

CITY PLANNING COMMISSION
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT HKM, 700 University Avenue, Ste. 140, Sacramento, CA, 95825	
OWNER HKM, 700 University Avenue, Ste. 140, Sacramento, CA, 95825	
PLANS BY Reynolds*Webber Architects, Inc., 777 Campus Commons Dr., Ste. 165, Sacramento, CA, 95825	
FILING DATE January 17, 1991	ENVIR. DET. Exempt 15304(b)
ASSESSOR'S PCL. NO. 029-021-20, 21, 34; 029-010-02, 06	REPORT BY SLY

- APPLICATION:**
- A. Variance to allow landscaping without the required irrigation system for a 96 unit apartment complex on 5.3 ± vacant acres in the Multiple Family Residential-Review (R-2B-R) zone.
 - B. Modification of a Rezone and a Plan Review condition (P88-432) requiring a 3.5 foot turfed undulating berm within the 25 foot setback area to allow drought tolerant landscaping with no irrigation for a 96 unit apartment complex.

LOCATION: Northeast corner of 43rd Avenue and Riverside Boulevard

PROPOSAL: The applicant is requesting the necessary entitlements to install drought resistant landscaping with no irrigation system.

PROJECT INFORMATION:

General Plan Designation:	Medium Density Residential (16-29 du/na)
Pocket	
Community Plan Designation:	Medium Density Residential (16-29 du/na)
Existing Zoning of Site:	R-2B-R
Existing Land Use of Site:	Vacant

Surrounding Land Use and Zoning:

North: Residential, R-1
South: Apartments, R-3
East: Apartments, R-3
West: Apartments and bar, R-3-R

Property Dimensions:	Irregular
Property Area:	5.5± acres
Square Footage of Building:	103,466 square feet
Height of Building:	27 feet
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Stucco and wood
Roof Material:	Concrete tile

BACKGROUND INFORMATION: On April 13, 1989 the Planning Commission approved a Rezone of five parcels totaling 5.5± acres from Multiple Family (R-2B) and Standard Single Family (R-1) to Multiple Family-Review (R-2B-R); a Plan Review of a 96 unit apartment complex; and a Lot Line Adjustment (ref P88-432). The City Council approved the Rezone on June 7, 1989. The Rezone and Plan Review had a specific condition which stated: The landscaping within the 25 foot setback areas along 43rd Avenue and Riverside Boulevard shall include a 3-1/2 foot turfed undulating

berm. The Findings of Fact which supported the entitlements included that the project, as designed, was compatible with the existing adjacent multiple family developments in the area and adequate landscaping would be provided.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site is a vacant parcel totaling 5.5± acres in the R-2B-R zone. The General Plan designates the subject site as Medium Density Residential (16-29 du/na) and the Pocket Community Plan designates the site as Medium Density Residential (16-29 du/na). The surrounding land use and zoning for the subject site are residential, R-1 to the north; apartments, R-3 to the south and east; and apartments and bar, R-3-R to the west.

B. Applicant's Proposal

The applicant is proposing to change a previous condition requiring a 3-1/2 foot turfed undulating berm in the 25 foot landscaped setback area along 43rd Avenue and Riverside Boulevard. The applicant proposes to install drought resistant landscaping with no irrigation system (see Exhibit A).

C. Staff Analysis

1. Modification to the Rezone and Plan Review Condition:

The applicant is requesting to change a condition of the Rezone and Plan Review entitlements for the approved apartment complex requiring a 3-1/2 foot turfed undulating berm within the 25 foot setback area along 43rd Avenue and Riverside Boulevard. The applicant proposes to install drought resistant plants, shrubs and trees throughout the site. After consulting the City's Landscape Architect, staff recommends the condition be modified to permit drought resistant landscaping within the setback area as well as deleting the requirement for the 3-1/2 foot undulating berm allowing whatever slope is necessary for proper drainage.

The surrounding areas around the subject site all have setback areas that are landscaped with grass and shrubs (see Exhibit D). In keeping with the original findings for the project which stated the proposed project would be compatible with the surrounding multiple family unit, staff recommends the applicant use a drought resistant tall fescue or rye sod as groundcover in the setback areas.

Staff supports the approval of the Modification of the condition in that the use of drought resistant landscaping, as conditioned, will still be compatible with the adjacent multiple family complexes and is an appropriate landscaping use in light of the current drought conditions which face the City.

