

## RESOLUTION NO. 2007-155

Adopted by the Sacramento City Council

March 13, 2007

### DENYING THE APPEAL AND APPROVING THE PARANJPE RIMMER AVENUE PROJECT (P04-103) (LOCATED AT 447 RIMMER AVENUE, APN: 250-0160-021)

#### BACKGROUND

- A. On October 12, 2006, the Planning Commission approved the environmental exemption and the following entitlements to develop Paranjpe Rimmer Subdivision:
  - 1. **Tentative Map** to subdivide a 0.5± gross acre (0.47± net acre) vacant parcel into three parcels in the Standard Single-Family (R-1) zone;
  - 2. **Subdivision Modification** to create non-standard sized lots.
- B. On October 23, 2006, residents appealed the decision of the Planning Commission.
- C. On March 13, 2007, the City Council heard and considered evidence in the above-mentioned matter.

#### BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on verbal and documentary evidence at said hearing, the City Council denies the appeal and approves the Paranjpe Rimmer Subdivision project entitlements, based on the Findings of Fact set forth in Section 2 and subject to the Conditions of Approval set forth in Section 3.

#### Section 2. **Findings of Fact**

- A. The **Tentative Map** to subdivide a 0.5± gross acre (0.47± net acre) vacant parcel into three parcels in the Standard Single-Family (R-1) zone is **approved** subject to the following Findings of Fact:
  - 1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision;
  - 2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, the South

Natomas Community Plan, and Chapter 16 of the City Code, which is a Specific Plan of the City. The City's General Plan designates the subject site as Low Density Residential and the proposed South Natomas Community Plan land use designation is Low Density Residential;

3. 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 Water Quality Control Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision; and
4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
5. The City Council has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources.

**B. The Subdivision Modification to create non-standard sized lots is approved subject to the following Findings of Fact:**

1. That the property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical, or undesirable in the particular case to conform to the strict application of these regulations;
2. That the cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification;
3. That the modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity; and
4. That granting the modification is in accord with the intent and purposes of these regulations and is consistent with the General Plan and with all other applicable specific plans of the City.

### Section 3. Conditions of Approval

**A. The Tentative Map to subdivide a 0.5± gross acre (0.47± net acre) vacant parcel into three parcels in the Standard Single-Family (R-1) zone.**

**NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P04-103). The design of any improvement not covered by these conditions shall be to City standard.**

The applicant shall satisfy each of the following conditions prior to filing the Parcel Map unless a different time for compliance is specifically stated in these conditions. Any condition requiring an improvement that has already been designed and secured under a City Approved improvement agreement may be considered satisfied at the discretion of the Development Engineering Division:

**GENERAL: All Projects**

- A1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.
- A2. Pursuant to City Code Section 16.40.190, 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 Development Engineering Division after consultation with the U.S. Postal Service.
- A3. Show all continuing and proposed/required easements on the Final Map.
- A4. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition.

**Development Engineering: Streets**

- A5. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Development Engineering Division. Improvements required shall be determined by the City. The City shall determine improvements required for each phase prior to recordation of each phase. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering Division.
- A6. The property line to the North adjacent to San Juan Road shall be dedicated to the City as an exclusive no ingress/egress rights line for motor vehicles.
- A7. The design and placement of walls, fences, signs and landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight

distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Development Engineering Division.

- A8. A private reciprocal ingress, egress, and maneuvering easement are required for future development of the area covered by this Tentative Map. The applicant shall enter into and record an Agreement For Conveyance of Easements with the City stating that a private reciprocal ingress/egress, and maneuvering easement shall be conveyed to Parcel 1 and reserved from Parcel 2, at no cost, at the time of sale or other conveyance of either parcel.
- A9. The applicant shall coordinate with the Department of Transportation for the possible installation of a speed bump on Rimmer Avenue. If feasible, the applicant shall install said speed bump to the satisfaction of the Department of Transportation.

### **PUBLIC/PRIVATE UTILITIES**

- A10. Dedicate a 12.5-foot public utility easement (PUE) for underground facilities and appurtenances adjacent to all public street rights-of-ways.
- A11. Dedicate any private drive, ingress and egress easement, or Irrevocable Offer of Dedication as a public utility easement for underground facilities and appurtenances.

