald R., and Revel Edwards. *Spanish Colonial or Adobe Architecture of California, 1800-1850.* Stamford, CT: Architectural Book Publishing Co., 1931; reprinted 1991.
- Kirker, Harold. "The Larkin House Revisted." *California History* vol. 65, no. 1 (1986): 26-33.
- McMillan, Elizabeth. *California Colonial: The Spanish and Rancho Revival Styles.* Atglen, PA: Schiffer, 2002.



Residence at 541 E. Dorothy Drive

Previous Page | Next Page | Return to Architectural Styles Home | Return to Resources

TRASH ENCLOSURE
6’ tall concrete block wall trash enclosure landscaped with lilac vine.

LEGEND

1. Concrete foundations
2. Integral color 3-coat stucco, typical
3. Double-hung “cottage” style windows with simulated divided lite upper sash (Exterior trim color to match window manufacturer’s finish)
4. Awning windows (Exterior trim color to match window manufacturer’s finish)
5. French doors with simulated divided lite (Exterior trim color to match door manufacturer’s finish)
6. Painted wrought iron window planters
7. Painted heavy timber balcony beams, columns and guardrails
8. Painted half round gutters and downspouts
9. Composite asphalt roof
10. Painted wood entry gate

ROOFING

Certainteed
Composite Asphalt Shingles
Color: Spanish Tile

GUTTERS / DOWNSPOUTS

Sherwin Williams
Roycroft PewTer 2848

EXTERIOR STUCCO

La Habra Stucco
Eggshell 73 (integral color)

DOORS / WINDOWS

Sierra Pacific Windows
Patina Green 051

WROUGHT IRON

Sherwin Williams
Enduring Bronze 7055

WOODEN BALCONIES

Sherwin Williams
Rockwood Dark Brown 2808

FENCE (Typical)
4’ & 6’ tall wooden fence with beveled cap and trim boards at top and bottom.

