REPORT TO COUNCIL
City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

Public Hearing
May 20, 2008

Honorable Mayor and
Members of the City Council

Title: Singh Homes (P07-013)

Location/Council District: 1340 Bell Avenue: APN: 237-0153-001; Council District 2

Recommendation: Conduct a public hearing and upon conclusion adopt 1) a **Resolution** determining the project is exempt under the California Environmental Quality Act (CEQA) Guidelines Section 15332 (infill development); 2) a **Resolution** approving a tentative subdivision map and subdivision modification; and 3) an **Ordinance** approving the rezone from General Commercial Review (C-2-R) zone to Standard Single Family (R-1) zone

Contact: Michael York, Associate Planner, (916) 808-8239; Lindsey Alagozian, Senior Planner, (916) 808-2659

Presenters: Michael York, Associate Planner

Department: Development Services

Division: Planning

Organization No: 4885

Description/Analysis

Issue: The applicant proposes to rezone one parcel from the General Commercial Review (C-2-R) zone to the Standard Single Family (R-1) zone. The parcel is located at the southeast corner of Marysville Boulevard and Bell Avenue and totals approximately 1.2 acres. The rezone allows the site to be subdivided into nine lots for development of nine single-family homes.

Policy Considerations: The applicant proposes to develop nine single-family homes on the subject site. This proposal requires the approval of a Rezone. The proposed project is consistent with the General Plan Update Vision and Guiding Principles, the General Plan and Community Plan designations of Low Density Residential 4-15 dwelling units per net acre (du/na) and Residential 4-8du/na. The project is consistent with the City Council adopted Smart Growth Policies, and the Strategic Plan by promoting infill development creating opportunities that promote a diversity of housing types, and sustainable and affordable housing in Sacramento.

Committee/Commission Action: On February 28, 2008 the Planning Commission heard and considered the actions requested. The Planning Commission forwarded a recommendation of approval for the Singh Homes project to the City Council.

Environmental Considerations: The proposed project will not have a significant effect on the environment and is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15332 as an infill development.

Rationale for Recommendation: Staff supports the request to rezone the property from C-2-R to R-1 in that it is consistent with the objectives of General Plan policies to create housing opportunities that promote a diversity of household types and housing choices for residents of all ages and income levels, uses the existing assets of infrastructure and public facilities to increase infill and reuse, while maintaining important qualities of community character. Staff supports the design of the project and believes it will be compatible with the surrounding residential uses.

Financial Considerations: The 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:

for _____
Ray Kerridge
City Manager

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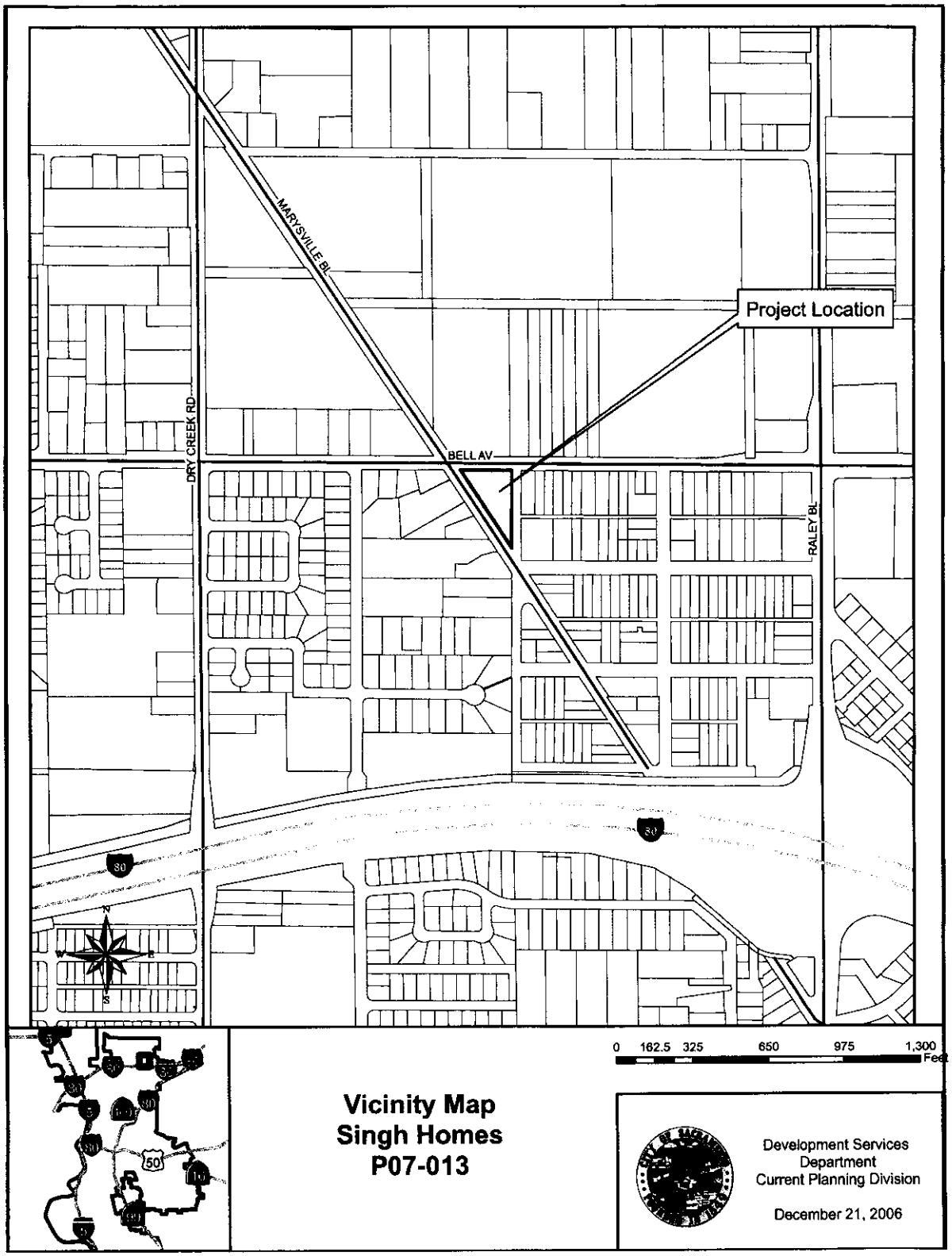
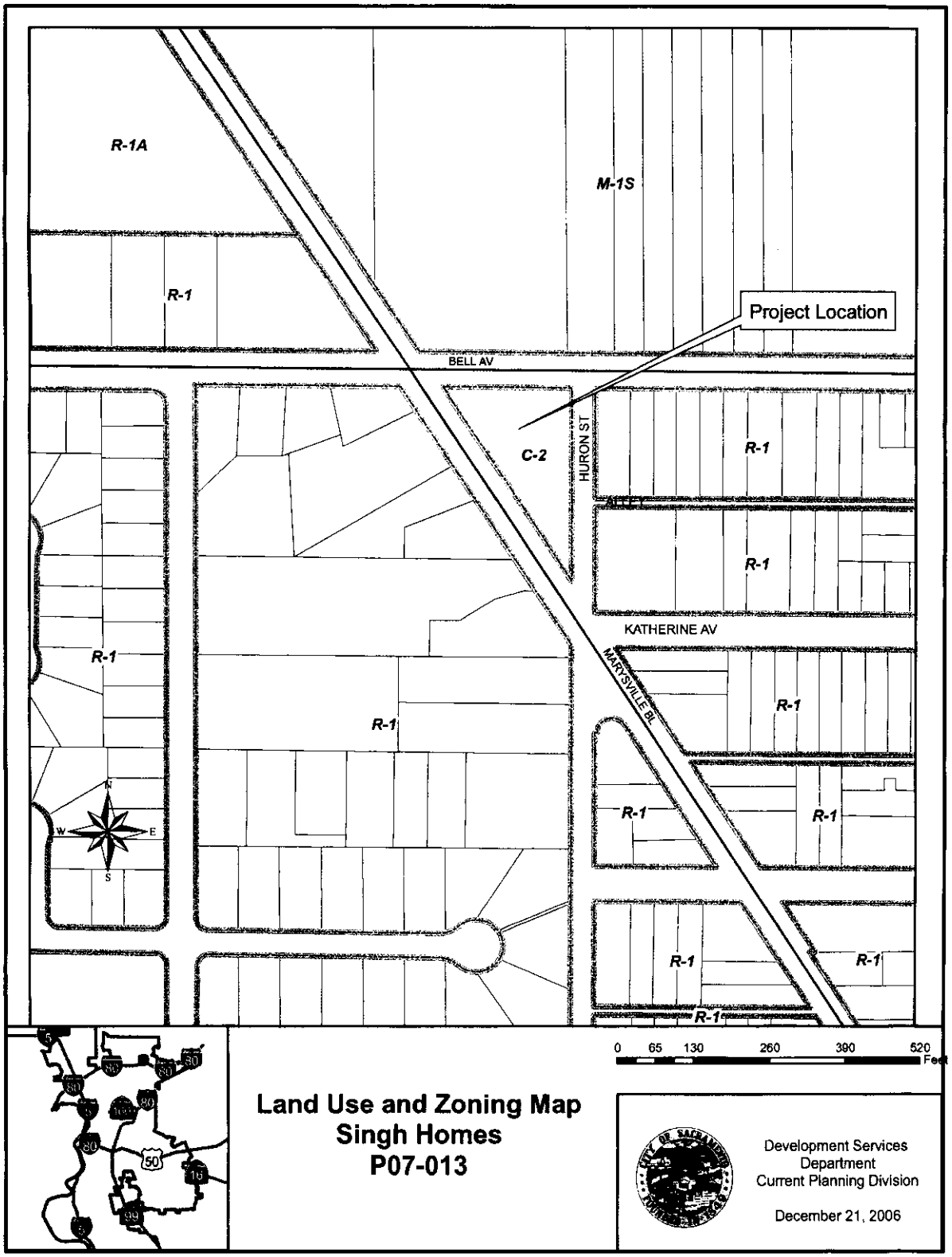
Attachment 1 – Vicinity Map



