

AMENDED BY STAFF 11-18-93

**RESOLUTION NO. 1485**

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF NOVEMBER 18, 1993

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF CALVINE ROAD AND FRANKLIN BOULEVARD

(P93-150) (APN: 117-0160-019, 062, 063, 064)

WHEREAS, the City Planning Commission on November 18, 1993, held a public hearing on the request for approval of a tentative map for property located at the above described location;

WHEREAS, all governmental and utility agencies affected by the development of the proposed subdivision have been notified and given the opportunity to respond;

WHEREAS, the City Environmental Coordinator has determined that the proposed project will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration;

WHEREAS, the Subdivision Review Committee has submitted to the City Planning Commission its report and recommendations on the proposed subdivision;

WHEREAS, the City Planning Commission has considered the design of the proposed subdivision in relation to feasible future passive or natural heating and cooling opportunities; and

WHEREAS, the City Planning Commission has considered the effects that approval of the proposed subdivision would have on the housing needs of the Sacramento Metropolitan area and balances these needs against the public service needs of City residents and available fiscal and environmental resources.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:

1. The tentative map for the proposed subdivision is hereby approved based upon the findings of fact which follow:

- A. The Negative Declaration has been prepared in compliance with CEQA, State and City Guidelines, and the City Planning Commission has reviewed and considered the information contained herein.
  - B. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision.
  - C. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 40 of the City Code. Both the City General Plan and the South Sacramento Community Plan designate the subject site for residential and commercial uses.
  - D. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Quality Control Board, Central Valley Region in that existing treatment plants have a design capacity adequate to service the proposed subdivision.
  - E. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
2. In the matter of the hereby approved requested subdivision modification to allow private streets, the Planning Commission makes the following findings of fact:
- A. The City Planning Commission determines that it is impossible, impracticable and undesirable in this particular case to conform to the strict application of the subdivision ordinance in that the private alleys and streets with modified street sections are an amenity for the development.
  - B. The cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification.
  - C. The modification will not be detrimental to the public health, safety, or welfare, or be injurious to other properties in the vicinity in that minimum widths of the private alleys are met to ensure safety and adequate Police and Fire accessibility.
  - D. That granting the modification is in accord with the intent and purpose of these regulations and is consistent with the General Plan and with all other applicable Specific Plans of the City.
3. The tentative map (Exhibit D-1 through D-5) for the proposed subdivision is hereby approved, subject to the following conditions which must be satisfied prior to the

filing of the final map unless a different time for compliance is specifically noted:

- A. Provide standard subdivision improvements pursuant to Section 40.12.1211 of the City Code along Franklin Boulevard and Calvine Road and Jacinto Road;
- B. Provide street improvements for subdivision conforming with Exhibits D-2 through D-5 for minor neighborhood street (Exhibit D-2), neighborhood drive/entry (Exhibit D-3), parkside/creekside neighborhood street (Exhibit D-4) and residential alley (Private) (Exhibit D-5);
- C. Minor neighborhood streets shall be a 54 foot right-of-way with 34 feet curb to curb and an 18 foot travelled way (Exhibit D-2). Parkside/Creekside neighborhood streets shall be a 44 foot right-of-way with 34 feet curb to curb and an 18 foot travelled way (Exhibit D-4);
- D. Private alleys shall be designed to City Standards and shall provide necessary easements for maneuvering and visibility. The alley shall not be extended adjacent to the north side of Lot 9 between Jacinto Road and Lot 15. A six foot setback shall be provided for maneuvering into garages adjacent to all alleys (Exhibit D-5);
- E. Private alleys which the Department of Utilities requires to have water mains shall be designated as Public Utility Easements for water mains. Additional easements for fire hydrants and water main appurtenances may be required adjacent to private alleys. It will be the responsibility of the homeowner to perform restoration of alley surfaces disturbed as a result of performance of maintenance and repairs on public underground water distribution systems;
- F. Prepare sewer and drainage studies for the review and approval of the Department of Public Works and Department of Utilities. Drainage study shall show the location of all outfalls and method of construction;
- G. Applicant is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). This will require the applicant to file a Notice of Intent with the California Water Resource Control Board and prepare a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP will require the applicant to prepare plans and/or determine measures to control erosion and off-site sediment transport from the project during and after the project and determine measures for controlling pollution from the various hazardous materials associated with construction sites.