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ARB-4c MATERIALS & DETAILS

May 6, 2016

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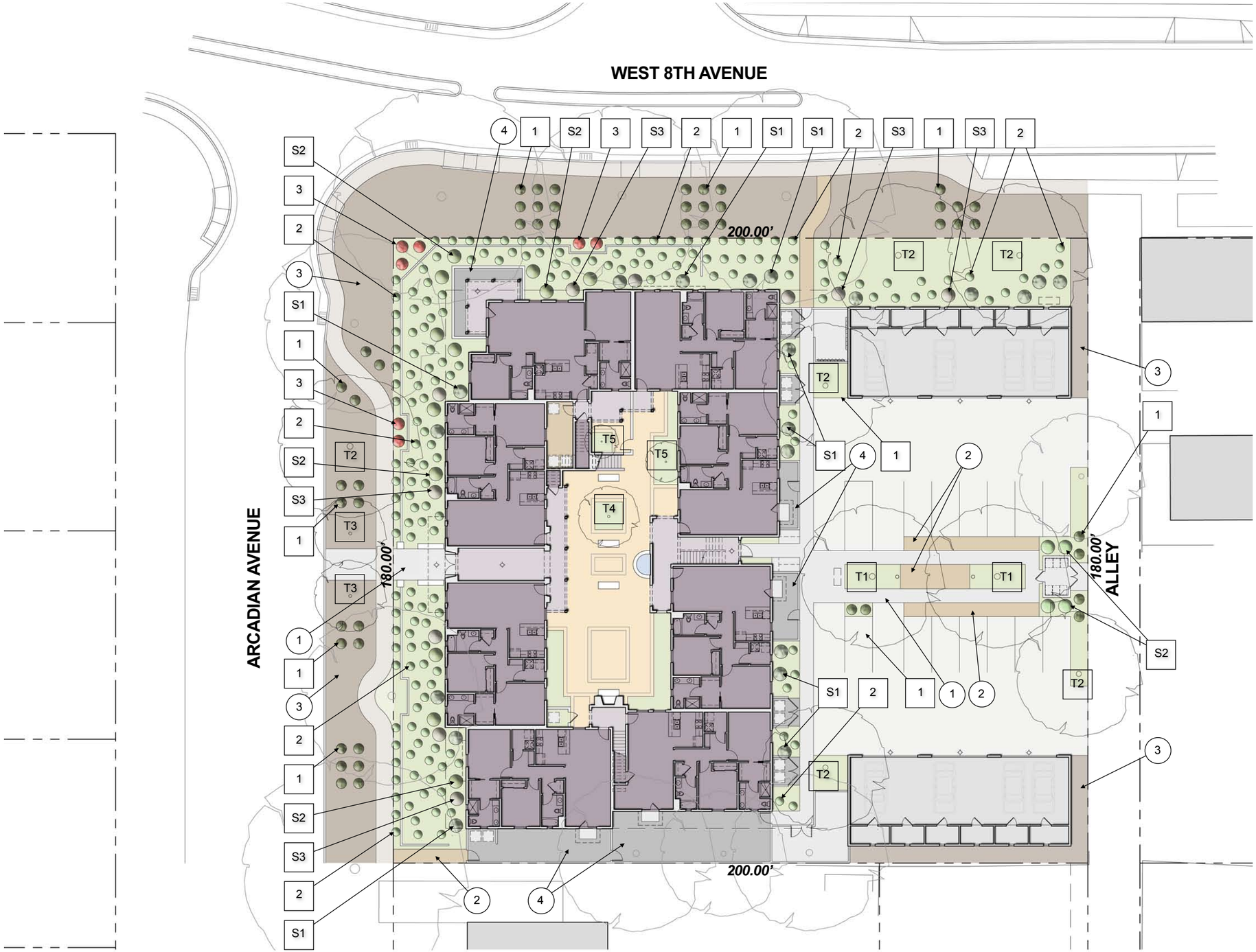

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ARB-3 LANDSCAPE PLAN

May 6, 2016

0' 15' 30' 60'

SITE DESIGN & ARCHITECTURAL REVIEW

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429 West 8th Avenue, Chico, CA 95926 / APN: 003-573-001

Applicant: Tom van Overbeek
10163 Miguelito Road, San Jose, CA 95127

ZONING REQUIREMENTS (Cont'd)

MINIMUM LANDSCAPING (OC zone): 15%

- Required area: (180' x 200') x 0.15 = 5,400 SF
- Proposed landscaped area: 7,536 SF (see diagram below); 7,536 / 36,000 = 0.21

Total proposed landscaped area: 21%

PARKING LOT LANDSCAPING

- Required area: 5% minimum
- Parking area is placed behind the multi-family building and shielded by the garage building and 20' of landscaped area along West 8th avenue.

Required landscaping minimum: Comply

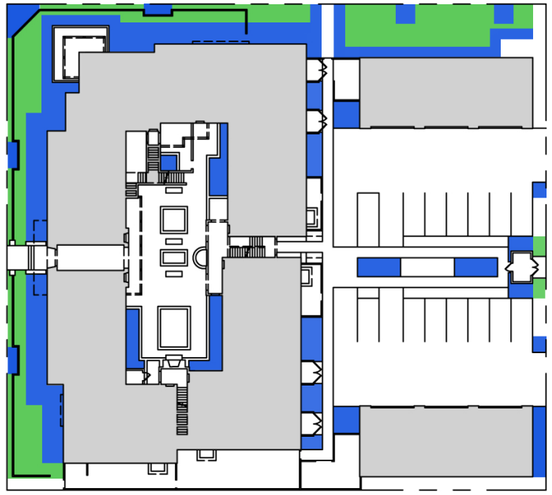
PARKING LOT SHADING:

- Requirement: 50% of pavement area shading after 15 years, not including entrance drives.
- Parking pavement area: 6,296 SF
- Total required shading area: 6,296 x 0.5 = 3,148 SF.

