

**AMENDED
RESOLUTION NO. 2004-240**

ADOPTED BY THE SACRAMENTO CITY COUNCIL
ON DATE OF MAR 30 2004

A RESOLUTION ADOPTING THE NOTICE OF DECISION AND FINDINGS OF FACT TO DENY THE APPEAL OF REGENCY MOBILE HOME PARK AT 6001 RIZA AVENUE SACRAMENTO, CA IN THE GENERAL COMMERCIAL REVIEW STOCKTON BLVD. SPECIAL PLANNING DISTRICT (C-2-R-SPD) AND SINGLE FAMILY ALTERNATIVE STOCKTON BLVD. SPECIAL PLANNING DISTRICT (R-1A-SPD) ZONES. (P03-092)

(APNs: 039-0171-019, -024, -025, -031, & -046)

WHEREAS, the City Council conducted a public hearing on March 30, 2004, 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 March 30, 2004, 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 the Special Permit to allow a mobile home park within the General Commercial Review Stockton Blvd. Special Planning District (C-2-R-SPD), and Single Family Alternative Stockton Blvd. Special Planning District (R-1A-SPD) zones;
- D. Approved the Variance from the required 25 foot front yard setback to 7 feet and the required 15 foot rear-yard setback to 7 feet;
- E. Approved the Parcel Merger to merge five parcels into one totaling 7.92+ acres in size.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2004-240

DATE ADOPTED: MAR 30 2004

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

FINDINGS OF FACT

- A. Environmental Determination:** the project is exempt from environmental review pursuant to Section 15332 of the CEQA Guidelines.
- B. Special Permit:** The Special Permit to allow a mobile home park within the General Commercial Review Stockton Blvd. Special Planning District (C-2-R-SPD) and Single Family Alternative Stockton Blvd. Special Planning District (R-1A-SPD) zones is approved based upon the following Findings of Fact and Conditions of Approval:
1. The project is based upon sound principles of land use in that the proposed use is allowed in the General Commercial Review Stockton Blvd. Special Planning District (C-2-R-SPD) and Single Family Alternative Stockton Blvd. Special Planning District (R-1A-SPD) zones and includes conditions addressing site design.
 2. The proposed use will be consistent with the objectives of the general or specific plan for the area in which it is to be located.
 3. The proposed use will be located, designed, constructed, operated and maintained so as to be compatible with the existing character of the general vicinity and shall not change the essential character of such area in that it is an expansion of an existing mobile home park.
 4. The design and location of the mobile home park will not contribute to increased congestion on public or private streets or alleys adjacent to the subject property.
 5. The design and location of the mobile home park will not impede access to or exit from the site, impair normal circulation within the mobile home park or impede pedestrian movement.
 6. The design and location of the facility will not create a nuisance for adjacent properties.
- D. Variance:** The Variance to reduce the 25 foot front yard setback to 7 feet and the

FOR CITY CLERK USE ONLY

RESOLUTION NO: 2004-240

DATE ADOPTED: MAR 30 2004

required 15 foot rear-yard setback to 7 feet is approved subject to the following Findings of Fact:

1. The variance does not extend a special privilege to the property owner and the variance is appropriate for any property owner facing similar circumstances, in that the site is land-locked with the front yard abutting the rear of a commercial center and the rear yard abutting a canal;
2. The proposed variance does not allow a use that would not normally be permitted in the General Commercial Review Stockton Blvd. Special Planning District (C-2-R-SPD) and Single Family Alternative Stockton Blvd. Special Planning District (R-1A-SPD) zones;
3. The proposed variance will not be injurious to the public welfare, nor to property in the vicinity of the applicant, in that the adjacent uses are a commercial center and a drainage canal;
4. The proposed variance is consistent with the purpose and intent of the Zoning Ordinance. It will not have an adverse affect on the General Plan or the Open Space Zoning regulations.

E. Parcel Merger: The Parcel Merger to merge five parcels into one parcel totaling 7.92+ acres is approved subject to the following Findings of Fact and Conditions of Approval:

1. All existing streets and/or utility easements of record are reserved;
2. The resulting 7.92+ parcel conforms to the requirement of the Subdivision Ordinance, the General Plan, the Zoning Ordinance and the Building Code.