Attachment 2 – Land Use & Zoning Map



Attachment 3 – Project Background Information

In 1987 the site was approved for a rezone from Standard Single Family (R-1) to General Commercial Review (C-2-R). The purpose of the rezone was to allow development of a 9,600 square foot building for retail and wholesale battery storage and sales. The commercial building was never developed and the site has remained vacant since that time. No other entitlements have ever been proposed for the site.

The applicant has submitted house plans for the project site (ER07-235). Approval of the house plans from Design Review is pending.

The project was routed to the Robla Park Community Association and the Youngs Heights Neighborhood Association. Staff has not received any comments regarding this project

The applicant is requesting a rezone of the 1.2± net acre project site. The site is currently zoned General Commercial Review (C-2-R) and the request is to rezone the acreage to Standard Single Family (R-1). A rezone to R-1 will bring the zoning back to what it was prior to 1987. Staff supports the rezone back to R-1, making the parcel consistent with the current Community Plan and General Plan designations of Low Density Residential. The parcel integrates more with the existing residential as opposed to just being adjacent to residential like a typical street corner. Therefore, a residential use seems more appropriate at this location.

The rezone request is consistent with the General Plan designation of "Low Density Residential 4-15du/na". The Standard Single Family (R-1) zone allows a maximum density of 8 du/na. The project proposes a density of 8 du/na, Planning staff supports the rezone request since the proposal will promote the reuse and rehabilitation of existing urban development as a means to meet projected growth and utilizes vacant land usually skipped over in the process of development.

On February 28, 2008 the Planning Commission heard and considered the actions requested. The Planning Commission voted to support the request, subject to conditions and forward to City Council.

Attachment 4 – Environmental Exemption Resolution

RESOLUTION NO. 2008-

Adopted by the Sacramento City Council

DETERMINING THE SINGH HOMES PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (P07-013)

BACKGROUND

A. On February 28, 2008, the City Planning Commission conducted a public hearing on the Singh Homes project (hereafter referred to as "Project"), and forwarded the Project to the City Council with a recommendation to approve with conditions.

B. On May 20, 2008, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Section 17.200.010(C)(2)(a), (b), and (c) publication, posting, and mail (500'), and received and considered evidence concerning the Project.

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

Section 1. Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the City Council finds that the Project is exempt from review under Section 15332 of the California Environmental Quality Act as follows:

a. The project complies with all applicable policies of the North Sacramento Community Plan, as well as with the applicable zoning regulations;

b. The proposed development occurs within the City limits on a project site of no more than five (5) acres substantially surrounded by urban uses;

c. The project site has no value as habitat for endangered, rare or threatened species;

d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and

e. The site can be adequately served by all required utilities and public services.

Attachment 5 – Rezone Ordinance

ORDINANCE NO.

Adopted by the Sacramento City Council

AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) BY REZONING CERTAIN REAL PROPERTY FROM GENERAL COMMERCIAL REVIEW (C-2-R) TO STANDARD SINGLE-FAMILY (R-1) (SOUTHEAST CORNER OF MARYSVILLE BOULEVARD AND BELL AVENUE; 1340 BELL AVENUE) (P07-013) (APN: 237-0153-001)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

Section 1. Title 17 of the Sacramento City Code (the Zoning Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known, and referred to as 1340 Bell Avenue (APN: 237-0153-001) and consisting of 1.2± acres, from General Commercial Review (C-2-R) **to** Standard Single-Family (R-1).