Required shading minimum: Comply (see table below)

100%	*75%*	*50%*	*25%*
Acer rubrum "October Glory" October Glory Red Maple			
(177 x 2) x 1.1 + 354 = **743 SF** (2 trees at 25% plus 10% bonus; 1 tree at 50%)			
707 SF	530 SF	354 SF	177 SF
Quercus coccinea Scarlet Oak			
1,256 x 2 = **2,512 SF** (2 trees at 100%)			
1,256 SF	942 SF	628 SF	314 SF
Sycamore (existing)			
628 SF (1 tree at 50%)			
1,256 SF	942 SF	628 SF	314 sf
TOTAL SHADE AREA: 3,883 SF (743 +2,512 + 628 = 3,883)			

M.W.E.L.O. HYDROZONES



Low water use hydrazine

Moderate water use hydrozone

LEGEND

TREES (For existing trees, see sheet ARB-1)

T1 Scarlet Oak / *Quercus coccinea*
- Minimum planter width: 7'
- Water need: Moderate

T2 October Glory Maple / *Acer rubrum*
- Minimum planter width: 7'
- Water need: Moderate

T3 Crape Myrtle "Natchez"/ *Lagerstroemia indica x fauriei*
- Minimum planter width: 3'
- Water need: Moderate

T4 Crape Myrtle "Watermelon Red"/ *Lagerstroemia indica x fauriei*
- Minimum planter width: 3'
- Water need: Moderate

T5 Starlight Dogwood / *Cornus kousa x nuttalii*
- Minimum planter width: 4'
- Water need: Moderate

SHRUBS

S1 Glossy Abelia / *Abelia grandiflora*
- Water need: Moderate

S2 Fortnight Lily / *Dietes bicolor*
- Water need: Moderate

S3 Purple Flax / *Phormium tenax "atropurpureum"*
- Water need: Moderate

GROUNDCOVER

1 Creeping Rosemary / *Rosemarie's officinalis "prostratus"*
- Water need: Low

2 Star Jasmine / *Dietes bicolor*
- Water need: Moderate

3 Flower Carpet Rose / *Rosa "flower carpet"*
- Water need: Moderate

HARDSCAPE

(1) Concrete, Typ.

(2) Decomposed Granite, Typ.

(3) Mulch, Typ.

(4) Gravel, Typ.

NOTES:

- There is no turf or lawn in the project.
- All landscaping is irrigated by drip system.
- The soils type of this parcel is "Almendra loam". Excavate holes for planting to at least twice the volume of the container. Prepare backfill of the planting holes by mixing three parts of native soil (or imported top soil) with one part organic amendment (preferably nitrogen & iron fortified) and 2.5 pounds of 6-20-20 per yard of mix.

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ARB-3 NOTES

May 6, 2016

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Applicant: Tom van Overbeek
10163 Miguelito Road, San Jose, CA 95127

Public Comments

March 11, 2016

City of Chico Community Development Department
P.O. Box 3420
Chico, CA 95927

City Council Members, Community Development Department, and City Clerk,

I am writing in regard to Use Permit 16-01 (van Overbeek) 249 W. 8th Avenue; APN 003-573-001-000.

I strongly object to this permit request for several reasons. First, as a proposed infill project of 15 units, it would have a significant impact on the traffic in the area. West 8th avenue is already a heavily used corridor, and its current structure at this location contributes to congestion. The additional traffic from the project, at its location, would add further to the traffic congestion on 8th avenue. Also, the surrounding streets (primarily Arcadian and Magnolia running north-south, and W 7th ave E-W) are already over used. The increased traffic caused by the hospital and its parking structure, and drivers using these surrounding streets as thoroughfare is burdensome on the current residents of the neighborhood, and is damaging to the already deteriorating street surface. This project would also add to traffic on these surrounding streets, and the fore-mentioned issues.

