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REPORT TO COUNCIL
City of Sacramento

915 I Street, Sacramento, CA 95814-2671
www. CityofSacramento.org

PUBLIC HEARING
September 27, 2005

Honorable Mayor and
Members of the City Council

Subject: Appeal of the Islands at Riverlake (P05-004)

Location/Council District: Located along the north and south sides of Pocket Road between East and West Shore drives. Assessors Parcel Numbers (APNs): 031-1210-003; 031-1200-073; 031-1210-061; 031-1030-015; 031-1030-031; and 031-1300-048 (Attachments A and B), Council District 7.

Recommendation:

Planning staff recommends the City Council approve the Islands at Riverlake project and take the following actions: 1) Adopt the Resolution certifying the Environmental Impact Report and Mitigation Monitoring Plan; 2) Adopt the Resolution approving the Pocket Area Community Plan-South Pocket Specific Plan Amendment to clarify that the "Townhouse and Related Development" designation of the South Pocket Specific Plan allows the full range of residential uses allowed under the zoning code for alternative single-family residential housing types as allowed in the Alternative Single-family (R-1A) zone including attached and detached units, townhouses, cluster housing, condominiums, cooperatives or other similar projects; 3) Adopt the resolution approving the LPPT PUD Guidelines Amendment to clarify that the "Townhouse and Related Development" (R-1A) designation allows the full range of residential uses allowed under the zoning code for alternative single-family residential housing types as allowed in the Alternative Single-family (R-1A) zone including attached and detached units, townhouses, cluster housing, condominiums, cooperatives or other similar projects; and 4) Approve the Notice of Decision and Findings of Fact approving the Special Permit to develop 139 detached alternative single-family homes and 27 common lots in the Alternative Single-family Planned Unit Development (R-1A PUD) zone, the Tentative Subdivision Map to subdivide 21.4± vacant acres into 166 lots, and the Subdivision Modification to reduce the standard 53 foot right-of-way for a private street.

Contact: Kimberly Kaufmann-Brisby, Associate Planner, (916) 808-5590
Thomas S. Pace, Senior Planner, (916) 808-6848
Presenter: Kimberly Kaufmann-Brisby, Associate Planner
Thomas S. Pace, Senior Planner
Department: Development Services
Division: Planning Division
Organization No: 4875

Summary:

The applicant submitted the current application on January 13, 2005. The current proposal is based on the previously approved project design which subdivided ±21.4 vacant acres into 166 lots of which 139 petite lots will be developed with alternative style patio homes and the remaining lots would be designated and developed as common lots for private drives and parking areas, mini-parks or landscape lots.

Committee/Commission Action:

The project was heard by the City Planning Commission on September 15, 2005. Of the eight (8) commission members, there is one vacancy on the commission, one commissioner recused himself from the proceedings and two commissioners were absent. With a voting quorum of five (5) planning commissioners the outcome of the hearing was as follows: The Pocket Community Plan text amendment goes forward with a report of votes taken without a recommendation due to a lack of the required five (5) affirmative votes. The amendment obtained three (3) aye and two (2) nay votes; The LPPT Planned Unit Development Guidelines Amendment goes forward to the City Council for consideration with a Planning Commission recommendation for approval. The amendment obtained three (3) aye and two (2) nay votes; The Special Permit was denied because four (4) affirmative votes were required for approval and three (3) aye and two(2) nay votes were recorded. The remaining requested entitlements were approved with a 3-2 vote-certification of the Environmental Impact Report (EIR), approval of the Mitigation Monitoring Plan, approval of the Tentative Map and approval of the Subdivision Modification.

The applicant filed an appeal on September 16, 2005. Any additional appeals must be submitted no later than close of business on September 26. Staff will report to the council during the hearing whether or additional appeals were filed and the grounds for the appeal(s).

Background Information:

The original Islands at Riverlake project (P01-133), very similar to the current application, was denied by the Planning Commission on August 22, 2002, and was subsequently approved by the Sacramento City Council on June 17, 2003, after the applicant revised the project to the current layout. Subsequent to the approval, a neighborhood group interested in the project, the Pocket Protectors, filed a petition for writ of mandamus requesting the Superior Court of California for the County of Sacramento to set aside the City Council's decision due to alleged CEQA violations. The Superior Court determined there was not a fair argument showing unmitigated significant environmental impacts may occur and the City Council's project approval was upheld.

Various permits necessary for construction were issued to the applicant by the City and other public entities in 2004 and project grading began in mid-August 2004. The Pocket Protectors appealed the Superior Court's decision to the Third District Court of Appeal.

The Pocket Protectors' first request for a stay of construction pending appeal was denied by the Court of Appeal and the applicant commenced construction. Following oral arguments, the Third District Court of Appeal granted the Pocket Protectors' second request for a stay of construction on November 22, 2004. The Third District Court of Appeal reversed the Superior Court on the subject of CEQA compliance and ordered the project be remanded to the Superior Court on December 7, 2004. The Third District Court of Appeal directed the Superior Court to enter a new judgment directing the City to rescind the original project approval and to undertake an Environmental Impact Report (EIR) for the proposed project. The City Council then rescinded the prior approvals on June 28, 2005.

Financial Considerations:

Approval of the resolutions imposes no additional expense upon the City. No new funds are requested.

Environmental Considerations:

The Third District Court of Appeal directed the Superior Court to enter a new judgment directing the City to rescind the original project and undertake an EIR for the proposed project in December, 2004. Pursuant to this order, an EIR was prepared in accordance with the California Environmental Quality Act of 1970 (CEQA), as amended (Public Resources Code, §21000 et seq.) and the State Guidelines (California Code of Regulations, §15000 et seq.). The report also complies with the rules, regulations, and procedures for implementation of CEQA adopted by the City of Sacramento.

The Draft EIR (DEIR) identified potentially significant impacts for traffic, air quality, biological resources and cultural resources. Mitigation measures were identified to reduce all project impacts to a less-than-significant level. A Mitigation Monitoring Plan (MMP), listing all the mitigation measures and required implementing actions, was prepared and is an exhibit for the Environmental Impact Report Resolution. For purposes of comparison, the effects of the proposed project were compared to the effects of the "no project" alternative, and the following additional alternatives: Pocket Road Manor Houses, Riverlake Park Homes, Pocket Protectors' Plan, Zero Lot Line, R-1 Rezone, and R-1A Mixed.

The Draft EIR (DEIR) was released for a 45-day public review period on June 21, 2005. The DEIR was circulated to the Office of Planning and Research for state agency review and posted at the County. The project site was posted regarding availability of the document for review. Property owners within 500 feet of the project site and other interested parties were mailed notification as to the document's availability. Notification was placed in the County and City Clerks' offices as well as the city's official newspaper. The comment period advertised was from June 21, 2005, to August 5, 2005. Comments were received from members of the public and one responsible agency. Responses to these comments are contained in the Final EIR.

During the DEIR review period, comment letters were received but were omitted from the Final EIR (FEIR). Those letters and associated responses are included with the September 15, 2005, Planning Commission staff report and are attached to this report as Attachment D.

Policy Considerations:

General Plan: The General Plan (SGPU) designates the project site for Low Density Residential, 4-15 dwelling units per net acre (du/na), and the Pocket Community Plan designates the site for Residential 7-15 du/na. For a more detailed explanation regarding the density calculation, please see Attachment D "Additional Responses to Comments", item 37-8.

The project is consistent with the following General Plan goals:

- Develop residential land uses in a manner which is efficient and utilizes existing and planned urban resources (SGPU, 2-15).
- Maintain orderly growth in areas where urban services are readily available or can be provided in an efficient, cost effective manner (SGPU, 2-17).

The project is surrounded by residential development and all required services are readily available.

The proposed project also supports Goal 3 of the SGPU Housing Element which encourages the promotion of a variety of housing types within neighborhoods to encourage economic diversity and housing choice (SGPU, 3.10-13).

Pocket Area Community Plan-South Pocket Specific Plan: The City proposes to amend the text of the South Pocket Specific Plan (SPSP) to clarify that the "Townhouse and Related Development" designation of the Plan allows the full range of residential uses allowed under the zoning code for alternative single-family residential housing types as allowed in the Alternative Single-family (R-1A) zone. The housing types would include, but not be limited to: attached and detached units, townhouses, cluster housing, patio homes, condominiums, cooperatives or other similar projects.

The text amendment would make the "Townhouse and Related Development" designation consistent with the alternative housing types allowed in the project site zoning of Single-family Alternative (R-1A). Staff finds this clarification is appropriate in that it would remove doubts as to the interpretation of the SPSP "Townhouse and Related Development" designation.

LPPT Planned Unit Development Guidelines: Similarly, the LPPT PUD Guidelines are proposed to be amended to specify that the "Townhouse and Related Development" designation of the PUD Schematic Plan allows the full range of residential uses allowed under the zoning code for alternative single-family residential housing types as allowed in the Alternative Single-family (R-1A) zone. Staff finds this clarification is appropriate in that it would remove doubts as to the interpretation of the PUD's land use designation for the subject site.

Smart Growth Principles: City Council adopted a set of Smart Growth Principles in December 2001 in order to promote growth or sustain existing development that is economically sound, environmentally friendly, and supportive of community livability. The following Smart Growth principles apply to the proposed project:

- Concentrating new development and targeting infrastructure investments within the urban core of the region;
- Fostering a walkable community.

Strategic Plan Implementation: The recommended action conforms with the City of Sacramento Strategic Plan, specifically by advancing the goal to enhance and preserve urban areas by supporting existing development (and supportive infrastructure) within existing developed areas, allowing for efficient use of existing facilities, features and neighborhoods.

Emerging Small Business Development (ESBD):

City Council approval of these proceedings is not affected by City policy related to the ESBD Program. No goods or services are being purchased.

