

## **RESOLUTION NO. 2007-644**

Adopted by the Sacramento City Council

August 28, 2007

### **ADOPTING FINDINGS OF FACT AND APPROVING THE TOWNSHIP 9 TENTATIVE MAP PROJECT (P06-047)**

#### **BACKGROUND**

- A. On August 9, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Township 9 Project.
- B. On August 28, 2007, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010, and received and considered evidence concerning the Township 9 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 Township 9 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 Impact Report and Mitigation Monitoring Plan for the Project have been adopted by Resolution No. 2007-641.
  - B. Tentative Map: The Tentative Map to subdivide 65 gross acres into 36 lots for residential, retail, and office development is 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 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 \_\_\_\_ 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).

Section 3. The City Council approves the Project entitlements subject to the following conditions of approval:

#### CONDITIONS OF APPROVAL

- A. Tentative Map: The Tentative Map to subdivide 65 gross acres into 36 lots for residential, retail and office development is approved subject to the following conditions of approval:

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map or any contradictory provisions in the PUD Design guidelines approved for this project (P06-047). The design of any improvement not covered by these conditions or the Design Guidelines shall be to City standard.

The applicant shall satisfy each of the following conditions prior to filing the Final (Parcel) 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:

**GENERAL:** All Projects

1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
2. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P06-047);
3. Meet all conditions of the Design Guidelines established for this project "Township 9" (P06-047) unless it is superseded by a Tentative Map condition;
4. Show all continuing and proposed/required easements on the Final (Parcel) Map;
5. 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;

6. Multiple Final Maps may be recorded. Prior to recordation of any Final Map all infrastructure/improvements necessary for the respective Final Map must be in place to the satisfaction of the Departments of Utilities, the Department of Transportation and Development Services.
7. Riverfront Drive shall be set back a minimum of 50 feet from the Two Rivers Bicycle Trail. This setback shall be measured from the southern edge of pavement of the Two Rivers Bicycle Trail to the back of curb along the northern boundary of Riverfront Drive.

**Engineering: Streets General**

8. Submit a Geotechnical Analysis prepared by a registered engineer to be used in street design. The analysis shall identify and recommend solutions for groundwater related problems, which may occur within both the subdivision lots and public right-of-way. Construct appropriate facilities to alleviate those problems. As a result of the analysis street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater conditions. (See also condition 41 under Porous Concrete);
9. 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 design guidelines and 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 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 the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards, the adopted design guidelines and to the satisfaction of the Development Engineering Division;
10. 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 center lines of such streets shall be aligned.
11. Construct bulb-outs at locations specified within the design guidelines or as directed by the City.
12. All crosswalks shall be disability access compliant; ramps shall be installed and/or relocated as determined necessary by the City.
13. 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.

14. Street lights shall be provided as prescribed by the design guidelines and must be acceptable to the City.

### **Streets**

15. Prior to first map being finalized and with the initial improvement plan set, the applicant shall provide an overall layout and phasing plan for Richards Blvd from 300 feet west of 5<sup>th</sup> Street to 300 feet east of 7<sup>th</sup> street. At a minimum this plan set shall include the proposed future location of curb, gutter, and sidewalk improvements, street light locations and striping plans, existing right-of-way and any future right-of-way needs. This plan set shall include the intersections of 5<sup>th</sup> and 7<sup>th</sup> along Richards and 300 feet of each intersection leg or as determined acceptable by the City.
16. Dedicate and construct the following streets as development occurs within the map boundary, for each phase of development the adjacent streets shall be improved to the right-of-way and easement standards established by the Design Guidelines and shown on this map, applicable City Standards, and to the satisfaction of Development Services engineers authorized to accept plans on behalf of the City;
17. Dedicate and construct the north side of Richards Blvd per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction, and to the satisfaction of Development Engineering;
18. Dedicate and construct Riverfront Drive per the right-of-way width standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Development Engineering;
19. Dedicate and construct the east side of 5th Street per the right-of-way width standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Development Engineering;
19. Dedicate and construct 7<sup>th</sup> Street per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Development Engineering, the median shall have a mountable curb and all weather surface to meet fire access requirements or provide other modification acceptable to the Fire Department (see condition 99);

20. Dedicate and construct Park Boulevard per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Development Engineering, the median shall have a mountable curb and all weather surface to meet fire access requirements or provide other modification acceptable to the Fire Department (see condition 99);
21. Dedicate and construct Signature Street per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Development Engineering;
22. Dedicate and construct New Street "A" per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Development Engineering; New Street "A" shall be extended east of 7<sup>th</sup> Street with the development of Lot 1B to provide vehicle access.
23. Dedicate and construct New Street "B" per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Development Engineering;
24. Dedicate and construct New Street "C" per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Development Engineering;
25. Dedicate and construct New Street "D" per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Development Engineering;
26. Dedicate and construct New Street "E" per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Development Engineering;
27. Dedicate and construct New Street "F" per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the city standards for street construction and to the satisfaction of Development Engineering;
28. Dedicate and construct New Street "G" per the right-of-way width and easement standards set forth in the design guidelines, depicted on the tentative map, the

city standards for street construction and to the satisfaction of Development Engineering.

