

## RESOLUTION NO. 2007-401

Adopted by the Sacramento City Council

June 12, 2007

**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. 2007-399.
- 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](http://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

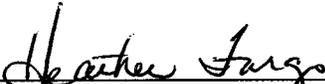
Adopted by the City of Sacramento City Council on June 12, 2007 by the following vote:

Ayes: Councilmembers, Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: None.

  
\_\_\_\_\_  
Mayor Heather Fargo

Attest:

  
\_\_\_\_\_  
Shirley Concolino, City Clerk