CONDITIONS OF APPROVAL

B. The Special Permit to allow a mobile home park within the General Commercial Review Stockton Blvd. Special Planning District (C-2-R-SPD), and Single Family Alternative Stockton Blvd. Special Planning District (R-1A-SPD) zones is approved subject to the following Conditions of Approval:

B1. The applicant shall reduce the number of units within the expansion area by five (5) units, resulting in a total of twenty-three (23) units.

FOR CITY CLERK USE ONLY

RESOLUTION NO. 2004-240

DATE ADOPTED: MAR 30 2004

B2. The expansion portion of the project site is subject to Staff Level Design Review.

B3. Signage is not approved with this application. No banners, or any other signage specifically prohibited by the City's Sign Ordinance or not approved with this project, shall be placed or displayed on the building, in the parking lot, or on any landscaped area of the subject parcel.

B4. Applicant shall provide bicycle facilities in accordance with Section 17.64.050 of the Zoning Ordinance.

B5. Applicant shall maintain a minimum of 0.25 foot candles of illumination at the surface of any walkway, alcove, or passageway related to the building between the hours of dusk and one hour after sunrise.

B6. Applicant shall maintain all landscaping at a maximum plant or shrub height of 30 inches and trees maintained at a minimum distance of 6 feet from the lowest branch to the ground.

B7. The driveways and interior access streets shall be surfaced with a minimum of three inches of Portland Cement or with hard, durable plant mix asphalt paving at least two inches thick, after compaction over four inches of aggregate base rock in accordance with standard specifications adopted by the City.

B8. The project shall comply with Zoning Ordinance Section 17.64.030(H) – Tree Shading. The trees shall be planted and maintained throughout the surface parking lot to ensure that within fifteen years (15) years after establishment of the parking lot, at least fifty (50) percent of the parking area will be shaded.

B9. The applicant shall reconfigure the site plan to incorporate an additional 24 visitor parking spaces. The stalls shall be marked "Visitor" and will be restricted to park visitor use only. Residents of the park shall be prohibited from parking in the visitor stalls. The reconfiguration shall not include the removal of any approved landscape areas. Any visitor parking stalls facing mobile home units shall include landscape and berming or landscaping and a 3-foot split-faced CMU wall to screen vehicle headlights. (Amended by Council on 3/30/04)

B10. The expansion area utilities shall be installed in a manner so as not to adversely impact the existing park area's utilities. (Added by Council on 3/30/04)

FOR CITY CLERK USE ONLY

RESOLUTION NO. 2004-240

DATE ADOPTED: MAR 30 2004

B11. Each mobile home unit in the expansion area shall contain a clothes washer and clothes dryer hook up and tenants shall be allowed to have their own washer and dryers. (Added by Council on 3/30/04)

B12. A playground shall be constructed and maintained on site for children. The equipment shall include a tot lot swing. Children under 5 years of age shall be allowed to use the playground with active adult or guardian supervision. (Added by Council on 3/30/04)

B13. The mobile homes shall be installed and maintained consistent with the standards outlined in by the State of California Housing and Community Development Department. (Added by Council on 3/30/04)

B14. Weekly greenwaste pick-up shall be provided throughout the park. (Added by Council on 3/30/04)

B15. Security lighting shall be installed along the new streets of the expansion area, to produce a lighting level equivalent to the City's residential street lighting standards. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists and building occupants, adjacent residents, or the general public. (Added by Council on 3/30/04)

PUBLIC WORKS

B16. Jimolene Drive shall be paved with asphalt. (Amended by Council on 3/30/04)

B17. To provide adequate vehicular access, parking on Jimolene Circle and Jimolene Drive shall be prohibited. (Amended by Council on 3/30/04)

B18. The applicant shall obtain a reciprocal ingress, egress, and maneuvering easement along Jimolene Drive from the property owner(s) of parcels APN: 039-0171-037, 034, & 045, if not already dedicated, for the sole purpose of providing vehicular access to the proposed mobile homes. (Added by Council on 3/30/04)

B19. Access to the expansion area shall be provided along Jimolene Drive. (Added by Council on 3/30/04)

B20. Construct a commercial driveway along Stockton Boulevard to access Jimolene Drive to the satisfaction of the Department of Public Works. (Added by Council on 3/30/04)

FOR CITY CLERK USE ONLY

RESOLUTION NO.: **2004-240**

DATE ADOPTED: **MAR 30 2004**

B21. Construct a set of speed humps on Jimolene Drive at the border between the commercial center and the entrance to mobile homes expansion area to the satisfaction of the Department of Public Works. (Added by Council on 3/30/04)

CITY UTILITIES:

B12. A well water system is allowed with approval from the Fire Department. Design and construct the well water system per Sacramento County Code Chapter 6.28.

