

RESOLUTION NO. 2007-403

Adopted by the Sacramento City Council

June 12, 2007

APPROVING THE 5TH AVENUE PROJECT LOCATED AT 3018-B 5TH AVENUE IN SACRAMENTO, CALIFORNIA (P05-046) ASSESSOR'S PARCEL NUMBERS (APNS): 013-0137-016 AND 017.

BACKGROUND

- A. On August 24, 2006, the City Planning Commission approved the three Variances for the 5th Avenue Duplexes project (P05-046); and,
- B. On August 31, 2006, the project was called-up to be heard by the City Council by Councilmember Hammond, Councilmember for District 6; and,
- C. On June 12, 2007, 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 5th Avenue Project to construct one single-family home on each of two contiguous parcels lacking public street frontage in the Multi-family (R-4) zone.
- Section 2. This approval of the 5th Avenue Project Variance is made based upon the following findings of fact and subject to the following conditions of approval:

A. FINDINGS OF FACT

The **Variance** to allow the construction of one single-family home on each of two contiguous parcels lacking public right-of-way frontage in the Multi-family (R-4) zone is approved subject to the following Findings of Fact and Conditions of Approval:

1. The variance is not a special privilege extended to one individual property owner. The circumstances are such that the same variance would be appropriate for any property owner facing similar circumstances. Because the lots are existing and were created in compliance with California law, any proposed development would require the approval of a variance in order to comply with Zoning Ordinance requirements. Therefore no special privilege would be extended in this case.
2. No use variance is requested; the proposed use is permitted subject to the granting of a variance to develop on existing lots which lack the required public street frontage.
3. The variance would not be injurious to the public welfare or property in the vicinity of the project. The applicant proposes to employ high-quality construction materials and will provide for adequate parking on-site. The property will be landscaped to provide adequate shade and create private outdoor spaces for each lot. The development of the properties would eliminate the potential for nuisance activities such as illegal dumping on the vacant lots.
4. The proposed development is otherwise consistent with the purpose and intent of the zoning regulations in that the safety and proper functioning of the alley and adjacent properties is not impaired. The proposal does not violate any applicable General Plan policies.

CONDITIONS OF APPROVAL

The **Variance** to allow the construction of one single-family residence on each of two contiguous parcels lacking public street frontage in the Multi-family (R-4) zone is approved subject to the following Conditions of Approval:

1. Current Planning

- a. Unless specified by any condition below, this project shall be developed and constructed in full compliance with the Zoning Code.
- b. The project shall substantially conform to the approved plans as shown on the project exhibits approved by the City Council including window and door treatments Modifications/plan substitution will require additional

planning review (and may require additional entitlements) and approval prior to the issuance of building permits.

- c. The applicant shall revise the elevations of plans for each single-family residence to include shutters for all windows, as feasible. The revised drawings shall be submitted to the Planning Director for review and approval prior to the issuance of building permits.
- d. The stucco exterior shall be painted with an elastomeric masonry, stucco, and brick paint. The applicant/developer shall paint all stucco surfaces with an elastomeric paint within 30 days of the stucco application.
- E. The siding shall consist of fiber cement lap siding of a same or similar quality to HardiPlank.
- f. Seamless gutters shall be provided along all appropriate rooflines, including the porch, with downspouts where applicable.
- g. A minimum of 30-year laminated dimensional composition shingle shall be used and all rooflines, including the porch and garage, and shall have a heavy ridge cap.
- h. All mechanical equipment shall be enclosed in cabinet(s) or screened by landscaping and/or screens/fencing, where landscaped areas are of insufficient width to accommodate adequate landscaping. Roof-mounted HVAC units are not permitted. Final designs, including all outdoor mechanical equipment, of landscaping and/or screening shall be shown on the final landscaping plan.
- i. The applicant shall paint electrical meters/cabinets, telephone connection boxes, and other utility appurtenances to match the dwelling to which they are attached.
- j. Prior to the issuance of building permits, the developer shall submit plans for a 6' tall enhanced and capped wooden fence with wood clad metal posts to the Planning Director for review and approval. Said fence shall then be installed along the north, east, and west boundaries of the development prior to the issuance of final building permit(s). The enhanced fence shall be a two-sided fence where shared between the two parcels (16 and 17). The fence shall step-down to a height of no more than 4' within the 20' front setback area and between the residences up to and including the courtyard and covered porch areas for each house. The stepped down portion of the fence shall be a decorative wrought iron fence. All portions of the fence shall be maintained by the owner(s) in good working and aesthetic order. Any portion(s) of the fence in poor repair shall be replaced, with an identical fencing type, within 30 days of discovery.