2. Variance:

The applicant is requesting a Variance to waive the irrigation system requirements in the development of the 96 unit apartment complex. The applicant plans to use the two hose bibs per building to water the entire complex manually for the first two years of plant growth and then let the natural rainfall provide the water from the third year on. The Zoning Ordinance requires that front and side yard setback areas be landscaped and irrigated. The applicant has indicated to staff that he has two projects in the county which are landscaped with drought resistant landscaping and have no irrigation system (see Exhibit B). The two sites in the county are the Madison Square Gardens located at the southeast corner of Madison Avenue and Hackberry Lane and the Eastwood Apartments located at 5344 Marconi Avenue.

The County of Sacramento has recently passed a very detailed and strict Water Conserving Landscape Ordinance that specifically requires as a minimum, a drip irrigation system. In other words, after talking to County planners, this project would not be allowed to be built today in the county unless there was some form of irrigation system installed.

Staff has met with the applicant to discuss utilizing a drip irrigation system or a bubbler system as an alternative to the standard sprinkler system. The City's Landscape Architect has stated that some type of drip system is essential for the first few years in order to establish the drought resistant landscaping. The use of hoses to water a 5.5 ± acre site for two to three years would be excessively wasteful and require an enormous amount of maintenance. The applicant indicated to staff that he did not wish to utilize a drip irrigation or bubbler system. He stated that the two projects in the county have never had any type of irrigation system except for watering by hose for the first two years and they are successful projects.

Staff visited the two sites in the county. The most important discovery was found at the Madison Square Gardens apartment site. At this site, a vast and intricate automatic drip irrigation system was in place and has been in place since the project's conception (see Exhibits E and F). The applicant used river rock as the primary ground cover in the setback areas and bark throughout the remainder of the complex in addition to the drought resistant plants, shrubs, and trees. The Eastwood Apartments did not have an irrigation system. The primary ground cover is bark. The site is poorly maintained with dead plants and weeds throughout the site (see Exhibits G and H). This site has only four types of vegetation which include palm trees, several types of juniper, nadina and pampas grass. There is evidence of many plants that have died and been removed with nothing replacing them. This site has been established longer and yet the growth of the plants appears minimal in comparison to the irrigated Madison Square Gardens site. The City's Landscape Architect believes the lack of irrigation and proper care of the Eastwood Site is the reason for the extreme difference between the two sites.

Staff believes that a 5.5 ± acre site of landscaping, even drought resistant landscaping, requires some form of irrigation during the early years of plant establishment. Trying to accomplish this task with manual watering by hoses is wasteful and cumbersome. The maintenance and care of such a project demands expert handling and knowledge in order to insure the success of the project throughout the years to come. There is no way of knowing how long this complex may be owned by the applicant and if the successor will have the knowledge or intent to maintain an non-irrigated large apartment complex. The applicant's project on Madison Avenue was done with an irrigation system which directly supports staff's recommendation to require a drip irrigation system.

Staff recommends denial of the Variance and that a drip irrigation system for the entire 96 unit apartment complex be installed.

D. Agency Comments

The proposed project was reviewed by Traffic Engineering, Engineering Development, Building Inspections, and Parks and Community Services. Parks and Community Services staff have stated that drought resistant landscaping for the setback areas is in keeping with the upcoming water conservation policy (see Exhibit C). However, their staff strongly recommends that some form of irrigation system is necessary to maintain a project in accordance with City standards. The new water conservation policy will allow alternative irrigation systems such as a drip system used at the Madison Square Gardens site.

ENVIRONMENTAL DETERMINATION: The Environmental Services Manager has determined that this project is exempt from environmental review pursuant to State EIR Guidelines (California Environmental Quality Act, Section 15304(b) Minor Alterations to Land).

