

**RESOLUTION NO. 2003-827**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF NOV 25 2003

**A RESOLUTION ADOPTING THE NOTICE OF DECISION AND FINDINGS OF FACT FOR THE APPROVAL OF REFLECTIONS AT RUSH RIVER AT THE NORTHEAST CORNER OF RUSH RIVER DRIVE AND DELTA WIND DRIVE SACRAMENTO, CA IN THE SINGLE FAMILY ALTERNATIVE (R1-A) ZONE. (P02-066)**

(APNs: 031-1440-024)

**WHEREAS**, the City Council conducted a public hearing on November 4, 2003, concerning the above project and based on documentary and oral evidence submitted at the public hearing, the Council hereby adopts the Notice of Decision and Findings of Fact, as set forth herein.

**NOTICE OF DECISION**

At the regular meeting of November 4, 2003, the City Council heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Council took the following actions for the location listed above:

- A. Environmental Determination: Exempt 15332;
- B. Approved Tentative Parcel Map to subdivide the 1.46 acre parcel into 11 parcels for single-family residential units in the R-1A PUD zone;
- C. Approved the Special Permit to allow the development of 11 single-family detached residential units within the R-1A-PUD zone..

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

**FINDINGS OF FACT**

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**A. Environmental Determination:** the project is exempt from environmental review pursuant to Section 15332 of the CEQA Guidelines.

**C. Tentative Map:** The Tentative Map to subdivide 1.46± acre parcel into 11 parcels for single-family residential units in the R-1A PUD zone is approved subject to the following Findings of Fact and Conditions of Approval:

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 General Plan, South Pocket Community Plan, and subdivision Ordinance Chapter 16.12.020 of the Sacramento City Code. The City General Plan designates the site for Low Density Residential (4-15 du/na) and the South Pocket Community Plan designates the site for Residential 7-15 du/na.

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 Quality Control Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision.

4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

**D. Special Permit:** the Special Permit to allow the development of 11 single-family detached residential units within the R-1A-PUD zone is approved subject to the following Findings of Fact and Conditions of Approval:

1. Granting the Special Permit is based upon sound principles of land use in that the proposed project is consistent with the General Plan, South Pocket Community Plan, Single Family Residential Design Principles, and the underlying Single-Family Alternative (R-1A) zoning.

2. Granting the Special Permit would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:

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- a. The project is designated for single-family residential development, and;
  - b. The project proposes to use quality construction materials and has adopted and employed many of the City's Single Family Residential Design Principles.
3. The proposed project is consistent with the General Plan and South Pocket Community Plan which designates the site for Low Density Residential and Residential 7-15 du/na land use, respectively.

### **CONDITIONS OF APPROVAL**

C. The Tentative Map to subdivide 41.46± acre parcel into 11 parcels for future development is approved subject to the following Conditions **NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P02-066). 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 Final Map unless a different time for compliance is specifically stated in these conditions:

#### **GENERAL: All Projects**

C1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;

C2. 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 Department of Public Works after consultation with the U.S. Postal Service; )

C3. Private reciprocal **ingress, egress, maneuvering, drainage and maintenance** easements/agreement 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/Agreement with the City stating that a private reciprocal ingress/egress, maneuvering, drainage, and maintenance easement shall be conveyed to and reserved from Parcels 1 through 11 and Lot "A", also, Lot "A" shall require a maintenance agreement from parcels 1 through 11, at no cost, at the time of sale or other conveyance of either parcel;

C4. Meet all conditions of the existing South Pocket PUD (P85-165) unless the condition is superseded by a Tentative Map condition;

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C5. Show all continuing and proposed/required easements on the Final Map;

C6. 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;

**PUBLIC WORKS: Streets**

C7. Submit a Geotechnical Analysis prepared by a registered engineer to be used in street design. The analysis shall identify and recommend solutions for groundwater related problems, which may occur within both the subdivision lots and public right-of-way. Construct appropriate facilities to alleviate those problems. As a result of the analysis street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater conditions;

C8. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk fronting on Rush River Drive and Delta Wind Drive per City standards to the satisfaction of the Department of Public Works;

C9. 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 Department of Public Works. 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;

C10. 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 Department of Public Works;

C11. Repair or reconstruct any deteriorated A.D.A. ramps at the intersection of Rush River Drive and Delta Wind Drive to the satisfaction of the Department of Public Works;

C12. There is an existing street lighting system in the project area. Improvements of right-of-way may require modifications to the existing systems;

