



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2671
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PUBLIC HEARING
June 12, 2007

Honorable Mayor and
Members of the City Council

Title: Councilmember Call-Up: Coglizer Tentative Map (P06-043)

Location/Council District: 4920 Marysville Boulevard; APN: 226-0220-007 (District 2)

Recommendation: Conduct a public hearing and, upon conclusion, adopt: 1) a **Resolution** approving a Mitigated Negative Declaration and Mitigation Monitoring Plan; 2) a **Resolution** approving an Inclusionary Housing Plan; and 3) a **Resolution** approving a Tentative Subdivision Map to subdivide 4.48± acres into 17 lots in the Standard Single-Family (R-1) Zone and Subdivision Modifications to allow non-standard single-family and halfplex lots and an alley in the R-1 Zone.

Contact: Stephen Kowalski, Associate Planner, (916) 808-4752; Stacia Cosgrove, Senior Planner, (916) 808-7110

Presenter: Stephen Kowalski

Department: Development Services

Division: Current Planning

Organization No.: 4881

Description/Analysis:

Issue: The applicant, Cliff Zall, is proposing to subdivide the subject property into 17 lots. Nine (9) of the lots will contain detached single-family dwellings, six (6) of the lots will feature halfplex units, one lot will house a detention basin and one lot will serve as an open space buffer with Magpie Creek running through it. Subdivision modifications are necessary because a number of the lots are non-standard in either width or depth, and an alley is being proposed to provide access to the garages on the lots that back up to the alley. The project is subject to the Mixed Income Housing Ordinance and features an Inclusionary Housing Plan requiring two (2) of the units (or 15% of the total number) to be affordable to Low Income households. The Inclusionary Housing Plan brought before the Planning Commission featured the two affordable units as adjacent halfplex units located on Lots 1A and 1B. The Commission amended the Inclusionary Housing Plan to require the property owner to separate the two affordable units and relocate them on Lots 1A and 10B. The Inclusionary Housing Plan has been

rewritten as such, and is attached as Exhibit A to Attachment 5. The Planning Commission's decision was subsequently called up by Councilmember Sheedy to be heard before Council.

Policy Considerations: The project is consistent with the General Plan and North Sacramento Community Plan, both of which designate the site for low density residential development. The project is also consistent with the Historic Magpie Creek Planning Policies adopted as Resolution No. 93.428, in that it features a new street running parallel to the creek with homesites overlooking the open space buffer, while also providing recreation opportunities in the form of a public pedestrian/bicycle path running alongside the creek.

City staff and the Sacramento Housing and Redevelopment Agency (SHRA) supported the original Inclusionary Housing Plan requiring the two affordable units to be located on Lots 1A and 1B. The rationale for this was based on the belief that the subdivision was small enough in area that separating the units would achieve little in the way of dispersion. In addition, staff felt that the two lots were no less desirable than any of the other halfplex lots in the subdivision in that both have a view of the open space buffer and creek, and both are larger than the standard size for a halfplex corner lot.

Smart Growth Principles: The City Council adopted a set of Smart Growth Principles in December 2001 to promote growth that is economically sound, environmentally friendly, and supportive of community livability. The proposal is consistent with these principles in that it helps provide for-ownership housing opportunities for households of different income levels, and it provides opportunities for future connectivity through the neighborhood for automobiles, bicycles and pedestrians.

Strategic Plan Implementation: The project conforms to the City's Strategic Plan specifically by advancing the goals to achieve sustainability and enhance livability by providing increased opportunities for residents, including Low Income households, to purchase and live in new, safe and affordable housing, and by utilizing an underdeveloped site in a neighborhood where adequate infrastructure and services are already in place.

Committee/Commission Action: On April 26, 2007, by a unanimous vote of 8-0 (one absentee), the Planning Commission approved the associated Tentative Map and Subdivision Modification entitlements subject to amended conditions.

The original Inclusionary Housing Plan approved by SHRA and presented to the Commission required the applicant to provide two affordable units, one on Lot 1A and one on Lot 1B. The Commission amended the Inclusionary Housing Plan to require the applicant to separate the two affordable units rather than have them be located adjacent to each other on Lots 1A and 1B. The Commission felt that the units should be dispersed throughout the subdivision and amended the Inclusionary Housing Plan to have them located on Lots 1A and 10B instead of 1A and 1B. The applicant is opposed to this amendment and would prefer to

have the units located on Lots 1A and 1B as was originally proposed.

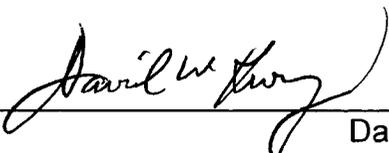
Environmental Considerations: A Mitigated Negative Declaration (MND) has been prepared for the project. In compliance with Section 15070(B)1 of the California Environmental Quality Act (CEQA) Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified environmental impacts or to mitigate such impacts to a point where it is clear that they will have no significant effect on the environment. These mitigation measures address biological resources, cultural resources, and noise. The mitigation measures are listed in the attached Mitigation Monitoring Plan (see Exhibit A of Attachment 4).

The MND was made available for a 30-day public review period from March 13, 2007 through April 13, 2007 in accordance with the applicable CEQA Guidelines. The only comment received was a standard letter from the Department of Water Resources (DWR) pertaining to encroachment of the State-Adopted Plan of Flood Control. The project site is not within a floodway, therefore no changes to the environmental document were necessary.

Rationale for Recommendation: The project is consistent with the policies and objectives of the General Plan and North Sacramento Community Plan, and there has been no neighborhood opposition toward the proposal throughout the review process. Mitigation measures agreed to by the applicant have been incorporated to address potentially significant impacts to cultural and biological resources, and to ensure that noise from vehicular traffic along Marysville Boulevard does not impact the lot having its rear yard adjacent to the roadway (Lot 1A). For these reasons, staff recommends that the Council adopt the Resolutions approving the Inclusionary Housing Plan, Tentative Subdivision Map, Subdivision Modifications, and the Mitigated Negative Declaration and Mitigation Monitoring Plan.

Financial Considerations: This project has no fiscal considerations.

