

**P98-121 HERITAGE PLACE PUD: RIVERSGATE SUBDIVISION**

- REQUEST:**
- A. Environmental Determination: Prior Negative Declaration
  - B. **Heritage Place Planned Unit Development Guidelines Amendment** to allow:
    - 1. Front yard setbacks for the living areas of single family detached homes to be reduced to 12.5 feet measured from the back of the sidewalk;
    - 2. An 8 foot high solid fence or wall along the southern property line adjacent to the multi-family site (River Point Apartments)
  - C. **Special Permit Modification** to a development project previously approved as P96-119 in the R-1A{PUD} zone to reduce setbacks and add a wall.

**LOCATION:** W. side of Gateway Oaks Drive approximately 500' S. of W. El Camino  
South Natomas Community Plan Area  
Natomas Unified School District  
Council District 1  
APN: 274-0320-094; 274-0460-001 thru 042; 274-0450-001 thru 029;  
274-0470-001 thru 058

**APPLICANT:**

Epick Inc., Pete Giampaoli, (530) 891-4757  
1263 The Esplanade, Suite C  
Chico, CA 95926

**MAP PLANS BY:**

The Spink Corporation, Michael Smith, 925-5550  
2590 Venture Oaks Way  
Sacramento, CA 95833

**APPLICATION FILED: 11/09/98**

**STAFF CONTACT:** Scot Mende, 264-5894

SUMMARY/RECOMMENDATION:

The applicant is requesting a special permit modification and PUD Guidelines Amendments for a subdivision previously approved by the Planning Commission on May 8, 1997 (P96-119). The Planning Commission had approved a subdivision for 173 single family homes on 40.0± vacant acres in the Single Family Alternative Residential Planned Unit Development (R-1A-PUD) zone, and approved Subdivision Modifications to allow the gated subdivision. On June 17, 1997, the City Council adopted the Heritage Place PUD Guidelines (and the rezone)..

The final map was approved and recorded, and building permits have been issued for several of the phases. The developer has been approached by several prospective home buyers who suggested moving the houses forward towards the street in order to allow larger backyards.

**Staff recommends approval of the project.** This recommendation is based on the fact that the proposed reductions in setback requirements are minor in nature, maintain the public utility easements, and will not be adversely impacted by traffic noise..

PROJECT INFORMATION:

General Plan Designation:	Low Density Residential (4-15 dwelling units per net acre)
Community Plan Designation:	Low Density Residential (4-8 dwelling units per net acre)
Existing Land Use of Site:	Vacant
Existing Zoning of Site:	R-1A(PUD)

## Surrounding Land Use and Zoning:

North: Shopping Center; SC(PUD) [Gateway Plaza]  
 South: Apartments; R-2B(PUD) [River Point]  
 East: Vacant; OB(PUD) [Gateway Center PUD]  
 West: Natomas Main Drainage Canal; F(Flood)

Property Dimensions:	Irregular
Property Area:	40.0± gross acres
Density of Development:	6.6 dwelling units per net acre
Lot Size Range:	5170-6500+ square feet
Building Size Range:	1180-2360 square feet
Building materials:	Stucco, dimensional composition shingle roof
Topography:	Flat
Street Improvements:	Existing public streets/Private streets to be provided
Utilities:	To be provided

STAFF EVALUATION:

## A. Front yard Setbacks

Standard front yard setbacks for single family (R-1), per the Zoning Ordinance Section , are 25' from the public right-of-way. The Heritage Place PUD currently provides for a 15' setback (measured from the back of the sidewalk) to the living unit. The PUD also provides for a 12.5' setback for a porch, and an 18' setback for the garage.

The proposed setback of 12.5' for the living unit is a reduction of 2.5' from the current PUD Guidelines. This would have the effect of further recessing the appearance of the garage, which is consistent with the City Planning Commission's Single Family Design Principles. Additionally, the private residential streets are relatively narrow; therefore, the shorter setback is consistent with the narrow scale street.

The living unit and all other structures would remain outside of the 12.5' Public Utility Easement. On this basis, the utility providers have no objection to the proposal.

The reduction in the front yard setback, in some circumstances, could potentially subject the living unit to additional traffic and street noise. However, the subdivision, in part by virtue of its gated entry, is expected to experience very low volumes of traffic. Therefore, staff feels that the proposed reduced front yard setback is appropriate in the present circumstance.

## B. Fencing

The applicant proposes amending the PUD Guidelines to add:

“An 8 foot high solid wood fence or masonry wall shall be allowed along the southern property line adjacent to the multi-family site to allow for greater buffering between the two different land uses. Construction shall be of high quality materials and design to complement the remainder of the site.”

