

RESOLUTION NO. 2006-609

Adopted by the Sacramento City Council

August 15, 2006

APPROVING THE LUTHER ESTATES UNIT #2 TENTATIVE MAP LOCATED AT 7255 LUTHER DRIVE IN SACRAMENTO, CALIFORNIA (P06-041) ASSESSOR'S PARCEL NUMBERS (APNS): 049-0010-038, 042, AND 085.

BACKGROUND

- A. On July 13, 2006, the City Planning Commission approved the Tentative Map and Subdivision Modification for the Luther Estates Unit #2 project (P06-041); and,
- B. On July 19, 2006, the project was called-up to be heard by the City Council by Council member Pannell; and,
- C. On August 15, 2006, the City Council heard and considered evidence in the above-mentioned matter; and,
- D. The City Council has determined that the project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines (Section 15332-Infill Development projects).

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

- Section 1. Based on verbal and documentary evidence at said hearing, the City Council approves the Luther Estates Unit #2 Tentative Map to merge three parcels totaling ±0.78 acres then subdivide into five lots in the Standard Single-family (R-1) zone.
- Section 2. This approval of the Luther Estates Unit #2 Tentative Map is made based upon the following findings of fact and subject to the following conditions of approval:

A. 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 General Plan and the Subdivision Ordinance, Chapter 16.12.020, of the Sacramento City Code. The City General Plan designates the site for Low Density Residential (4-15 du/na) and the South Sacramento Community Plan designates the site for Residential 4-8 du/na.
3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Quality Control Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision.
4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

B. CONDITIONS OF APPROVAL

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P06-041). 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 and Finance Division:

GENERAL: All Projects

1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
2. 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 and Finance Division after consultation with the U.S.

Postal Service;

3. Show all continuing and proposed/required easements on the Final Map;
4. 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;

Development Engineering and Finance Division: Streets

5. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk fronting the property along Luther Drive per City standards and to the satisfaction of the Development Engineering Division;
6. 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 and Finance Division. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards;
7. Dedicate sufficient right-of-way (if needed) and construct full frontage improvements along Luther Drive per City standards and to the satisfaction of the Development Engineering Division. The improvements along Luther Drive shall match the existing improvements on adjoining parcels;
8. 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 to 3.5' in height. The area of exclusion shall be determined by the Development Engineering and Finance Division;
9. This project does not require street lighting. There is an existing street lighting system around this project area. Improvements of right-of-way may require modification to the existing system. Electrical equipment shall be protected and remain functional during construction;

PUBLIC/PRIVATE UTILITIES

10. Dedicate a standard 12.5 foot public utility easement (PUE) for underground

facilities and appurtenances adjacent to all street right-of-ways, private drives and/or Irrevocable Offer of Dedication;

11. Connection to the District's sewer system shall be required to the satisfaction of County Sanitation District-1 (CSD-1). Sacramento County Improvement Standards apply to sewer construction;
12. Each parcel and each building with a sewage source shall have a separate connection to the CSD-1 sewer system;
13. In order to obtain sewer service, construction of CSD-1 sewer infrastructure will be required. An 8-inch (min.) collector pipe and associated infrastructure attaching to the 8-inch line to the north may be necessary;
14. Sewer easements may be required. CSD-1 will provide maintenance only in public right-of-ways and in minimum 20-foot wide easements dedicated to CSD-1 for the purpose of continuous access and maintenance;
15. Demonstrate the existence of, and if needed, abandon the existing easement along the subject property's north boundary and grant CSD-1 a sewer access and maintenance easement centered along the existing pipeline near the property's north boundary. Easements from adjoining parcels are not required;