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

Respectfully submitted by: 
David Kwong
Planning Manager

Approved by: 
William Thomas
Director of Development Services

Recommendation Approved:



RAY KERRIDGE

City Manager

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Attachment 1 – Background Information

There is no record of any previous planning applications affecting the subject property.

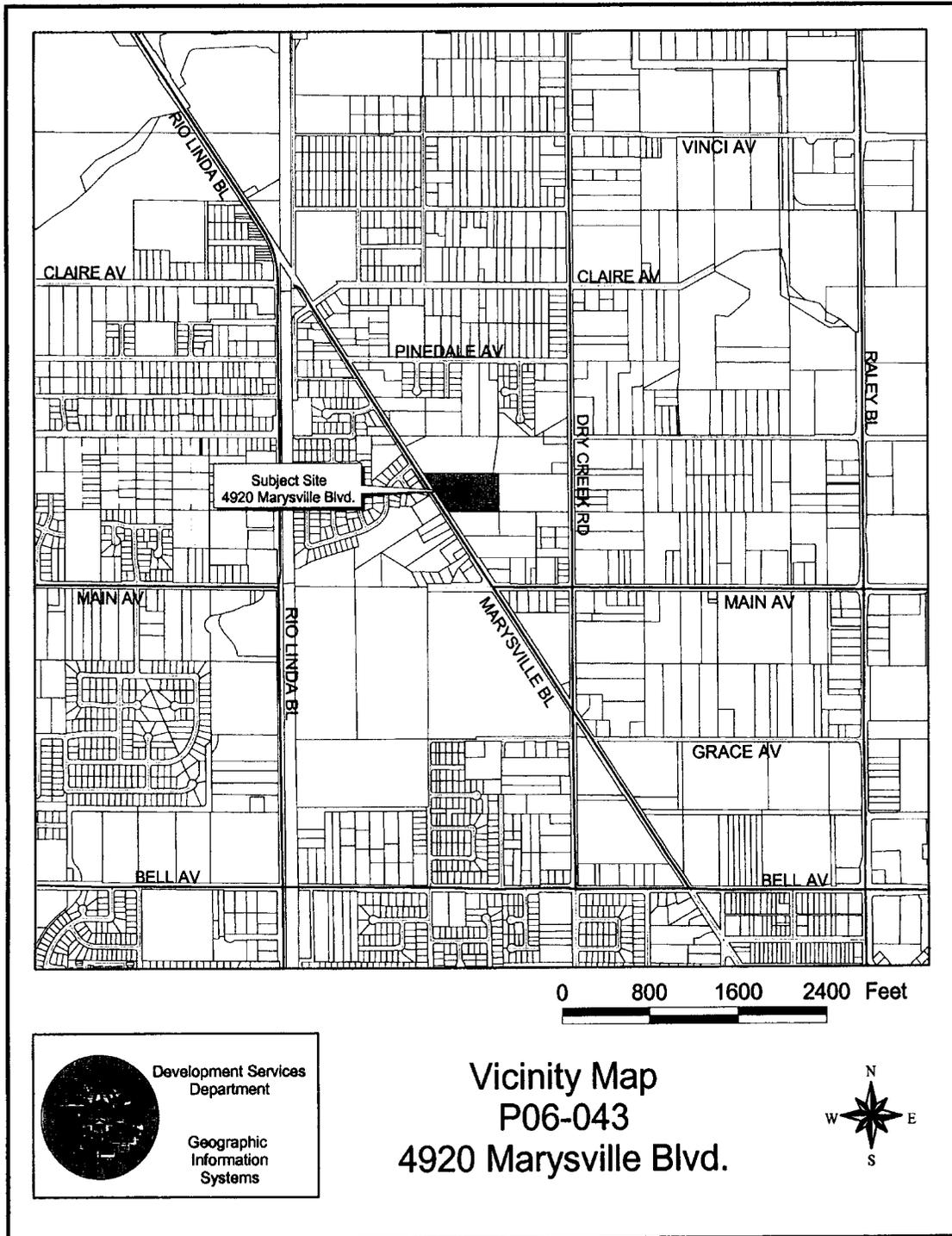
The applicant is proposing to subdivide a vacant 4.48± acre parcel into 17 lots in the Standard Single-Family (R-1) Zone. The site is bisected by Historic Magpie Creek, which runs diagonally from the northwest corner of the property to the southeast (see Exhibit A of Attachment 6). Nine of the lots will be created for detached single-family homes, six will be created for halfplex units, one will serve as a drainage detention basin, and one will serve as a 100-foot wide open space buffer containing the creekbed and a future pedestrian/bicycle path running alongside the creek.

The subdivision will feature two new public rights-of-way (labeled on the Tentative Map as Streets “A” and “B”) and a 20-foot wide alley, all of which will stub at the northern property line to allow for future connectivity to the north. All of the residential lots will meet the minimum lot area requirement of the R-1 Zone (5,200 sq. ft. and 6,200 sq. ft. for interior and corner lots, respectively). However, subdivision modifications were required because some of the lots do not meet the minimum R-1 lot width or depth requirement. A subdivision modification was also required to allow for the construction of the alley. The Planning Commission approved these subdivision modifications on April 26, 2007.