### **Signalized Intersections**

29. With the improvement plan sets for signalized intersections, the applicant shall submit a signal design concept report (SCDR) per section 15.18 of the Cities Design and Procedures Manual to the Development Engineering Division for review and approval prior to the submittal of any improvement plans involving traffic signal work. The SCDR provides crucial geometric information for signal design and should be started as early as possible to avoid delays during the plan check process. Signal Design concept reports shall be submitted for the construction and/or modification of the existing traffic signals located at the following intersections:
  - a. The modification of the signalized intersection of Richards Blvd and North 5<sup>th</sup> Street.
  - b. The modification of the signalized intersection of Richards Blvd and North 7<sup>th</sup> Street
  - c. The construction of a signal at the intersection of North 7<sup>th</sup> Street and "Signature" Street.
30. Prior to the construction of 1/3<sup>rd</sup> of the project trip generation or 1000 of the dwelling units are constructed and as when determined necessary by the city of Sacramento, the intersection of Richards Blvd and North 5th Street shall be reconstructed to allow for eastbound dual left turn lanes and/or other modifications. The applicant shall use best efforts to obtain an easement from the adjacent property owner(s) for necessary rights-of-way along Richards Blvd if not already dedicated. To the extent necessary and at its discretion, the City may use its eminent domain authority as provided by Government Code Section 66462.5 to acquire the easement at the applicant's expense.
31. The applicant shall dedicate sufficient rights-of-way for an expanded intersection to the City of Sacramento Street Standards and shall construct modifications to 7th Street for the southbound approach at Richards Boulevard. These modifications to the southbound approach shall be to provide one left-turn lane, one through lane, and two right-turn lanes or as determined acceptable by the city of Sacramento. As necessary during the design of the intersection, the applicant shall use best efforts to obtain an easement from the adjacent property owner(s) for necessary rights-of-way along Richards Blvd and 7<sup>th</sup> street if not already dedicated for appurtenances and necessary alignment of the intersection. To the extent necessary and at its discretion, the City may use its eminent domain authority as provided by Government Code Section 66462.5 to acquire the easement at the applicant's expense.

32. The applicant shall construct a signal at the intersection of North 7th Street and "Signature" Street to the satisfaction of the city of Sacramento.

### **Roundabout Intersections**

33. Dedicate and construct the roundabout at "Signature" Street and New Street "C" per the recommendations provided by the W-trans analysis for this intersection or other acceptable design, this analysis is on file with the City of Sacramento Development Engineering Traffic Study section. Roundabouts shall be designed and constructed to the satisfaction of the city of Sacramento.
34. Dedicate and construct the roundabout at the intersection of 7th Street and New Street "A" per the recommendations provided by the W-trans analysis or other acceptable design, this analysis is on file with the City of Sacramento Development Engineering Traffic Study section. Roundabouts shall be designed and constructed to the satisfaction of the city of Sacramento.
35. Dedicate and construct the roundabout at the intersection of 'Park' Blvd, New Street 'B' and New Street "C" per the recommendations provided by the W-trans analysis for this intersection or other acceptable design, this analysis is on file with the City of Sacramento Development Engineering Traffic Study section. Roundabouts shall be designed and constructed to the satisfaction of the city of Sacramento.
36. Prior to construction, the roundabout designs shall return to the Disability Advisory Commission for final review and comment. The commission is chaired by Ron Brown and the meeting coordinator is Obi Agha (916-808-8426) and Rocky Burks (916-808-5521).

### **Regional Transit**

37. The applicant shall make provisions for bus stops, shelters, transit centers, etc. to the satisfaction of Regional Transit.
38. 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. Bus stop turnouts shall be constructed with reinforced concrete pads.
39. Applicant shall enter into agreement with Regional Transit to provide right-of-way for light rail tracks, a light rail station platform and a bus turnout in the form of an Irrevocable Offer of Dedication (IOD). The 60-foot easement over the south edge of lots 13, 14 and 17 mentioned on Page 2-14 of the DEIR will be sufficient for the tracks, platform and bus turnout if the train route continues along Richards

Boulevard.