Section 2. Rezoning the property shown in the attached Exhibit A, by the adoption of this Ordinance, will be considered to be in compliance with the requirements for the rezoning of property described in the Zoning Code, as amended, as those procedures have been affected by recent court decisions.

Section 3. The City Clerk of the City of Sacramento is directed to amend the official zoning maps, which are part of the Zoning Code, to conform to the provisions of this Ordinance.

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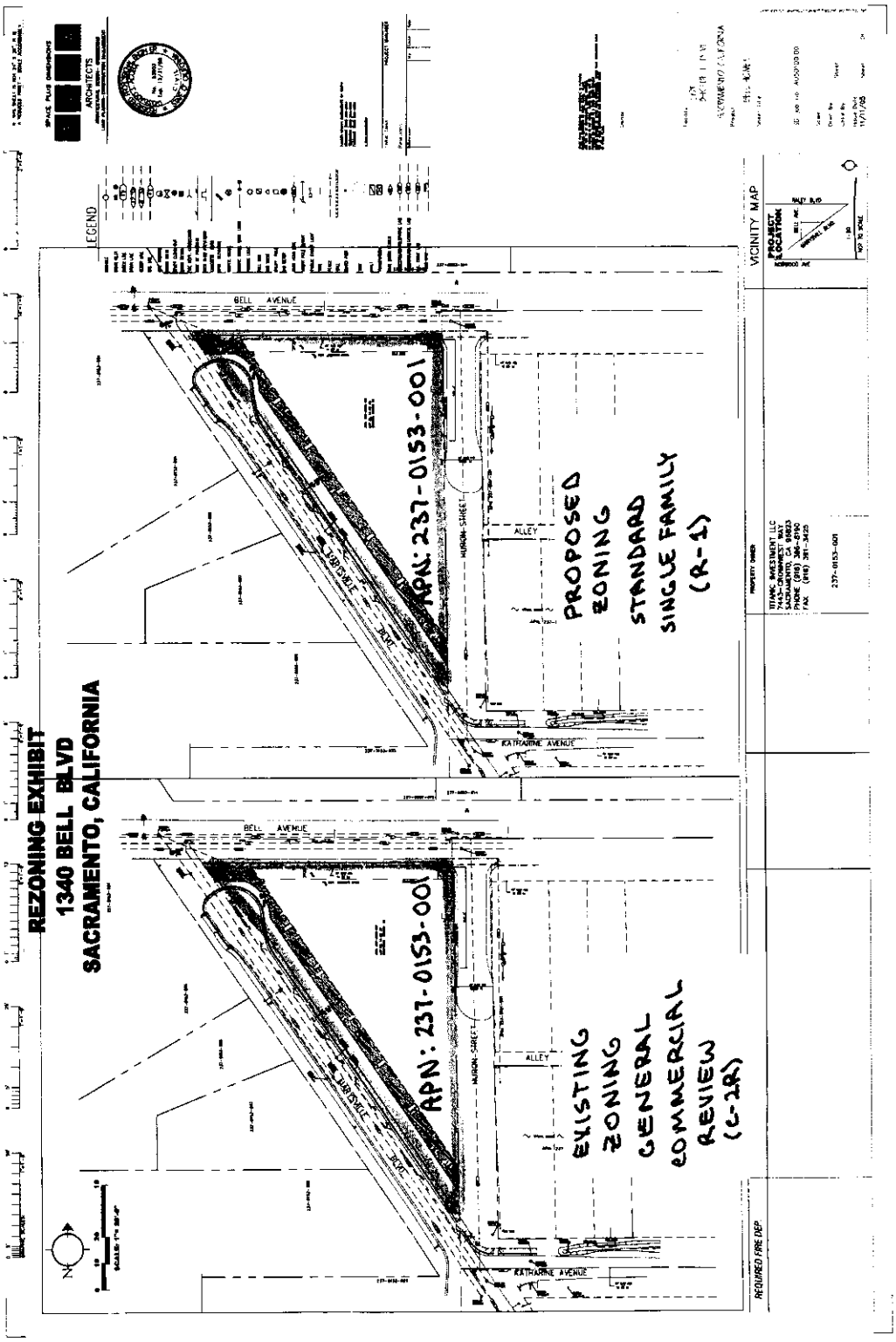
Exhibit A: Singh Homes Rezoning Map – 1 Page

Exhibit A - Rezone



Attachment 6 – Project Approval Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

ADOPTING FINDINGS OF FACT AND APPROVING THE SINGH HOMES PROJECT (P07-013)

BACKGROUND

A. On February 28, 2008, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Singh Homes Project.

B. On May 20, 2008, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Sections 16.24.097 and 17.200.010 (C)(2)(a), (b), and (c) (publication, posting, and mail 500'), and received and considered evidence concerning the Singh Homes project.