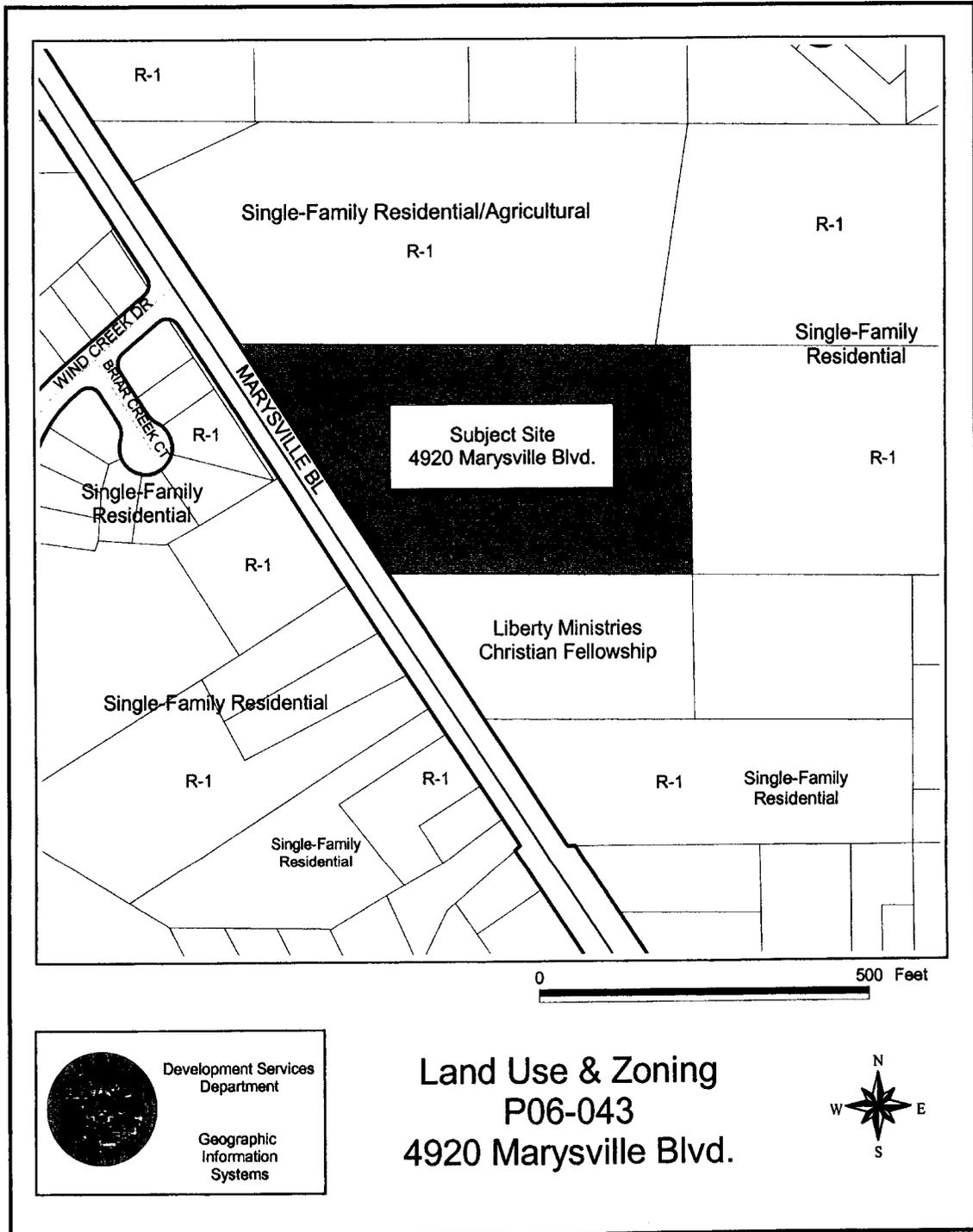
The property is located in an area where Inclusionary Housing Plans are required of all subdivisions that create 10 or more lots. In accordance with Chapter 17.190 of the City Code, the property owner is required to provide two (2) units affordable to Low Income Households on the site. The Inclusionary Housing Plan that was drafted by the Sacramento Housing and Redevelopment Agency and agreed to by the property owner featured the two affordable units located on the halfplex lots 1A and 1B. When the Planning Commission approved the project, it amended the Inclusionary Housing Plan to require the property owner to separate the two affordable units and locate one on Lot 1A and the other on Lot 10B. No other changes to the project were required.

In accordance with Section 17.200.040(B) of the City Code, notice of the Councilmember’s call-up was given to the property owner and applicant. There were no other persons who went on record as having interest in the outcome of the project.

Attachment 2 - Vicinity Map



Attachment 3 – Land Use & Zoning Map



Attachment 4 – Mitigated Negative Declaration & Mitigation Monitoring Plan

RESOLUTION NO. 2007-

Adopted by the Sacramento City Council

APPROVING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN FOR THE COGLIZER TENTATIVE MAP LOCATED AT 4920 MARYSVILLE BOULEVARD IN THE NORTH SACRAMENTO COMMUNITY PLAN AREA, SACRAMENTO, CALIFORNIA. (P06-043) (APN: 226-0220-007)

BACKGROUND

A. The City of Sacramento's Environmental Planning Services conducted or caused to be conducted an Initial Study on the Coglizer Tentative Map, P06-043 ("Project") to determine if the Project may have a significant effect on the environment.

B. The Initial Study identified potentially significant effects of the Project which were agreed to by the applicant before the proposed Mitigated Negative Declaration and Initial Study were released for public review. Mitigation measures were determined by the City's Environmental Planning Services Division to avoid or reduce the potentially significant effects to a less-than-significant level, and, therefore, there was no substantial evidence that the Project as revised and conditioned may have a significant effect on the environment. A Mitigated Negative Declaration (MND) for the Project was then completed, noticed and circulated in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures as follows:

1. On March 12, 2007 a Notice of Intent (NOI) to adopt the MND was circulated for public comments for thirty days. The NOI was sent to those public agencies that have jurisdiction by law with respect to the proposed project and to other interested parties and agencies, including property owners within 500 feet of the boundaries of the proposed project. The comments of such persons and agencies were sought during the thirty-day review period.

2. On March 12, 2007 the project site was posted with the NOI, the NOI was published in the Daily Recorder, a newspaper of general circulation, and the NOI was posted in the office of the Sacramento County Clerk.

C. The City Council has reviewed and considered the information contained in the MND, including the Initial Study, the revisions and conditions incorporated into the Project, as well as the hearing of the Project. Comments were received during the public review process from the State Department of Water Resources; however, they did not affect the findings of the MND. The City Council has determined that the MND

constitutes an adequate, accurate, objective and complete review of the environmental effects of the proposed project.

D. Pursuant to CEQA Guidelines Section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

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

Section 1. Based on its review of the MND and on the basis of the whole record, the City Council finds that the MND reflects the City Council's independent judgment and analysis and that there is no substantial evidence that the Project will have a significant effect on the environment.