RECOMMENDATION: Staff recommends the following actions:

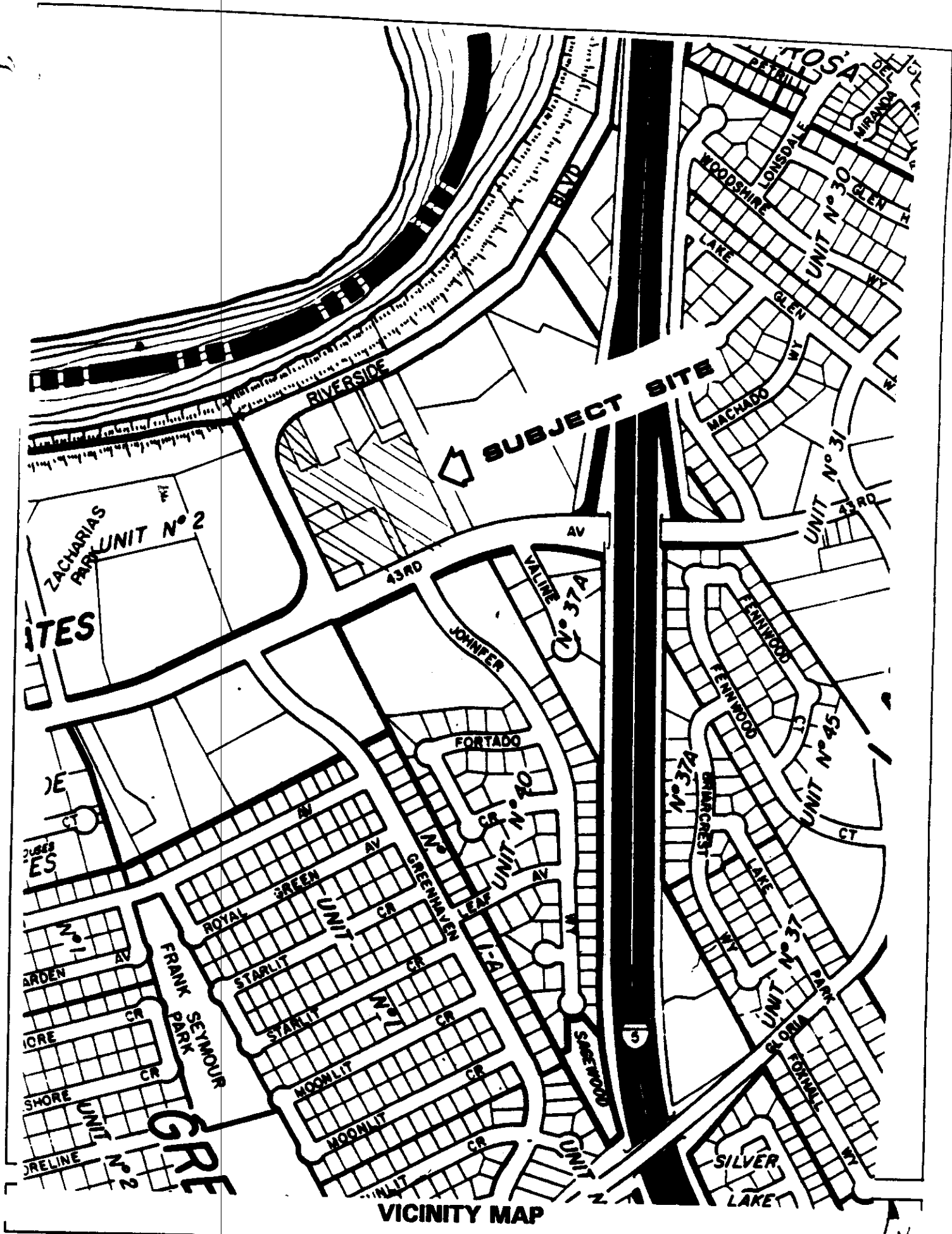
- A. Deny the Variance to allow landscaping without the required irrigation system based upon the findings of fact which follow.
- B. Recommend approval of the Modification of a Rezone and a Plan Review condition (P88-432) requiring a 3.5 foot turfed undulating berm within the 25 foot setback area to allow drought tolerant landscaping for a 96 unit apartment complex subject to the following conditions and forward to the City Council.

Conditions:

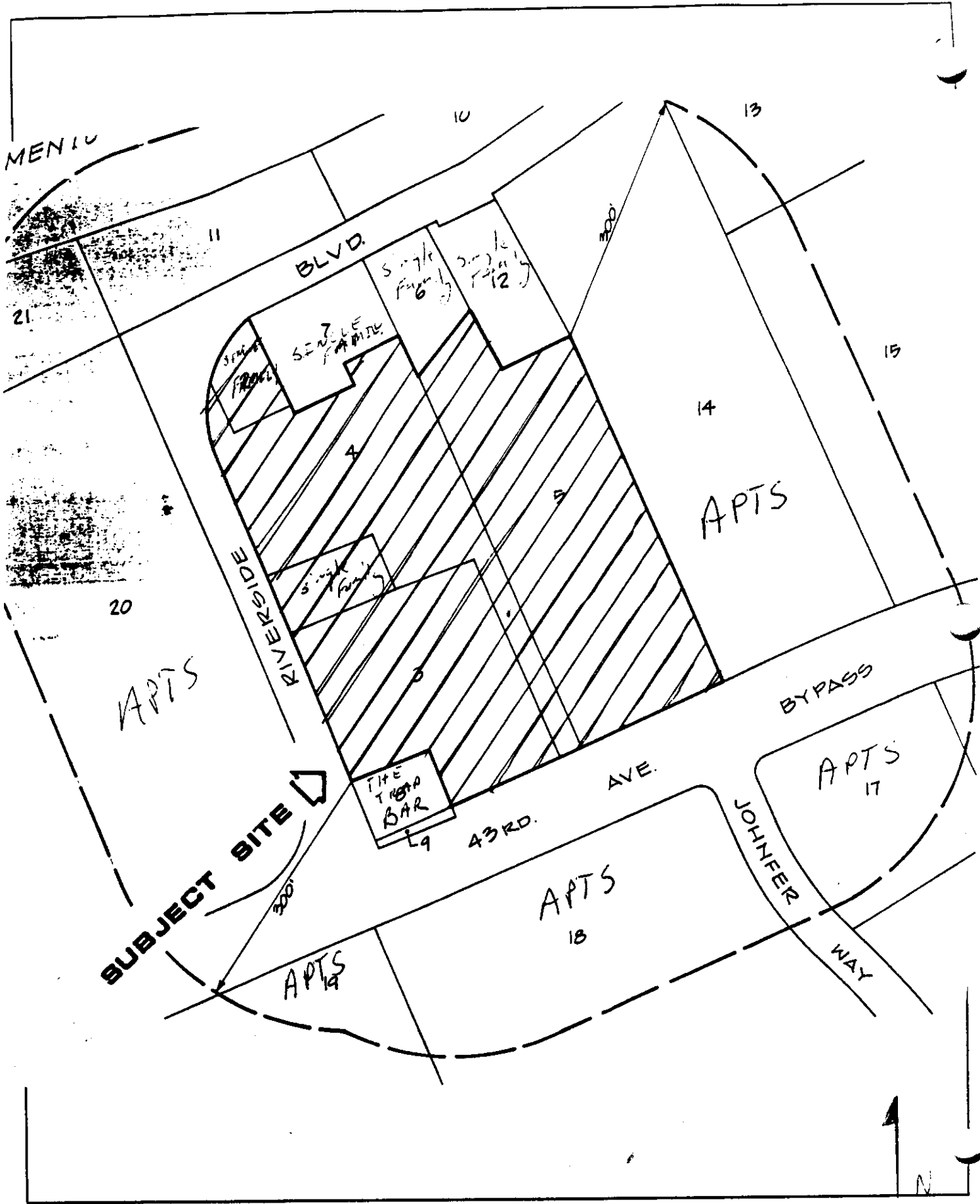
1. The applicant shall landscape the setback areas along 43rd Avenue and Riverside Boulevard with drought resistant landscaping, as submitted, to include sloping as necessary for proper drainage. The applicant shall use a drought resistant tall fescue or rye sod as ground cover in the setback areas. No bark, masonry rock, or other non-living cover will be the primary ground cover in the setback areas. The applicant shall submit revised landscaping plans for review and approval by the City's Landscape Architect and Planning Director prior to the issuance of building permits.
2. Any area within the apartment complex that uses bark or masonry rock as the primary ground cover shall have weed cloth installed beneath it. This shall be indicated on the landscape plan.
3. The revised landscape plan shall include a drip or bubbler irrigation system and Planning Staff shall inspect the site prior to issuance of Occupancy Certificate.

Findings of Fact- Variance:

1. Granting the variance constitutes a special privilege extended to an individual applicant in that:
 - a. no hardship has been found to substantiate waiving the requirement for an irrigation system in the landscaped setback areas;
 - b. any other property owner would be required to provide an irrigation system; and
 - c. a variance would not be granted and has not been granted in the past to any other property owner facing a similar circumstance.
2. Granting the request will be injurious to public welfare and to property in the vicinity in that:
 - a. the live ground cover as well as the proposed plants, shrubs, and trees require adequate irrigation during the first years of planting and without it will be stunted in growth or will die leaving an eyesore to the surrounding areas;
 - b. the site is too large to be effectively maintained with manual hose watering and could result in a safety hazard due to the enormous amount of hoses required to be run throughout the site; and
 - c. the use of hoses as the only source of irrigation during the first years after project development will cause excessive water waste.