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C13. Lot "A" shall be accessed from both Delta Wind Drive and Rush River Drive via driveway cuts. Lot "A" shall serve as a private drive aisle for access to all lots within this subdivision. All new driveways shall be constructed to City Standards and to the satisfaction of the Department of Public Works;

## **CITY UTILITIES**

C14. Provide separate metered domestic water services to each parcel. City Crews shall tap existing main in Rush River Drive for a fee;

C15. Provide separate sanitary sewer services to each parcel to the satisfaction of the Department of Utilities;

C16. A drainage study and shed map as described in Section 11.7 of the City Design and Procedures C17. Manual is required. This study and shed map shall be approved by the Department of Utilities. The 10-year HGL shall be no higher than 6 inches below the lowest DI. Finished lot pad elevations shall be approved by the Department of Utilities. The drainage system shall be extended in Delta Wind Drive to pick up drainage in the private drive aisle. The City's maintenance responsibility shall end at the right-of-way line;

C17. 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. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities;

C18. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment control methods on the subdivision improvement plans. These plans shall also show the methods to control urban runoff pollution from the project site during construction;

C19. This project will disturb greater than 1 acre of property, therefore 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 at [www.swrcb.ca.gov/stormwtr/construction.html](http://www.swrcb.ca.gov/stormwtr/construction.html). The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit or approval of improvement plans to assure that the following items are included: 1) vicinity map, 2) site map, 3) list of potential pollutant sources, 4) type and location of erosion and sediment BMPs, 5) name and phone number of person responsible for SWPPP, 6) certification by property owner or authorized representative;

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C20. 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. Only source control measures are required. This will not affect site design. Refer to the "Guidance Manual for On-Site Stormwater Quality Control Measures" dated January 2000 for appropriate source control measures;

**PPDD: Parks**

C21. The applicant shall comply with City Code 16.64 (Parkland dedication) and dedicate a park site at a location deemed acceptable to the City's PPDD; and/or, as determined by PPDD, submit to the City an appraisal of the property to be subdivided and pay the required parkland dedication in-lieu fees;

C22. The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annex the project to an existing parks maintenance district prior to recording a Final Map. The applicant shall pay all city fees for formation of or annexation to special districts. The purpose of the district is to equitably spread the cost of neighborhood park maintenance on the basis of special benefit, in the case of an assessment district. In the case of a special tax district, the costs will be spread based upon hearing report which specifies the tax rate and method of apportionment;

**MISCELLANEOUS**

C23. Pay Pocket Bridge fees;

C24. Meet all conditions of the development agreement;

**ADVISORY NOTES:**

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

C25. Staff recommends that this project be conditioned to divert construction waste. The project proponent should target cardboard, wood waste, scrap metal, and dry wall for recovery;

C26. If the developer wishes to have solid waste collection from the private drive aisle, collection for trash, recycling and garden refuse may occur as long as access to containers is not hindered by parking or other obstructions and all containers are placed on the same side of the private drive aisle consistent with automated collection;

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C27. Prior to the issuance of any building permits, provide the City with a copy of the certificate of payment of any school fees for the applicable school district(s);

C28. Note: Subdivider shall notify future property owners within this subdivision that they will be required to maintain the sidewalks and landscaping between the curbs and sidewalks;

C29. Post construction stormwater quality control measures will not affect site design now, but will in the future when on-site control measures will be required. On-site treatment control measures may affect site design and site configuration and therefore should be considered during the early planning stages if the project will not be constructed prior to when the new State requirements are in place. Refer to the guidelines from the State Water Resources Control Board at [www.swrcb.ca.gov/](http://www.swrcb.ca.gov/) for the most current regulations;

C30. The proposed project is located in a FEMA designated A-99 Zone. The site is also within the Morrison Creek 100-year flood plain with a base flood elevation of 10.3 feet. Within the Morrison Creek 100-year flood plain the following regulations will apply:

A. All new residential development, excepting single family residential infill areas will be required to be constructed with the lowest floor, including basement, at or above elevation 10.3 feet, or 3 feet above the highest adjacent grade, whichever is lower.