Section 2. The City Council adopts the Mitigated Negative Declaration for the Project.

Section 3. Pursuant to CEQA Guidelines Section 15074, and in support of its approval of the Project, the City Council adopts a Mitigation Monitoring Plan to require that all reasonably feasible mitigation measures be implemented.

Section 4. Upon approval of the Project, the City's Environmental Planning Services Division shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to Section 21152(a) of the Public Resources Code and the State Environmental Impact Report Guidelines adopted pursuant thereto.

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ATTACHMENT E
MITIGATION MONITORING PLAN

MITIGATION MONITORING PLAN

FOR:
Coglizer Tentative Map (P06-043)

PREPARED BY:
CITY OF SACRAMENTO
DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL PLANNING SERVICES
KRISTIN FORD
808-8419

TYPE OF ENVIRONMENTAL DOCUMENT:
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

DATE:
March 12, 2007

ADOPTED BY:
CITY OF SACRAMENTO
PLANNING COMMISSION

DATE:
March 13, 2007

ATTEST:

Exhibit A – Mitigation Monitoring Plan, p. 2

**Coglizer Tentative Map (P06-043)
MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Development Services Department, Environmental Planning Services, 2101 Arena Blvd., Ste. 200, Sacramento, CA 95834, pursuant to Public Resources Code of California, Statute, 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name/File Number: Coglizer Tentative Map (P06-043)

Owner/Developer/Applicant: Steve Santa Croce
Sigma Engineering Consultants, Inc.
770 Dead Cat Alley, Suite 306
Woodland, California 95695
Phone: (530) 662-2373

City of Sacramento Contact: Kristin Ford, Assistant Planner
Environmental Planning Services
Development Services Dept
2101 Arena Blvd., Ste. 200
Sacramento, CA 95834
Phone: (916) 808-8419

Project Location

The proposed project site consists of approximately 4.48 acres and is located on the north side of Main Avenue; west of Rio Linda Boulevard in Sacramento, California. Magpie Creek crosses the proposed site in a northeast to southwest direction. North, east and west of the site are fallow lands and existing single-family residences; south of the site is Liberty Ministries Church. The project site is located on Assessor's Parcel Number (APN 228-0220-007).

Project Components

The proposed project requests to subdivide an approximately 4.48-acre parcel into 17 lots, including 9 detached single-family lots, 6 half-plex lots, and two open space lots, in the Standard Single-Family (R-1) zone. Specific entitlements include:

- A. **Inclusionary Housing Plan;**
- B. **Tentative Map** to subdivide approximately 4.48 acre parcel into 17 lots in the Standard Single-Family (R-1) Zone;
- C. **Subdivision Modification** to construction of an alley in a single-family subdivision; and
- D. **Subdivision Modification** to create non-standard in the R-1 Zone.

SECTION 2: GENERAL INFORMATION

The Mitigation Monitoring Plan (MMP) includes mitigation for Biology, Noise and Cultural Resources. The intent of the Plan is to prescribe and enforce a means for property and successfully implementing the mitigation measures as identified within the Initial Study/Mitigated Negative Declaration for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the

Exhibit A – Mitigation Monitoring Plan, p. 3

owner/developer/applicant identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The mitigation measures have been taken verbatim from the Initial Study/Mitigated Negative Declaration and are assigned the same number they have in the document. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained with the MMP. The City of Sacramento, along with other applicable local, state or federal agencies, will be responsible for ensuring compliance.

MITIGATION AGREEMENT

PROJECT NAME / FILE NUMBER: Coglizer Tentative Map (P06-043)

OWNER/DEVELOPER/APPLICANT: Steve Santa Croce
Sigma Engineering Consultants, Inc.
770 Dead Cat Alley, Suite 306
Woodland, California 95695
Phone: (530) 662-2373

I, STEVE SANTA CROCE (owner/developer applicant), agree to amend the project application P06-043 to incorporate the attached mitigation measures as identified in the Initial Study for the project. I understand that by agreeing to these mitigation measures, all identified potentially significant environmental impacts should be reduced to below a level of significance, thereby enabling the Environmental Coordinator to prepare a Mitigated Negative Declaration of environmental impact for the above referenced project.

I also understand that the City of Sacramento will adopt a Mitigation Monitoring Plan (Plan) for this project. This Plan will be prepared by the Development Services Department, pursuant to the California Environmental Quality Act Guidelines Section 21081.6 and pursuant to Article III of the City's Local Administrative Procedures for the Preparation of Environmental Documents.

I acknowledge that this project, P06-043, would be subject to this Plan at the time the Plan is adopted. This Plan will establish responsibilities for the monitoring of my project by various City Departments and by other public agencies under the terms of the agreed upon mitigation measures. I understand that the mitigation measures adopted for my project may require the expenditure of owner/developer funds where necessary to comply with the provisions of said mitigation measures.

Steve R. Santa Croce
Signature (Owner/Developer Applicant)

PRINCIPAL, SIGMA ENGINEERING CONSULTANTS, INC.
Title

March 20, 2007
Date

Exhibit A – Mitigation Monitoring Plan, p. 5

			VERIFICATION OF COMPLIANCE		
MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	MONITORING RESPONSIBILITY	COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)
<p>Biology</p> <p>B-1 A City permit must be obtained from the Urban Forest Services Division prior to the removal or trimming of Heritage trees concurrently with the issuance of grading and foundation permits. Grade elevation changes greater than 6" shall not encroach into the 35' protection radius of the 36.5" DBH Elm south of Magpie Creek on Lot C</p>	Applicant	<p>City of Sacramento – Development Services Department</p> <p>City of Sacramento – Urban Forest Services Division</p>	Add mitigation to construction plans and monitoring by Urban Forest Services during construction.	The Development Services Department and Urban Forest Services shall assure that measures are identified on construction plans and confirm compliance prior to issuance of any grading or building permit and during construction	
<p>B-2 If the outfall into Magpie Creek is not installed above the ordinary high water mark, as established by the Army</p>	Applicant	<p>City of Sacramento-Development Services Department</p> <p>Army Corps of Engineers</p>	Show location of outfall pipe in grading plans, if below high water mark provide verification of compliance with	Prior to approval of grading plans	