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

Section 1. Based on the verbal and documentary evidence received at the hearing on the Singh Homes Project, the City Council approves the Project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council approves the Project entitlements based on the following findings of fact:

A. Environmental Determination: The Environmental Exemption for the Project has been adopted by Resolution No. _____.

C. Tentative Subdivision Map: The Tentative Map to subdivide one lot totaling 1.20+/- net acres into nine lots in the proposed Standard Single Family (R-1) zone is approved based on the following Findings of Fact:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (e), inclusive, exist with respect to the proposed subdivision as follows:

a. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, all applicable community and specific plans, and Title 16 of the City Code, which is a specific plan of the City;

b. The site is physically suitable for the type of development proposed and suited for the proposed density;

c. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife their habitat;

d. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;

e. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use, of, property within the proposed subdivision.

2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, the North Sacramento Community Plan and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5);

3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6);

4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1);

5. The City Council has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).

D. Subdivision Modification: The Subdivision Modification to allow lots less than 100 feet deep on 1.2± net acres in the proposed Standard Single Family (R-1) zone is approved based on the following findings of fact:

1. That the property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical, or undesirable in the particular case to conform to the strict application of these regulations;

2. That the cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification;

3. That the modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity;

4. That granting the modification is in accord with the intent and purposes of the provisions of Title 16 of the Sacramento City Code (the Subdivision Ordinance) and is consistent with the general plan and with all other applicable specific plans of the city.

Conditions Of Approval

C. The **Tentative Subdivision Map** to subdivide one lot totaling 1.20± net acres into nine lots in the proposed Standard Single Family (R-1) zone is hereby **approved** subject to the following conditions of approval:

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P07-013). 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.

The City strongly encourages the applicant to thoroughly discuss the conditions of approval for the project with their Engineer/Land Surveyor consultants prior to City Planning Commission approval. The improvements required of a Tentative Map can be costly and are completely dependent upon the condition of the existing improvements. Careful evaluation of the potential cost of the improvements required by the City will enable the applicant to ask questions of the City prior to project approval and will result in a smoother plan check process after project approval

Special Districts:

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

Development Engineering:

C2. Pursuant to City Code Section 16.40.190, indicate easements on the Final Map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the Development

Engineering Division after consultation with the U.S. Postal Service.

C3. 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. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering Division.

C4. Dedicate and construct Huron Street to a City standard 41' street. The sidewalk on the east side of Huron Street may be omitted north of the alley. Huron Street must be constructed from Bell Avenue to the alley.

C5. Dedicate an additional 1.5' of right-of-way and construct Bell Avenue to a modified 63' street cross-section (half street only). A six (6) foot bike lane will replace the eight (8) feet of parking and the extra two (2) feet of right-of-way shall be placed in the on-street planter adjacent to the subject site.

C6. Construct Marysville Boulevard to match existing improvements.

C7. The design and placement of walls, fences, signs and landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Development Engineering Division.

C8. The applicant shall pay fair share based on trip generation of the subject map for the construction of the signal at Marysville Boulevard and Bell Avenue. Fair share amount shall be determined by the Development Engineering Division.

C9. The applicant shall make provisions for bus stops, shelters, transit centers, etc. to the satisfaction of Regional Transit.

C10. 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.

PUBLIC/PRIVATE UTILITIES

C11. Dedicate a standard 12.5 foot public utility easement (PUE) for underground facilities and appurtenances adjacent to all street right-of-ways.

C12. The owner/developer must disclose to future/potential owners the existing or

proposed 69kV electrical facilities.

CITY UTILITIES

C13. Provide separate metered domestic water services to each parcel. (Note: An existing 12-inch water main is located in Marysville Boulevard and an existing 6-inch water main is located in Huron Street. Taps into the existing 18-inch water main located in Bell Avenue is not permitted.)

C14. 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.

C15. A new fire hydrant may be required to the satisfaction of the Department of Utilities and the Fire Department.