The City will require proof of compliance with the State Permit prior to

approval of the improvement plans;

- H. Provide post construction Best Management Practices (BMP's) to minimize the increase of urban runoff pollution. At a minimum, source control measures and on-site controls shall be implemented;
- I. Submit a soils test prepared by a registered engineer to be used in street design;
- J. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
- K. Pursuant to City Code Section 40.16.1601 (parkland dedication), submit to the City an appraisal of the property to be subdivided and pay the required parkland dedication in-lieu fees. The appraisal shall be dated not more than 90 days prior to the filing of the Final Map;
- L. Meet all County Sanitation District requirements;
- M. Comply with requirements included in the Mitigation Monitoring Plan kept on file in the Planning Division Office (P93-150);
- N. Dedicate a standard 12.5-foot public utility easement for underground public utility facilities and appurtenances adjacent to all public and/or private streets. If private alleys are required to have utilities, then they shall be dedicated as a public utility easement;
- O. Dedicate a standard 12.5 foot public utility easement for underground and overhead facilities and appurtenances adjacent to Franklin Boulevard;
- P. Show all existing easements;
- Q. Pursuant to City Code Section 40.10.1019, indicate easements on the Final Map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the Department of Public Works after consultation with the U.S. Postal Service;
- R. Relocate existing storm drain pipe in vicinity of Street E to be within the Street E right-of-way to the satisfaction of the Department of Utilities;
- S. Relocate existing storm drain pipe across Lot 63. Relocated pipe should be placed within a 15 foot easement with pipe five feet from the property line to the satisfaction of the Department of Utilities;

- T. Relocate existing water main across Laguna Creek to the satisfaction of the Department of Utilities;
- U. Abandon any existing water wells and/or septic tank systems, under permit, to City and/or County Health Department standards;
- V. Provide a tangent section between reverse curves on Street C (3 locations);
- W. Dedicate an easement for and construct an off-street bikeway from Laguna Creek at Franklin Boulevard to intersection of Franklin Boulevard and Calvine Road along the westerly boundary of the commercial site to the satisfaction of the Traffic Engineer. Provide bicycle access between Street D and the existing bike path to the satisfaction of the Traffic Engineer;
- X. Applicant shall join the Laguna Creek Maintenance District. Excess right-of-way adjacent to the Floodway shall be dedicated to the City and annexed to this district. The City will not abandon any part of the floodway;
- Y. Annex to the City Landscape Maintenance District at the time of filing the Final Map. Design and construct landscaping, irrigation and masonry walls in the common areas adjacent to Franklin Boulevard, in the median area and in the park site to the satisfaction of the Public Works Department, Parks and Community Services Department and the Planning Division. Acceptance of the required landscaping, irrigation and masonry wall by the City into the Landscape Maintenance District shall be coordinated with the Department of Public Works (Special Districts and Development Services) and Neighborhood Services. Developer shall maintain the landscaping, irrigation and masonry walls for two years or until acceptance by the City into the District (whichever is less). The two year period shall begin following the issuance of a notice of completion by the City for the landscaping, irrigation and masonry walls;
- Z. An eight foot high noise barrier shall be constructed along the western property line adjacent to Franklin Boulevard, south of Laguna Creek. The total height of the noise shall be eight feet as measured from curb height, however, the height of the decorative masonry wall shall not exceed six feet (the wall shall be a minimum of five feet as measured from the grade of the building pad). The wall shall be setback 25 feet from the Franklin Boulevard right-of-way. The design and type of wall shall be reviewed and approved by the Planning Director;
- AA. A Homeowner's Association or other suitable entity shall be formed and shall be approved by the City assuring the maintenance of private alleys. It will also be the homeowner's responsibility to maintain the landscaping, irrigation and lighting in the alleys. Reciprocal access easements shall be

provided to allow use of alley by all adjoining owners;