Exhibit A – Mitigation Monitoring Plan, p. 6

<p>Corps of Engineers, a Section 404 Permit, a Section 7 and a Section 1802 Lake and Streambed Alteration Agreement are required. The applicant is responsible for obtaining and complying with the necessary permits to install an outfall into Maggie Creek.</p>		<p>Department of Fish and Game</p>	<p>Nationwide 7 Permit, Section 404 and Section 1602 Agreement from Department of Fish and Game</p>		
<p>B-3 If Nationwide Permit 39 is revised prior to the start of project grading, the project applicant shall provide written verification from the Army Corps of Engineers of compliance with conditions of the revised permit.</p>	<p>Applicant</p>	<p>City of Sacramento-Development Services Department Army Corps of Engineers Department of Fish and Game</p>	<p>Letter from Department of Fish and Game</p>	<p>Prior to approval of grading plans</p>	

Exhibit A – Mitigation Monitoring Plan, p. 7

<p>Noise</p> <p>N-1 Prior to issuance of occupancy permits, a traffic noise barrier built with solid construction, such as masonry or stucco, with no gaps or holes that would compromise its noise insulation performance shall be constructed starting at the northeast corner of the lot at the intersection of Street A and Marysville, then along the rear property line to the intersection with the extension of the side setback, then parallel to the Marysville Boulevard to the intersection with the rear setback. The noise barrier height shall be six (6) feet above pad elevation. It is expected that this barrier would provide</p>	<p>Applicant</p>	<p>City of Sacramento – Development Services Department</p>	<p>Inclusion of measure on construction plan</p>	<p>Prior to approval of construction plans</p>	
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Exhibit A – Mitigation Monitoring Plan, p. 8

<p>the additional acoustical shielding required for compliance with the City of Sacramento 60dB Ldn criterion.</p> <p>Cultural Resources:</p> <p>CR-1 If subsurface archaeological or historical remains are discovered during construction, work in the area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.</p> <p>CR-2 If a human bone or bone of unknown origin is found</p>	<p>Applicant</p>	<p>City of Sacramento— Development Services Department</p> <p>Native American Heritage Commission</p>	<p>Measure shall be included on all grading plans</p>	<p>Measures shall be implemented during construction activities, as specified</p>	
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Exhibit A – Mitigation Monitoring Plan, p. 9

<p>during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for the re-interment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have take place.</p>					
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Attachment 5 – Resolution for Inclusionary Housing Plan

RESOLUTION NO. 2007-

Adopted by the Sacramento City Council

ADOPTING AN INCLUSIONARY HOUSING PLAN FOR THE COGLIZER TENTATIVE MAP LOCATED AT 4920 MARYSVILLE BLVD. IN THE NORTH SACRAMENTO COMMUNITY PLAN AREA, SACRAMENTO, CALIFORNIA. (P06-043) (APN: 226-0220-007)

BACKGROUND

The City Council conducted a public hearing on Tuesday, June 12, 2007 concerning the Inclusionary Housing Plan for the Coglizer Tentative Map, and, based on documentary and oral evidence submitted at the public hearing, the City Council hereby finds:

- A. The proposed project is located in a new growth area and is subject to the City's mixed income housing requirements that 15 percent of the residential units be affordable to "Low" and "Very Low" income households; and
- B. The proposed plan is consistent with Chapter 17.190 of the City Code which requires an Inclusionary Housing Plan setting forth the number, unit mix, location, structure type, affordability and phasing of the inclusionary units in the residential development.

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

Section 1. The Inclusionary Housing Plan for the Coglizer Tentative Map (P06-043) is hereby adopted as attached hereto as Exhibit A.

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Exhibit A: Inclusionary Housing Plan – 4 Pages

Exhibit A – Inclusionary Housing Plan, p. 1

INCLUSIONARY HOUSING PLAN
COGLIZER TENTATIVE MAP
Approved: May 1, 2007

Introduction

Sheryl's LLC is the owner and developer ("Developer") of the proposed Coglizer Tentative Map subdivision located on the east side Marysville Boulevard between Main and Pinedale Avenues in the City of Sacramento. The owner proposes to build on a 4.48 acre parcel a 15 unit single family development consisting of 6 half-plex units and 9 single family units. ("Project")

Pursuant to the City Code section 17.190.100(B), an Inclusionary Housing Plan ("Plan") setting forth the number, unit mix, location, structure type, affordability and phasing of the Inclusionary units in the Project must be approved prior to or concurrent with the approval of legislative entitlements for the Project. This document constitutes that Plan, and as supplemented and amended from time to time, is intended to begin implementation of the inclusionary housing requirement. All future approvals for the Project, including tentative maps, subsequent tentative maps, planned development permits, special permits, site development plans, and plan review shall be consistent with this Plan.

The requirements under the Ordinance for the Project will be set forth in more detail in the Inclusionary Housing Agreement executed by the owner/developer and the Sacramento Housing and Redevelopment Agency ("SHRA") and recorded against the Project site. The Inclusionary Housing Agreement will describe with particularity the site, building schematics and size of the Inclusionary Units, pursuant to Section 17.190.110(C). The Inclusionary Housing Agreement shall be consistent with this plan.

Number of Inclusionary Housing Units

The Project proposed by the Developer includes 6 half-plex units and 9 single family units. As the Project is less than 5 gross acres section 17.190.030 (B)(2) of the Ordinance, which allows 15% of the project's inclusionary units be marketed at prices affordable to families at below 80% Area Median Income. (i.e. "low income" units) The developers obligations per the Ordinance is to provide 2 "low income" units.

If the project approvals are amended to increase or decrease the number of residential units in the Project, this Plan will be amended to reflect a number equal to 15% of Low Income Units of the revised total of residential units in the amended entitlement. However, after a building permit has been issued for a structure or Master Parcel which contains Inclusionary Units, those Units will be constructed and maintained as Inclusionary Units pursuant to the terms of Chapter 17.190 of City Code, regardless of any subsequent reduction in the number of approved total residential units.