C16. Construct a sanitary sewer main extension in Huron Street to the satisfaction of the Department of Utilities. (Note: An existing 8-inch sanitary sewer main is located in Marysville Boulevard and an existing 21-inch sanitary sewer main is located in Bell Avenue.)

C17. Provide separate sanitary sewer services to each parcel.

C18. A drainage study using the City of Sacramento's SSWMM model shall be reviewed and approved by the DOU. The drainage improvements shall be as required by results of the drainage study or as an alternative shall provide on-site storage based upon Section 11.7 of the City Design and Procedures Manual. On site detention within oversized drainage pipes and within the proposed street sections shall be to the satisfaction of the DOU. Finished lot pad elevations shall be a minimum of 1.2 feet above the 100-year HGL and 1.5 feet above the controlling overland release elevation. 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. This subdivision may be required to provide on-site or off-site drainage detention and replacement of existing pipes with pipes of increased diameters based upon the results of the updated SSWMM model. (Note: An existing 12-inch storm drain pipe is located at the south end of project area in Huron Street, a 36-inch storm drain pipe is located in Marysville Boulevard, and a 60-inch storm drain pipe is located in Bell Avenue.)

C19. Either the lots must be graded so that drainage does not cross property lines or the applicant must enter into and record an Agreement for Conveyance of Easements with the City stating that a private reciprocal drainage easement shall be conveyed to and reserved from each parcel as needed, at no cost, at the time of sale or other conveyance of either parcel. A note stating the following must be placed on the Final Map: "The parcels created by this map shall be developed in accordance with

recorded agreement for conveyance of easements in Book ___, O.R. Page__."

C20. Per City Code, the Subdivider may not develop the subdivision in any way that obstructs, impedes, or interferes with the natural flow of the drainage across the property. The project shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the 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.

C21. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the DOU.

C22. 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.

C23. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Only source control measures are required. This will not affect site design. Refer to the "Guidance Manual for On-site Stormwater Quality Control Measures," dated January 2000, for appropriate source control measures.

C24. If this project disturbs greater than 1 acre of property, then the applicant will be required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained at www.swrcb.ca.gov/stormwtr/construction.html. 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.

PPDD: Parks

C25. **Payment of In-lieu Park Fee**: Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication. (See Advisory Note)

C26. **Maintenance District**: The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annex the project into an existing parks maintenance district. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district. (Contact Planning Department, Special Districts, Project Manager. In assessment districts, the cost of neighborhood park maintenance is equitably spread on the basis of special benefit. In special tax districts, the cost of neighborhood park maintenance is spread based upon the hearing report, which specifies the tax rate and method of apportionment.)

FIRE:

C27. All turning radii for fire access shall be designed as 35' inside and 55' outside.

C28. Provide the required fire hydrants in accordance with CFC 508 and Appendix C, Section C105.

ADVISORY NOTES:

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

A. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition.

B. Special consideration should be given during the design phase of a development project to address the benefits derived from the urban forest by installing, whenever possible, large shade trees and thereby increasing the shade canopy cover on residential lots and streets. Trees in the urban environment reduce air and noise pollution, furnish habitat for wildlife, provide energy saving shade and cooling, enhance aesthetics and property values, and contribute to community image and quality of life.

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

regarding:

1. Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to approval of the final map. The Quimby fee due for this project is estimated at $16,897. This is based on 9 single family residential 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, less acres in land dedication. Any change in these factors will change the amount of the Quimby fee due. The final fee is calculated using factors at the time of payment.

2. Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at $20,259. This is based on 9 single family units at a residential infill rate of $2,251 per unit. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.

3. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

D. 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.

E. The proposed project is located in the Flood zone designated as an **X** zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated July 6, 1998. Within the X zone, there are no requirements to elevate or flood proof.

F. Existing Sacramento Regional County Sanitation District (SRCSD) facilities serving this proposed project are capacity constrained. Ultimate capacity will be provided by construction of the Lower Northwest and Upper Northwest Interceptors, currently scheduled for completion in 2010. SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and County Sanitation District 1 (CSD-1) will issue sewer permits to connect to the system if it is determined that capacity is available and the property has met all other requirements for service. This process is "first come, first served". There is no guarantee that capacity will be available when actual requests for sewer service are made. Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate SRCSD fees.

G. Developing this property may require the payment of sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.

D. The **Subdivision Modification** to allow lots less than 100 feet deep on 1.2± net acres in the proposed Standard Single Family (R-1) zone is hereby **approved** subject to the following conditions of approval:

D1. The applicant shall obtain all necessary building and/or encroachment permits prior to commencing construction.