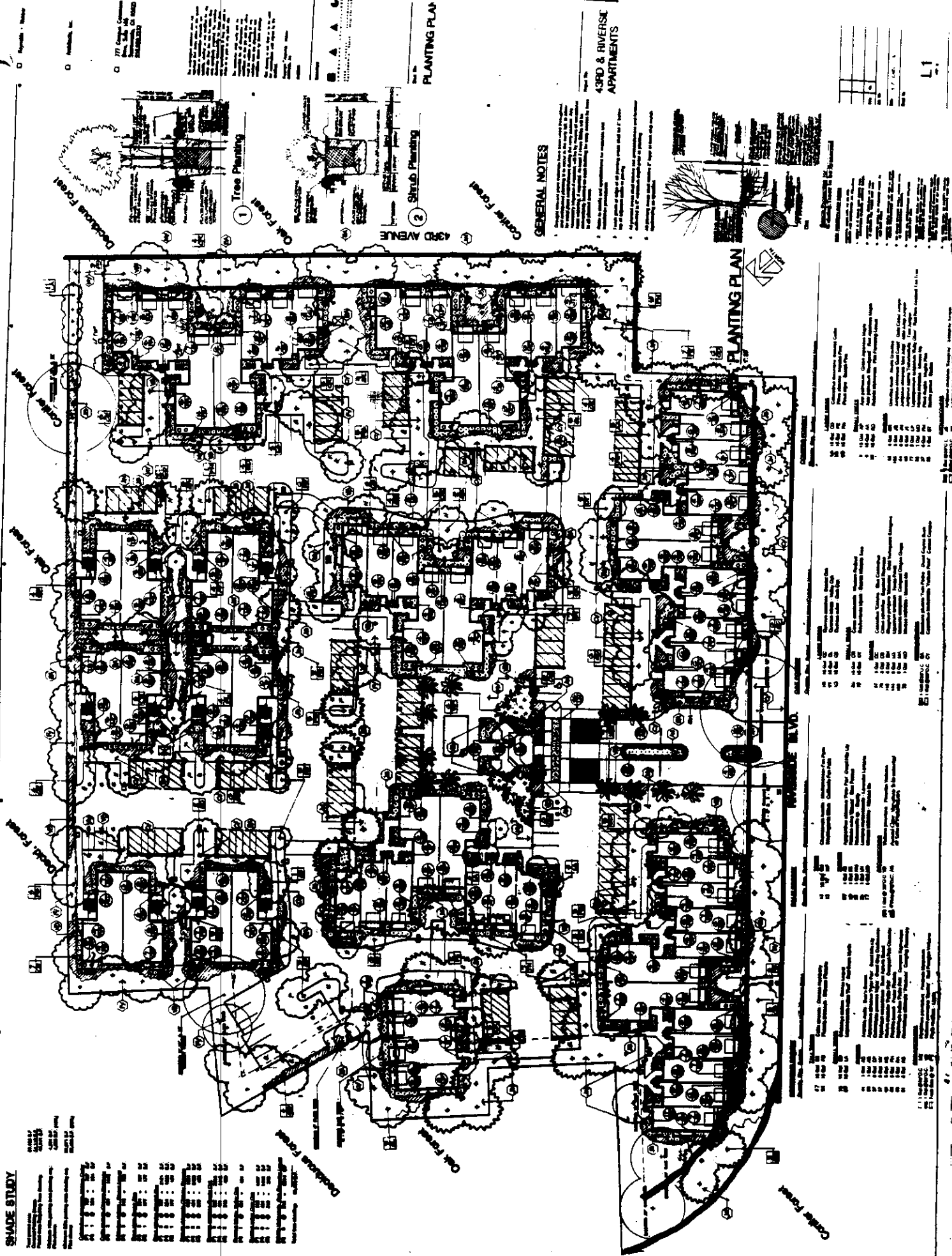


VICINITY MAP



LAND USE & ZONING MAP

EXHIBIT - A



SHADE STUDY

Planting	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
Planting	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

PLANTING PLAN

- 1 Tree Planting
- 2 Shrub Planting
- 3 43RD AVENUE
- 4 Cantor Forest

GENERAL NOTES

1. All trees and shrubs to be planted in accordance with the specifications of the American Nursery & Landscape Association (ANLA) and the National Arbor Day Foundation (NADF).