40. The developer shall coordinate with RT regarding the placement of the outlet of New Street "C" onto Richards Boulevard, which crosses the future rail tracks.

**Porous Concrete – Street Maintenance (See also condition 67 City Utilities)**

41. The city of Sacramento is not convinced that porous concrete within the street will function adequately or be maintainable in the long term. Some additional information will need to be provided to show that it is feasible as a storm water treatment measure including a recommendation from a Geotechnical Engineer that the street section will continue to function under long term use by passenger and truck traffic. City staff will need a demonstration of its maintainability and its ability to treat storm water run-off. In addition, because of the potential for failure of the pavement section there must be a funding source to reconstruct and/or replace the pavement if it fails. This may include a contingency in the development agreement, the Community Financing District and bonding of the improvements for 3years to demonstrate that a porous pavement in a street functions and is maintainable.
  - a. A Geotechnical Soils report must verify that storm water will drain 10 feet below the surface at the rate required for water quality. The water table in all of the proposed drainage areas must be identified before approval for this method. Seasonal groundwater levels for the area must be reported.
  - b. A Geotechnical Engineer must submit a pavement design to provide an adequate structural section.
  - c. Surface drainage will need to be accommodated for safety considering the underground storage capacity of the porous surface areas is unknown.
  - d. Cutoff walls may be needed to keep water separate from the structural section supporting the vehicle travel ways.

**CITY UTILITIES**

42. Provide standard subdivision improvements per Section 16.48.110 of the City Code. Construct water, sewer, and drainage facilities to the satisfaction of the Department of Utilities (DOU). Off-site main extensions may be required.
43. All existing easements and all existing right-of-ways shall be shown on the Final Map.
44. If required by the DOU, any parcels that are subject to additional water quality

treatment measures shall be identified on the Final Map.

45. Dedicate all necessary easements, IOD easements right-of-way, fee title property, or IOD in fee title property on the final map as required to implement the approved drainage, water and sewer studies, per each approving agency requirements.
46. If required by the Department of Utilities (DOU), the applicant shall enter into and record an Agreement for Conveyance of Easements with the City, in a form acceptable to the City Attorney, requiring that private easements be granted, as needed, for drainage, water and sanitary sewer at no cost at the time of sale or other conveyance of any lot. A note stating the following shall be placed on the Final Map: "The lots created by this map shall be developed in accordance with recorded agreement for conveyance of easements in Book\_\_\_\_, O.R. Page\_\_\_\_."
47. Design and construct water, sewer, and drainage pipe systems and appurtenances in all existing and proposed streets in accordance with the approved sewer, water, and drainage studies.
48. Provide all weather roadway and concrete driveway access to sump 111 to the satisfaction of DOU.
49. Unless otherwise approved by the DOU, all public water, sanitary sewer and storm drain pipelines shall be placed within the asphalt concrete (AC) section of public-right-of-ways and easements.
50. Public streets, with publicly maintained water, sanitary sewer and storm drain systems shall have a minimum paved AC width of 25 feet from lip of gutter to lip of gutter. Drain inlets, curbs and gutters shall be constructed to City Standards for all public streets. Any parallel underground dry utilities proposed within in the public right-of-way (or within the required 25-foot AC public section) shall be designed, constructed, and placed to the satisfaction of the City.
51. Along all streets with separated curb and sidewalk, place minimum 2-inch diameter sleeves under the sidewalk for irrigation of the landscape planter. The irrigation sleeves shall be placed prior to construction of sidewalks. In situations where separated sidewalks are located along the perimeter of parks or other common lots/parcels, irrigation sleeves shall be placed at maximum 200-foot intervals under the sidewalks.
52. Any decorative paving which is removed by the City while repairing, maintaining and/or replacing surface and subsurface water, drainage and sanitary sewer facilities will be repaved with asphalt concrete (AC). The owner(s) shall form or annex to a community facility district to finance the replacement of said decorative paving at no cost to the City.