B. This project is within the single-family residential infill area.

Please contact the Department of Utilities at (916) 264-1400 prior to building design for an up-to-date status of the flood zone;

C31. This subdivision is located within a "Rescue Zone". This project shall comply with the policies set forth in the City of Sacramento Comprehensive Flood Management Plan, dated February 1996;

D. The Special Permit to Permit to construct to allow the development of 11 single-family detached residential units within the R-1A-PUD zone (Exhibits 1B through 1D) is hereby approved subject to the following conditions of approval (The applicant shall satisfy each of the following conditions prior to obtaining any building permits unless a different time for compliance is specifically stated in these conditions):

## Planning

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- D1. The design and construction materials of the single family residences shall be consistent with the attached elevations. Modifications/Plan substitution will require additional planning review and approval prior to the issuance of building permits.
- D2. Identical plans with identical elevations shall not be permitted side-by-side or directly across the street.
- D3. Garage doors shall be metal sectional with raised panels.
- D4. Automatic front yard sprinklers and landscaping with a minimum of one shade tree shall be provided within the front yard of each residence at the time of construction.
- D5. Provide seamless gutters along all appropriate roof lines with down spouts where applicable.
- D6. The front windows for all homes shall be constructed as shown on the plans.
- D7. The standard roofing materials shall be concrete tile in a color to match the homes.
- D8. All rear and side elevations visible from the street shall incorporate wood siding identical to siding on the front elevations and wood trim around the windows.
- D9. Identical elevations shall not be located adjacent to one another.
- D10. Houses with the same color scheme shall not be located adjacent to one another.
- D11. The project shall be required to divert construction waste. The project proponent should target cardboard, wood waste, scrap metal, and dry wall for recovery.
- D12. All gates shall be placed a maximum of 20-feet behind the right-of-way to the satisfaction of the Department of Public Works. All gates shall swing inward, not outward, and shall be equipped with a Knox Box. The Rush River Drive driveway shall be entrance/exit and the Delta Wind Drive driveway shall be exit only. Both driveways shall be gated, signed and striped accordingly.
- D13. A masonry wall shall be constructed along the northern property line. Final design shall be subject to staff approval and the applicant and staff shall meet with the neighbors to the north of the project site before approval of the design.
- D14. Security lighting shall be placed on adjacent to the garage of each unit. The lighting shall be shielded and mounted at a height of seven (7) feet.

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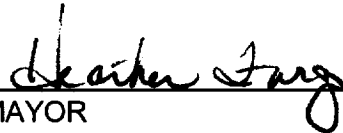
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D15. Plan 2120 shall have obscure glass block in the master bathroom windows facing the northern property line. Any other windows on the rear elevation shall be transom glass.

  
MAYOR

ATTEST:

  
CITY CLERK

P02-066

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Exhibit 1C- Plan 2021



**ELEVATION "B"**

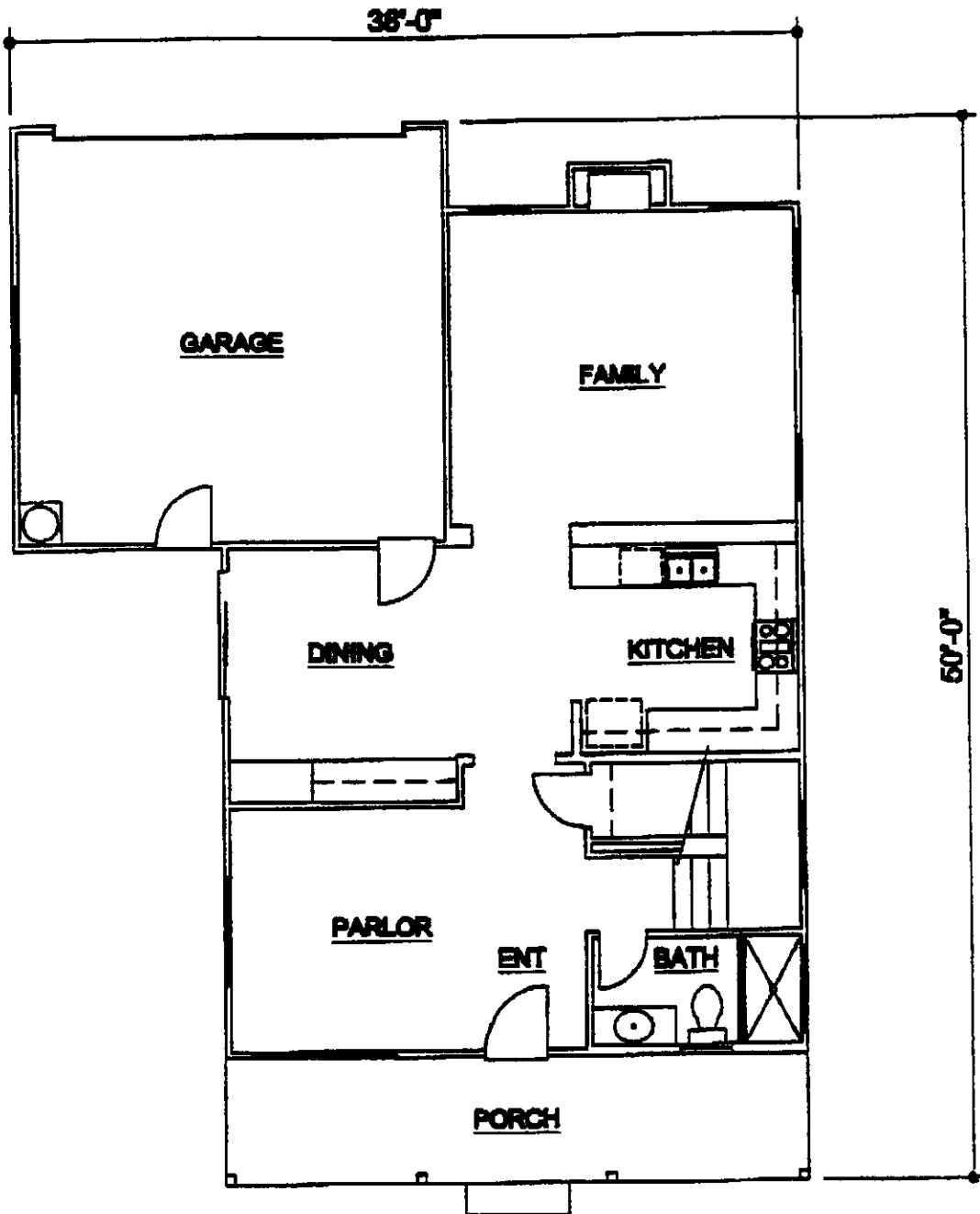


**ELEVATION "A"**

# REFLECTIONS AT RUSH RIVER

PROPOSED ELEVATIONS