Exhibit A – Inclusionary Housing Plan, p. 2

Tenure

The Inclusionary Housing units shall consist of for sale units only.

Location, Size and Bedroom Count of Inclusionary Housing Units

The inclusionary housing units will consist of two half-plex units designated as lots 1A and 10B on the proposed map attached hereto Attachment I. The inclusionary housing units shall be between 1100-1400 square feet in size and be either 3 or 4 bedroom units.

Marketing of Units

The Developer will use their typical newspaper, internet, toll free number and signage to market this community. Information will be available in the on-site sales office regarding the availability of Inclusionary Housing and this will also be incorporated into internet advertising for the project.

Affordability Requirements

The Inclusionary units “for sale” shall be restricted to occupancy by Low Income Households. Low Income Households shall have gross incomes, at the time of initial occupancy, that do not exceed eighty percent (80%) of the Sacramento area median income, adjusted for family size.

The Sacramento Housing and Redevelopment Agency will provide the Developer a schedule of maximum Affordable Housing Prices no sooner than six months prior to the sales lottery in which homebuyers for the inclusionary units will be selected. With respect to each Inclusionary unit, the affordability requirements of this Section shall continue for no less than thirty (30) years from the recordation of the Inclusionary Housing Agreement. For-sale Inclusionary Units will be subject to the Sacramento Housing and Redevelopment Agency’s resale and recapture provisions if sold before the end of the thirty (30) year regulatory period.

Phasing of Development and Inclusionary Housing Linkages

The Inclusionary Housing units shall be developed concurrently with the development of the Project. The nature of the concurrency is defined by the following linkages between approvals of market rate units and development of the Inclusionary Housing units.

The Inclusionary Housing Plan shall be approved concurrently with the approval of the Project’s tentative map.

The Inclusionary Housing Agreement shall be executed prior to the approval of the Project’s final map for the Project.

The Inclusionary Housing Agreement shall be recorded concurrently with the Project’s final map.

Exhibit A – Inclusionary Housing Plan, p. 3

Up to 50% of the building permits for Market Rate units may be pulled prior to the issuance of building permits for all Inclusionary Housing units in the Project.

The final 50% of the building permits for Market Rate units may be pulled after the issuance of building permits for all Inclusionary Housing units in the Project.

Marketing of the Inclusionary Housing units within the Project shall occur concurrently with the marketing of the Market Rate units.

Administration of Plan

The Inclusionary Housing Plan shall be administered by the Planning Director with the advice of the Executive Director of SHRA. The Planning Director may make minor administrative amendments to the text of this Plan as provided for in Sacramento City Code section 17.190.030.

Attachment 6 – Resolution for Tentative Subdivision Map and Subdivision Modifications

RESOLUTION NO.

Adopted by the Sacramento City Council

**ADOPTING THE FINDINGS OF FACT AND APPROVING SUBJECT TO CONDITIONS THE TENTATIVE MAP AND SUBDIVISION MODIFICATIONS FOR THE COGLIZER TENTATIVE MAP LOCATED AT 4920 MARYSVILLE BOULEVARD, SACRAMENTO, CALIFORNIA.
(P06-043) (APN: 226-0220-007)**

BACKGROUND

- A. On April 26, 2007, the Planning Commission approved the Tentative Subdivision Map to subdivide 4.48± acres into 17 lots and Subdivision Modifications to allow non-standard single-family and halfplex lots and an alley in the Standard Single-Family (R-1) Zone;
- B. On May 3, 2007, the City Council called up the project; and
- C. On June 12, 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. At the regular meeting of June 12, 2007, the City Council heard and considered evidence regarding the matters described above. Based on verbal and documentary evidence at said hearing, the City Council takes the following actions:

- a. The City Council approves the Tentative Map and Subdivision Modifications for the Coglizer Tentative Map based on the findings of fact and subject to the conditions of approval as set forth below:

FINDINGS OF FACT:

- A. **Mitigated Negative Declaration and Mitigation Monitoring Plan:** The Mitigated Negative Declaration and Mitigation Monitoring Plan for the Coglizer Tentative Map have been adopted by Resolution No. _____.
- B. **Tentative Map:** The Tentative Map to subdivide a 4.48± acre parcel into 17 lots in the Standard Single-Family (R-1) Zone is hereby approved based on 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 North Sacramento Community Plan, and Chapter 16 of the City Code, which itself is a Specific Plan of the City of Sacramento. Both the General Plan and the North Sacramento Community Plan (NSCP) designate the subject site for low density residential development and encourage infill projects that offer a variety of housing product types and sizes and provide opportunities for increased circulation throughout neighborhoods;
3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in the 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 subdivision; and
4. The design of the proposed subdivision provides, to the extent feasible, for future passive and/or natural heating and cooling opportunities.

C. Subdivision Modifications: The Subdivision Modifications to allow non-standard single-family and halfplex interior and corner lots and an alley in the Standard Single-Family (R-1) Zone are hereby approved based on the following findings of fact:

1. 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 this case to conform to the strict application of these regulations because: (a) a large portion of the property is undevelopable because Magpie Creek traverses the site diagonally; and (b) the City is requiring the developer to construct and dedicate two new public rights-of-way, an alley, and a detention basin, two factors that result in insufficient land for standard-shaped lots;
2. The cost to the subdivider, of strict or literal compliance with the regulation, is not the sole reason for granting the modification;
3. The modifications will not be detrimental to the public health, safety, or welfare or be injurious to other properties in the vicinity in that the lots will still be of adequate shape and size to accommodate the use for which the land is currently zoned (detached single-family dwellings and/or halfplex units), and the standard setbacks required for the use.

4. Granting of 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 in that the subdivision will still feature single-family and halfplex lots consistent with the current General Plan and North Sacramento Community Plan land use designations of the area, while also providing two new public rights-of-way and an alley that will provide future opportunities for increased connectivity through the area.