The adjacent multiple family River Point apartments were constructed without any fencing, nor was any fencing required as a condition of special permit approval of the apartments or subsequently of the single family Riversgate subdivision.

The Zoning Ordinance Section 3.1.D allows, by right, fencing up to 6 feet in height where the wall is intended to separate one residential development from another. Outside of a PUD, additional height could be granted through a zoning administrator special permit. Within a PUD, the Guidelines may be amended to allow fencing in excess of 6 feet in height.

The apartment units are located approximately 20 feet from the property line where the fence or wall would be constructed. This distance is adequate to provide light and air. Similarly, the single family homes provide at least 15 feet in rear yard setback. Therefore, the 8 foot fence / wall height would not diminish light and air.

Because the apartments are two-stories in height, and because some of the houses are also two-stories in height, a 6 foot high fence is not as effective at providing privacy as would be the case if the living units were only a single story. Therefore, the additional fence/wall height would be appropriate in the present circumstance.

The applicant proposes to provide a redwood fence with pressure treated wood posts on concrete piers. Staff feels that a wood fence is consistent with typical side-yard and backyard fences.

#### PROJECT REVIEW PROCESS:

##### A. Environmental Determination

On May 8, 1997, the Planning Commission ratified a Negative Declaration for the proposed subdivision (P96-119). Section 15162 of the CEQA Guidelines provides that an additional Negative Declaration need not be prepared unless subsequent changes are proposed in the project, substantial changes occur with respect to the project circumstances, or new information of substantial importance to the project becomes known or available. The proposed project is a minor reduction of setback requirements and an increase in the allowable height of a wall separating the subdivision from the adjacent multiple family complex. Therefore, a new Negative Declaration is not required.

##### B. Public/Neighborhood/Business Association Comments

The proposed project application packet was sent to the Natomas Community Association (NCA). The surrounding land owners within a 500 foot radius of the project site were also notified of the project proposal. The NCA commented that the reduced front yard setbacks are acceptable in that this would further reduce garage-dominance; the NCA supports the 8' wood fence along the south property line provided that the fence is constructed of durable materials. No other comments were received.

##### C. Summary of Agency Comments

The proposal was routed to several City Departments and other agencies. This proposal does not alter the conditions previously set forth in P96-119. No comments were received.

PROJECT APPROVAL PROCESS:

The Planning Commission has the authority to approve or deny the PUD Guideline Amendments and special permit modification. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

RECOMMENDATION:

Staff recommends the Planning Commission approve the Notice of Decision and Findings of Fact which approves the special permit modification and minor amendments to the PUD Guidelines.

Report Prepared By,



Scot Mende  
Senior Planner

Attachments

- 1 Notice of Decision/Findings of Fact
- 2 Vicinity Map
- 3 PUD Schematic Plan

**ATTACHMENT 1****NOTICE OF DECISION AND FINDINGS OF FACT FOR A SPECIAL PERMIT MODIFICATION AND AMENDMENTS TO THE HERITAGE PLACE PUD GUIDELINES FOR PROPERTY LOCATED SOUTH OF WEST EL CAMINO AND WEST OF GATEWAY OAKS DRIVE, SACRAMENTO, CALIFORNIA IN THE SINGLE FAMILY RESIDENTIAL ALTERNATIVE (R-1A-PUD) ZONE. (P98-121) (APN: 274-0320-094; 274-0460-001 thru 042; 274-0450-001 thru 029; 274-0470-001 thru 058 )**

At the meeting of December 17, 1998, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

These actions were made based upon the following findings of fact and subject to the following conditions:

**FINDINGS OF FACT**

- B. **Planned Unit Development Guidelines Amendments:** The City Planning Commission approved the amendments to the Heritage Place PUD Guidelines, based upon the following findings:
1. The proposed development is consistent with the General Plan and any applicable community or specific plan;
  2. Facilities, including utilities, access roads, sanitation and drainage are adequate and consistent with City standards, and the proposed improvements are properly related to existing and proposed streets highways;
  3. The property involved is of adequate size and shape to accommodate the proposed use and required yard, building coverage, setback, parking area and other requirements of this ordinance; and
  4. Approval of the Guidelines amendments will not be contrary to the public health or safety or injurious to the property or improvements of adjacent properties.
- C. **Special Permit Modification:** The City Planning Commission approved the modifications to the special permit (P96-119), based upon the following findings:

1. Environmental Review has been prepared in compliance with CEQA, State and City Guidelines, and the City Planning Commission has reviewed and considered the information contained herein.
2. Granting the Special Permit Modification would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
  - a. The proposed project would enhance the housing environment by buffering backyards of two distinct subdivisions in South Natomas;
  - b) The proposed project is in keeping with the Community Plan goal to encourage the provision of adequate housing opportunities and an increase in the supply of decent and safe housing.