### **CSD-1 / SRCSD**

- A12. Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.
- A13. Each lot and each building with a sewage source shall have a separate connection to the CSD-1 sewer system.
- A14. Private sewer service laterals will not be permitted to connect directly to the 24-inch diameter trunk sewer line in San Juan Road. Off site construction may be necessary.
- A15. In order to obtain sewer service, construction of CSD-1 sewer infrastructure is expected to be required.
- A16. Sewer easements will be required. All sewer easements shall be dedicated to CSD-1, in a form approved by the District Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance.

- A17. Gates across CSD-1 easements shall meet CSD-1 standards for accessibility.
- A18. The subject project shall include a provision to repair and/or replace all non-asphalt and/or enhanced surface treatments of streets and driveways damaged by CSD-1 maintenance and repair operations.
- A19. CSD-1 requires their sewers to be located 10 feet from other parallel utilities (water, drain, electrical, etc.). Prior to recording the Final Map or issuance of Building Permits, whichever is first. Applicant shall prepare a utility plan that will demonstrate that this condition is met.

## **FIRE**

- A20. Provide the required fire hydrants in accordance with CFC 903.4.2 and Appendix III-B, Section 5.
- A21. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a roadbed consisting of material unaffected by the introduction of water based upon fire flow or rain based on 25 year storm and a surface consisting of a minimum of a single layer of asphalt. CFC 902.2.2.2 Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. CFC 902.2.2.1
- A22. Roads used for Fire Department access that are less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; roads less than 36 feet in width shall be marked on one side.

## **CITY UTILITIES**

- A23. Prior to or concurrent with the submittal of improvement plans, a project specific drainage study as described in section 11.7 of the City Design and Procedures Manual shall be approved by the Department of Utilities (DOU). The storm drain system shall be sized per the latest design standards for infill areas. Contact the Department of Utilities for the latest infill design criteria. Residential building pad elevations shall be approved by the DOU and shall be a minimum of 1.2 feet above the 100-year HGL and 1.5 feet above the controlling overland release, whichever is higher. All drainage lines shall be placed within the asphalt section of public-right-of-ways as per the City's Design and Procedures Manual, unless otherwise approved by the DOU. The drainage study shall include sufficient off-site topography to determine all off-site runoff from adjoining property which crosses the project. An onsite private drainage system connecting to the public system in Rimmer Avenue is required for this project.
- A24. Per City Code, the Subdivider may not develop the subdivision in any way that obstructs, impedes, or interferes with the natural flow of the drainage across the

property. The project shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the Department of Utilities. If private infrastructure is constructed to handle off-site runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record an Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.

- A25. Prior to the submittal of improvement plans, the applicant shall obtain a water supply test to determine if the existing 6-inch water line in Rimmer Avenue can provide the required fire flow for the project. If the 6-inch line does not have capacity, the applicant shall construct an 8-inch water line extension from Northgate Boulevard to the project site.
- A26. Any new domestic water services shall be metered. Only one domestic water service is allowed per parcel. Excess services shall be abandoned to the satisfaction of the Department of Utilities.
- A27. Per Sacramento City Code, water meters shall be located at the point of service which is the back of curb for separated sidewalks or the back of walk for connected sidewalks.
- A28. Residential water taps shall be sized per the City's Building Department onsite plumbing requirements (water taps may need to be larger than 1-inch depending on the length of the house service, number of fixtures units, fire sprinkler requirements, etc.).
- A29. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.
- A30. Properly abandon under permit, from the County Environmental Health Division, any well or septic system located on the property.
- A31. Surface and subsurface drainage facilities, sanitary sewer facilities and water facilities located within the private driveway (proposed 20-foot paved private road) shall be private facilities maintained by the homeowners. Private easements shall be dedicated for these facilities.
- A32. Per Sacramento City Code, section 16.28.100, no final map shall be certified (by the Director of Public Works) until the required improvements have been installed or agreed to be installed in accordance with Chapter 16.48 (Subdivision Improvements).
- A33. Paragraphs (A), (B), (C), (D), (F), (N) and (Q) of Section 16.48.110 of the City Code shall be required for this development. Off-site water, sewer and drainage main extensions may be required.