2. All trees and shrubs to be planted in accordance with the specifications of the American Nursery & Landscape Association (ANLA) and the National Arbor Day Foundation (NADF).

3. All trees and shrubs to be planted in accordance with the specifications of the American Nursery & Landscape Association (ANLA) and the National Arbor Day Foundation (NADF).

4. All trees and shrubs to be planted in accordance with the specifications of the American Nursery & Landscape Association (ANLA) and the National Arbor Day Foundation (NADF).

PLANTING PLAN

Planting	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
Planting	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

Planting	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
Planting	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

Planting	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
Planting	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

Planting	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
Planting	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

EXHIBIT - B

MAX HOSEIT MANAGEMENT CO.

700 University Ave., #150
Sacramento, CA 95825
(916) 488-4444

December 10, 1990

Sacramento City Planning Department
1231 I Street
Sacramento, CA

Re: 43rd and Riverside Apartments

Gentlemen:

The following facts are supported in my request to install drought resistant plants and trees at the above-project.

1. Perhaps the best example I can give you is the Eastwood Apartments at 5344 Marconi Avenue, Carmichael, California, which I constructed approximately 10 years ago. Eastwood Apartments has no irrigation system. The only watering was for the small plants during the first summer, as we planted in the spring. From that date, there has been no watering except by natural rainfall. This is a 112 unit project on approximately 5 acres.

2. Another example is Madison Square Gardens located at Madison and Hackberry in Carmichael constructed approximately 8 years ago. Madison Square Gardens contains 185 units. And again, all drought resistant plants and trees with no irrigation system.

3. I have also constructed and presently own a total of 1500 units in the Sacramento area, the oldest being Marconi Gardens Apartments at Mission and Marconi Avenue in Carmichael constructed in 1966. I have the Riverside Gardens Apartments adjacent to this property that I am now developing.

4. My experience has been that lawns deteriorate with aging and it is impossible to prevent sunburn spots during the hot summer spells. There is a tremendous waste of water in a large apartment complex that has an irrigating system resulting from many factors, including over watering, broken pipes, and the requirement of lawns and other similar plants of continuous watering during hot spells.

5. This particular project is a top of the line apartment complex consisting of 96 2-bedroom units, half of them townhouses, of approximately 1100 square feet each with fireplaces, cement tile roofs, stucco exterior and otherwise top of the line construction.

6. It is submitted that way of the future is to plant drought resistant plants, shrubbery, and trees. The continued demand for water in California dictates a radical change in landscaping. I strongly recommend and request that at least in this project, as a pilot project in the area, this procedure be approved.