8th avenue is a corridor for commuters and business/commerce related vehicles. With this purpose, it is heavily used, has a unique speed limit and structure, and is not designed to accommodate a project of this type. It is not a neighborhood or residential street. Its use and design as an efficient thoroughfare should be maintained, and not impeded by large residential projects.

The surrounding streets are already showing an increase in use do to the encroaching high traffic businesses. The additional burden of the project will not only add to the compromise of the current neighborhood residents, but will accelerate the deterioration of the poor street surfaces.

Secondly, this area and neighborhood is currently all single resident homes, most of which are single story. The encroachment of large businesses, IN OFFICE COMMERCIAL ZONING, is already tolerated by the people who own homes here (and renters seeking a quiet single family home). The noise and light pollution of the hospital and other businesses in the area are burdens that are understandable because they are within the appropriate zoning. However, compromising the commercial zoning for the multi-unit residential development would unnecessarily add to the noise and light pollution in the area. It is very likely that the project would impact the current residents more than an appropriate commercial development. It is inappropriate to grant this permit when its impacts are likely going to be beyond that of a commercial development.

Lastly, I object to this permit simply because of the type of development it is. Large infill development projects of this type add to traffic, congestion, and noise. They also deface the feel and look of a neighborhood like ours. The quit street, small houses, and large old trees are what make this area special. Building a 15 unit complex will not only add vehicles and noise, but it will also take away

from the charm of 'the avenues'. The land in question should remain in office/commercial zoning. But if and exception must be made, it should be reserved for a few small homes, or a MODEST single story few-unit development.

I live on west 7th ave. I hear the noise of the hospital; I encounter the parking issued created by local restaurants and businesses; I see the drivers cutting through the neighborhood, while trying to extent the speed limit of W. 8th ave and esplanade into our residential area. The cars and noise are already a burden. I object to this Permit because it will unnecessarily add to these problems.

I thank you for considering my view on the matter and my objection to the permit.

STEVEN CLIPPPERTON

Mark Corcoran

From: Jeff House <jeff.house@sbcglobal.net>
Sent: Thursday, March 17, 2016 2:45 PM
To: Bob Summerville
Subject: Questions regarding Use Permit 16-01 APN 003-573-001-000

Mr. Summerville,

I live on W 7th Avenue in Chico, and I received the of Public Hearing regarding the property at 249 West 8th Avenue and I have a few concerns that I will outline briefly and add more detail later.

One concern I have is with the Multi-Family unit "fitting in" with the rest of the adjacent community. This seems to go against the Avenues Plan adopted in 2009. This is a two story block building and all others adjacent are single story.

Another concern is the statement that this project is exempt from the CEQA especially because you have noted in the official notice that you are basing this on Section 15331 which is "historical" not infill. The project "infill" is actually 15332 which cannot be exempt from the CEQA guidelines. This error itself necessitates a new notice of public hearing.

The alley way seems to be the only egress into this complex. What traffic studies have been undertaken? When Enloe was building their new tower the city had Enloe keep the traffic flow away from this section of 7th Avenue. I fear that it will be a main exit for these cars. Also is the additional street parking reserved for this apartment? If not, then how can these spaces qualify for the required spaces?

Lastly is the note on the drawings that the underground tank will be buried. This used to be a small gas station and according to EPA guidelines a tank cannot be just buried. There is no note of soil samples being performed to check for leakage which could contaminate our ground water. I checked with the California State Water Resources Control Board and this tank has not been registered. If this tank is leaking our ground water could be in danger.

Thank you for your consideration of the above items.