CONDITIONS OF APPROVAL:

- B. The **Tentative Map** to subdivide a 4.48± acre parcel into 17 lots in the Standard Single-Family (R-1) Zone is hereby approved subject to the following conditions:

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project. 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. 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:

- B1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.
- B2. 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 by the Development Engineering Division after consultation with the US Postal Service.
- B3. Show all continuing and proposed/required easements on the Final Map.
- B4. If unusual amounts of bone, stone, or artifacts are uncovered, all 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 level before construction can resume. **A note shall be placed on the final improvement plans referencing this condition.**
- B5. The developer shall enter into an Inclusionary Housing Agreement with the Sacramento Housing and Redevelopment Agency which will be recorded against the entire development project concurrent with the recordation of the Final Map.

DEVELOPMENT ENGINEERING DIVISION: Streets

- B6. Submit a Geotechnical Analysis prepared by a registered engineer to be used in the street design. The analysis shall identify and recommend solutions for groundwater-related problems which may occur within both the subdivision lots and public rights-of-way. As a result of the analysis, street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater conditions.
- B7. 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 the 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 or damaged curb, gutter or sidewalk per City standards to the satisfaction of the Development Engineering Division.
- B8. Construct Marysville Boulevard adjacent to the subject property to a modified 59-foot cross-section (half-street only), which shall consist of a 5-foot sidewalk, 7-foot planter, vertical curb and gutter, 7-foot parallel parking stall, and 11-foot travel lane (18 feet measured from the face of curb to the centerline of the street). The design and construction of Marysville Boulevard adjacent to the subject property shall be to the satisfaction of the Development Engineering Division.
- B9. Dedicate and construct Street "A" as shown on the tentative map to a modified 53-foot right-of-way cross section. Construction of Street "A" shall include a vertical curb, gutter and separated sidewalk adjacent to the residential lots, two 15-foot travel lanes measured from face of curb to the centerline of the street, and a vertical curb and gutter on the opposite side of the street. The design and construction of Street "A" shall be to the satisfaction of the Development Engineering Division.
- B10. Dedicate and construct Street "B" as shown on the tentative map to a City standard 53-foot right-of-way cross-section to the satisfaction of the Development Engineering Division.
- B11. Dedicate and construct the 20-foot alley shown on the tentative map per City standard to the satisfaction of the Development Engineering Division.
- B12. The design and placement of walls, fences, signs and landscaping near intersections and driveways shall allow stopping sight distances 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 to 3.5' in height. The area of exclusion shall be determined by the Development Engineering Division.

- B13. All right-of-way and street improvement transitions that result from changing the right-of-way of any street shall be located, designed and constructed to the satisfaction of the Development Engineering Division. The centerlines of such streets shall be aligned.
- B14. Construct A.D.A.-compliant ramps at all corners of the intersection bounded by the project to the satisfaction of the Development Engineering Division.
- B15. All round corners of the intersections bounded by the project shall have a radius of 27 feet measured from the face of curb.
- B16. The applicant shall dedicate the property lines of Lots 1A, 2, 3, 4, 5 and 6 adjacent to Marysville Boulevard as a no ingress/egress rights line to motor vehicles.
- B17. The applicant shall make provisions for bus stops, shelters, transit centers, etc., to the satisfaction of Regional Transit if necessary.
- B18. The applicant shall dedicate (if necessary) and construct bus turn-outs for all bus stops adjacent to the subject site to the satisfaction of the Development Engineering Division.

DEPARTMENT OF TRANSPORTATION

- B19. The applicant shall construct a sidewalk along the creek-side of Street "A" separated from the back of curb by an 8-foot wide planting strip. Variance in the location of the sidewalk setback is permitted to avoid topographic constraints or obstacles.
- B20. The applicant shall submit and obtain Department of Transportation approval of the alignment and design of the sidewalk prior to submitting improvement plans for the sidewalk.
- B21. The sidewalk shall comply with Class 1 bike trail standards, including regulatory signage, as defined in Chapter 1000 of the State Department of Transportation Highway Design Manual. The trail shall be minimum 8 feet of Portland cement concrete paving, with clear, graded shoulders of minimum 2-foot width. Pavement sections shall be the same as for standard City sidewalk construction.
- B22. A.D.A.-compliant curb ramps shall be constructed at the entrance to all access points to the sidewalk (refer to standard City curb ramp details and specifications for approved designs).

- B23. The applicant shall disclose the location of the planned sidewalk to all future/potential owners of parcels within the subdivision.

PUBLIC/PRIVATE UTILITIES

- B24. Dedicate a standard 12.5-foot public utility easement (PUE) for underground and overhead facilities and appurtenances adjacent to Marysville Boulevard.
- B25. Dedicate a standard 12.5-foot public utility easement (PUE) for underground facilities and appurtenances adjacent to all public rights-of-way.
- B26. Dedicate a 10-foot public utility easement for underground facilities and appurtenances adjacent to the 20-foot alley.

CITY UTILITIES

- B27. Prior to the submittal of improvement plans, the applicant must provide the Department of Utilities (DOU) with the average day water system demands, the fire flow demands, and the proposed points of connection to the water distribution system for the proposed development. The DOU can then provide the "boundary conditions" for the design of the water distribution system. The water distribution system shall be designed, per Section 13.4 of the Design and Procedures Manual, to satisfy the more critical of the two following conditions: 1) at maximum day peak hour demand, the operating or "residual" pressure at all water service connections shall be at least 30 lbs. per square inch; and 2) At average maximum day demand plus fire flow, the operating or "residual" pressure in the area of the fire shall not be less than 20 lbs. per square inch. Note: An 8-inch water main is located in Marysville Boulevard.
- B28. Construct a water distribution system within the new streets and alleys to the satisfaction of the DOU. The water main (8-inch minimum diameter) shall be placed 7 feet north and west of street centerline.
- B29. Provide separated metered domestic water services to each new parcel. Per City Code, water meters shall be located at the point of service which is the back of sidewalk for connected sidewalks and the back of curb for separated sidewalks.
- B30. Construct a sewer main extension in Marysville Boulevard north to Park Street and west to the County Interceptor consistent with the sewer study, or an alternative sewer alignment supported by a sewer study as approved by the DOU. Provide an 8-inch sewer main within new streets and separate sanitary sewer services to each parcel to the satisfaction of the DOU. Sanitary sewer mains shall be placed 7 feet east and south of the street centerline.
- B31. Construct drainage improvements within the public streets consistent with Sacramento's SSWMM model for Shed 157 to the satisfaction of the DOU.