PLAN 2021

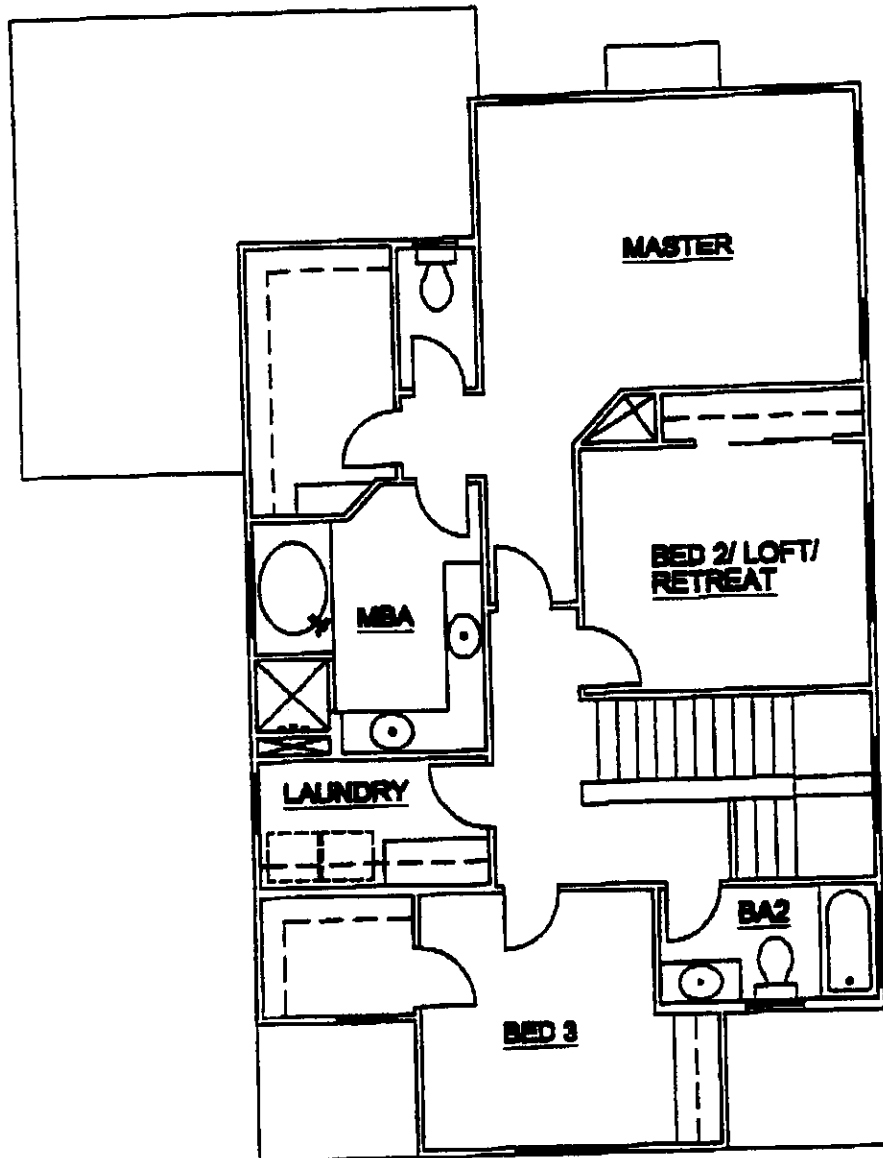


1ST FLOOR

REFLECTIONS AT RUSH RIVER

PROPOSED FLOOR PLANS

PLAN 2021



**2ND FLOOR**  
**REFLECTIONS AT RUSH RIVER**

PROPOSED FLOOR PLANS

