



MITIGATED NEGATIVE DECLARATION & MITIGATION MONITORING PROGRAM CITY OF CHICO PLANNING SERVICES DEPARTMENT

Based upon the analysis and findings contained within the attached initial study, a mitigated negative declaration is proposed by the City of Chico Planning Services Department for the following project:

PROJECT NAME AND NUMBER: Joe's Bar Use Permit (UP 08-13)

APPLICANT'S NAME: Ed Burns, P.O. Box 9316, Chico, CA 95926

PROJECT LOCATION: 749 W. 5th Street (Assessor's Parcel Number 004-211-001)

PROJECT DESCRIPTION: The project involves a proposal to reconstruct a nonconforming commercial structure on the southeast corner of West 5th Street and Cherry Street. The reconstruction will seismically retrofit the structure and accommodate American with Disabilities Act (ADA) building standards. The site is designated Medium High Density Residential on the General Plan diagram and located in the R3- Medium High Density Residential zoning district with a Landmark/Fraternity Sorority zoning overlay.

The attached initial study indicates that 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 each identified impact:

1. IMPACT D.1. (Cultural Resources): There is a potential to impact the character of the neighborhood by substantially altering the architecture of the existing building.

MITIGATION D.2. (Cultural Resources): Bricks contained in the existing structure shall be used in the façade or other architectural components of the proposed structure for non structural purposes as determined feasible by a structural engineer.

2. IMPACT D.2. (Cultural Resources): There is the potential to encounter cultural resources during construction activities.

MITIGATION D.2. (Cultural Resources): In the event any cultural materials (e.g. pottery fragments, rocks tools, etc.) are discovered or unearthed during the course of grading or construction activities, all work shall halt within 100 feet of the discovered site and the applicant shall contact the Planning Services Department at 879-6800 as soon as possible. The developer shall then retain an archeologist from the City's list of qualified archaeologists to evaluate the significance of the site. If the archaeologist determines that the materials represent a potentially-significant resource, the project proponent, archaeologist, City Planning Director, and local tribal coordinator shall begin a consultation process to determine a plan of action either for 1) total data recovery, as a mitigation, 2) tribal cultural resource monitoring, 3) displacement protocol, or 4) total avoidance of the resource.

In the event that human remains are discovered during the course of grading or

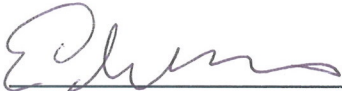
supervisor must immediately notify the Butte County Coroner pursuant to Section 7050.5 of California's Health and Safety Code, and the City Planning Director. The construction supervisor shall also take appropriate action to ensure that the discovery is protected from further disturbance and vandalism.

MITIGATION MONITORING D.1. (Cultural Resources):

Building and Development Services staff will verify that the above wording is included in project grading and construction plans. Should cultural resources be encountered, the supervising inspector shall be responsible for reporting any such findings to the Planning Services Department, and a qualified archaeologist will be contacted to conduct meetings with on-site employees & monitor the referenced mitigation measures.

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


I have reviewed the Initial Study for the Joe's Bar Use Permit (UP 08-13), 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.




Ed Burns
Project Applicant

Prepared by: 


Zach Thomas, Senior Planner
Planning Services Department



Date

Adopted by: 

Steve Peterson, Director
Planning Services Department



Date