Jeff and Pam House
229 W 7th Avenue
Chico, CA
530-518-7354

ATTACHMENT I

Mark Corcoran

From: Steve Kasprzyk <c21falconer@gmail.com>
Sent: Friday, March 18, 2016 11:08 AM
To: Bob Summerville
Subject: Re: proposed apartments @ 8th and arcadian

Bob, this is what i sent to the avenues association who are meeting with the developers on monday. i was told by the planner that if this proposal gets shot down that based on the current zoning that they can go ahead and build up to 3 story apartments and have no commercial at all. the ally access is what really surprised me as i cannot recall another project that allows access through a 15 ft alley. have you?
one of my clients lives on the alley on 7th so alot of the traffic will go next to his house. a question to ask is will they provide curb, gutter and sidewalk down s 7th ave or just have a driveway approach, and what does the fire dept have to say?

On Tue, Mar 15, 2016 at 5:43 PM, John Whitehead <jockbaw@sbcglobal.net> wrote:
> Steve,
> Not yet. I and one another board member are meeting with the developer next Monday at 10am in Peets Coffee downtown. You're welcome to join us.
>
> John Whitehead
> 530-680-4505
> 530-267-6202 Fax
>
>> On Mar 15, 2016, at 4:16 PM, Steve Kasprzyk <c21falconer@gmail.com> wrote:
>>
>> hello, i have clients that have received a letter concerning a use
>> permit to build 15 2 story units on this site and access will be
>> through the alley between arcadian and magnolia.does the avenues
>> association have a position on this proposed complex?
>>
>> --
>> Steve Kasprzyk
>> Century 21 Jeffries Lydon
>>
>> 530-518-4850
>> c21falconer@gmail.com
>>
>> http://www.steve.kasprzyk.c21jeffrieslydon.com
>>
>> Just remember to have some fun!

--
Steve Kasprzyk
Century 21 Jeffries Lydon

530-518-4850
c21falconer@gmail.com

ATTACHMENT I

http://www.steve.kasprzyk.c21jeffrieslydon.com

Just remember to have some fun!

Mark Corcoran

From: Susan Mason <smason908@gmail.com>
Sent: Monday, March 21, 2016 10:19 AM
To: Bob Summerville
Subject: Use Permit 16-01 application (249 W. 8th Ave.)

Will vehicle access to this property be on Arcadian or West 8th?

Will the existing house on the property be torn down?

Will the applicant be required to remove invasive trees from the property, e.g. privet?

Will the project design be reviewed by the ARHPB?

Considering the helicopter, ambulance, fire truck, vehicle and train noise there, I hope the developer plans to include extra noise-reducing construction techniques and materials.

I have no objection to having a 2 story, 15 unit apartment at this location, which is a half block from my home. However, it needs to be visually compatible with the surrounding homes unlike those houses currently being built on East 9th Ave, which I think look like war housing and will be a blight on that neighborhood for many years to come.

I'll probably attend the Tuesday 3 pm hearing.

Susan Mason
1831 Arcadian Ave.
892-1666

ATTACHMENT I

Appeal to City of Chico Zoning Administrator

Use Permit 16-01 (van Overbeek) 249 W. 8th Avenue; APN 003-573-001-000

To:
City Clerk
411 Main Street, Third Floor
Chico, CA 95928

City of Chico Community Development Department
411 Main Street, Second Floor
Chico, CA 95928

I am writing to appeal the Use Permitted listed above for the following reasons.

1. The Use Permit 16-01 (van Overbeek) 249 W. 8th Avenue; APN 003-573-001-000 states "This project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines Section CEQA Guidelines Section **15331 (Infill Development).**