B13. If City water is desired or required to meet Fire Department requirements, the applicant shall acquire any necessary private easements from the parcels immediately to the east to provide service from the water main in Stockton Blvd. All water services shall be privately maintained. The City's responsibility shall end at the Public right of way. It is likely that the 8" water main in Stockton Blvd will need to be extended to complete the existing gap in the system (120'±).

B14. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the fire suppression systems.

Advisory Notes:

Fire

B15. **Fire apparatus access.** Plans for fire department access roads shall be submitted to the fire department for review and shall be approved prior to the start of construction. CFC 901.2.2.1

B16. **Fire hydrant systems.** Plans and specifications for fire hydrant systems shall be submitted to the fire department for review and shall be approved prior to start of construction. CFC 901.2.2.2

B17. **Timing and Installation.** When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction. CFC 901.3

B18. **Fire-protection equipment and fire hydrants.** Fire-protection equipment and fire hydrants shall be clearly identified in an approved manner to prevent obstruction

FOR CITY CLERK USE ONLY

RESOLUTION NO.: **2004-240**

DATE ADOPTED: **MAR 30 2004**

by parking and other obstructions. When required by the chief, hydrants locations shall be identified by the installation of reflective markers. CFC 901.4.3

B19. **Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. CFC 902.2.2.1

B20. **Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a roadbed consisting of material unaffected by the introduction of water based upon fire flow or rain based on 25 year storm and a surface consisting of a minimum of a single layer of asphalt. CFC 902.2.2.2

B21. **Turning radius.** All turning radius for fire access shall be designed as 45' inside and 55' outside. Cul-de-sac shall be 45' radius or city standard hammerhead. CFC 902.2.2.3

B22. **Key Boxes.** When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life saving or firefighting purposes, or where the building is served by a fire alarm system which is monitored by a central station, the chief is authorized to require approved key switches, key boxes or padlocks to be installed in approved accessible locations or areas in order to permit immediate fire department access. CFC 902.4

B23. **Gates and barriers.** Plans shall be submitted for review and approval prior to the installation of gates, barriers, and access control devices which are to be constructed on or within fire department apparatus access roadways. CFC 902.2.4.3

B24. **Fire service.** The fire sprinkler system in each building shall be supplied by its own main. CFC 903.1.1

B25. **Required Water Supply for Fire Protection.** An approved water supply capable of supplying the required fire flow for the protection shall be provided to all premises upon which facilities, buildings or portion of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the chief. CFC 903.2 **Note: contact utilities for flow test 264-5371.**

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2004-240
DATE ADOPTED: MAR 30 2004

B26. **Required installations.** The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or the site of the premises or both to be protected as required and approve by the chief. CFC 903.4.2 See also Appendix III-B, Section 5, Distribution of Fire Hydrants

B27. **Gated system.** Shall be reviewed by fire single gate 20' clear width, duel gate 16' each side.

D. The Variance from the required 25-foot front yard setback to 7-feet and the required 15-foot rear-yard setback to 7-feet is approved subject to the following Conditions of Approval:

D1. The front yard setback shall be increased to 10-feet.

D2. The rear yard setback shall be increased to 10-feet.

E. The Parcel Merger to merge five parcels into one parcel totaling.7.92± acres is approved subject to the following Conditions of Approval:

PUBLIC WORKS

E1. The applicant shall file an application for a Certificate of Compliance with the Department of Public Works. The applicant must submit all documents required by the submittal requirements checklist and pay the necessary fees.

E2. The applicant must file for a Waiver of Parcel Map.

E3. The applicant shall pay off or segregate existing assessments.

UTILITIES

E4. Only one domestic water service per parcel is allowed. Any excess domestic water services must be abandoned to the satisfaction of the Department of Utilities. The applicant should be advised that the tap record research and verification of tap locations by the field crews involved prior to sign-off of this condition may take a considerable amount of time, therefore, all requests should be submitted in a timely manner.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2004-240

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Heather Furg
MAYOR

ATTEST:

D. Concolino
CITY CLERK

FOR CITY CLERK USE ONLY

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