53. The developer(s)/owner(s) shall complete a drainage master plan for this site. The 10-year and 100-year HGL's for this study shall be calculated using the City's SWMM model. This project may require a storm water detention basin, based on the approved SWMM model and/or increasing the pump capacity of basin sump 111, which serves this project. The drainage study shall also include an overland flow release map for the proposed project. Sufficient off-site and on-site spot elevations shall be provided in the drainage study to determine the direction of storm drain runoff.
54. The DOU shall approve the drainage master plan and any phasing plan, if appropriate, included with the master plan for drainage infrastructure.
55. The developer(s)/owner(s) shall be responsible to obtain all the necessary permits from the Army Corps of Engineering, Fish and Game, U.S. Fish and Wildlife Services, SAFCA, American River Flood Control District, and/or any other applicable agency.
56. The applicant/owner shall also coordinate with SAFCA to determine any potential flooding problems or related issues for this area that may have a significant impact to the design of this project.
57. If the approved drainage study requires a project detention facility, the applicant shall construct the detention facility to the satisfaction of the DOU. The detention facility shall be designed for dual purpose (flood control and water quality) and utilized as joint use facility (public amenities) whenever possible.
58. Provide a seepage study prepared by a registered engineer. The study shall identify and recommend solutions to groundwater related problems that may occur within both the subdivision lots and the public streets. Appropriate facilities shall be constructed to alleviate those problems. The DOU and SAFCA shall approve this study.
59. If the approved drainage study and/or comprehensive storm-water quality plan requires the construction of a detention basin facility for the purpose of flood control, storm-water quality treatment, and/or recreational facility, the owner(s) shall Dedicate to the City said property as an IOD in fee title, at no cost to the City.
60. 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. Furthermore, all lots shall be graded so that drainage does not cross lot or property lines. The project shall construct the required public and/or private infrastructure to handle runoff to the satisfaction of the DOU. If private infrastructure is constructed to handle 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.

61. A grading plan showing existing and proposed elevations is required. All lots and/or parcels shall be graded so that drainage does not cross property lines or private drainage easements shall be dedicated. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. At a minimum, one-foot off-site contours within 100 feet of the project boundary are required. No grading shall occur until the grading plan has been reviewed and approved by the DOU.
62. The developer(s)/owner(s) shall mitigate the storm water quality impacts generated by this development by implementing comprehensive storm water quality control measure(s) for the entire 65 acres. The DOU shall approve the comprehensive water quality control plan (measures). These measures shall be implemented prior to the recordation of the respective final map(s) or otherwise as approved by the DOU.
63. This project is greater than 1 acre in size; 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 NOI may be obtained from [www.swrcb.ca.gov/stormstr/construction.html](http://www.swrcb.ca.gov/stormstr/construction.html). The SWPPP will be reviewed by the DOU prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.
64. 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 project. Since the project is not served by a regional water quality control facility, both source control and on-site treatment control measures (e.g. storm-water planters, detention basin, infiltration basin and/or trench, media filters (Austin Sand Filter), vegetated filter strips and/or swales, and pre-approved proprietary devices) are required.
65. If a water quality facility such as a detention basin or any publicly maintained feature is required for the development of this project, the developer(s)/owner(s) will be required to form a maintenance district and/or participate in the existing regional maintenance district, which is created to incorporate storm-water quality measures through "extraordinary maintenance procedures". This maintenance district shall be formed to the satisfaction of the DOU. The extraordinary maintenance procedures are implemented to meet post construction, storm-water quality control measures to minimize the increase of urban runoff caused

by development of the area. Acceptance of the required landscaping, irrigation, drainage structures, and other features (Detention/Water Quality Facility) by the City into the proposed financing mechanism shall be coordinated with the Development Services Department (Special Districts); Parks Planning, Design, & Development Department; and the DOU. The developer shall maintain the Detention/Water Quality Facility for a period of two (2) years or until acceptance by the City into the District, whichever is less. The two-year period shall begin following the issuance of a notice of completion by the City for the Water Quality Facility. At the time of acceptance by the City, the developer shall remove any sediment or debris that has accumulated prior to acceptance.

66. If require by the DOU, the owner(s) shall enter into and record maintenance agreement, for all storm water quality treatment measures, with the city in a form acceptable to the City Attorney.
67. Any storm water quality treatment features proposed within the public right away (e.g. storm-water planters, porous pavements, vegetated filter strips and/or swales, etc.) shall be reviewed and approved by the DOU, the Department of Transportation (DOT) and the Department of Parks and recreations prior to their implementation and prior to the recordation of the respective final Map(s). At a minimum, said proposed features shall consider the following requirements:
  - a. Any infiltration features that utilize natural or imported soil to treat the storm water runoff shall provide a minimum separation between the ground water table and the bottom of said feature of 10 feet. The developer(s)/owner(s) shall provide groundwater elevation data to the DOU confirming this requirement will be met at all times of the year. The groundwater data collection period and locations shall be approved by the DOU prior to collecting the data.
  - b. Infiltration rate of the soil will need to be established. Since most soils around this area have very poor infiltration rates, any roadway pavement adjacent to these features must be designed so that the structural integrity of the pavement is not compromised. Since roadways are designed and constructed to withstand significant traffic loads (vertical loads), stem walls may have to be incorporated as part of the design of the roadway infrastructure.
  - c. Maintenance cost is a major factor in the implementation of these features. Since the city has not approved this as part of the roadway design criteria, no maintenance costs have been assessed for such features. Thus, the developer(s)/owner(s) shall bond for any feature maintenance and/or replacement of this pavement structures, to the satisfaction of the DOT and

DOU. If these features were to prove deficient and since these features' purpose is to treat storm water run-off the developer(s)/owner(s) will need to provide alternatives to this treatment feature in case they fail.