   Section 15331 is not Infill Development it is listed as Historical Resource / Restoration / Rehabilitation. In-fill Development Projects is listed as Section 15332 which is not exempt from the CEQA Guidelines as this project is defined. Also sub-section **(d)**. of Section 15332 states that "Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
   - The hearing needs to be re-scheduled after a corrected Notice of Public Hearing has been mailed to those who might be affected by this project.
   - A full EIR needs to be performed as this project is not exempt due to buried fuel tanks and additional traffic and noise.
   - A traffic and noise study needs to be performed as this project is adding 29 more vehicles to already busy streets. Section 15332 states there will not be significant effect relating to traffic in sub-category **(d)**.
   - A study needs to be performed under the direction of Chico Fire Department to determine if the appropriate fire engines and life-saving vehicles are able to access the site through the alley.
   - The sewer service is at manhole 87704. This is an 8" line. Will this line support 15 more units?
2. The plans show an underground tank "to be buried." This is an old gasoline tank. I checked with the California Environmental Protection Agency, State Water Resources control Board and this tank is not registered. An old fuel tank that leaks can contaminate our ground water. This tank should not just be buried but a complete test and survey performed. The tank should then be dealt with according to EPA guidelines.

Jeff House
229 W 7th Avenue, Chico, CA
530-518-7354

ATTACHMENT I

From: Bhakti Merritt <bhakti.metta@gmail.com>

Sent: Wednesday, March 30, 2016 3:03 PM

To: Bob Summerville

Subject:use permit 16-01/249 W.8th ave

I'm writing to express concern that Mr. Overbeek's project include the 5 beautiful, old growth sycamores currently on that property. That they be considered a valuable asset to the city of Chico and incorporated into the plan.

Sincerely, Bhakti Merritt

Mark Corcoran

From: berniricky@yahoo.com
Sent: Monday, April 04, 2016 10:48 AM
To: Bob Summerville
Subject: Housing construction on Arcadedion St.disapprove , protest alley development do to my rental access.

Sent from my T-Mobile 4G LTE device

ATTACHMENT I

From: Jeff House <jeff.house@sbcglobal.net>
Date: May 16, 2016 at 5:57:28 PM PDT
To: "debbie.presson@chicoca.gov"
<debbie.presson@chicoca.gov>, "dani.rogers@chicoca.gov"
<dani.rogers@chicoca.gov>, "randall.stone@chicoca.gov"
<randall.stone@chicoca.gov>, "mark.sorensen@chicoca.gov"
<mark.sorensen@chicoca.gov>, "ann.schwab@chicoca.gov" <ann.schwab@chicoca.gov>
Subject: Issue with conduct of the ARHPB
Reply-To: Jeff House <jeff.house@sbcglobal.net>

Hello,

My name is Jeff House and I live at 229 W 7th Avenue. There is a proposed multiple-residential complex at the corner of 8th Avenue and Arcadian. The file document is AR 16-08. I represent a group of neighbors that feel this project is being rushed and not allowing for public comment.

1. We were first notified by mail of a Use Permit meeting that had to be cancelled because their was a clerical error which labeled the property under an incorrect category. Also the city was not knowledgeable of an underground petrol tank that was used on this property by Cal-Trans. The plans called for it to be buried and not mitigated at that time. We gave Bob Summerville our contact information at this meeting.
2. We were told at the unofficial meeting that a new Use Permit meeting will be scheduled to address these concerns and will be given a 21 day notice of the meeting.
3. Since that time the project is going to the ARHPB for **final** review without neighbor input into the design. There is a strong opposition to the current plan as the current parking is using the alley as the only access. Traffic considerations have not been shown that the 7th Avenue end of the alley will not be impacted.
4. In the Avenues plan the developer is to show by drawings one block to either side of the project to show how the project fits in with the neighborhood. These drawings are not in the plan.
5. In the plan under "Public Contact" a sentence states; "Interested neighbors were sent notices and report copies by mail or email." I checked with 18 neighbors on this last Sunday May 15, 2016 and NONE of them had received any notice. After I wrote to Bob Summerville, he wrote back that he had delivered copies to people on Friday, May 13.
6. The report is dated May 17, 2016 and I read it on May 15, 2016. Is this a typical way the city dates reports?

We feel that the documentation, notification and at times intent is in question. Please do us tax payers a favor and look into this.

Thank you very much,

Jeff House
229 W 7th Avenue
Chico, CA
530-518-7354
jeff.house@sbcglobal.net