Respectfully Submitted by:
Carol Shearly, Interim Planning Director
Planning Division

Recommendation Approved:

ROBERT P. THOMAS
City Manager

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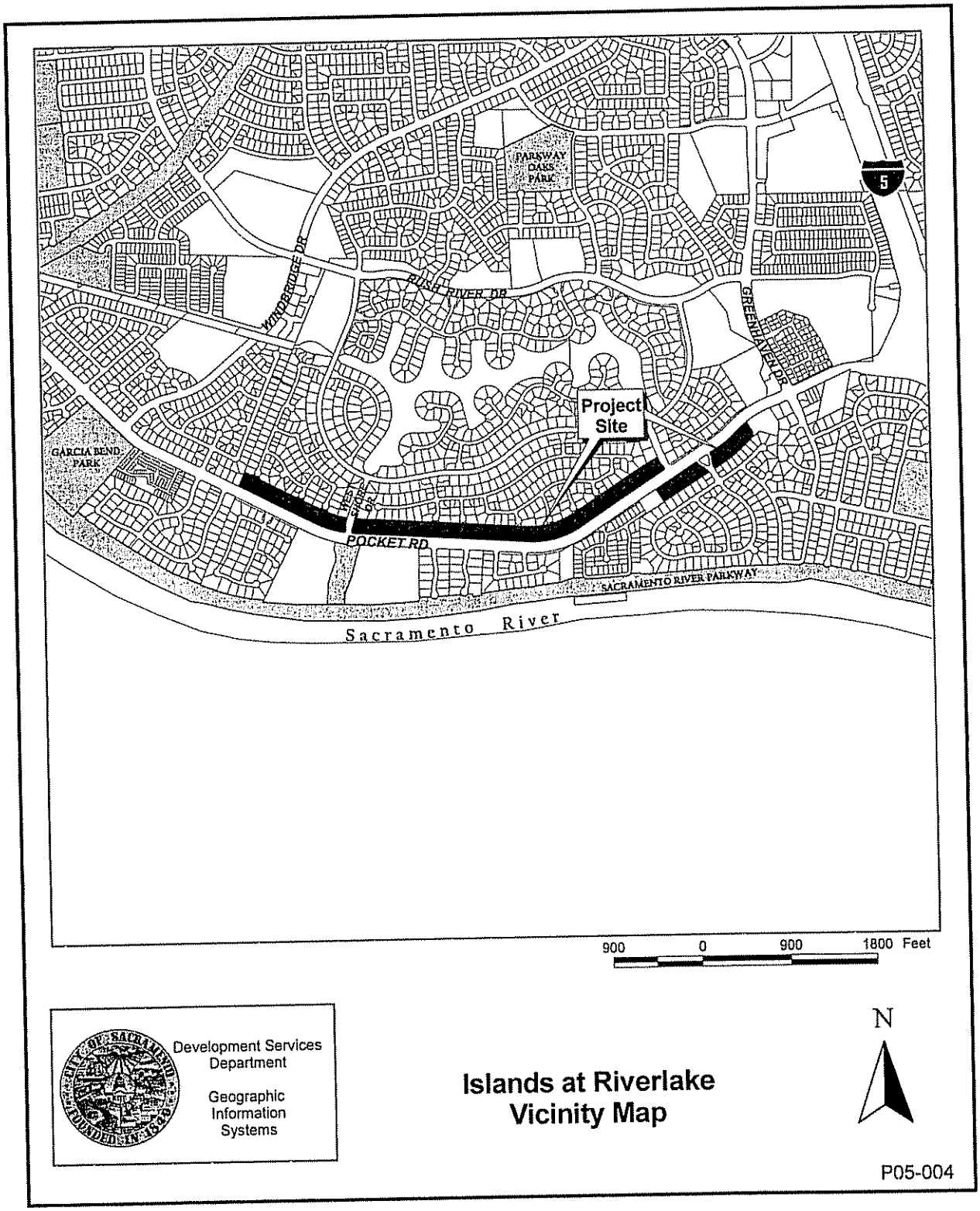
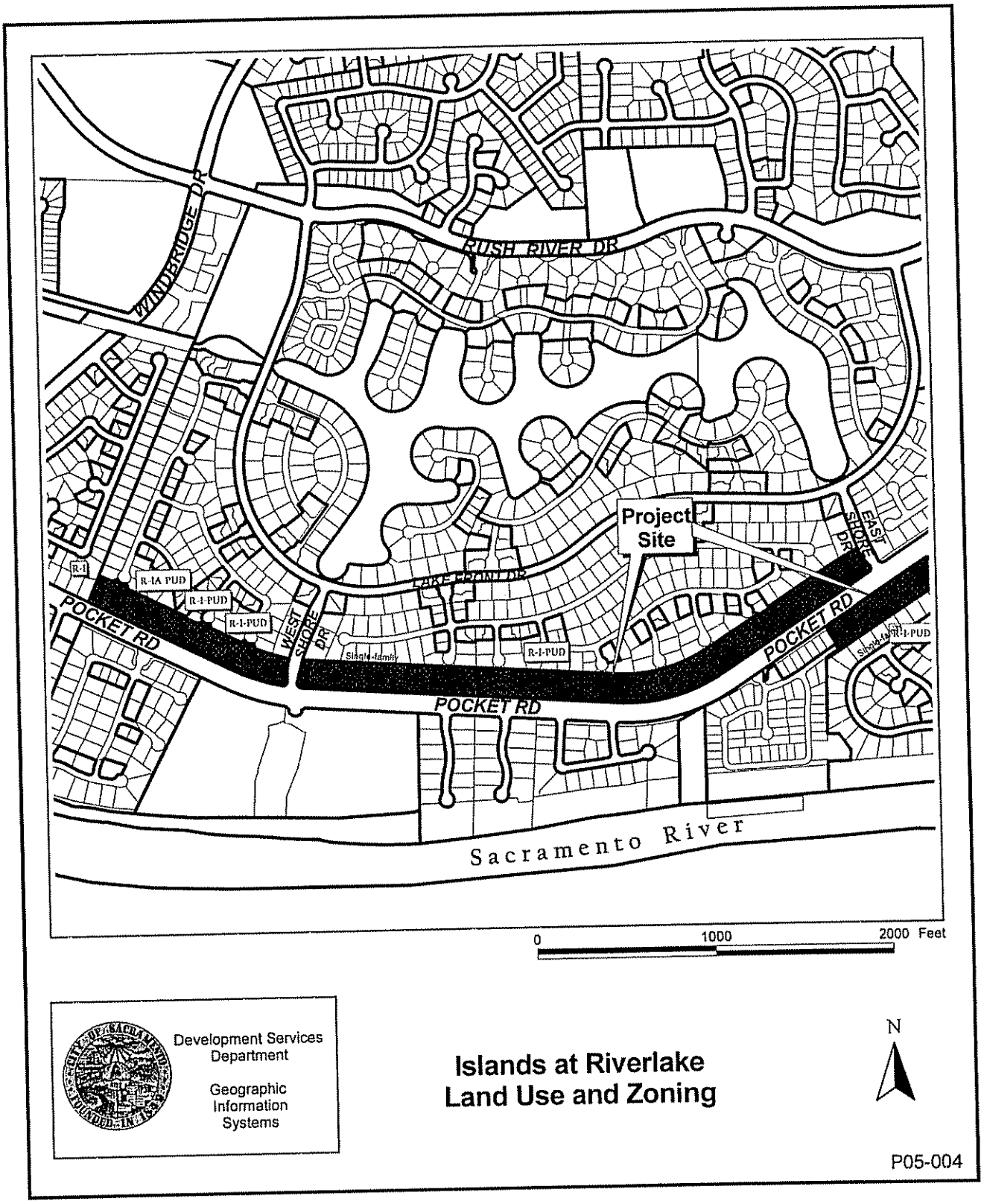
ATTACHMENT A – Vicinity Map



ATTACHMENT B – Land Use & Zoning Map



Attachment C - Staff Report to Planning Commission – Sept. 15, 2005

CITY PLANNING COMMISSION
SACRAMENTO, CALIFORNIA
MEMBERS IN SESSION:

ITEM #1
SEPTEMBER 15, 2005
PAGE 1

P05-004 Islands at Riverlake

REQUEST:

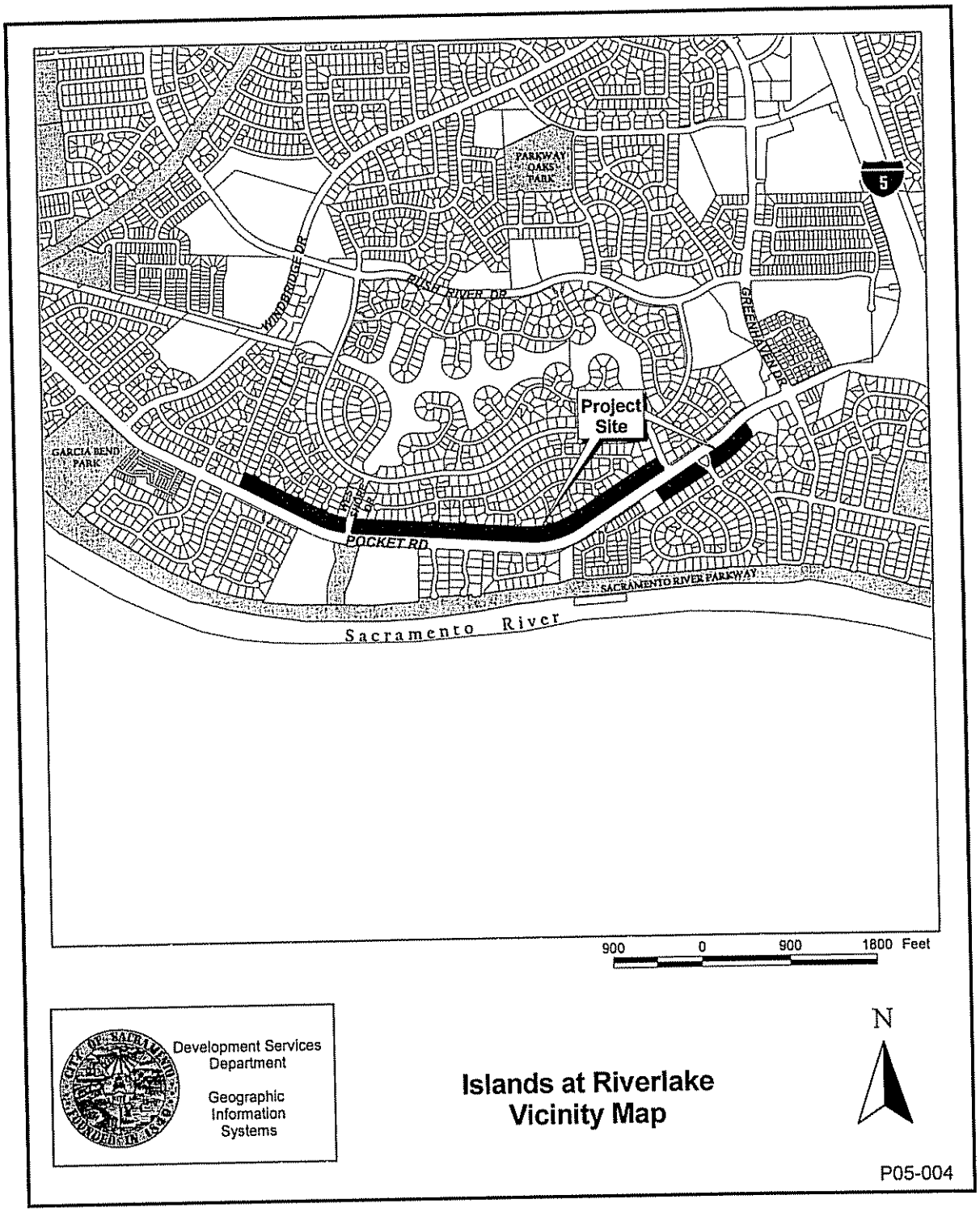
A. **Environmental Determination**: Environmental Impact Report (EIR);
B. **Mitigation Monitoring Plan;**
C. **Pocket Community Plan-South Pocket Specific Plan Amendment** to clarify that the "Townhouse and Related Development" designation of the South Pocket Specific Plan allows the full range of residential uses allowed under the zoning code for alternative single-family residential housing types as allowed in the Alternative Single-family (R-1A) zone including attached and detached units, townhouses, cluster housing, condominiums, cooperatives or other similar projects;
D. **PUD Guidelines Amendment** to clarify that the "Townhouse and Related Development" (R-1A) designation allows the full range of residential uses allowed under the zoning code for alternative single-family residential housing types as allowed in the Alternative Single-family (R-1A) zone including attached and detached units, townhouses, cluster housing, condominiums, cooperatives or other similar projects;
E. **Special Permit** to develop 139 detached alternative single-family homes and 27 common lots in the Alternative Single-family Planned Unit Development (R-1A PUD) zone;
F. **Tentative Subdivision Map** to subdivide 21.4± vacant acres into 166 lots;
G. **Subdivision Modification** to reduce the standard 53' right-of-way for a private street.