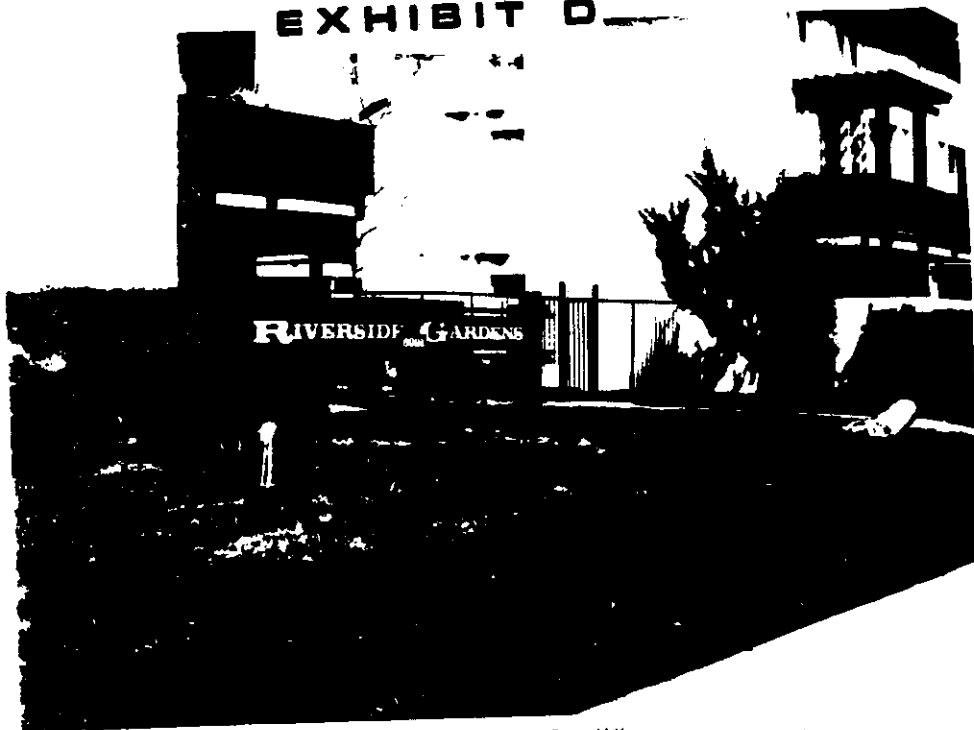
Sincerely,

MAX H. HOSEIT

MHH:kcn

EXHIBIT - C

EXHIBIT D



Adjacent
Properties
to
Subject
SITE



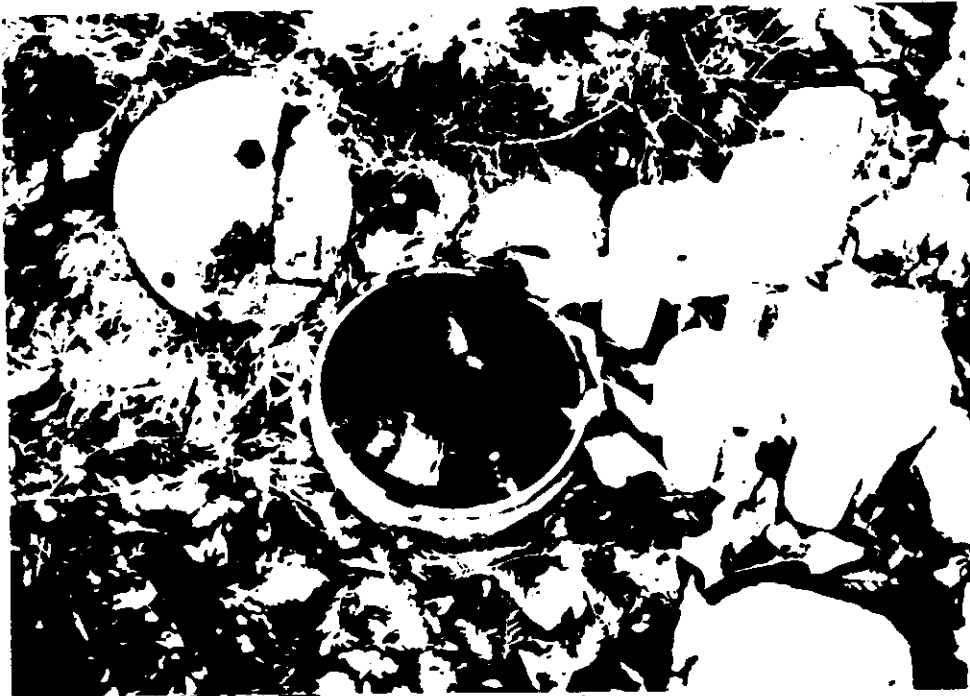


↑
Drip System



Drip System
Controls

EXHIBIT F

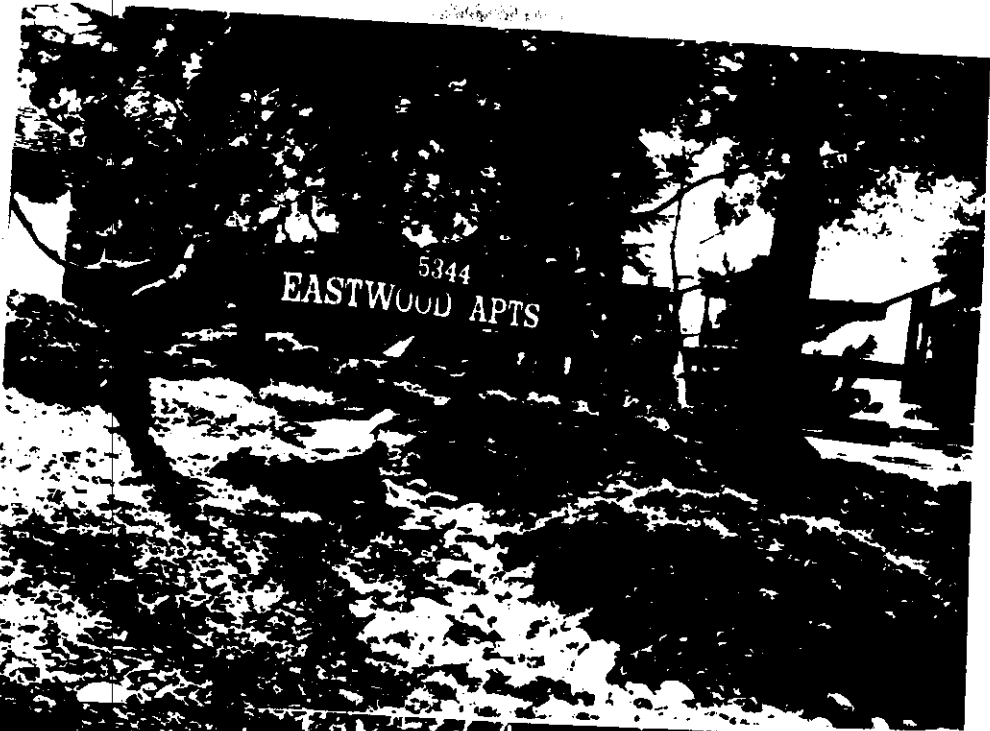


Drip
System
Filter
and
Valves



Drip
System
Tubing





WEEDS →



WEEDS →



WEEDS →



WEEDS



WEEDS



WEEDS

BARK

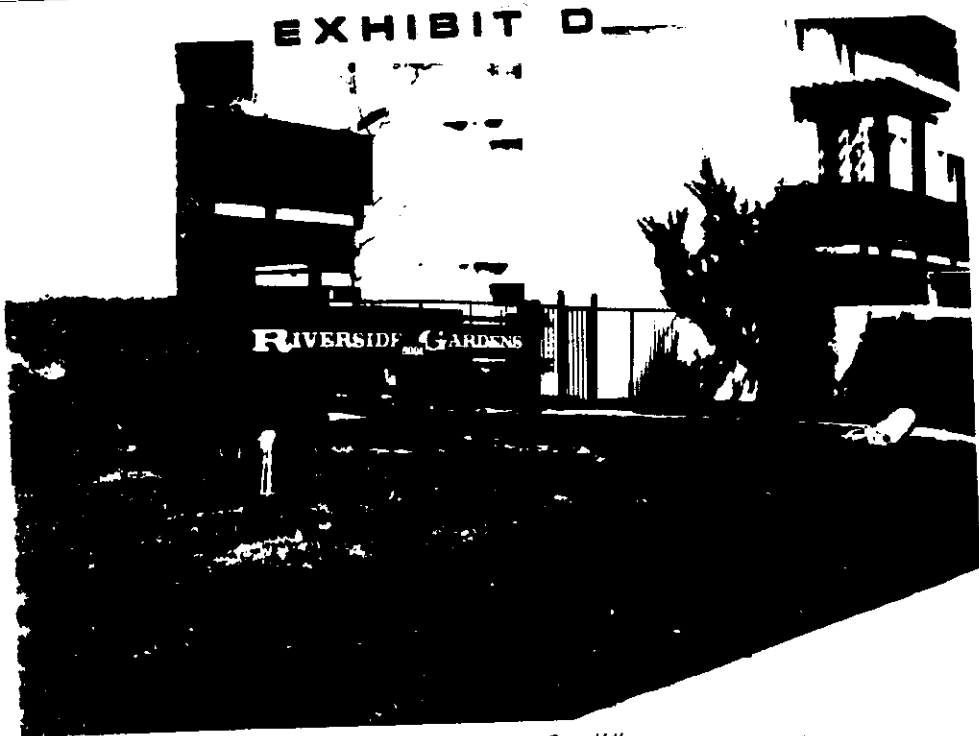
6. It is submitted that way of the future is to plant drought resistant plants, shrubbery, and trees. The continued demand for water in California dictates a radical change in landscaping. I strongly recommend and request that at least in this project, as a pilot project in the area, this procedure be approved.

Sincerely,

MAX H. HOSEIT

MHH:kcn

EXHIBIT - C



Adjacent
Properties
to
Subject
SITE