- k. No final sign off on building permit(s) shall be issued for either single-family residence until the site is fully landscaped including, but not limited to, automatic irrigation installation in front, side and rear yard areas, sidewalk/walkways and paths from the homes to the alleyway, as shown on the Site Plans, constructed, front, side, and rear yard landscaping, shrubbery, and house identification signage installed.
- l. Development lighting shall be coordinated with the landscaping plan so there is minimal interference between any light standards and the required illumination, the trees, and the required shading. All light fixtures shall be vandal-resistant, ornamental and shall be no taller than 16' in height.
- m. Landscaping plans shall be submitted to the Building Division - Site Conditions Unit for review and approval by the Site Conditions Unit and the Landscape Architecture Section. The scope of the review shall include plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met.
- n. Automatic front yard sprinklers and landscaping with a minimum of one 15 gallon shade tree, from the City's approved tree list, shall be installed in the front yard of each duplex. The approved trees are as follows: Chinese Pistache-Pistacia chinensis; Ginko-Ginko Biloba; Little Leaf Linden-Tilia cordata; Hedge Maple- Acer Campestre; Trident Maple-Acer buergeranum; Mayten Tree-Maytenus boaria; Texas Redf Oak-Quercus buckleyi, . All trees shall have medium to deep roots and be medium to slow growing. No final sign off on building permit(s) for the dwellings may be issued prior to the installation of the approved landscaping and irrigation. The landscaping shall be maintained in healthy condition by the owner(s) in perpetuity.
- o. Landscaping shall be provided to screen ground-mounted mechanical equipment, backflow preventors, transformers, and other similar appurtenances to the satisfaction of the Planning Director.
- p. The entire landscape area shall have automatic irrigation installed and operational.
- q. Adequate spacing shall be provided between the trees to allow the trees to obtain full maturity growth potential. The trees shall have a minimum mature diameter of 20-30 feet and shall be planted no closer than 20'-30' on center. If groundcover is contraindicated beneath the trees a covering 6" deep with mulch shall be applied and maintained in perpetuity beneath and around the trees to a diameter of six feet around the base of each tree.
- r. The applicant shall create or maintain a four (4') foot wide easement for pedestrian access and egress proceeding northerly from the northeast corner of the project site (Lot 16 or APN 016-0137-016) to 5th Avenue.

Lighting:

- s. Lighting fixtures shall be of a high quality decorative design, having a color and style, which is compatible with the building architecture, as determined by the Planning Director.
- t. Lighting shall be designed so as not to produce glare to motorists and building occupants, adjacent residents, or the general public.
- u. Each building address number shall be illuminated and be readily visible from the alleyway.
- v. Lighting levels shall be as follows: 1.5 foot-candles of minimum maintained illumination per square foot of parking space between the hours of dusk and one hour after sunrise. A minimum of 0.25 foot-candles of illumination shall be provided at the surface of any walkway, alcove, passageway, or driveway related to the development during the same hours. Security and parking area lights shall be controlled by photocell and shall remain on during hours of diminished light.
- w. Each entry, patio, and pedestrian walk shall be equipped with its own light source.
- x. All exterior doors shall be adequately illuminated with their own light source.
- y. Exterior door, perimeter, canopy, and parking area lights shall be controlled by photocell and shall remain on during the hours of darkness or diminished light.
- z. All required lighting shall be high-pressure sodium with vandal-resistant covers/lenses.