- A34. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. At a minimum, one foot off-site contours within 100' of the project boundary are required (per Plate 2, page 3-7 of the City Design and Procedures Manual). No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.
- A35. The project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from [www.swrcb.ca.gov/stormstr/construction.html](http://www.swrcb.ca.gov/stormstr/construction.html). The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.
- A36. All lots shall be graded so that drainage does not cross property lines or private drainage easements shall be dedicated.
- A37. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
- A38. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is less than 20 acres, only source control measures are required. Storm drain message is required at all drain inlets. Improvement plans must include the source controls measures selected for the site. Refer to the latest edition of the "Guidance Manual for On Site Stormwater Quality Control Measures", for appropriate source control measures.
- A39. The applicant shall enter into and record an Agreement for Conveyance of Easements with the City, in a form acceptable to the City Attorney, stating that each lot shall grant to the adjacent lot private reciprocal drainage, water and sanitary sewer easements at no cost at the time of sale or other conveyance of any lot. A note stating the following shall be placed on the Final Map: "The lots created by this map shall be developed in accordance with recorded agreement

for conveyance of easements.

- A40. If required by the DOU, the applicant shall enter into and record a Hold Harmless Agreement, in a form acceptable to the City Attorney, for all lots within the subdivision regarding the placement of water meters within driveways, walkways, hardscape and concrete or asphalt concrete (AC) flat work.

**PPDD: Parks**

- A41. **Payment of In-lieu Park Fee:** Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication. (See Advisory Note A44)
- A42. **Maintenance District:** The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annex the project into an existing parks maintenance district. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district. (Contact Planning Department, Special Districts, Project Manager. In assessment districts, the cost of neighborhood park maintenance is equitably spread on the basis of special benefit. In special tax districts, the cost of neighborhood park maintenance is spread based upon the hearing report, which specifies the tax rate and method of apportionment.)

**ADVISORY NOTES:**

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

- A43. Vehicular access to lot 1 shall be restricted to Rimmer Avenue only. Access to the project site from San Juan Road shall be restricted to Emergency Access only. This shall include the placement of gates & fencing to the satisfaction of the Development Services & Fire Departments.
- A44. Developing this property will require the payment of additional sewer impact fees. Impact fees for CSD-1 shall be paid prior to filing and recording the Final Map or issuance of Building Permits, whichever ever is first. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.
- A45. Existing Sacramento Regional County Sanitation District (SRCSD) facilities serving this proposed project are capacity constrained. Ultimate capacity will be provided by construction of the Lower Northwest and Upper Northwest Interceptors, currently scheduled for completion in 2010. SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and



County Sanitation District 1 (CSD-1) will issue sewer permits to connect to the system if it is determined that capacity is available and the property has met all other requirements for service. This process is "first come, first served". There is no guarantee that capacity will be available when actual requests for sewer service are made. Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate SRCSD fees.

A46. As per City Code, the applicant will be responsible to meet his/her obligations regarding:

- 1) Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to approval of the final map. The Quimby fee due for this project is estimated at \$15,824. This is based on three (3) single-family residential units and an average land value of \$295,000 per acre for the South Natomas Planning Area, plus an additional 20% for off-site park infrastructure improvements, less acres in land dedication. Any change in these factors will change the amount of the Quimby fee due. The final fee is calculated using factors at the time of payment.
- 2) Title 18, 18.44 Park Development Impact Fee (PIF), due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$6,264. This is based on three (3) single-family residential units at \$2,088 each. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.
- 3) Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

A47. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.

A48. Provide a water flow test. (Contact Department of Utilities at 916-808-5371)

A49. Provide appropriate Knox access for site. Plans shall be submitted for review and approval prior to the installation of gates, barriers, and access control devices which are to be constructed on or within fire department apparatus emergency access roadways.

**B. Subdivision Modifications to create non-standard sized lots.**

B1. The applicant shall comply with the conditions of approval on the Tentative Map (P04-103).

- B2. Any new single family home is subject to Design Review approval prior to submittal of a building permit application.
- B3. New walls, fencing and vehicular gates must be installed according to standards per City code.
- B4. Any trees to be removed shall be subject to approval of City Arborist prior to removal.
- B5. Lot 2 shall provide access easement to Lot 1.

Advisory Notes: Planning

- B6. Applicant shall coordinate with Current Planning staff on the Design Review of all new dwellings, in relation to site plan, floor plan and building elevations.
- B7. Applicant shall coordinate with Current Planning staff on placement of fencing and landscaping of all homes prior to Design Review approval of all new dwellings.