LOCATION: Located along the north and south sides of Pocket Road between East and West Shore drives.
Assessors Parcel Numbers (APNs): 031-1210-003; 031-1200-073; 031-1210-061; 031-1030-015; 031-1030-031; and 031-1300-048
Pocket Community Plan-South Pocket Specific Plan
Sacramento City Unified School District
City Council District 7

APPLICANT: Regis Homes of Northern California-Bill Heartman
1435 River Park Drive, Suite 415
Sacramento, California 95815
916-929-3193, ext. 18

OWNER: Riverlake Land Associates, L.L.C.
1435 River Park Drive, Suite 415
Sacramento, California 95815

APPLICATION FILED: January 13, 2005
APPLICATION COMPLETED: January 27, 2005
STAFF CONTACT: Kimberly Kaufmann-Brisby, 916-808-5590


PARKWAY OAKS PARK
5
WINDRIDGE DR
PINE RIVER DR
GREENHAVEN DR
Project Site
GARCIA BEND PARK
POCKET RD
SACRAMENTO RIVER PARKWAY
Sacramento River
900 0 900 1800 Feet
Development Services Department
Geographic Information Systems
Islands at Riverlake
Vicinity Map
N
P05-004

SUMMARY: The Planning Commission heard the staff report at the August 25, 2005, hearing. The hearing was continued when it was discovered two Draft Environmental Impact Report (DEIR) comment letters had been omitted from the Final Environmental Impact Report (FEIR) response to comments. The Response to Additional Comments is included as Attachment 3.

The applicant proposes to subdivide 21.4± vacant acres into 166 lots then develop 139 detached alternative single-family homes along a 22' wide private street. To date, environmental staff has received written comments regarding the Environmental Impact Report (EIR) from individuals opposing the project. Those comments have been addressed in the Final EIR. Planning staff has not received written opposition regarding the project from project opponents but anticipates there to be project opposition consequently it is considered to be controversial.

RECOMMENDATION: Staff recommends approval of the project, subject to conditions of approval in the Notice of Decision. This recommendation is based on: 1) The project 's consistency with the General and Pocket Community Plans; 2) Its adherence to the LPPT PUD Development Guidelines as well as the Single Family Residential Design Principles; and, 3) the project's compliance with Zoning Ordinance requirements.

PROJECT INFORMATION:

General Plan Land Use Designation:	Low Density Residential (4-15 du/na)
Pocket Community Plan Land Use Designation:	Residential 7-15 du
Existing Land Use of Site:	Vacant land
Existing Zoning of Site:	Single-family Alternative Planned Unit Development (R-1A-PUD)

Surrounding Land Use and Zoning:

North:	Residential;	R-1
South:	Residential;	R-1
East:	Residential;	R-1
West:	Residential;	R-1

Setbacks	Required	Provided
Front:	20'	±9' to ±11' with ±0' along Pocket Rd. contiguous with the 40' landscape easement
Side (St):	12.5'	±18' to ±20'

Side (Int):	5'	±3.5' to 6'
Rear:	15'	12' to 15±0' along Pocket Rd.; ±10' adjacent to existing Riverlake and Dutra Bend properties
Property Dimensions:		Irregular
Property Area:		±21.4 gross acres; ±19.4 net acres
Density of Development:		7 dwelling units per net acre (du/na)
Parking Provided:		2 spaces per single family home, 2 spaces typical in the driveway plus 50 to 55 guest spaces
Parking Required:		1 space per home
Topography:		Flat
Street Improvements:		Existing and To Be Constructed
Utilities:		Existing and To Be Constructed

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

Permit	Agency
Final Map	Development Engineering and Finance
Driveway Permit	Development Engineering and Finance
Building Permit	Building Division
Off-site Improvements Permit	Development Engineering and Finance
Tree Permit	City Arborist
NPDES General Permit for Storm water Discharges associated with Construction Activities	Obtain copy of permit application from Dept. of Utilities to file with State Water Resources Control Board (SWRCB)
Notice of Intent (in connection w/NPDES Permit above)	Obtain copy of permit application from Dept. of Utilities -to be filed with the SWRCB
Encroachment Permit	Development Engineering and Finance Division

BACKGROUND INFORMATION: On August 27th, 1985, the City Council approved the 373 acre L.P.P.T. PUD (P85-165), and adopted the Development Agreement between the City and L.P.P.T. Also included in the approval was the rezoning of the current application site from Agricultural (A) to Single-family Alternative (R-1A). On May 12, 1987, the City Council approved three separate applications covering the subject site (P87-129, P87-130, and P87-131). The approvals included Special Permits for the

development of 155 townhouse units and a Tentative Map. The townhouse proposal was designed with three-unit buildings comprised of one single-story unit and 2 two-story units. Each unit was then set at an angle to Pocket Road to diminish the row effect associated with linear townhouse development. Access to the development was provided via three driveways off Pocket Road and one drive off both East and West Shore drives.

The City Council approved a one-year time extension for the Special Permit on April 13, 1989, and for the Tentative Map, on April 25, 1989. An additional time extension for the Tentative Map and Special Permit for a portion of the current project site, between East and West Shore drives, was approved by the City Planning Commission on September 26, 1991 (P87-129). Subsequent to the approvals, the Tentative Map was not recorded and the Special Permit expired.

A similar townhouse project was approved by the Planning Commission on January 27, 1994 (P93-089). This application increased the number of townhouse units from 155 to 167. The building design consisted of three and four unit clusters. Each cluster was designed to look like a large "Manor house" with one unit providing an entrance facing Pocket Road and the remaining unit entrances facing the side or rear of the property. Vehicular access was to be provided via a 25-foot wide private drive, running along the rear of the property, with a 5-foot wide planter providing a buffer between the private drive and the adjacent single family development.

The LPPT development agreement received a time extension from the City Council on December 12, 1995 (Ordinance No. 95-071). The development agreement expired on August 25, 2002.

The original Islands at Riverlake project (P01-133), virtually identical to the current application, was denied by the Planning Commission on August 22, 2002, and was subsequently approved by the Sacramento City Council on June 17th, 2003, after the applicant revised the project to its current layout. Subsequent to the approval, a neighborhood group interested in the project, the Pocket Protectors, filed a petition for writ of mandamus requesting the Superior Court of California for the County of Sacramento to set aside the City Council's decision due to alleged CEQA violations. The Superior Court determined there was not a fair argument showing unmitigated significant environmental impacts may occur and the City Council's project approval was upheld.

Various permits necessary for construction were issued to the applicant by the City and other public entities in 2004 and project grading began in mid-August of 2004. The Pocket Protectors appealed the Superior Court's decision to the Third District Court of Appeal. The Pocket Protectors' first request for a stay of construction pending appeal was denied by the Court of Appeal and the applicant commenced construction. Following oral arguments, the Third District Court of Appeal granted the Pocket

Protectors' second request for a stay of construction on November 22, 2004. The Third District Court of Appeal reversed the Superior Court on the subject of CEQA compliance and ordered the project be remanded to the Superior Court on December 7, 2004. The Third District Court of Appeal directed the Superior Court to enter a new judgment directing the City to rescind the original project and undertake and EIR for the proposed project. The City Council then rescinded the prior approvals on June 28, 2005. However, the Superior Court has not yet entered final judgment.

The applicant submitted the current application on January 13, 2005. The new application is based on the previously approved project design.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The General Plan (SGPU) designates the project site for Low Density Residential, 4-15 dwelling units per net acre (du/na) and the Pocket Community Plan designates the site for Residential 7-15 du/na. The proposed development has a net density of 7 du/na including the linear parkway and the private drive areas as those areas were included in the overall LPPT PUD density calculations. The LPPT PUD allows a combined total of 164 dwelling units for the six parcels, with which the project also complies. Finally, the maximum density for the Single Family Alternative (R-1A) zone is 15 du/na. The project falls under the density threshold and is thus within the allowable range for the R-1A zone.

The project is consistent with Goal C of the Sacramento General Plan Update's (SGPU) Residential Land Use Element Goal C to "Develop residential land uses in a manner which is efficient and utilizes existing and planned urban resources." (SGPU, 2-15) and Goal D to "Maintain orderly growth in areas where urban services are readily available or can be provided in an efficient, cost effective manner" (SGPU, 2-17). The project is surrounded by residential development and all required services are readily available.

The proposed project also supports Goal 3 of the SGPU Housing Element which encourages the promotion of a variety of housing types within neighborhoods to encourage economic diversity and housing choice (SGPU, 3.10-13). The proposed development will fill a niche for the individual who wants a new, well-designed home with a small yard near both passive and active open space which will be more affordable than the existing adjacent developments. The proximity to the passive open space of the 40 foot wide linear parkway, running along the entirety of the project, coupled with the mini-parks affords the residents

outdoor recreation options.

Pocket Community Plan-South Pocket Specific Plan

The City proposes to amend the text of the South Pocket Specific Plan (SPSP) to clarify that the "Townhouse and Related Development" designation of the Plan allows the full range of residential uses allowed under the zoning code for alternative single-family residential housing types as allowed in the Alternative Single-family (R-1A) zone. The housing types would include, but not be limited to: attached and detached units; townhouses; cluster housing; patio homes; condominiums; cooperatives or other similar projects.

The text amendment would make the "Townhouse and Related Development" designation consistent with the alternative housing types allowed in the R-1A zone. The project, as proposed, embraces all applicable criteria set forth in the SPSP for townhouse development including: conforming with major and collector street patterns, not exceeding the average density of 8 units per net acre, compatibility with and not adversely affecting existing, proposed or surrounding parcels. Also, the site development should integrate structures, common and private open spaces, pedestrian and vehicular circulation, parking and other site features in a way that produces a development which provides for all desirable residential features and environmental amenities. The SPSP also states "problem parcels" of unusual configuration would also be appropriate for townhouse uses.