- d. A comprehensive and detail geotechnical report by a register geotechnical engineer will need to be provided for review and approval by the DOT, DOU, and the Development Engineering Section prior to the design of these features.

NOTE: Please be advised that the requirements mentioned above are not the only issues that need be considered. Subsequent requirements may be required when and if the information is provided.

68. Prior to the submittal of improvement plans, prepare a project specific water study for review and approval by the DOU. 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 at least 30 pounds per square inch, (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 DOU for the pressure boundary conditions to be used in the water study.
69. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.
70. Two points of service for the water distribution system for this subdivision or any phase of this subdivision are required. All public water mains shall be placed within the asphalt section of public right-of-ways or dedicated easements as per the City's Design and Procedures Manual.
71. Current city records indicate an existing private water system for this area. Properly abandon the existing private water system. Prior to abandoning said private system, provide to the adjacent parcels that are dependent of this system and that are not part of this development with adequate water services to the satisfaction of the DOU. Any utility services that cross property lines to serve any existing building-that are not part of this project- shall be relocated to the satisfaction of the Department of Utilities.
72. A sanitary sewer study described in Section 9.9 of the City Design and Procedures Manual is required. This study and shed map shall be approved by the DOU.

## **PG & E**

73. The developer may need to reserve space with a width of approximately 20 feet by 40 for a future easement to be granted to Pacific Gas and Electric Company. This space would consist of gas regulator station to supply the development with such a large capacity. This will need to be coordinated with PG&E early on in the design stages to decide the best location for the regulator lot's placement if needed. 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.

## **SPECIAL DISTRICTS: Assessment Districts**

74. Dedicate to the City those areas identified on the Tentative Subdivision Map as Landscape Corridors, and Open Space areas. Annex the project area to the appropriate Landscape Maintenance District, or other financing mechanism acceptable to the City, prior to recordation of the Final (Parcel) Map. Design and construct landscaping, irrigation and masonry walls (or wood fences) in dedicated easements or rights of way, to the satisfaction of the Development Services Department, Parks Planning, Design and Development (PPDD). Acceptance of the required landscaping, irrigation and walls or fences by the City into the Landscape Maintenance District shall be coordinated with the Development Engineering Division (Special Districts and Development Services) and PPDD. The Developer shall maintain the landscaping, irrigation and walls for two years or until acceptance by the City into the District (whichever is less). The two year period shall begin following the issuance of a notice of completion by the City for the landscaping, irrigation and walls or fences;

## **PPDD: Parks**

75. Park Dedication – IOD: Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall provide on City's form an irrevocable offer of dedication in fee (IOD) of the parks sites identified on the approved tentative map as Lots 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, and 21. The applicant shall also provide on City's form an irrevocable offer of dedication of recreation easements in the 7th Street median and the Park Blvd. median. (see condition below in "Park Site" section). At the time of delivery of the IOD, the applicant shall (1) provide to City a title report demonstrating that it holds full and clear title to Lots, including all interests necessary for maintenance and access; (2) provide a Phase 1 environmental site assessment of Lot(s) 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, 21 and recreation easements; (3) if the environmental site assessment identifies any physical conditions or defects in Lots 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, 21 and recreation easements which would interfere with its intended use as a park, as determined by PPDD in its sole discretion, applicant shall complete a supplemental assessment and remedy any such physical condition or defect, to the satisfaction of PPDD; and

(4) take all actions necessary to ensure that Lots 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, 21, and recreation easements are free and clear of any wetland mitigation, endangered or threatened animal or plant species (except for lot 18), sensitive habitat or other development restrictions. The applicant shall be solely responsible, and at its sole cost, for any required mitigation costs or measures associated with Lots 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, 21 and recreation easements.

The Developer shall be responsible for maintenance of IOD Lots 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, 21 and recreation easements until the time that the City records acceptance of the IOD. Maintenance of Lot 18 shall be consistent with the maintenance standard for the American River Parkway and be coordinated with the Sacramento County Department of Regional Parks.