#### CONDITIONS OF APPROVAL

- C. The Special Permit Modification to allow the reduced setbacks and an 8' fence/wall along the south property boundary is approved with the condition that if the fence or wall exceeds 6' in height, a building permit for the fence/wall shall be required.
- D. The Heritage Place PUD Guidelines Amendment is approved to add the following language:

"An 8 foot high solid wood fence or masonry wall shall be allowed along the southern property line adjacent to the multi-family site to allow for greater buffering between the two different land uses. Construction shall be of high quality materials and design to complement the remainder of the site."

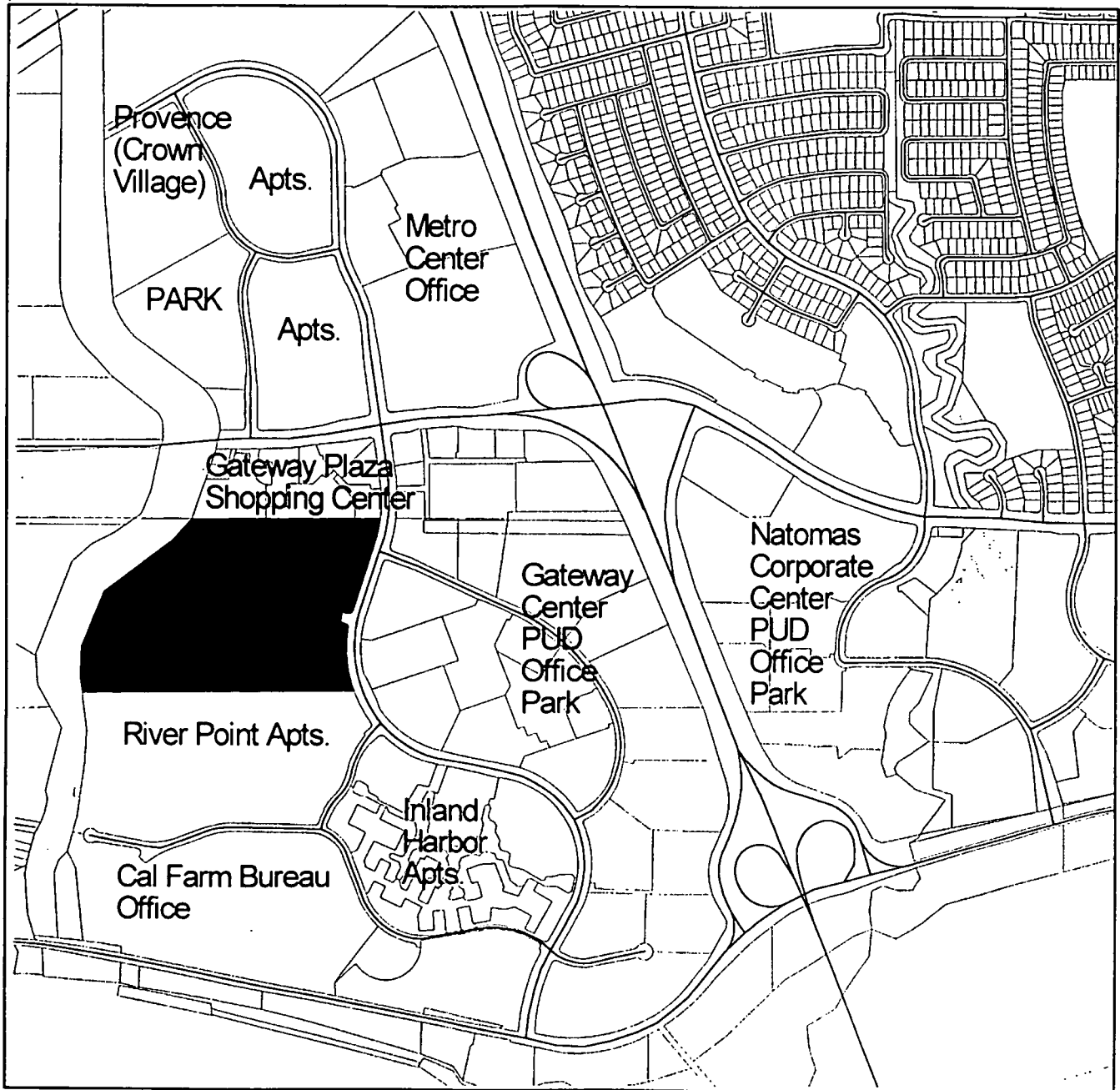
\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
SECRETARY TO THE PLANNING COMMISSION