By amending the text there would be no question as to the appropriateness of developing the "Islands" detached patio-style homes in the "Townhouse and Related Development" designated area.

LPPT Planned Unit Development Guidelines

Similarly, the LPPT PUD Guidelines are proposed to be amended to specify that the "Townhouse and Related Development" designation of the PUD Schematic Plan allows the full range of residential uses allowed under the zoning code for alternative single-family residential housing types as allowed in the Alternative Single-family (R-1A) zone. Staff finds that this clarification is appropriate to remove all doubt as to the intention of the PUD's land use designation for the subject site.

B. <u>Tentative Map Design</u>

The applicant proposes to subdivide 21.4± vacant acres into 166 lots and then develop the parcels with 139 one-or two- story detached alternative style homes and 27 common lots. A linear configuration is proposed for the 139 single-family

"Patio homes". Two rows of houses will straddle a 22-foot wide private drive with a 40 foot wide linear parkway and 20 feet of Pocket Road right-of-way landscaping serving as a buffer between the proposed development and Pocket Road. The homes on the north side of Pocket Road will be accessed via the 22 foot-wide private drive with three full-access driveways onto Pocket Road. Driveways limited to right in, right out turns, will be available onto West Shore Drive with a traffic signal installed to control movements at the intersection of West Shore Drive and Pocket Road. The homes on the south side of Pocket Road will also be accessed via a 22-foot wide private street with two (2) limited-movement, right in, right out, driveways onto Pocket Road.

A 22-foot wide private street allows a single lane of traffic for each direction with no parking allowed except in the parking pockets interspersed throughout the development. Traffic-calming circles, will be located at each limited-access point as well as midway between East and West Shore drives.

The applicant proposes a Subdivision Modification to construct a 22-foot wide private drive. Parking will be prohibited along the entirety of the private drive except in designated parking pockets interspersed throughout the development. The Fire Department has no objection to the private drive width, provided a 20-foot wide path is available for the department vehicles to safely navigate. The project will be conditioned to design all roadway features to the approval and sign-off of the Fire Department. As the proposed private drive can safely accommodate two-way traffic, utility, and emergency vehicles, staff supports the Private Drive Subdivision Modification.

The applicant has provided a series of "mini parks" throughout the project to provide passive open space area for the future residents.

Guest parking has been placed at regular intervals throughout the development. 25 guest spaces grouped in 4 and 5 space units, are located on the north side of Pocket Road. An additional 30 spaces are located between individual lots, also at regular intervals. The Zoning Ordinance requires one covered 10' x 20' parking space for each single family dwelling. Each house plan includes a two-car garage for a total of 278 covered parking spaces. Temporary parking will also be available in the driveways of many homes, provided the useable driveway depth is a minimum of 18 feet.

A four foot wide sidewalk will run along one side of the private street. Along the portion north of Pocket Road, the walk will be on the north side of the private drive, and on the portion south of Pocket Road, the walk will be located along the south side of the private street. Pedestrian access to the linear parkway will be provided through pedestrian access paths along the northern portion of the

development, connecting the private street and the parkway with a 5 foot wide pathway. The access pathways will be landscaped with low growing shrubbery and groundcover. Specially stamped and colored asphalt will cross the private drive at each of three access points, providing an indication of the pathway location and pedestrian crossing. In addition, a 3 foot wide walk will connect the homes fronting Pocket Road to each other and to the 5 foot wide access path.

The map, as proposed, is consistent with the allowed densities for the R-1A zone in the LPPT PUD, the Pocket Community Plan and the General Plan. It is compatible with regard to the overall circulation with the existing adjacent residential subdivisions and involves 26 fewer parcels than were approved for the same parcels of land in 1994 (P93-089). Staff recommends approval of the Tentative Map, subject to the attached conditions.

C. Site Plan Design/Zoning Requirements

1. Setbacks

The project has varying setbacks depending on the house plan and lot combinations. Along the private street, front yard setbacks range from 8 to 12.5 feet, while back yard setbacks range from 5 feet to 9.5 feet for lots located adjacent to existing lots and zero feet for lots adjacent to the linear parkway on Pocket. These lots would use a larger front yard facing the private street for semi-private outdoor space. Side yards range from 3.5 feet to 6 feet in width.

Table 1: Setbacks for Lots Adjacent to Existing Lots

	67 x 50				79 x 50		
Plan Number	**Stories**	**Side setbacks**	**Front Setback**	**Rear Setback**	**Side Setbacks**	**Front Setback**	**Rear Setback**
7110	1	n/a	--	--	3.5' & 5'	9'	10'
7120	1	n/a	--	--	3.5' & 5'	9'	10'
5710	2	6' & 4'	11'	12'	n/a	--	--
5713	2	6' & 4'	11'	12'	n/a	--	--
5730	2	6' & 4'	9'	12'	n/a	--	--

Table 2: Setbacks for Lots Adjacent to Pocket Road

	64 x 45				67 x 45			79 x 45		
Plan Number	**Stories**	**Side setbacks**	**Rear Setback**	**Front Setback**	**Side Setbacks**	**Rear Setback**	**Front Setback**	**Side Setback**	**Rear Setback**	**Front Setback**
7110, 7120	1	n/a	--	--	n/a	--	--	3.5' & 5	0'	13'
5710, 5713	2	3.5' & 3.5'	0'	15'	6' & 4'	0'	15'	n/a	--	--
5720	2	3.5' & 3.5'	0'	13'	6' & 4'	0'	13'	n/a	--	--
5730	2	3.5' & 3.5'	0'	13'	6' & 4'	0'	13'	n/a	--	--

The lots "fronting' on Pocket Road are 40 feet in back of the property / right-of-way line, however, the actual street curb and gutter is another 20 feet distant from the property line for a total distance between the proposed lot lines fronting on Pocket Road and the edge of the street of approximately 60 feet. This includes the 25 foot wide landscape easement and the 15 foot wide parkway easement which comprise the 40 foot wide linear parkway and the additional 20 feet between the property line and the roadway of Pocket Road.

To accommodate the zero setbacks for the homes fronting on Pocket Road, a "No Build" easement will be dedicated along the entirety of the lots fronting on Pocket Road. This easement will allow construction within three (3) feet of the property line(s) and will prohibit any construction within the linear parkway.

The front setbacks off the private drive range between nine (9') and eleven (11') feet, with the majority of plans employing the nine foot front setback, which will accommodate a small private yard. The driveways throughout the development will be required to have a setback minimum of 18 feet to allow for guest parking and/or temporary parking in the driveway, any driveway less than 18 feet in useable depth will be conditioned to not allow parking in the driveway. All sideyard setbacks exceed the 3 foot minimum with the smallest measuring 3.5 feet and the largest measuring 6 feet.

The rear setbacks are controversial adjacent to the existing single family home subdivisions. To accommodate privacy concerns, the applicant agreed to construct primarily one-story homes along the existing residences. The trade-off with constructing the single-story homes is a larger building footprint on one level with smaller setbacks versus the two-story home which have smaller footprints and larger setbacks but may intrude on adjacent owner's privacy. The minimum rear setback for all the plans fronting on the private drive is 10 feet to the garage and 12 feet to the home, with varying percentages of the house at that distance.

The two story plans are designated on the tentative map exhibit and will be restricted to lots which have only the adjacent existing residence's side lot proximate or those lots opposite existing cul-de-sacs, to limit the privacy intrusion.

Given the depth of the project site, access requirements, housing design constraints, and the avoidance of impacts on the linear parkway, the rear setback area bears the impact of the proposed development. The house plans which are proposed to be constructed along the existing residences are limited and the project will be conditioned to plot each building footprint for each lot and receive planning staff approval prior to the issuance of building permits. Given the physical constraints, the R-1A zoning of the project site, and the conditions which will be placed on the project, staff supports the proposed setbacks.

3. Landscaping

The applicant proposes to remove as few existing trees as possible for the construction of the development. Where heritage trees are proposed for removal, mitigation developed by the City Tree Arborist will apply. The proposed parking areas will be subject to the Zoning Ordinance's 50 percent shading requirement and will be conditioned to comply with same. The applicant has provided an enlarged site plan showing the proposed typical tree planting layout for the individual lots. The proposed trees will add a needed landscape dimension to the lots and some shade, but the trees are limited in the area in which they can be planted and grow so are accordingly more ornamental in nature. Two trees are proposed for each lot, planted at semi-regular intervals, softening the streetscape and adding dimension.

D. Building Design

The applicant proposes to construct six (6) different house plans within the Islands at Riverlake development. Of the six plans, Plans 7110 and 7120 are single story plans, and Plans 5710, 5713, 5720 and 5730 are two-story plans.

The two-story plans will be used primarily along the Pocket Road sides of the development as they all have second story windows which face the rear of the properties. Single story plans are proposed for lots abutting existing homes. Where a Riverlake cul-de-sac abuts a proposed lot, the two-story plan would also be used to provide a change from the predominantly single story streetscape along the existing Riverlake properties.

Table 3: Floor Plan Summary

Plan	7110	7120	5710	5713	5720	5730
Size	1,428 sqft	1,500 sqft	1,638 sqft	2,034	2,154 sqft	2,244
Height	1 story	1 story	2 stories	2 stories	2 stories	2 stories

Each of the six proposed plans has three elevations, consisting of Elevation A, Spanish Colonial, Elevation B, Norman Cottage, and Elevation C, California Bungalow. The Spanish Colonial theme will employ roofing of barrel concrete tile, with archways and shutters on the front facade, and shelves accentuating the windows. The exterior walls will be finished with stucco and a ledge stone wainscoting. The Norman Cottage concept has gray flat concrete tile as roofing material, stucco on the exterior wall treatment, with a ledge stone wainscot, which will be used for the chimney as well. A gable end finished with Hardie-Plank (a wood-like siding material that is more durable and lower in maintenance than wood) accentuates the front entry and windows with shutters on all the front windows. The third style employed is the California Bungalow

which uses a flat, brown blend concrete tile for roofing material. A gable end covered with shingle patterned siding emphasizes the Bungalow concept, with aspen dressed field stone wainscoting accentuating the front entryway columns.

All the proposed plans comply with the Single Family Residential Principles. They will provide a variation in residences through the use of quality materials and design details, lending visual interest, distinctive character and identity to the Island community. This quality in detail and design will contribute both to the long term value of the homes and the neighborhood. The scale of the homes is somewhat smaller than the existing adjacent residences, providing a greater mix of housing opportunities for this portion of the Pocket community. The houses were designed to complement the adjacent residences, both in materials and design, if not scale, and in all aspects staff finds the efforts to be successful.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The Third District Court of Appeal directed the Superior Court to enter a new judgment directing the City to rescind the original project and undertake and EIR for the proposed project in December, 2004. Pursuant to this order, an Environmental Impact Report (EIR) has been prepared in accordance with the California Environmental Quality Act of 1970 (CEQA), as amended (Public Resources Code, §21000 et seq.) and the State Guidelines (California Code of Regulations, §15000 et seq.). The report also complies with the rules, regulations, and procedures for implementation of CEQA adopted by the City of Sacramento.