CITY UTILITIES

16. The property owner/developer shall construct an off-site water main extension (8-inch water distribution main) in Luther Drive from the existing 8-inch water main just south of the project site to the 8-inch water main to the north. The construction shall be to the satisfaction of the Department of Utilities (DOU). No connections will be allowed to the 30-inch transmission main in Luther Drive;
17. Any new domestic water services shall be metered. Only one domestic water service is allowed per parcel. Excess services shall be abandoned to the satisfaction of the Department of Utilities;
18. Per Sacramento City Code, water meters shall be located at the point of service which is the back of walk for connected sidewalks;
19. Residential water taps and meters shall be sized per the City's Building Division on-site plumbing requirements (water taps and meters may need to be larger than 1-inch, depending on the length of the house service, number of fixture units, etc.);
20. Prior to the submittal of improvement plans, a project specific water study shall be approved by the Department of Utilities. The water distribution system shall be designed 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 a least 30 pounds 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 pounds per square inch. The water study shall determine if the existing and proposed water distribution system is adequate to supply fire flow demands for the project. A water supply test may be required for this project. Contact the Department of Utilities for the pressure boundary conditions to be used in the water study;

21. Properly abandon under permit, from the City and County Environmental Management Department, any well or septic system located on the property;
22. Per City Code, the Subdivider may not develop the project in any way that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses 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;
23. Each lot or parcel shall be graded so that drainage does not cross property lines;
24. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities;
25. Finished lot pad elevations shall be a minimum of 1.5 feet above the controlling overland release elevation and a minimum of 1.2 feet above the highest adjoining back of sidewalk elevation. Finished lot pad elevation shall be accepted by the Department of Utilities;
26. 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;
27. 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 for this project. This will not affect site design. Specific source controls are required for (1) commercial/industrial material storage, (2) commercial/industrial outdoor loading/unloading of materials, (3) commercial/industrial vehicle and equipment fueling, (4) commercial/industrial vehicle and equipment maintenance, repair and

washing, (5) commercial/industrial outdoor process equipment operations and maintenance, and (6) commercial/industrial waste handling. Storm drain message is required at all drain inlets. Improvement plans must include the source controls measures selected for the site. Refer to the "Guidance Manual for On-Site Storm Water Quality Control Measures" dated January 2000 for appropriate source control measures;

PPDD: Parks

28. **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);
29. **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 Development Services 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.);

MISCELLANEOUS

30. Approved fire hydrants capable of providing the required fire flow for the protection of any and all structures shall be located along the route of the fire apparatus access roadway. Fire hydrant installations for the protection of residential projects shall comply with the following requirements:
 - a. Replace any existing "wharf" type fire hydrants with an approved hydrant. Wharf hydrants do not satisfy hydrant requirements for new construction.
 - b. Each approved fire hydrant shall have a minimum flow of 1,000 gallons per minute (gpm) for residential developments.

ADVISORY NOTES:

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

31. 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;

32. The proposed project is located in the Flood zone designated as **A99** zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective February 18, 2005. Within the A99 zone, there are no requirements to elevate or flood proof. Although A99 zone has no requirements to elevate or flood proof, flood insurance is required;
33. Developing this property will require the payment of sewer impact fees. Impact fees for CSD-1 shall be paid prior to the filing and recording of the Final Map or issuance of building permits, whichever is first. Applicant should contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information;
34. As per City Code, the applicant will be responsible to meet his/her obligations regarding:
 - a. 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 \$29,502. This is based on 5 single family residential units and an average land value of \$330,000 per acre for the South Sacramento Planning Area, plus an additional 20% for off-site park infrastructure improvements, less 0 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.
 - b. Title 18, 18.44 Park Development Impact Fee (PDIF), due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$21,890. This is based on 5 single family units at \$4,378 each. Any change in these factors will change the amount of the PDIF due. The fee is calculated using factors at the time that the project is submitted for building permit.
 - c. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

Adopted by the City of Sacramento City Council on August 15, 2006 by the following vote:

Ayes: Councilmembers Cohn, Fong, Pannell, Tretheway, and Mayor Fargo.

Noes: Councilmembers Hammond, Sheedy, and Waters

Abstain: Councilmember McCarty

Absent: None.

Heather Fargo
Mayor, Heather Fargo

Attest:

for Dawn Bullwinkel
Shirley Concolino, City Clerk