### Park Sites

76. All park sites and recreation easements and their net acreage shall be shown on the final subdivision map. The amount of acreage to be applied towards the park land requirements pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) will be determined and approved by PPDD.
77. Lot 7B shall provide a public pedestrian and bicycle corridor connecting New Street "D" and New Street "B". The modification shall be shown on the final subdivision map.
78. Lot 11B shall provide a public pedestrian and bicycle corridor connecting New Street "D" New Street "F". The modification shall be shown on the final subdivision map.
79. Lots 12B and 16B shall provide a public pedestrian and bicycle corridor connecting New Street "D" and Signature Street. The modification shall be shown on the final subdivision map.
80. Lots 7B, 11B, 12B, and 16B shall be at least 40 ft wide, not including the building setbacks.
81. The applicant shall dedicate a recreation easement for the 20 ft. portion of the 40 ft. wide median along 7th Street that falls within the project boundaries. The easement shall not include curb, gutters, and sidewalks (except for sidewalks within median), on 7th Street. The easement and the associated net acreage shall be shown on the final subdivision map.
82. The applicant shall dedicate the 40 ft. wide median on Park Blvd. as a recreation easement. The easement shall not include curb, gutters, and sidewalks (except for sidewalk within median) along Park Blvd. The easement and the associated net acreage shall be shown on the subdivision map.

83. Applicant shall develop the 7th Street median through a turn-key agreement.
84. Applicant shall provide an exhibit that shows Lot 18 overlaid on the 2001 aerial provided by the City of Sacramento. The exhibit shall indicate the land acreage that is not submerged and that land that is submerged. Only the land acreage (net) that is not submerged shall be eligible for park land dedication credit pursuant to the Sacramento City Code Chapter 16.64.
85. The following shall not be eligible for park land dedication requirements pursuant to the Sacramento City Code Chapter 16.64:
- a. The roundabouts because they are not safely accessible by the public.
  - b. Any portion of the public right-of-way area that may be used for vehicular use.
  - c. Any area that serves as a water detention or water quality feature unless otherwise approved by PPDD.
  - d. Any area that is submerged under the American River as shown on the 2001 aerials provided by the City.
  - e. The associated costs of the realignment and/or replacement of Two Rivers Trail.
86. 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.
87. Finance Plan: The Applicant shall provide a Finance Plan for the project prior to first final subdivision map approval that includes the development of all designated park facilities, trails, open space/parkway or other open space areas anticipated to be maintained by the City of Sacramento Department of Parks and Recreation. The Plan shall include all improvement costs associated with the designated park facilities, trails, open space/parkway or other open space areas along with ongoing maintenance, operations, and replacement costs for these facilities in perpetuity. The Finance Plan may reference the Applicant's obligation to pay Park Development Impact Fees, construct turnkey parks, realign or replace Two River Trail, maintain park improvements until dedication is accepted by City, and Applicant's obligation to form into an assessment district to fund on-going park maintenance as described below.
88. Landscaping and Lighting Maintenance or Mello-Roos District. At the time of filing of the first final subdivision map, LANDOWNER shall initiate the

proceedings to create a Landscaping and Lighting District in accordance with Streets and Highway Code Section 22500 et seq. encompassing the Property or a Mello-Roos District in accordance with Community Facilities Code 53322 to fund the maintenance of all of the public improvements as permitted under Streets and Highways Code Section 22525.

The City will be responsible for maintenance of City-owned or controlled property only.

The foregoing maintenance district (Lighting and Landscaping or Mello-Roos special tax assessment district), shall encompass park maintenance, operations and replacement costs. The applicant shall pay all city fees for formation of a new assessment

89. Site Plan: The applicant shall submit a site plan and electronic file showing the location of all utilities on the park/parkway sites to the PPDD for review and approval.
90. Improvements: The applicant shall construct the following public improvements on all lots shown as open space on the final subdivision map prior to and as a condition of City's acceptance of the park/parkway sites:
  - a. Full street improvements where adjacent to streets, including but not limited to curbs, gutters, accessible ramps, street paving, streetlights, and sidewalks; and improved surface drainage through the site.
  - b. A concrete sidewalk and vertical curb along all street frontages, unless otherwise approved by PPDD. The sidewalk shall be contiguous to the curb unless otherwise approved by PPDD.
  - c. PPDD to approve rough grade plan for the sites as required by City Code to provide positive drainage as approved by PPDD.
  - d. PPDD to approve the size and location and of all storm drain, sanitary sewer, water for irrigation and domestic water, and electrical and phone service infrastructure that serves each public open space site.
  - e. PPDD to approve access to each park/public open space location for maintenance purposes.
91. Design Coordination for PUE's and Facilities: If a 12.5 foot public utility easement (PUE) for underground facilities and appurtenances currently exists or is required to be dedicated adjacent to a public street right-of-way contiguous Lots 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, 21 the 7<sup>th</sup> Street median or an