D2. Any modification to the project shall be subject to review and approval by Planning Department staff prior to the issuance of building permits.

D3. Unless specified by any condition below, this project shall be developed and constructed in full compliance with the Zoning Ordinance.

D4. Lot sizes and building setbacks shall comply with the approved site plan and Standard Single Family (R-1) setbacks.

D5. The applicant shall obtain all building permits prior to the commencement of construction and building permits shall not be issued unless the Final Map has been approved.

D6. 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.

D7. Provide a water flow test. (Contact Department of Utilities at 916-808-5371)

D8. Provide fire hydrants in accordance with CFC 903.4.2 and Appendix III-B, Section 5.

D9. All structures to be developed on proposed lots shall be located within 150 feet of an approved Fire Department access road and water supply.

D10. Roads used for Fire Department access that are less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; roads less than 36 feet in width shall be marked on one side.

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Exhibit A: Tentative Map – 1 Page
Exhibit B: Site Plan – 1 Page

Exhibit A – Tentative Map

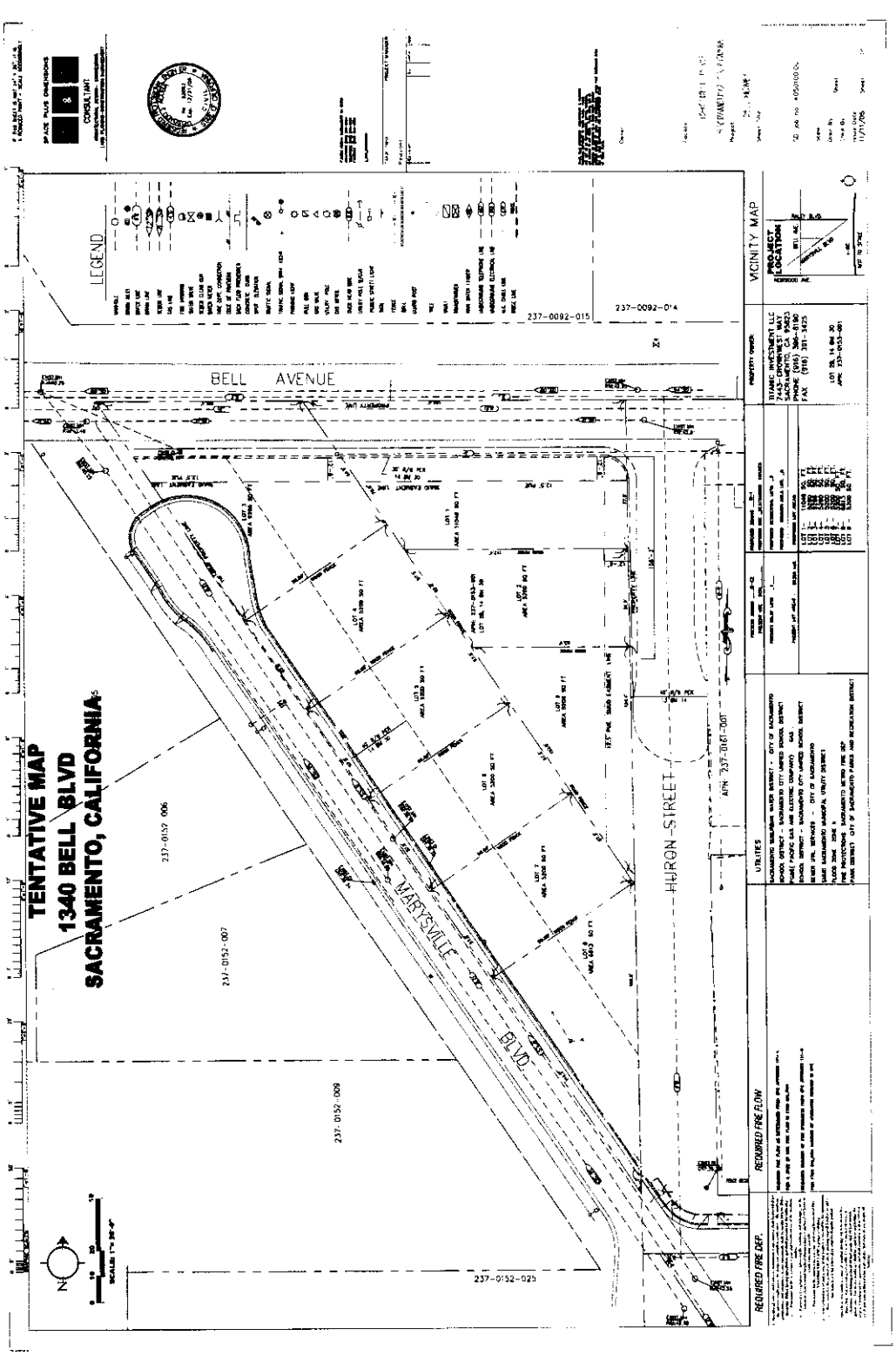
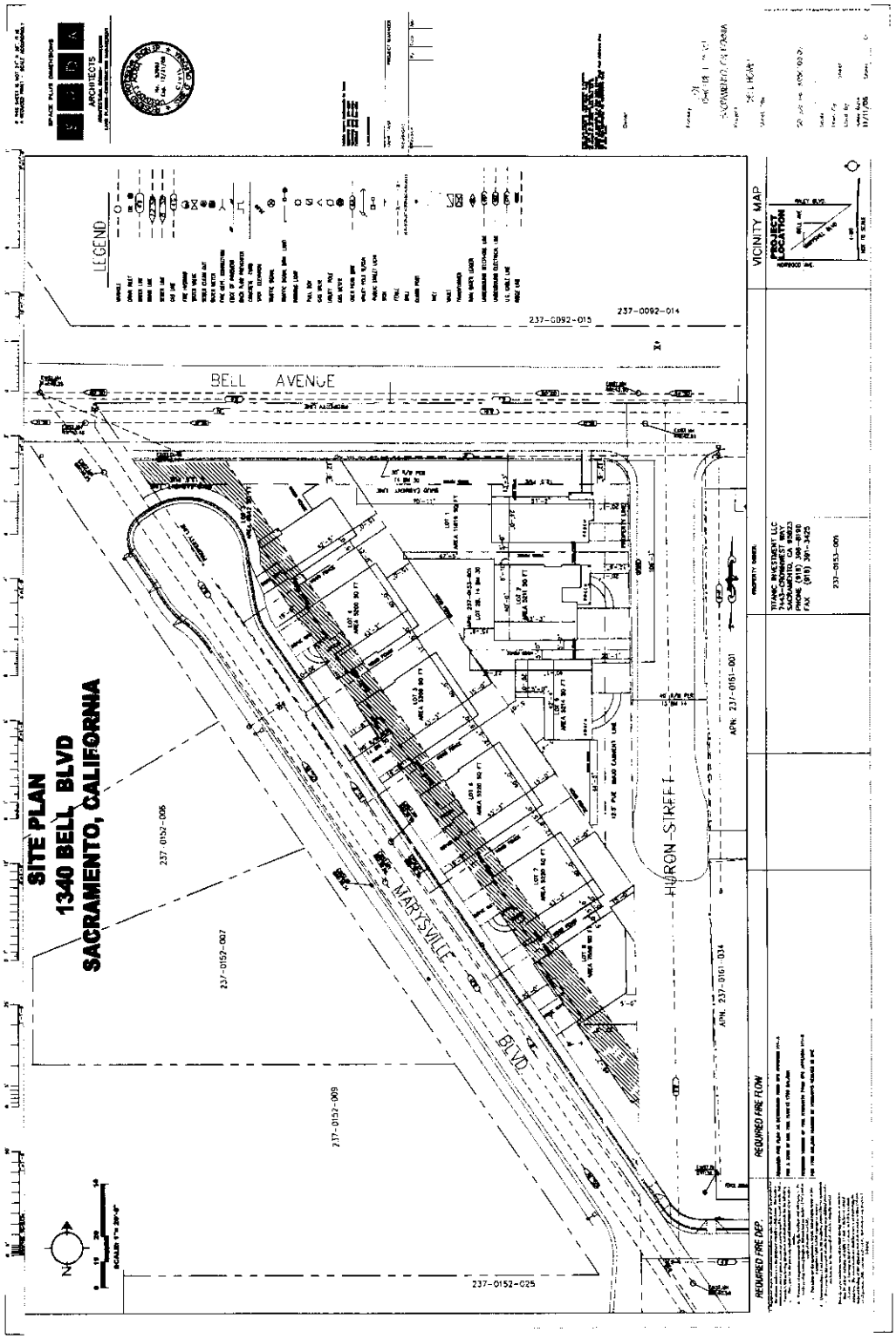
Exhibit B – Site Plan