The DEIR identified potentially significant impacts for traffic, air quality, biological resources and cultural resources. Mitigation measures were identified to reduce all project impacts to a less-than-significant level. A Mitigation Monitoring Plan (MMP) that lists all of the mitigation measures and required implementing actions was prepared and is attached. For purposes of comparison, the effects of the proposed project were compared to the effects of the "no project " alternative, and the following additional alternatives: Pocket Road Manor Houses, Riverlake Park Homes, Pocket Protectors' Plan, Zero Lot Line, R-1 Rezone, and R-1A Mixed.

The Draft EIR was released for a 45-day public review period on June 21, 2005. The DEIR was circulated to the Office of Planning and Research for state agency review and posted at the County. The project site was posted regarding availability of the document for review. Property owners within 500 feet of the project site and other interested parties were mailed notification as to the

document's availability. Notification was placed in the County and City Clerks' offices as well as the city's official newspaper. The comment period advertised was from June 21, 2005 to August 5, 2005. Comments were received from members of the public and one responsible agency. Responses to these comments are contained in the Final EIR.

B. Public/Neighborhood/Business Association Comments

Comments on the EIR were received and have been incorporated into the Final EIR with responses.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. The comments have been incorporated as conditions of approval and are listed in the Notice of Decision and Findings of Fact.

D. Subdivision Review Committee Recommendation

On August 3, 2005, the Subdivision Review Committee, by a vote of three ayes, voted to recommend approval of the proposed Tentative Map subject to the conditions of approval in the attached Notice of Decision.

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny A through G. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 calendar days of the Planning Commission action.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

A. Adopt the attached Notice of Decision and Findings of Fact certifying the Environmental Impact Report;

B. Adopt the attached Notice of Decision and Findings of Fact approving the Mitigation Monitoring Plan;

C. Adopt the attached Notice of Decision and Findings of Fact recommending approval of the Pocket Community Plan-South Pocket Specific Plan Amendment to clarify that the "Townhouse and Related Development" designation of the South Pocket Specific Plan allows the full range of residential uses allowed under the zoning code for alternative single-family residential housing types as allowed in the Alternative Single-family (R-1A) zone including attached and detached

units, townhouses, cluster housing, condominiums, cooperatives or other similar projects;

D. Adopt the attached Notice of Decision and Findings of Fact recommending approval of the PUD Guidelines Amendment to clarify that the "Townhouse and Related Development" (R-1A) designation allows the full range of residential uses allowed under the zoning code for alternative single-family residential housing types as allowed in the Alternative Single-family (R-1A) zone including attached and detached units, townhouses, cluster housing, condominiums, cooperatives or other similar projects;

E. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit to develop 139 detached alternative single-family homes and 27 common lots in the Alternative Single-family Planned Unit Development (R-1A PUD) zone;

F. Adopt the attached Notice of Decision and Findings of Fact approving the Tentative Subdivision Map to subdivide 21.4± vacant acres into 166 lots;

G. Adopt the attached Notice of Decision and Findings of Fact approving the Subdivision Modification to reduce the standard 53' right-of-way for a private street.

Report Prepared By,

Kimberly Kaufmann-Brisby, Associate Planner

Report Reviewed By,

Thomas S. Pace, Senior Planner

Attachments

Attachment 1	Notice of Decision & Findings of Fact
Exhibit 1A	EIR Findings of Fact
Exhibit 1B	Mitigation Monitoring Plan
Exhibit 1C	Tentative Map
Exhibit 1D	Private Streets
Exhibit 1E	Landscape Plans
Exhibit 1F	Typical Site Plan
Exhibit 1G	Linear Parkway Pedestrian Access Plan
Exhibit 1H	Special Plot Plan Lot 14
Exhibit 1I	Special Plot Plan Lot 29
Exhibit 1J	Special Plot Plan Lot 139

Exhibit 1K	House Plans
Attachment 2	Land Use & Zoning Map
Attachment 3	Responses to additional DEIR comments

PLEASE NOTE: THE REMAINING PAGES OF THE PLANNING COMMISSION STAFF REPORT, INCLUDING EXHIBITS AND ATTACHMENTS, ARE CONTAINED WITHIN THIS CITY COUNCIL REPORT AS ATTACHMENTS AND RESOLUTIONS. AS A RESULT, THOSE PAGES OF THE PLANNING COMMISSION STAFF REPORT ARE NOT REPEATED WITHIN THE CITY COUNCIL STAFF REPORT. A COMPLETE COPY OF THE ORIGINAL PLANNING COMMISSION STAFF REPORT IS AVAILABLE AT THE CITY PLANNING DIVISION, 915 I STREET-ADMINISTRATION BUILDING, Room 300, SACRAMENTO, CALIFORNIA, 95814.

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

DATE

A RESOLUTION CERTIFYING THE ENVIRONMENTAL IMPACT REPORT AND APPROVING THE MITIGATION MONITORING PLAN FOR THE ISLANDS AT RIVERLAKE PROJECT, LOCATED ALONG THE NORTH AND SOUTH SIDES OF POCKET ROAD PRIMARILY BETWEEN EAST AND WEST SHORE DRIVES IN SACRAMENTO, CALIFORNIA. (P05-004) (ASSESSORS PARCEL NUMBERS (APNS): 031-1210-003; 031-1200-073; 031-1210-061; 031-1030-015; 031-1030-031; AND 031-1300-048.

BACKGROUND

I. CEQA FINDINGS

A. The City Council finds that the Environmental Impact Report for the Islands at Riverlake Project (herein EIR) which consists of the Draft EIR, and Final EIR (Response to Comments) and Appendices, has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.

B. The City Council certifies that the EIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures.

C. The Planning Commission certifies that the EIR has been presented to it and that the Planning Commission has reviewed it and considered the information contained therein prior to acting on the proposed project.

D. Pursuant to CEQA Guidelines Sections 15091 and in support of its approval of the Islands at Riverlake project, the City Council hereby adopts the attached Findings of Fact and a Mitigation Monitoring Program to require all reasonably feasible mitigation measures be implemented.

II. PROCEDURAL FINDINGS

A. The City of Sacramento caused an Environmental Impact Report ("EIR") on the Project to be prepared pursuant to the California Environmental Quality Act, Public Resources Code, Section 21000 et seq. (CEQA), the CEQA Guidelines, Code of California

Regulations, Title XIV, Section 15000 et seq., and the City of Sacramento environmental guidelines.

B. A Notice of Preparation of the Draft EIR was filed with the Office of Planning and Research on February 25, 2005, and was circulated for public comments from February 25, 2005, to March 30, 2005.

C. A Notice of Completion (NOC) and copies of the Draft EIR were distributed to the State Clearinghouse on June 21, 2005, to those public agencies that have jurisdiction by law with respect to the Project and to other interested parties and agencies. The comments of such persons and agencies were sought.

D. An official forty-five (45) day public review period for the Draft EIR was established by the State Clearinghouse. The public review period began on June 21, 2005, and ended on August 5, 2005.

E. A Notice of Availability (NOA) was distributed to all interested groups, organizations, and individuals on June 21, 2005, for the Draft EIR. The Notice of Availability stated that the City of Sacramento had completed the Draft EIR and that copies were available at the City of Sacramento, Development Services Department, 1231 I Street, Room 300, Sacramento, California 95814. The letter also indicated that the official forty-five day public review period for the Draft EIR would end on August 5, 2005.

F. A public notice was placed in the Daily Recorder on June 21, 2005, which stated that the Islands at Riverlake Project Draft EIR was available for public review and comment.

G. A public notice was posted with the Sacramento City Clerk's Office on June 21, 2005.

H. Following closure of the public comment period, the Draft EIR was supplemented to incorporate comments received and the City's responses to said comments, including additional information included in the Final EIR.

I. Following notice duly and regularly given as required by law, and all interested parties expressing a desire to comment thereon or object thereto having been heard, the EIR and comments and responses thereto having been considered, the City Council makes the following determinations:

1. The EIR consists of the Draft EIR, and Final EIR (Responses to Comments) with appendices.

2. The EIR was prepared and completed in compliance with CEQA.

3. The EIR has been presented to the City Council which reviewed and considered the information therein prior to acting on the Islands at Riverlake project, and they find that the EIR reflects the independent judgment and analysis of the City of Sacramento.

J. The following information is incorporated by reference and made part of the record supporting these findings:

1. The Draft and Final EIR and all documents relied upon or incorporated by reference including:

- City of Sacramento General Plan, City of Sacramento, January, 1988
- Draft Environmental Impact Report City of Sacramento General Plan Update, City of Sacramento, March, 1987
- Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento General Plan Update, City of Sacramento, 1988
- Zoning Ordinance, City of Sacramento
- Blueprint Preferred Scenario for 2050, Sacramento Area Council of Governments, December, 2004
- Pocket Area Community Plan, South Pocket Specific Plan, City of Sacramento, 1976
- LPPT PUD Schematic Plan and Development Guidelines, City of Sacramento, 1985
- Single Family Residential Design Principles, City of Sacramento, September, 2000

2. The Mitigation Monitoring Plan dated August, 2005.

3. All staff reports, memoranda, maps, letters, minutes of meetings and other documents relied upon or prepared by City staff relating to the project, including but not limited to, City of Sacramento General Plan and the Draft and Final Environmental Impact Report for the City of Sacramento General Plan Update.

K. As required by PRC Section 21081(a)(2) and Section 15091(e), the administrative record of these proceedings is located, and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the Planning Commission.

III. FINDINGS OF FACT REGARDING THE ENVIRONMENTAL IMPACT REPORT FOR THE ISLANDS AT RIVERLAKE PROJECT

The Environmental Impact Report for the Islands at Riverlake project, prepared in compliance with the California Environmental Quality Act, evaluates the potentially

significant and significant adverse environmental impacts that could result from adoption of the project or alternatives to the project.

The Islands at Riverlake project is located on the north and south sides of Pocket Road from approximately 1,200 feet west of West Shore Drive to approximately 580 feet east of Dutra Bend Drive. The project would subdivide six parcels, totaling ±21.4 gross acres, into 166 lots of variable size in the L and P – Pacific Teichert Planned Unit Development (LPPT PUD). The project would construct 139 detached single-story and two-story single-family alternative residential units in the Single-family Alternative Planned Unit Development (R-1A PUD) zone. An interior, 22-foot wide private road with a four-foot wide sidewalk on one side would provide access to the houses. The project includes improvements to Pocket Road and its intersection with West Shore Drive, East Shore Drive, Dutra Bend Drive, and Coleman Ranch Way.