existing park site, the applicant shall coordinate with PPDD and SMUD regarding the location of appurtenances within the PUE to minimize visual obstruction in relation to the parks and to best accommodate future park improvements. The applicant shall facilitate meetings with SMUD and PPDD prior to SMUD's facilities coordinating meeting for the project.

92. Multi-Use Trail: Any realignment or replacement of Two Rivers Trail or associated access ramps must be designed to PPDD specifications. PPDD shall approve the alignment and design of the trail prior to submitting improvement plans for the trail.

An access to the Two Rivers Trail shall be provided at 7<sup>th</sup> Street. PPDD shall approve the alignment and design of the access.

Vehicular access controls shall be placed at the entrance to all access points to the trail (refer to PPDD details and specifications for approved designs).

93. Turn Key Park Development: If the Applicant desires to construct a turnkey park, the Applicant shall notify PPDD in writing no later than the final subdivision map for the project and shall enter into a City standard turn key park construction agreement to construct the park improvements to the satisfaction of the City's PPDD. The park construction agreement shall address (1) the preparation and approval of the park design and improvement plans, (2) time for completion of the park (or of each phase of the park if the park is not to be completed in one phase) as a function of build-out of the subdivision or issuance of occupancy permits, (3) any credits to be awarded to the applicant against the City's Park Impact Fee (PIF) that would be payable as a condition of issuance of building permits for the dwelling units to be constructed in the subdivision, (4) maintenance of all improvements to be accepted into the park maintenance financing district for a minimum of one year and until a minimum of 50% of the residential units to be served by the park have received occupancy permits, unless the City agrees to accept park maintenance into the District at an earlier date. The one-year maintenance period shall begin following the issuance by the City of a notice of completion for the improvements.

## **MISCELLANEOUS**

94. Meet all conditions of the development agreement;
95. Form a Homeowner's Association or other financial funding mechanism such as a Community Facility District for the maintenance of special features proposed in the design guidelines. CC&R's or other financial funding mechanism shall be approved by the City and recorded assuring maintenance of roadway(s) and/or landscaping. The Homeowner's Association or Community Facility District shall fund the maintenance of all streets, lights, sewers, drains and water systems unless determined otherwise by the City;

## **Fire Department**

96. All turning radii for fire access shall be designed as 35' inside and 55' outside.
97. 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. Note: Park Blvd.'s and 7th Street's street sections show a divided road with trees lining a 40 foot median. The single travel lane provided on either side of the median does not meet the fire access road requirements as outlined in the California Fire Code (CFC), 902.2.2.1. The median for Park Blvd and 7<sup>th</sup> Street shall provide for a mountable curb and paved all weather surface area acceptable to the Fire Department to meet this access width requirement of the CFC.
98. Provide the required fire hydrants in accordance with CFC 903.4.2 and Appendix III-B, Section 5.
99. 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.

Exceptions: This provision may be modified, with a resulting road width of not less than 17 feet, if the following conditions are met:

- a. Provisions are made for the emergency use of sidewalks and/or medians by such means as a rolled or mountable curb and surface capable of supporting fire apparatus; or
- b. Streets are identified for one-way circulation with pull-outs 30 feet in length (i.e. No Parking) every 150 feet; or
- c. A grid system for traffic flow is provided in which roadways in the grid do not exceed 300 feet in length and are accessible from each end from approved access roadways

## **SMUD**

100. The owner/developer must disclose to future /potential owners the existing 21 kV electrical facilities. This whole area is both overhead and underground 21 kV.

## **ADVISORY NOTES:**

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

- A. Prior to the issuance of any building permits, provide the City with a copy of the certificate of payment of any school fees for the applicable school district(s);

- B. City may enter into a reimbursement agreement for over-width pavement construction on Richards Blvd;

Note: Subdivider shall notify future property owners within this subdivision that they will be required to maintain the sidewalks and landscaping between the curbs and sidewalks;

### **Utilities**

- C. The applicant is responsible for the protection and repair of the City sanitary sewer and water mains during construction of the proposed structures. Contact Underground Service Alert at 1-800-642-2444, 48 hours before work is to begin.
- D. Sewer development fees are estimated at 5.16 million dollars.
- E. Many projects within the City of Sacramento require an on-site booster pump system for fire suppression and/or domestic water systems. DOU suggest that the future developers request a water supply test for available flows and pressures prior to the design of any buildings.