Drainage mains in new streets shall be placed along street centerline. Finished lot pad elevations shall be a minimum of 1.20 feet above the 100-year HGL and shall be approved by the DOU. Sufficient off-site and on-site spot elevations shall be provided in the drainage study to determine the direction of storm drain runoff. The drainage study shall include an overland flow release map for the proposed project. Lot pad elevations shall be a minimum of 1.5 feet above the controlling overland release elevation.

- B32. No public drainage improvements will be permitted within the side yard easement.
- B33. Dedicate Lots B and C in fee Title to the City of Sacramento for drainage. The dimensions and location of Lots B and C shall be to the satisfaction of the DOU consistent with the Magpie Creek Goals and Policies. Lot C is to be excavated to provide no loss in floodplain storage. Access to Lot C, including a maintenance ramp, shall be to the satisfaction of the DOU.
- B34. Annex Lot C and appropriate portions of Lot B to the appropriate Landscape Maintenance District or other financing mechanism acceptable to the City prior to recordation of the Final Map. Design and construct landscaping and irrigation to the satisfaction of the Planning Department – Public Improvement Finance Division, Development Services Department – Development Engineering Division, Parks Planning, Design and Development Department and the DOU. The developer shall maintain the landscaping and discharge pipe with flap-gate for a period of two (2) years or until acceptance by the City into the Maintenance District, whichever is less. The two-year period shall begin following the issuance of a notice of completion by the City for the landscaping. At the time of acceptance by the City, the developer shall remove any sediment or debris that has accumulated within Lot C, and assure that the discharge pipe with flap-gate is functional prior to acceptance.
- B35. An as-built survey of the drainage basin is required prior to issuance of a notice of completion for the subdivision.
- B36. The applicant shall participate in the regional reimbursement program. The program is set up to provide for reimbursement by others for construction by the applicant of off-site and/or oversized sewer mains considered to be of a regional benefit to others. All facilities and financial amounts to be considered for fair share reimbursement shall be approved by the City prior to issuance of a Notice of Completion (NOC) of the public improvements.
- B37. The applicant is responsible for any necessary permits from the Corps of Engineers, Department of Fish and Game, USFWS, SAFCA, American River Flood Control District, or any other applicable agency.
- B38. 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 developer shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the DOU. 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.

- B39. The proposed project is located in the 100-year floodplain, designated as an "X" zone on the Federal Emergency Management Act (FEMA) Federal Insurance Rate Maps (FIRMs) dated July 6, 1998. The project is also located in the Historic Magpie Creek Floodplain with a 100-year elevation of 37.0 feet. Additionally, based on the SSWMM model for Shed 157, the 100-year flood elevation backs up and overtops Marysville Boulevard. Finished lot pad elevations shall be a minimum of 1.0 foot above the highest 100-year flood elevation and approved by the DOU. No grading or building in the regulatory floodway adjacent to the site is permitted that will cause an increase in the base flood elevation.
- B40. 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. Any fill within the designated floodway will require an equal volume of excavation to assure no loss of floodplain storage. No grading shall occur until the grading plan has been reviewed and approved by the DOU.
- B41. 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 Notice of Intent may be obtained at 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) signed certification page by property owner or authorized representative.
- B42. 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.

- B43. Post construction, storm water 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 "Guidance Manual for On-Site Stormwater Quality Control Measures," dated January 2000 for appropriate source control measures.

PARK PLANNING DESIGN & DEVELOPMENT DEPARTMENT

- B44. **Payment of In-lieu Park Fee:** Pursuant to City Code Chapter 16.64 (Parkland Dedication), the applicant shall pay to the City an in-lieu park fee in the amount determined under City Code Sections 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 2 below).
- B45. **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 Sini Makasini, Special Districts Project Manager at 916-808-7967 for further information). In assessment districts, the cost of neighborhood park maintenance is equitably spread on the basis of special benefit. In special tax districts, the cost will be spread based upon the hearing report, which specifies the tax rate and method of apportionment.

FIRE DEPARTMENT

- B46. Provide the required fire hydrants on Veralee Lane in accordance with CFC 903.4.2 and Appendix III-B, Section 5.

ADVISORY NOTES:

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

1. Gas service may be available to this project if desired. The developer should contact PG&E's Service Planning Department at (916) 386-5112 as soon as possible to coordinate construction so as not to delay the project.
2. As per City Code, the applicant will be responsible to meet his obligations regarding:
 - a. Title 16, Chapter 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 \$25,364. This is based on 9 detached single-family residential units and 6 halfplex units and an average land value of \$105,000 per acre for the North Sacramento Planning Area, plus an additional 20% for off-site park

infrastructure improvements. 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.

- b. Title 18, Chapter 18.44 Park Development Impact Fees, due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$60,741. This is based on 9 single-family residential units at \$4,493 each and 6 halfplex units at \$3,384 each. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time the project is submitted for building permit.
- c. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

C. Subdivision Modifications: The Subdivision Modifications to allow non-standard single-family and halfplex interior and corner lots and an alley in the Standard Single-Family (R-1) Zone are hereby approved subject to the following conditions of approval:

- C1. All dwelling units to be constructed in the subdivision shall satisfy the requirements of the Expanded North Area Design Review checklist.
- C2. Houseplans for all lots adjacent to the alley shall feature front doors and active living areas (such as kitchens, family rooms, etc.) facing the street on which the lots front, with only garages and rear doors facing the alley.
- C3. The Inclusionary Housing Agreement shall provide that the exterior appearance of the affordable units be compatible with the market-rate units by requiring the exterior building materials and finishes of the affordable units to be of the same quality and type as the market-rate units.
- C4. The Inclusionary Housing Agreement shall provide that the affordable units comply with all applicable development standards unless such standards have been modified by the City.

Table of Contents:

Exhibit A: Tentative Subdivision Map

Exhibit A – Tentative Subdivision Map