2. Utilities Division

- a. This project is located in the combined sanitary sewer service area and the developer will be required to pay a fee of \$105 per unit.

3. Fire Department

- a. Roads used for Fire Department access shall have an unobstructed width of not less than 20' and unobstructed vertical clearance of 13'6" or more. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall, at a minimum, be provided with a finished road surface consisting of 2 inches of asphalt concrete (AC) over 6 inches of aggregate base (AB) or the equivalent in concrete or other approved surface.

- b. Provide a fire hydrant in accordance with CFC 903.4.2 and Appendix III-B, Section 5.
OR
All structures proposed for this project shall be equipped with an approved automatic fire sprinkler system. The automatic fire sprinkler system shall be designed to NFPA 13D standards for residential applications.
- c. Alley shall be marked "No Parking Fire Lane" on both sides.

4. Police Department

Territorial Reinforcement:

- a. The applicant shall install a 3'-4' high wrought iron fence that extends from the southwest point where lot 17 connects to the alley, along the property line with the alley, to the southeast point where lot 16 connects to the alley. This fencing shall have pedestrian and automobile gates.

Address Signage:

- b. If the alley remains unnamed and the residences shall be addressed to a main street, such as 5th Avenue the entire address for each residence shall be spelled out in 4 inch letters and numbers that are affixed to each residence at a point clearly visible from the alley, and the letters shall be illuminated. For example, the residential address sign shall say "1234 5th Avenue" as opposed to the more traditional format of just posting numbers.
- c. Additionally, if the alley remains unnamed, the applicant shall install approved signage at the entrance to the alley that clearly says, for example, "1234 and 1236 5th Avenue are accessed from this alleyway".

Lighting:

- d. The parking areas shall be illuminated at a minimum level of 1.5 foot-candles during hours of darkness. One motion-sensing residential flood light shall be installed above the garage door of each residence in addition to the decorative lamps shown in the applicants plan. The flood lights should be installed high enough that the bulbs cannot be unscrewed by a person standing on the ground.
- e. The applicant shall install a light on the utility pole that sits on the alley's southern curb line across from lots 16 and 17. (Contact the Sacramento Municipal Utility District at 1-888-742-7683.)
- f. Security and parking area lights shall be controlled by photocell and shall remain on during hours of diminished light.

- g. Each entry, patio, and pedestrian walk shall be equipped with its own light source.
- h. All exterior doors shall be adequately illuminated with their own light source.

Doors:

- i. The main entrance door(s) shall be secured with single-cylinder deadbolt locks with a minimum throw of one inch, in addition to door latches with a one-half inch minimum throw. The locks should be constructed so both deadbolt and dead latch can be retracted by a single action of the inside doorknob.
- j. Outside hinges on all exterior doors shall be provided with non-removable pins when pin-type hinges are used or shall be provided with hinge studs, to prevent removal of the door.
- k. Any glass door(s) shall be secured with a deadbolt lock with a minimum throw of one-inch. The outside ring shall be free-moving and case hardened.
- l. Doors with glass panels, and doors with glass panels adjacent to the door frame, shall be secured with burglary-resistant glazing or the equivalent, if double-cylinder deadbolt locks are not installed.
- m. Vision panels in exterior doors (if used) or within reach of the inside activating device shall be made of burglary-resistant glazing or equivalent.
- n. A viewing device or peephole shall be installed in every entrance door and shall allow for 180 degree vision.

Windows:

- o. Windows shall be constructed so when the window is locked it cannot be lifted from the frame (sliding). The sliding portion of a sliding glass window shall be on the inside track.
- p. Secondary locking devices are required on ground floor windows. Window locking devices shall be capable of withstanding a force of 300 pounds in any direction.

Landscaping:

- q. Landscaped areas should be planned for maximum growth while also providing unobstructed observation of parking areas, buildings, and pathways day and night.