Adoption of the Plan requires amendments to the LPPT PUD and Pocket Area Community Plan South Pocket Specific Plan (PACP_SPSP) to clarify that the "Townhouse and Related Development" (R-1A) designation allows the full range of residential uses allowed under the City zoning code for single-family residential alternative designation (R-1A), i.e., single-family attached or detached units, townhouses, cluster housing, condominiums, cooperatives or other similar projects.

Because the Initial Study indicated that implementation of the project (or project alternatives) might result in potentially significant impacts, the City is required under CEQA, and the State and City guidelines adopted pursuant thereto, to make certain findings with respect to these impacts. The required findings appear in the following sections of this document. This document lists all identified potentially significant impacts, as identified by the City's Initial Study, the Third District Court of Appeal, and as analyzed in the EIR. The following further identifies and summarizes the potentially significant impacts that can be avoided due to implementation of mitigation measures as identified in the EIR. The EIR concluded that there would be no significant and unavoidable impacts resulting from the project. These findings are supported by substantial evidence in the record of proceedings before the City as stated below.

A. POTENTIALLY SIGNIFICANT IMPACTS WHICH CAN BE AVOIDED AND IMPACT AREAS IDENTIFIED BY THE THIRD DISTRICT COURT OF APPEAL

As authorized by Public Resources Code Section 21081 and Title 14, California Administrative Code § 15091(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the potentially significant environmental impacts identified in the EIR. The City further finds that these changes or alterations in the project are within the jurisdiction of the City to require, and that these measures are appropriate and feasible.

In this section of the Findings of Fact for the proposed Islands at Riverlake project, the City identifies the areas where the Initial Study and the Third District Court of Appeal found that there was a fair argument the project may result in significant impacts and the

potentially significant impacts that can be reduced through mitigation measures to a less-than-significant level. The referenced mitigation measures are hereby incorporated into the description of the project and their implementation will be tracked through the Islands at Riverlake Project Mitigation Monitoring Program.

These findings are supported by substantial evidence in the record of proceedings before the City as stated below.

1. **LAN-1 Impact: SACOG Blueprint Growth Principles**

(a) Potentially Significant Impact

Inconsistency with the SACOG Blueprint Preferred Scenario for 2050 could result in a **potentially significant** land use impact on the Sacramento region.

(b) Facts in Support of Finding

The proposed project is considered consistent with the building type identified for the project site in the Blueprint Preferred Scenario. The SACOG identified the building type for the project site as "Single Family Small Lot" on the Blueprint Preferred Scenario for 2050 Map. On the lower end of the density range is medium density single-family product on lots from 3,500 square feet to 5,500 square feet. On the higher end of the range is detached town home product running from 12-24 dwelling units per net acre (personal communication, Kacey Lizon-Sacramento Area Council of Governments). The proposed project would construct residential dwelling units on lots ranging from 2,812 square feet up to 6,056 square feet (average lot size is 3,628 square feet). Only two of the 139 proposed single-family residential alternative lots exceed the "Single Family Small Lot" lower density range of lot sizes (6,056 square feet and 5,905 square feet respectively). The SACOG stated in a letter to the Supreme Court of California dated 27 January 2005, that the proposed project provides the kind of "Single Family Small Lot" development for which the Blueprint designates the project site. Adopted in December 2004, the Blueprint represents a trend to promote more dense, infill residential development, while the City's minimum lot standard (5,200 square feet) dates back earlier when the preference of the policy decision makers was for larger lots than they now prefer. Therefore, the proposed project is considered consistent and Impact LAN-1 is considered **less-than-significant**. No mitigation is required.

2. **LAN-2 Impact: SACOG Blueprint Growth Principles**

(a) Potentially Significant Impact

Inconsistency with SACOG Blueprint Growth Principles could result in **potentially significant** land use impacts.

(b) Facts in Support of Finding

The proposed project is considered consistent with this SACOG Blueprint Growth Principles:

(i) Transportation Choices. The proposed project includes design features that encourage people to sometimes walk, ride bicycles, or ride the bus. A concrete path would provide each residential unit a connection with the concrete pathways in the mini-parks. The concrete pathways in the mini-parks connect with the existing walkway in the Linear Parkway. The Linear Park pathway provides pedestrian opportunities to commercial development east of the project site and Garcia Bend Park west of the project site. Both sides of Pocket Road have a striped bike lane. Regional Transit bus stops are located on both sides of the Pocket Road adjacent to the project site. The proposed project integrates with existing transportation choices. The proposed project is considered consistent with this SACOG Blueprint Growth Principle.

(ii) Mixed-Use Developments. The LPPT PUD Schematic Plan designates a number of land uses including houses, apartments, senior housing, commercial uses, business, and open space. The proposed project would provide slightly less dense housing than identified on the LPPT PUD Schematic Plan (7.15 dwelling units per net acre proposed versus 8 dwelling units per net acre designated). The proposed transportation and circulation plan for the project integrates with existing surface connections with the other land uses in Riverlake. The proposed project contributes to the variety of land uses indicated on the LPPT PUD Schematic Plan and nearly achieves the density target. The project integrates with the other land uses in Riverlake. The proposed project is considered consistent with this SACOG Blueprint Growth Principle.

(iii) Compact Development. As discussed under Impact LAN-1, 135 of the proposed single-family alternative lots are smaller than the 5,200-square foot City standard lot size. The proposed project would be more compact than the standard R-1 residential development. If the project site were developed at the density designated by the LPPT PUD Schematic Plan, 164 dwelling units would be constructed. The proposed project would construct 139 dwelling units. Build out of the project at the maximum density identified in the LPPT PUD Schematic Plan (164 dwelling units) would be more compact than the proposed project. As previously discussed, the proposed project would provide connections with existing alternative transportation modes. The project provides the connections through the passive use, landscaped mini-parks. Benches are proposed for the miniparks to encourage use of the mini-parks. The proposed project is more compact than standard R-1 residential development and would be

slightly less compact than indicated on the LPPT PUD Schematic Plan. The project provides open space mini-parks to provide aesthetic connections with alternative modes of transportation. The proposed project is considered consistent with this SACOG Blueprint Growth Principle.

(iv) Housing Choice and Diversity. The original LPPT PUD Schematic Plan provided a variety of places to live. Over the years, land use designations on the LPPT PUD Schematic Plan have been revised (section 4.1.4.4 "LAN-7 Impact" of the DEIR details changes to the LPPT PUD Schematic Plan). Major revisions included approving the development of halfplexes on corner lots and changing five of the eight "Townhouse and related R-1A" designated subdivisions to "Single-Family R-1." In addition to the "Single-Family R-1" and halfplexes, the apartments, senior housing, commercial, and office uses have been constructed. The proposed project nearly achieves the density requirement of the LPPT PUD Schematic Plan and offers a housing type that is different than "Single-Family R-1" products, halfplexes, and garden apartments. With smaller houses on smaller lots (average 1,841-square foot house on an average 3,514-square foot lot), the 4.0 Environmental Evaluation proposed project is expected to sell for less than the typical houses in Riverlake (average 3,230-square foot house on an average 9,107-square foot lot). The proposed project is a component of a PUD that provides housing choice and variety. The housing type proposed for this project is different than other housing types in Riverlake and is expected to be more affordable than the average R-1 zoned Riverlake house. The proposed project is considered consistent with this SACOG Blueprint Growth Principle.

(v) Use of Existing Assets. The proposed project is located on some of the last undeveloped parcels in the LPPT PUD. The project would preserve most of the existing trees in the Linear Parkway, add connections to the existing pathway through the parkway, and locate new housing near existing transit stops. Although the project does not qualify as "infill development" as defined in Policy 5 of the City's Overall Urban Growth Policies (SGPU page 1-37), the project satisfies the definition of "infill site" in California Public Resources Code 21061.05 because it is surrounded by "qualified urban development" and no parcel has been created on the project site. Based on the state's definition of infill under CEQA, the proposed project is an infill development in an urbanized area. The proposed project is considered consistent with this SACOG Blueprint Growth Principle.

(vi) Quality Design. The City of Sacramento adopted "Single-Family Residential Design Principles" (SFRDP) in 2000 to assist developers, homebuilders, and architects design and build quality residential subdivisions. The evaluation of project consistency with the Design Principles in section 4.5 "Aesthetics" of the DEIR found the project to be

designed consistently with the principles. When the project was previously approved by the Planning Commission in 2003, the City made a finding that the project was consistent with the SFRDP. These principles include general architecture; garages; porches/entries/courts; driveways/entry walks; setbacks/lot widths; landscaping/sidewalks; street view walls/monument entries/access; and orientation to parks/public open space. Project design that is consistent with the SFRDP ensures that the proposed project is consistent with this SACOG Blueprint Growth Principle.

(vii) Natural Resources Conservation. When the LPPT PUD Schematic Plan was approved, a 15-foot wide parkway easement was granted to the City of Sacramento and a 25-foot wide landscape easement was granted to the Riverlake Community Association. Taken together, both easements comprise a "Linear Parkway" that provides an open space buffer between Riverlake and Pocket Road. The proposed project would include seven mini-parks totaling 0.36 acre where mitigation trees would be planted. The mini-parks would have a concrete pathway connection to the concrete walkway in the City parkway easement. Additional natural resources conservation incorporated in the proposed project includes off-site preservation of 10.3 acres of Swainson's hawk foraging habitat to mitigate for the conversion of foraging habitat on-site to residential use. Storm water management will be designed and constructed in accordance with City standards. A Conceptual Landscape Plan identifies the locations on the proposed lots where Riverlake Community Association approved shade trees would be planted as well as the locations in the mini-parks to be planted with shade trees. The proposed project provides open space and opportunities for residents to use the Linear Parkway. The proposed project includes off-site habitat preservation and shade trees on-site. Moreover, development of vacant parcels in urban areas limits development on agricultural and other undeveloped lands at the urban edge.

The project is consistent with all of the SACOG Blueprint Growth Principles. Therefore, Impact LAN-2 is considered **less-than-significant.** No mitigation is required.

3. **LAN-3 Impact: Sacramento General Plan**

(a) Potentially Significant Impact

Inconsistency with the Sacramento General Plan Land Use Designation could result in a **potentially significant** land use impact.

(b) Facts in Support of Finding

The project site is designated Low Density Residential (4 – 15 dwelling units per net acre) on the November 2003 SGPU Land Use Map. The net acreage of the project site is 19.44 acres. The project would construct 7.15 residential units per net acre (total 139 dwelling units). No General Plan Land Use amendment is needed. Therefore, Impact LAN-3 is considered **less-than-significant**. No mitigation is required.

4. **LAN-4 Impact: Sacramento General Plan**

(a) Potentially Significant Impact

Inconsistency with Sacramento General Plan Overall Urban Growth Policies, the Residential Land Use Element, or the Housing Element could result in **potentially significant** land use impacts.