### **Regional Transit**

- F. Transit information shall be displayed in prominent locations in the residential sales/rental office, through a homeowner's association, or with real estate transactions and for employees and patrons.
- G. For the station block (New Street "C" to 7th Street), the south platform may be constructed within the 11' to 18' City easement, and the track centers may be reduced from 16' to 14', and incorporating the 5' sidewalk north of the light rail tracks into the station platform area.
- H. For the non-station block (5th Street to New Street 'C'), RT proposes leaving the sidewalk north of the tracks but replacing the 16' wide platform areas with a 4' RT maintenance walkway (and making the other changes above).
- I. Bicycle parking facilities should be provided at building entrances.
- J. The applicant shall join the Sacramento Transportation Management Association (TMA).

### **Solid Waste**

- K. Recycling capacity be met or exceeded.
- L. A recycling program be established. The developer should send the name of

the service provider, the frequency of service, and the processing facility to the Solid Waste Division to verify that service has been established.

- M. This project shall divert construction waste. The project proponent should plan to target cardboard, wood waste, scrap metal, brick, concrete, asphalt, and dry wall for recovery. The developer should submit the following information to the Solid Waste Division (For questions contact Tyler Stratton at 916-808-4927):
- Method of recovery
  - Hauler information
  - Disposal facility
  - Diversion percentage
  - Weigh tickets documenting disposal and diversion

### **Parks**

N. A Development Agreement exists for this project which allows parkland dedication credit for lands that do not meet the standards and formulas for dedication of land as established in Sacramento City Code Chapter 16.64, the City's Quimby Ordinance.

O. In-lieu fees shall be paid in full prior to approval of the final subdivision map.

P. 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.
- 2) Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. This is based on number & type of residential units and the square footage of commercial and office space.
- 3) Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation

Q. The Developer shall be responsible for maintenance (weed abatement) of IOD Lot (s) 2, 7B, 8B, 9, 11B, 12B, 15B, 16B, 18, 19, 20, 21 and recreation easement until the time that the City records acceptance of the IOD.

R. Private Facility Credits: City Code Chapter 16.64, Sections 16.64.100, 110 and 120 address granting of private recreation facility credits. The city may grant credits for privately owned and maintained open space or local recreation facilities, or both, in planned developments as defined in Section 11003 of the Business and Professions Code, condominiums as defined in Section 783 of the Civil Code, and other common interest developments. Such credit, if granted in acres, or comparable in lieu fees, shall not exceed twenty-five (25) percent of the dedication or fees, or both, otherwise

required under this chapter and no more than five percent per category of open space or recreational facilities described in this Chapter under 16.64.100

Should the applicant elect to request City consideration of private facility credits the procedure outlined in 16.64.120 must be followed. Critical timing outlined in this Section includes:

- 1) At the time of the hearing on the tentative subdivision map, the planning commission shall recommend to the city council whether a credit is to be given for private recreation facilities, unique natural and special features, or for any other reason provided in Section 16.64.100 of this chapter.
- 2) Open space covenants for private park or recreational facilities shall be submitted to the city council prior to approval of the final subdivision map or parcel map and shall be recorded contemporaneously with the final subdivision map. (Prior code § 40.16.1612)

SRCSD Advisories:

The City of Sacramento (City) is responsible for providing local sewer service for the subject property. The City collector pipelines will convey the sewage to the Sacramento Regional Wastewater Treatment Plant (SRWTP) via the 96-inch City Interceptor.

Developing this property will require the payment of SRCSD sewer impact fees. Impact fees shall be paid prior to issuance of building permits. Applicant should contact the Sewer Fee Quote Desk at (916) 876-6100 for sewer impact fee information.

SRCSD will issue sewer permits to connect to the system if it is determined that capacity is available and that the property has met all requirements for service. This process is "*first come, first served.*" There is no guarantee that capacity will be available when the actual request for sewer service is 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.

Due to the existing and future growth proposed within the City of Sacramento, it appears that the sewage flow being routed to the City Interceptor may be exceeding or close to exceeding the allotted 108.5 MGD indicated within the Operating and Maintenance (O&M) Agreement between the City of Sacramento, the County of Sacramento and SRCSD.

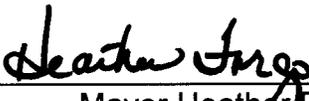
Adopted by the City of Sacramento City Council on August 28, 2007 by the following vote:

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