\_\_\_\_\_  
DATE


Attachment 2  
VICINITY MAP






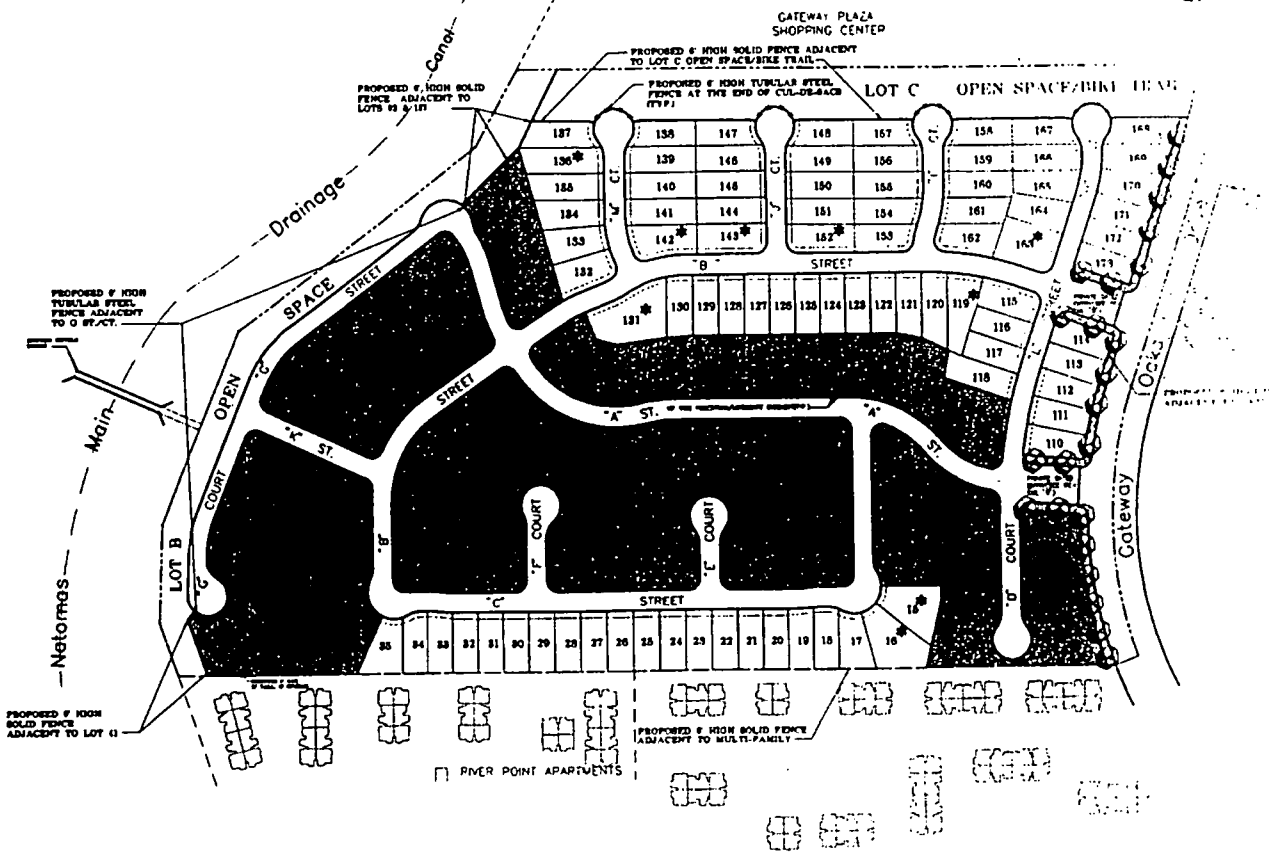
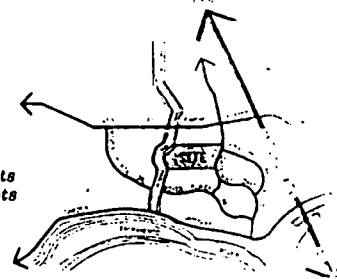
Attachment 3  
PUD SCHEMATIC PLAN

Legend:

 Type "A" Lots/ 85 Lots  
47' x 110' Typ. - 5,000 sq. ft. min.

 Type "B" Lots/ 88 Lots  
55' x 110' Typ. - 6,050 sq. ft. min./18 Lots  
60' x 110' Typ. - 6,600 sq. ft. min./70 Lots

\* Denotes 6,500 s.f. min. Lots  
- 92 Lots



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