(b) Facts in Support of Finding

The project is consistent with all of the applicable Sacramento General Plan land use goals and policies. Therefore, Impact LAN-4 is considered **less-than-significant**. No mitigation is required.

5. **LAN-5 Impact: Pocket Area Community Plan**

(a) Potentially Significant Impact

Inconsistency with the Pocket Area Community Plan (PACP) Land Use Designation could result in a **potentially significant** land use impact on the Pocket Community in the City of Sacramento.

(b) Facts in Support of Finding

The project site is designated Residential (7-15 dwelling units per net acre) on the December 2003 PACP Land Use Map. The project would construct 7.15 residential units per net acre. No Community Plan land use map amendment is needed. The project is consistent with the PACP Land Use Designation. Therefore, Impact LAN-5 is considered **less-than-significant**. No mitigation is required.

6. **LAN-6 Impact: Pocket Area Community Plan**

(a) Potentially Significant Impact

Inconsistency with the Pocket Area Community Plan – South Pocket Specific Plan (PACP-SPSP) goals and policies could result in **potentially significant** land use impacts on the Pocket Community in the City of Sacramento.

(b) Facts in Support of Finding

The project is consistent with the applicable land use goals and policies of the PACPSPSP. The requested amendment to the text of the PACP-SPSP clarifies the longstanding interpretation of the City that the "townhouse and related development" designation overlying properties zoned R-1A is intended to allow the full range of housing types allowed under the R-1A zone. The amendment does not, therefore, pose a risk of generating any significant physical environmental impacts. Therefore, Impact LAN-6 is considered **less-than-significant**. No mitigation is required.

7. **LAN-7 Impact: LPPT PUD Schematic Map and Development Guidelines**

(a) Potentially Significant Impact

Inconsistency with the LPPT PUD Schematic Map could result in a **potentially significant** land use impacts.

(b) Facts in Support of Finding

The maximum density for subdivisions designated Townhouse (R-1A) on the LPPT PUD Schematic Plan is 8 dwelling units per net acre. At 7.15 dwelling units per net acre, the Islands at Riverlake project is less dense than the 8 dwelling units per net acre maximum density allowed for these parcels and more than the maximum density for the Townhouse (R-1A) designation. No Schematic Plan map amendment is needed. The project is consistent with the LPPT PUD Schematic Map designation for the project site. Therefore, Impact LAN-7 is considered **less-than-significant**. No mitigation is required.

8. **LAN-8 Impact: LPPT PUD Schematic Map and Development Guidelines**

(a) Potentially Significant Impact

Inconsistency with LPPT PUD Development Guidelines could result in **potentially significant** land use impacts.

(b) Facts in Support of Finding

The proposed housing product is consistent with the range of housing types identified in the zoning code for R-1A and the LPPT PUD Development Guidelines is a supplement to City Ordinances. The proposed amendment would clarify that the range of housing products allowed in the LPPT PUD "Townhouse (R-1A)" designation is the same range that is defined in the zoning code for the R-1A zone. The amendment does not, therefore, pose a risk of generating any significant physical environmental impacts. The project is consistent with the five Development Guidelines required of all development in the LPPT PUD.

Therefore, Impact LAN-8 is considered **less-than-significant**. No mitigation is required.

9. **LAN-9 Impact: Sacramento Zoning Ordinance**

(a) Potentially Significant Impact

Inconsistency with the Sacramento City Code (SCC) zoning ordinance could result in a **potentially significant** land use impact on the City of Sacramento.

(b) Facts in Support of Finding

The project site is zoned R-1A (maximum density 15 attached or detached dwelling units per net acre). The project would construct 7.15 detached residential units per net acre. The R-1A zone "is a low to medium density residential zone intended to permit single-family, individually owned, attached or detached residences where lot sizes, height, area and/or setback requirements vary from standard lot sizes, height, area, and/or setback in the R-1 zone. This zone is intended to accommodate alternative single-family designs which are determined to be compatible with standard R-1 areas and which might include single-family attached or detached units, townhouses, cluster housing, condominiums, cooperatives or other similar projects" (SCC 17.20.010). The R-1A zone is often used for odd-sized or shaped parcels when the lot size, area, or setback requirements vary from the standard R-1 zone, or where the applicant seeks more compact development, pursuant to the SACOG Blueprint goals. The 7.3-net acre Stillwater A & B project (P95-066) is an example in Riverlake of detached houses built in the R-1A zone. The average lot size in Stillwater A & B is 6,067 square feet. The proposed single-family detached units on small lots are consistent with the range of housing types allowed in the R-1A zone and the project does not exceed the maximum density set forth for the R-1A zone. Therefore, the proposed project is consistent with SCC Title 17, Zoning. Impact LAN-9 is considered **less-than-significant**. No mitigation is required.

10. **LAN-10 Impact: Compatibility with Adjacent Land Uses**

(a) Potentially Significant Impact

Constructing houses at the proposed density of 7.15 dwelling units per net acre could be incompatible with existing land use or planned growth in the vicinity or with existing long-term uses on adjacent properties.

(b) Facts in Support of Finding

Because the proposed density is consistent with densities identified in the General Plan, Community Plan, and LPPT PUD Schematic Plan, is consistent

with previous findings and planning decisions made in other parts of the LPPT PUD, and is consistent with the development of Bridgeview, Dutra Bend, and Southshore, the proposed project density is considered compatible with existing land use or planned growth in the vicinity and with long-term uses on adjacent properties. The LPPT PUD Schematic Plan also sought a mix of housing types, and this project helps to diversify the existing housing mix. Therefore, Impact LAN-10 is considered **less-than-significant**. No mitigation is required.

11. **LAN-11 Impact: Compatibility with Adjacent Land Uses**

(a) Potentially Significant Impact

Constructing houses with the proposed mass/bulk could be incompatible with existing land use or planned growth in the vicinity or with existing long-term uses on adjacent properties.

(b) Facts in Support of Finding

The dwelling units proposed by the Islands at Riverlake project are smaller than the average sized dwelling unit located on abutting parcels. The mass/bulk statistics have a proportional relationship to lot size. The proposed lot sizes are smaller than the average lot sizes of abutting parcels due to the density required by the LPPT PUD Schematic Plan. Mass/bulk statistics are directly proportional to lot sizes. Therefore, the Islands at Riverlake mass/bulk statistics are higher than abutting parcels due to the density requirement. However, the average mass/bulk statistics for the proposed project is slightly higher than the difference between the average mass/bulk statistics of abutting parcels and other R-1A alternative developments in the same subdivisions. The proposed mass/bulk of the Islands at Riverlake project is within the range of other previously approved and constructed R-1A development abutting R-1 development. Because the City previously determined the range of mass/bulk of those other R-1A alternative housing products compatible with the abutting R-1 standard housing products, the proposed mass/bulk is considered compatible. Therefore, LAN-11 Impact is considered **less-than-significant**. No mitigation is required.

12. **LAN-12 Impact: Compatibility with Adjacent Land Uses**

(a) Potentially Significant Impact

Providing less than R-1 standard 15-foot rear yard setbacks could cause the proposed project to be incompatible with long-term uses on adjacent properties.

(b) Facts in Support of Finding

With the design features and existing regulations incorporated into the project and because the proposed rear yard setbacks meet or exceed the rear yard setbacks established for R-1A halfplexes on reverse frontage lots, and in many instances, exceed setbacks of existing R-1 homes, LAN-12 is considered a **less-than-significant impact**. No mitigation is required.

13. **AIR-1 Impact: ROG, NOX, and PM10 emissions during construction (short term)**

(a) Potentially Significant Impact

Construction of the project would contribute ROG, NOx, and PM10 emissions into the non-attainment area.

(b) Facts in Support of Finding

The potentially significant impact listed above would be reduced to a **less-than-significant** level with the following mitigation measures provided in the Islands at Riverlake Project EIR:

AIR-1 Mitigation:

(i) The project shall provide a plan for approval by the City of Sacramento, in consultation with SMAQMD, demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction.

(ii) The project representative shall submit to the City of Sacramento and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date,

and name and phone number of the project manager and on-site foreman.

(iii) The project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the City of Sacramento and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede other SMAQMD or state rules or regulations.

With implementation of the above mitigation measures, this impact would be reduced to **less-than-significant** levels.

14. **TRAN-2 Impact: Transportation/Circulation**

(a) Potentially Significant Impact

Substandard street width could result in exposing residents to safety hazards.

(b) Facts in Support of Finding

The potentially significant impact listed above would be reduced to a less-than-significant level with the following mitigation measures provided in the Islands at Riverlake Project EIR:

TRAN-2 Mitigation: (i) On-street parking shall be prohibited on the private roads. The private roads shall be signed and striped for no parking at all times. A homeowner's association shall be responsible for enforcing the no parking rule.

(ii) The Covenants, Codes and Restrictions (CC&Rs) shall require that all trash and recycle bins are placed on the same side of the private road on pick-up day.

With implementation of the above mitigation measures, this impact would be reduced to **less-than-significant** levels.

15. **BIO-1 Impact: Biological Resources**

(a) Potentially Significant Impact

Construction of the proposed project could result in the disturbance of nesting Swainson's hawk (Buteo swainsoni) or other nesting raptors if present.

(b) Facts in Support of Finding

The potentially significant impact listed above would be reduced to a less-than-significant level with the following mitigation measures provided in the Islands at Riverlake Project EIR:

BIO-1 Mitigation:

(i) If construction begins outside the 1 March to 15 September breeding season a preconstruction survey for active nests does not need to be conducted.
(ii) If construction is scheduled to commence during the breeding season, a preconstruction survey will be conducted by a qualified biologist to determine if raptors are nesting within 0.25 mile of the project site.
(iii) The applicant will conduct a preconstruction survey at least 2 weeks prior to construction.
(iv) If no active nests are found, no additional mitigation will be necessary.
(v) If active raptor nests are found within 0.25 mile of the project site, the Department of Fish and Game (DFG) will be notified and no project activities that could result in nest abandonment (e.g., noise generated from the operation of heavy equipment) will be conducted without DFG approval.

With implementation of the above mitigation measures, this impact would be reduced to **less-than-significant** levels.

16. **BIO-2 Impact: Biological Resources**

(a) Potentially Significant Impact

Construction of the project could result in the need to remove, trim or cut the roots of trees covered by City ordinances.

(b) Facts in Support of Finding

The potentially significant impact listed above would be reduced to a less-than-significant level with the following mitigation measures provided in the Islands at Riverlake Project EIR:

BIO-2 Mitigation:
(i) Plant replacement trees at the ratios and locations identified in the City tree removal permit during the landscaping phase of the project.
(ii) Project plans shall note that all roots shall be cut clean. Any roots greater than two inches in diameter will require inspection by an ISA certified arborist prior to severing. The applicant shall provide the City Arborist with a report demonstrating that severed roots greater than two inches diameter were inspected by an ISA certified arborist before cutting.