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Ehibit A: Tentative Map – 1 page

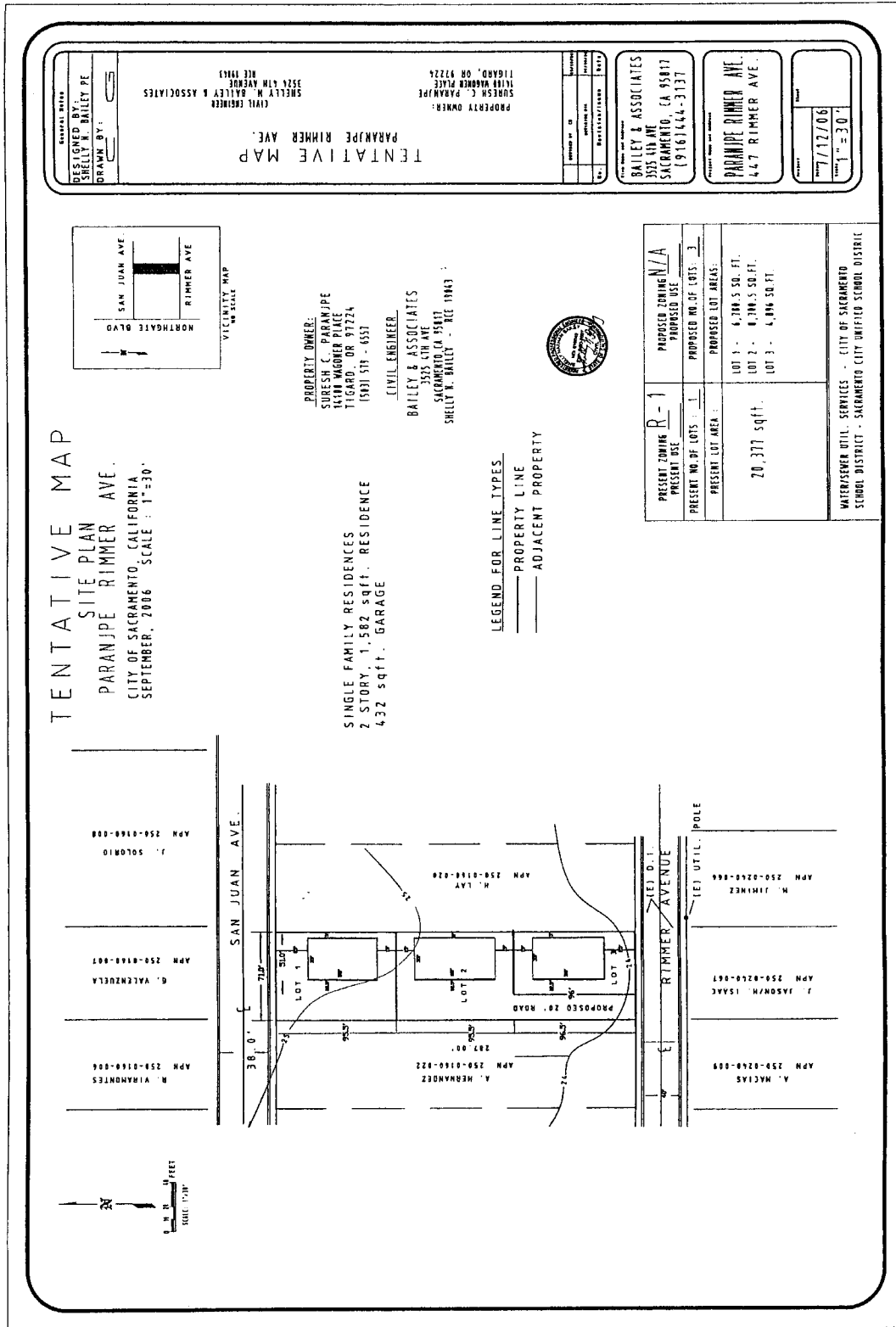
Adopted by the City of Sacramento City Council on March 13, 2007 by the following vote:

- Ayes: Councilmembers, Cohn, Fong, McCarty, Sheedy, Tretheway, and Waters.
- Noes: Councilmembers Hammond and Pannell.
- Abstain: None.
- Absent: Mayor Fargo.

Attest:

  
Shirley Concolino, City Clerk

  
Kevin McCarty, Vice Mayor



REC'D 9/19/06