PLAN 2021

Exhibit 1D – Plan 2034

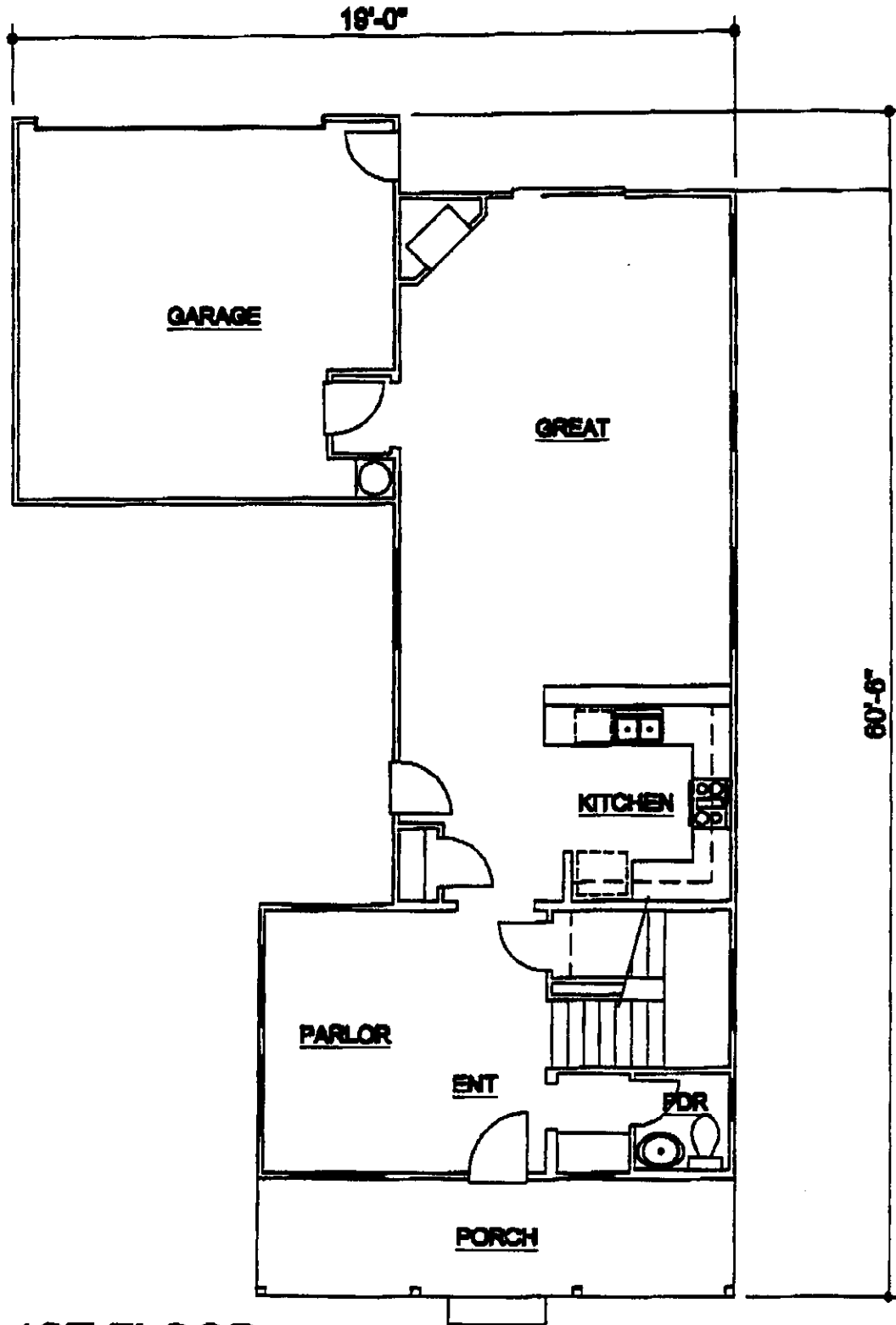


**ELEVATION "B"**



**ELEVATION "A"**

# REFLECTIONS AT RUSH RIVER



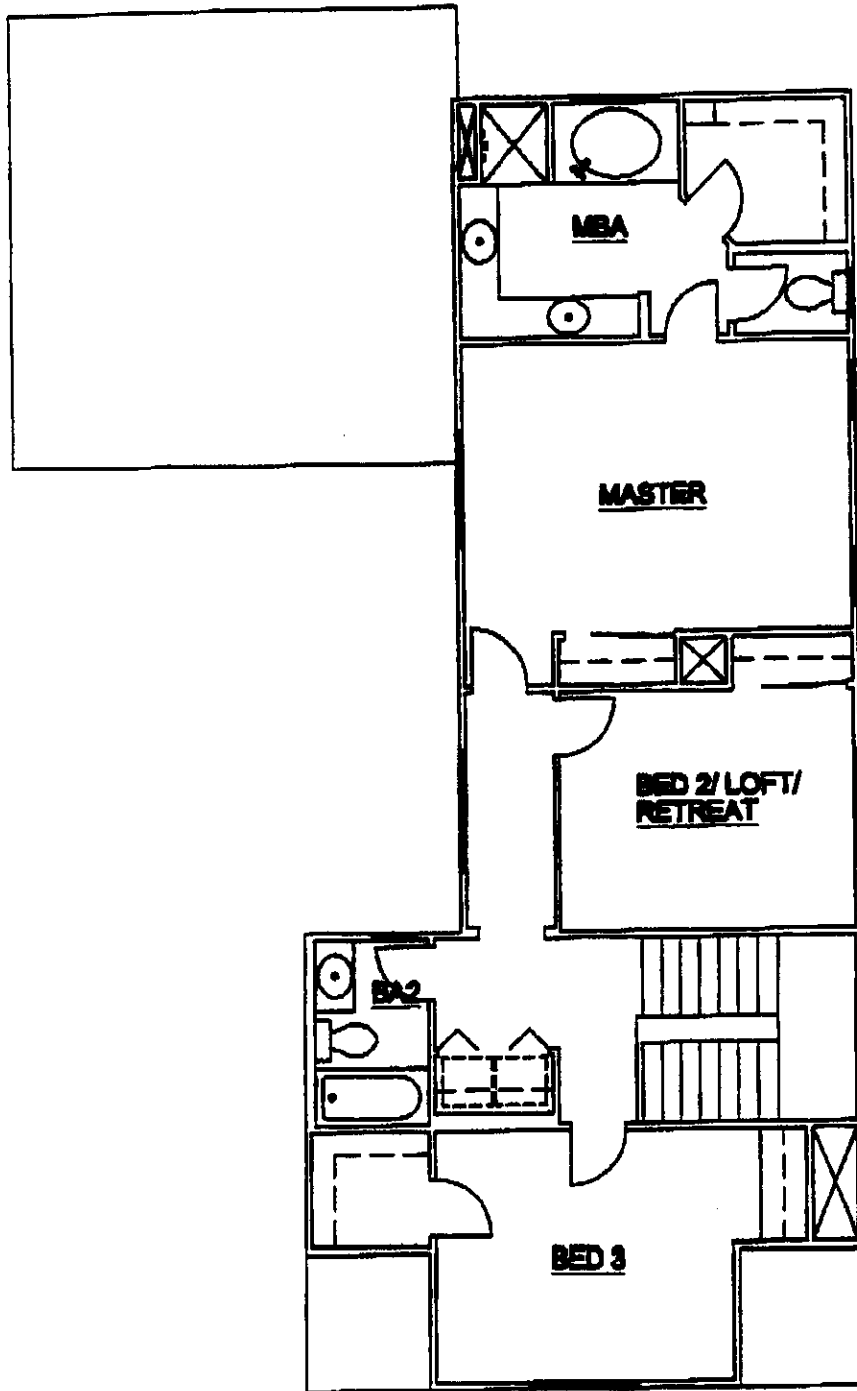