- AB. Homeowner shall be responsible for maintaining sidewalks and planter areas adjacent to their properties;
- AC. Median islands within the subdivision shall be located a minimum of 20 feet behind the extension of the right-of-way at the intersections;
- AD. Provide street lights. Coordinate street light design with the Electrical Section of Engineering Division for lighting which does not conform to City standards;
- AE. Construct a pedestrian and bicycle bridge across the Laguna Creek Floodway. The project developer shall be responsible for obtaining approval in writing and/or all necessary permits from the applicable local, State or Federal agencies. Approval of the bridge shall be subject to any and all conditions imposed by those agencies. The design and location of the bridge shall be approved by the Department of Public Works. Maintenance of the bridge shall be included in the Laguna Creek Maintenance District.

The pedestrian and bicycle bridge shall be included on the improvement plans submitted to the Department of Public Works. The bridge shall be constructed unless (1) the project developer provides a letter from the United States Corps of Engineers, the Federal Emergency Management Agency or other floodway permitting agency which states the development of the bridge will not be permitted in or near the floodway under the terms of the floodway; or (2) if the developer can prove that approval of the bridge could not be obtained by the various permitting agencies within 6 months from the time the approval was requested from each agency;

AF. Enter into an agreement with Regional Transit for the construction and maintenance of a bus shelter at the northeast corner of the intersection of Franklin Boulevard and H Street;

AG. The applicant shall comply with all Elk Grove Unified School District requirements prior to the issuance of Building Permits;

AH. The applicant shall enter into an appropriate agreement with the City to assure that 15 percent (27 units) of the housing units are priced at levels affordable to median income households as detailed in Exhibit F. An agreement to this effect shall be submitted for review and approval of the City Attorney, Planning Director and the Sacramento Housing and Redevelopment Agency prior to the approval of the Final Map;

AI. The applicant shall enter into an agreement with the City to pay the

project's full pro-rated share (\$25,500) of a study relating to increasing residential densities along transit corridors. Payment is to occur prior to the approval of the final subdivision map or commencement of the study , whichever occurs first; and

- AJ. Dedicate necessary street right-of-way adjacent to Court C (opposite Lots 111-114) for the Laguna Creek Maintenance District (APN 117-0160-020).
- AK. *The area between the existing bike path and maintenance road bordering Laguna Creek and the fronting residential streets and/or subdivision boundaries located within the existing and annexed right-of-way for Laguna Creek (see Parkside/Creekside Neighborhood Street) shall be landscaped, subject to the approval by the City of Sacramento and any other agencies that have jurisdiction, and subject to maintenance of the landscaping by the Laguna Creek Maintenance District. A landscape and irrigation plan shall be submitted with the subdivision improvement plans subject to the review and approval of the Department of Public Works. (Staff added 11-18-93)*

#### ADVISORY NOTES:

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

- A. In case that the applicant wishes to process the Final Map in phases, the City's Public Works Department and Planning and Development Department shall determine which conditions of approval may be waived to a future phase;
- B. Applicant shall conform to the City's Grading, Erosion and Sedimentation Control Ordinance at the time of filing the Final Map;
- C. A left turn pocket Franklin Boulevard median island will be allowed opposite Street H or K at developer's expense;
- D. Access points to the commercial site shall be approved in the future when specific development entitlements are requested;
- E. Fire retardant roofs should be required for the structures along the floodway because of the large amount of flammable grasses, etc., found within the floodway during the dry months; and

Lots 182 and 107 abut the floodway. Contact the Fire Department for ruling on the need of fire retardant fencing. There is a maintenance road

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separating the fence from the Creek.

*Rita L. Donohue*  
Vice- CHAIRPERSON

ATTEST:

*Suzanne Hilstad*  
SECRETARY TO PLANNING COMMISSION  
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