Construction Phase:

- r. During construction, the applicant shall enclose the entire project perimeter with a chain-link fence with the necessary construction gates that shall be locked after normal construction hours.

5. Parks

- a. **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.)

ADVISORY NOTES

- b.. As per City Code, the applicant will be responsible to meet his/her obligations regarding:

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 \$8,986. This is based on two single-family residential units at the rate of \$4,493 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.

6. SMUD

- a. Dedicate a 5-foot public utility easement for overhead and underground facilities and appurtenances adjacent to the east property line of APN: 013-0137-017.
- b. Dedicate a 5-foot public utility easement for overhead and underground facilities and appurtenances adjacent to the west property line of APN: 013-0137-016.

There is an existing electrical secondary line that cuts diagonally from the southeast corner to the northwest corner which provides service to the properties to the north.

7. Development Engineering Division

- a. Alley improvements are required from the property boundary to the nearest public street (Franklin Boulevard). Repair/reconstruct any deteriorated portions of the existing alley. Alley improvements shall be to City standards and shall be constructed to the satisfaction of the Development Engineering Division.
- b. The developer shall provide adequate lighting to the existing alley to the satisfaction of the Development Engineering Division.
- c. The design of walls, fences, and signage 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 three (3") feet 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 42" in height at maturity. The area of exclusion shall be determined by the Development Engineering division.

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Exhibits A through C – site and floor plans

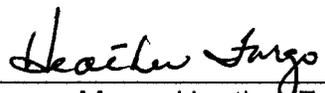
Adopted by the City of Sacramento City Council on June 12, 2007 by the following vote:

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

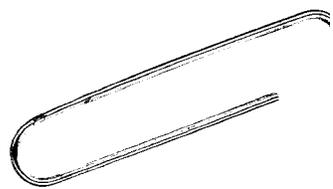


Exhibit A – Site Plan for Lot 16

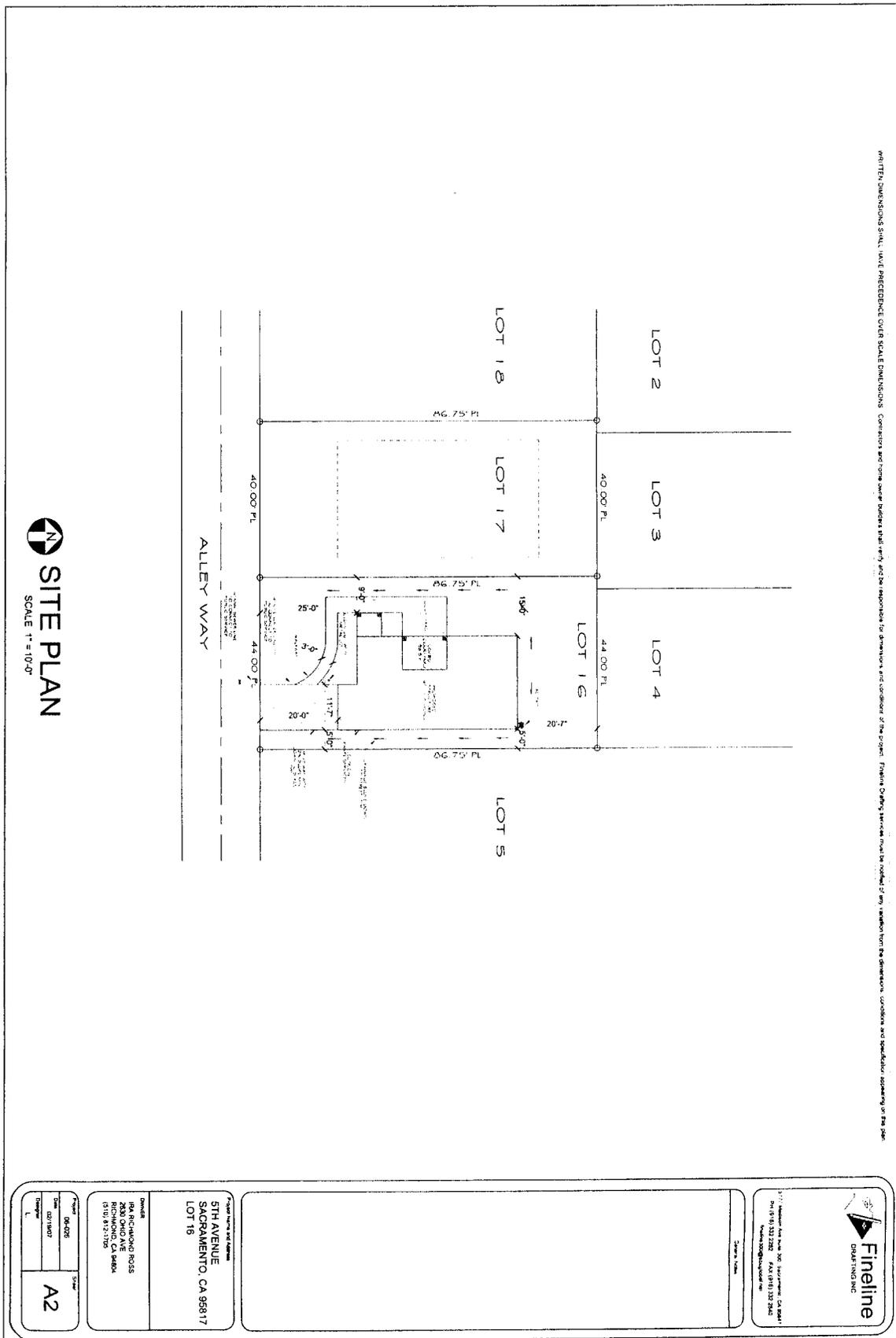
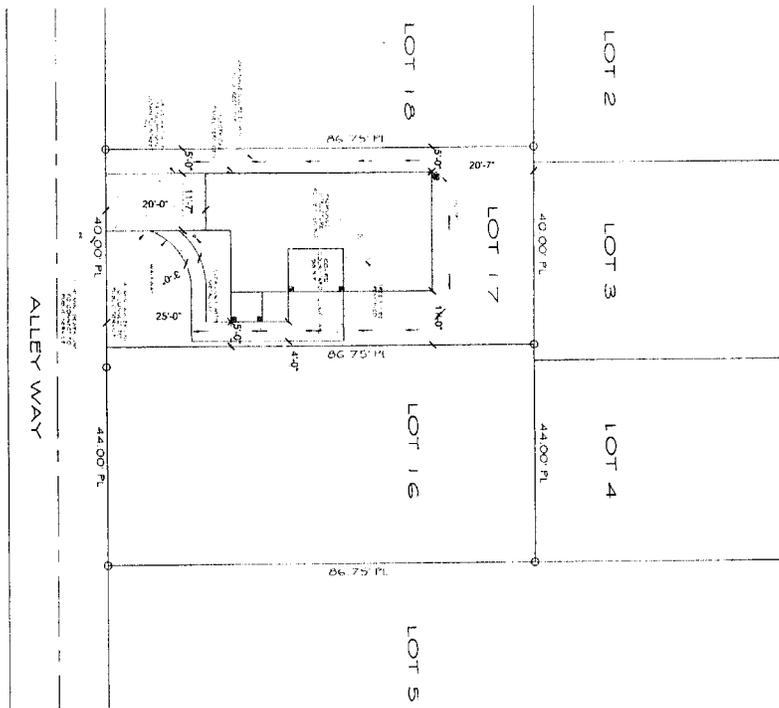


Exhibit A – Site Plan for Lot 17

WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS AND OTHERS SHALL VERIFY AND BE RESPONSIBLE FOR DIMENSIONS AND CONDITIONS OF THE PROJECT. FIELDING DRAFTING SERVICES SHALL BE HELD OF ANY VIOLATION FOR THE DIMENSIONS, CONDITIONS AND QUALITY OF THE DRAWING. THE DRAWING IS THE PROPERTY OF FIELDING DRAFTING SERVICES AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF FIELDING DRAFTING SERVICES.