1ST FLOOR

# REFLECTIONS AT RUSH RIVER

PROPOSED FLOOR PLANS

PLAN 2034

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**2ND FLOOR**

# **REFLECTIONS AT RUSH RIVER**

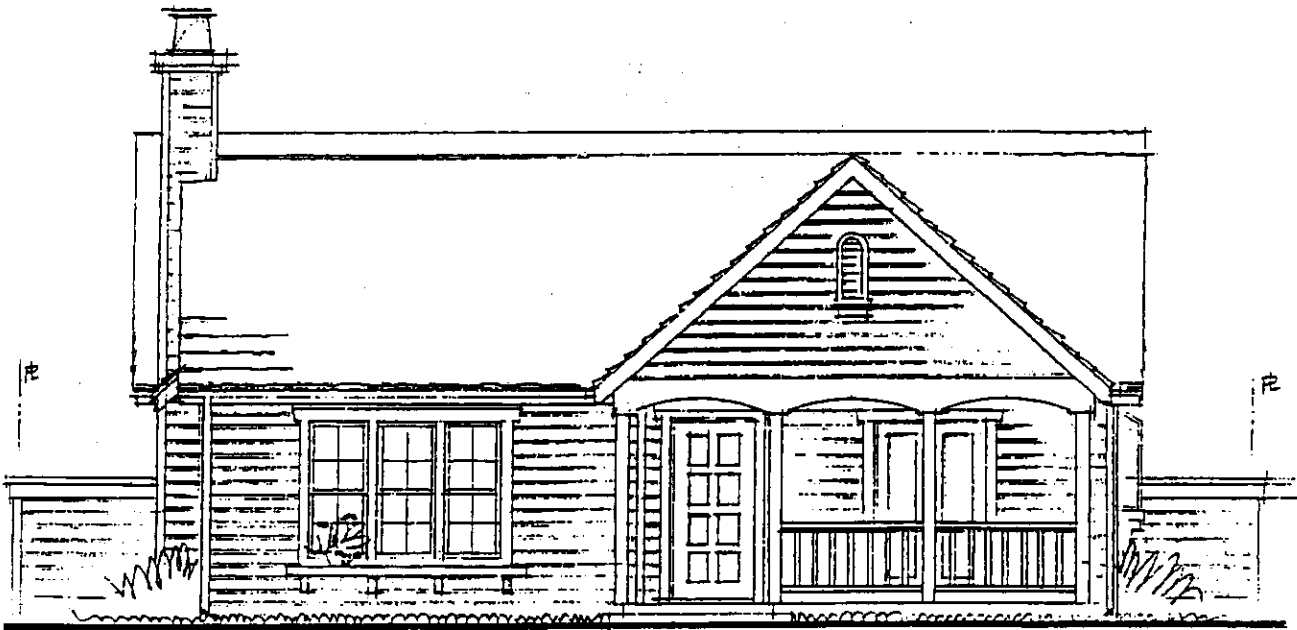
**PROPOSED FLOOR PLANS**

**PLAN 2034**



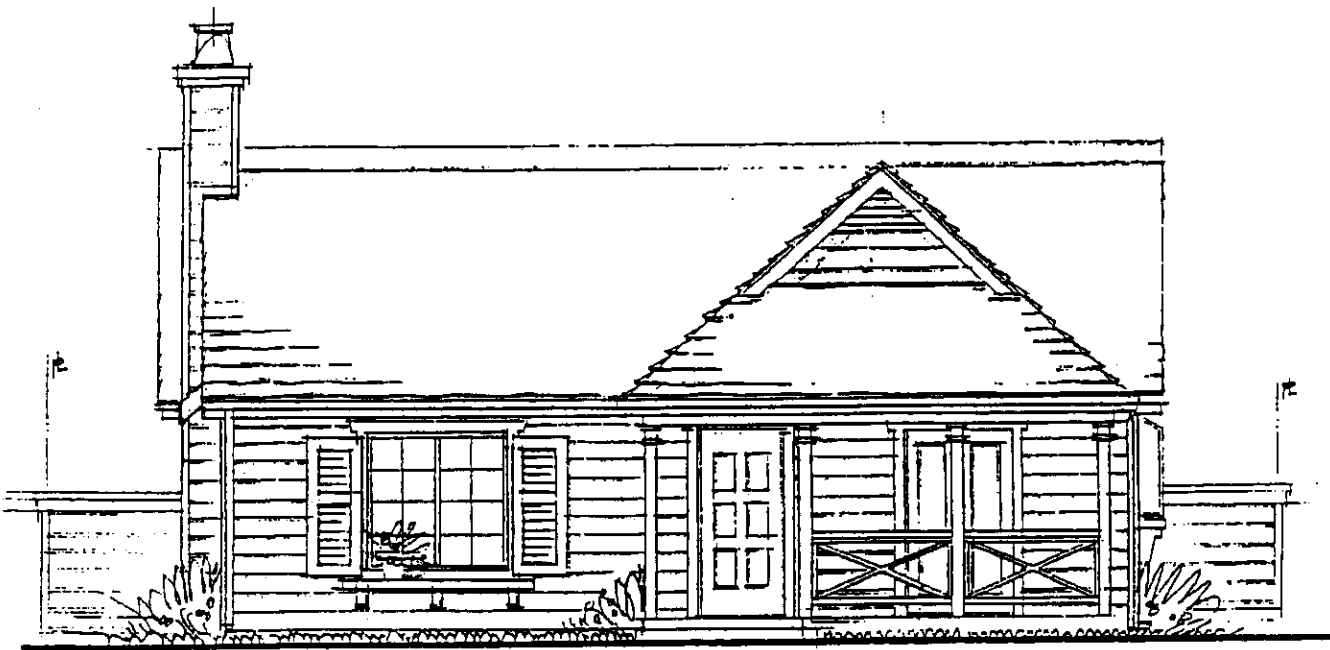
Exhibit 1E- Plan 1480

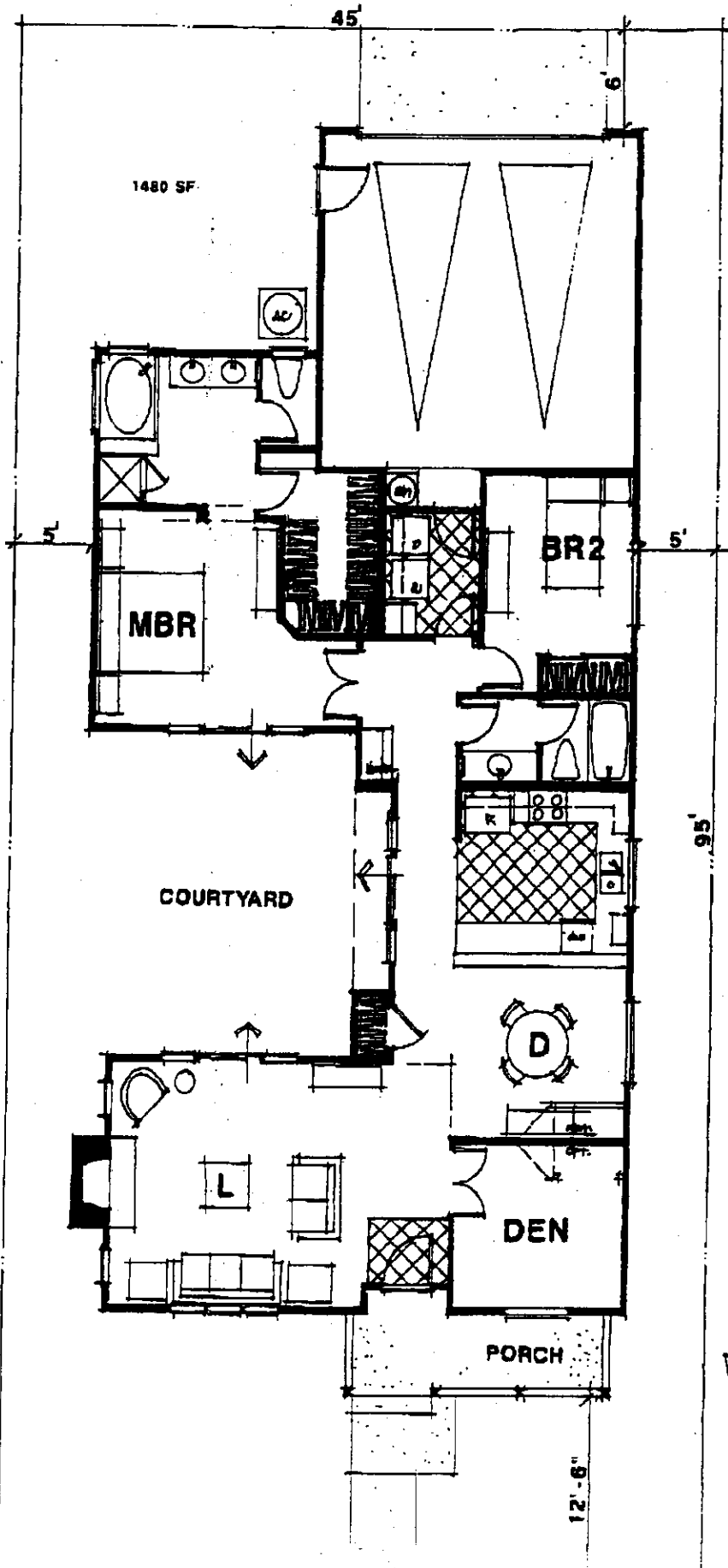
Plan 1480



ELEV A

Plan 1480





Plan 1480