 **SITE PLAN**
SCALE 1" = 10'-0"

 Fineline DRAFTING INC. 1717 Industrial Blvd., Suite 100, Sacramento, CA 95834 Phone: (916) 233-2282 Fax: (916) 233-2840 fielding@finelineinc.com	
Client Name:	
Project Name and Address: 9TH AVENUE SACRAMENTO, CA 95817 LOT 17	
Owner: PA RICHMOND HOSS 230 CHICAGO SACRAMENTO, CA 95811 (916) 435-1220	
Project No: 06-028	Sheet: A2
Date: 07/18/07	Designer:

Exhibit C – Building Elevations for Lot 16

WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE DIMENSIONS. Contractor shall verify and be responsible for dimensions and conditions of the project. Finish Cladding Material must be verified by any revision from the approved conditions and specifications occurring on the job.

REAR ELEVATION
SCALE 1/4" = 1'-0"

RIGHT ELEVATION
SCALE 1/4" = 1'-0"

ATTIC ROOF VENTILATION CALCULATIONS

Area	Volume	Area	Volume
Attic Area	1,200 sq ft	Roof Area	1,200 sq ft
Roof Area	1,200 sq ft	Volume	1,200 cu ft
Volume	1,200 cu ft	Volume	1,200 cu ft
Volume	1,200 cu ft	Volume	1,200 cu ft

LEFT ELEVATION
SCALE 1/4" = 1'-0"

FRONT ELEVATION
SCALE 1/4" = 1'-0"

Client: [Name]

Address: 5TH AVENUE, SACRAMENTO, CA 95817

Project: [Project Name]

Architect: [Firm Name]

Address: [Address]

Phone: [Phone Number]

Sheet: A5

Date: 02/18/07

Designer: [Name]

207 Under the Oaks for Sacramento, CA 95817
Phone: (916) 486-1100
www.finelineinc.com

Exhibit C – Building Elevations for Lot 17

WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONSULTOR AND OWNER WARRANT THAT THEY ARE RESPONSIBLE FOR DIMENSIONS AND CONDITIONS OF THE PROJECT. FINELINE DRAFTING SERVICES SHALL BE NEUTRAL TO ANY WARRANTY FROM THE ARCHITECT, CONTRACTOR AND INSURANCE PROVIDER OF THIS DATE.

REAR ELEVATION

SCALE 1/4" = 1'-0"

RIGHT ELEVATION

SCALE 1/4" = 1'-0"

ATTIC ROOF VENTILATION CALCULATIONS

Area	Volume	Area	Volume	Area	Volume
Attic Area	1,200 sq ft	1,200 cu ft	1,200 sq ft	1,200 cu ft	1,200 sq ft
Roof Area	1,500 sq ft	1,500 cu ft	1,500 sq ft	1,500 cu ft	1,500 sq ft
Net Area	300 sq ft	300 cu ft	300 sq ft	300 cu ft	300 sq ft

LEFT ELEVATION

SCALE 1/4" = 1'-0"

FRONT ELEVATION

SCALE 1/4" = 1'-0"

Project Name: 3TH AVENUE SACRAMENTO, CA 95817 LOT 17

Client: 888 RICHMOND ROSS 2850 DUNDY AVE FRODOLO, CA 95864

Date: 02/18/07

Scale: A5

Legend

1. All work shall be in accordance with the City of Sacramento Building Code.
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21. All work shall be in accordance with the City of Sacramento Building Code.
22. All work shall be in accordance with the City of Sacramento Building Code.

Fineline
DRAFTING INC.

11771 Madison Avenue, 10th Sacramento, CA 95831
Ph: (916) 337-2200 Fax: (916) 337-2840
www.fineline-drafting.com