With implementation of the above mitigation measures, this impact would be reduced to **less-than-significant** levels.

17. **AES-1 Impact: Aesthetics**

(a) Potentially Significant Impact

The Islands at Riverlake project proposes building setbacks in an R-1A zone that are less than the standard setbacks for R-1 development and proposes lot coverages that exceed the standard lot coverage for R-1 development. Project opponents have made a "fair argument" that the proposed setbacks may result in a demonstrable negative aesthetic effect.

(b) Facts in Support of Finding

With the design features and existing regulations incorporated into the project and because the proposed rear yard setbacks meet or exceed the rear yard setbacks established for R-1A halfplexes on reverse frontage lots, and in many instances, exceed setbacks of existing R-1 homes, AES-1 is considered a **less-than-significant** impact.

The City's zoning code states that the minimum yard requirements in the R-1A zone "shall be the same as that specified in the R-1 zone, except that the Planning Commission [or on appeal to the Planning Commission] may vary the provisions in their review and determination of the required special permit" (SCC Title 17.060.020). The Islands at Riverlake project has applied for a special permit to construct 139 residential units with reduced setbacks, including 65 units on interior lots with reduced rear yard setbacks of 12 feet from the house and 10 feet from the garage.

As discussed under LAN-12 Impact in Section 4.1.5 of the DEIR, if the Islands at Riverlake project were built with a standard R-1 rear yard setback of 15 feet, the minimum expected distance from a new house to an existing house would be 30 feet for abutting rear yard houses (15 feet rear yard setback plus 15 feet rear yard setback) and 20 feet for an adjacent side yard house (5 feet side yard setback plus 15 feet rear yard setback). Of the 35 adjacent lots with abutting back yards, 11 existing houses would be located closer to the proposed project than the R-1 standard minimum distance of 30 feet between houses. The remaining 24 rear yard adjacent houses would have at least the R-1 minimum distance of 30 feet between buildings. Of the 24 adjacent lots with abutting side yards, 13 existing houses would be located closer to the proposed project than the R-1 standard minimum of distance of 20 feet. The remaining 11 side yard adjacent houses would have the R-1 minimum distance of 20 feet between buildings. A total of 24 existing houses would have less distance between the proposed houses than would be provided by standard R-1 minimum setbacks.

The previously approved Pocket Road Manor Houses project (evaluated in Chapter 5 of the DEIR as Alternative A2) included 10-foot rear yard setbacks for two-story single-family alternative detached units abutting existing houses. For two-story single-family alternative halfplexes on reverse frontage lots in other parts of Riverlake, including the Bridgeview, Southshore, and Dutra Bend subdivisions, rear yard setbacks were established at 7.5 feet for the first floor and 15 feet for the second floor. The proposed project would have rear yard setbacks for single-story houses of 12 feet from the house and 10 feet from the garage. This meets or exceeds setbacks established for a project previously approved for the project site as well as other single-family alternative (R-1A) developments in the LPPT PUD. The setbacks were determined by the Planning Commission to be based on sound principles of land use for compatibility with the existing community and would not be detrimental to the public welfare or result in a public nuisance.

Because neither the zoning code nor the LPPT PUD Development Guidelines assign any quantifiable aesthetic values to setbacks, the determination of whether the setbacks create any adverse aesthetic impacts is ultimately a subjective one. Because of the subjective evaluation of the relationship between setbacks and aesthetic appearance, it is ultimately a matter for the discretion of the Planning Commission and the City Council to determine whether the setbacks proposed for the project create an undesirable aesthetic effect. The setbacks previously approved were considered adequate to provide necessary screening and privacy for residents of both housing types. The proposed project design avoids placing two-story units adjacent to existing houses on abutting lots. This design feature was included to avoid privacy intrusions resulting from locating second-story windows overlooking the adjacent houses.

Under LAN-12 Impact in Section 4.1.5 of the DEIR, four design features of the proposed project and one existing regulation reduces impacts resulting from

locating new houses next to 24 existing houses with less than the R-1 minimum distance between buildings:

(i) The project proposes only single-story units on the lots abutting these 2 existing houses, as well as for all lots abutting existing houses. This design feature ensures that no second-story windows overlook the existing house.

(ii) The rear yard setbacks proposed by the project are greater than minimum rear yard setbacks approved for reverse lot R-1A halfplex developments in Riverlake and a previously approved project for the project site. As evaluated under LAN-4 Impact in Section 4.1.4.2 Sacramento General Plan, Residential Strategy, Goal A, Policy 6 for halfplexes on reverse lots the rear yard setbacks were established at 7.5 feet (Findings of Fact for P86-432, City Planning Commission 31 October 1986). The project proposed 12-foot setback from the house and 10-foot setback from the garage exceeds this previously used standard. The first project approved for the project site, the Pocket Road Manor Houses project, provided a 10-foot rear yard setback for a single-family alternative detached dwelling unit abutting lots with existing houses.

(iii) The 6-foot high good neighbor fence provides privacy to residents when they are in the yard. It also provides sightline screening when looking out from the first floor windows.

(iv) The lots are situated so that the lot lines are staggered. Houses would not be directly in line with one another.

(v) The Riverlake Community Association requires five 15-gallon trees to be planted in each yard in Riverlake. The interior lots of the Islands at Riverlake project will have landscaped front yards. Between 1 and 2.5 Riverlake Community Association-approved shade trees will be planted in the front yards. The responsibility of landscaping the backyard would be the new homeowner's. The Quadriga Conceptual Landscaping Plan identifies trees allowed for planting and the Riverlake Community Association approved the Plan. Planting of Riverlake Community Association approved trees by the new homeowners in the backyards would increase screening between the new houses and the existing houses. A copy of the Riverlake Community Association Approved Shade and Palm Tree List (January 2004) is in Exhibit E of the DEIR.

Therefore, AES-1 is considered a **less-than-significant** impact. No mitigation is required.

18. **AES-2 Impact: Aesthetics**

(a) Potentially Significant Impact

The Islands at Riverlake project proposes lot sizes that are less than the minimum size required for the R-1 zone in the City Zoning Code and proposes floor plans that exceed the R-1 standard lot coverage. Project opponents have made a "fair argument" that the lot sizes and coverage proposed for the Islands at Riverlake project may result in a demonstrable negative aesthetic effect.

(b) Facts in Support of Finding

The proposed typical lot plans exceed the minimum amounts of landscaping required under the LPPT PUD Development Guidelines. The variation in lot size, lot coverage and landscaping that the different proposed lot plans provide, as well as the seven mini-parks located throughout the development, serve to break up potential uniformity of the project's appearance. Therefore AES-2 impact is considered **less-than-significant**.

The City's zoning code states that the maximum lot coverage and minimum lot area per dwelling unit requirements in the R-1A zone "shall be the same as that specified in the R-1 zone, except that the Planning Commission may vary the provisions in their review and determination of the required special permit" (SCC Title 17.060.020). The zoning code sets maximum lot coverage at 40% and minimum lot size at 5,200 square feet for R-1-zoned lots (Ibid.) The City calculates "lot coverage" as the footprint of the building, and does not include uncovered porches, walkways, driveways or patios in this calculation (SCC Title 17.17.010.) The zoning code also states, however, that the R-1A zone is intended to permit "alternative single-family designs" with lot sizes and area requirements that vary from standard single-family requirements (SCC Title 17.20.010.). Therefore, the R-1A zone is expressly intended to be a flexible designation with respect to lot coverage and size. The LPPT PUD Development Guidelines do not specify any maximum lot coverage requirements for "Townhouse and related development" (R-1A) parcels.

The average lot coverage proposed by the Islands at Riverlake project is 46%. The average proposed lot coverage would exceed the average building coverage of other R-1A developments in the LPPT PUD Schematic Plan area. However, the maximum lot coverage proposed by the Islands at Riverlake project, 54%, does not exceed the maximum lot coverage area in the Bridgeview (65% BCA), Westshore (62% BCA), and Stillwater (56% BCA) subdivisions. The average lot coverage area of the proposed project (46% BCA) is below the maximum lot coverage areas of the abutting subdivisions Bridgeview (65% BCA), Southshore (53% BCA), and Dutra Bend (53% BCA) and the maximum Islands at Riverlake lot coverage area is only 1% more than Southshore and Dutra Bend.

The zoning code does not set minimum landscaping coverage for developments within either the R-1 or R-1A zones. The LPPT PUD Development Guidelines require a minimum of 25% landscaping coverage. With an average landscape coverage area of 43%, all of the typical lot plans proposed for the project exceed the LPPT PUD's minimum requirements of 25% landscaping coverage.

The project's inconsistency with the R-1 zone lot coverage requirement does not, however, in and of itself, create a significant adverse aesthetic impact. Neither the City's regulations nor the LPPT PUD assign any qualitative aesthetic relationship to the minimum lot coverage requirement. Moreover, because lot coverage and size are intended to be flexible in an R-1A zone, the question for the Planning Commission or City Council is whether, in considering the lot coverage of the proposed lot plans in the context of the special permit required for any development within the R-1A zone, the proposed plans comply with "sound principles of land use," are not "detrimental to the public health, safety or welfare, or do not create a nuisance, and comply with the objectives of the general or specific plan for the area" (SCC Title 17.212).

The proposed lot sizes are smaller than the average lot sizes of abutting parcels. This is a result of the density required by the LPPT PUD Schematic Plan for the project site. The lot coverage area is directly proportional to lot sizes. Therefore, the Islands at Riverlake lot coverage areas are higher than abutting parcels due to the density requirement. Because the City previously determined that the range of lot coverage area of the other R-1A alternative housing products did not result in a demonstrable negative aesthetic effect, the proposed lot coverage areas are considered consistent with the City's previous findings for the Bridgeview, Westshore, and Stillwater subdivisions.

For the foregoing reasons, any aesthetic impacts associated with lot sizes, lot coverage and landscaping are considered **less-than-significant**. No mitigation is required.

19. **AES-3 Impact: Aesthetics**

(a) Potentially Significant Impact

Project opponents have made a "fair argument" that the Islands at Riverlake project may have a demonstrable negative aesthetic effect if it conflicts with the City's Single-Family Residential Design Principles.

(b) Facts in Support of Finding

The proposed project is consistent with all of the guidelines in the Single-Family Residential Design Principles (SFRDP). The City's Single-Family Residential Design Principles set forth general design goals expected by the Planning Commission. The project's consistency with each of these principles and the

guidelines/design approaches recommended to achieve these principles is set forth in the Islands at Riverlake Project DEIR:

The proposed project incorporates most of the SFRDP's recommendations. The project applicant proposes six different floor plans (two 1-story plans and three 2-story plans) with three elevations each, ranging from a 1,428 square-foot, single-story house to a 2,250-square-foot, two-story house (Floor plans and elevation drawings are in Exhibit D of the DEIR). The proposed designs incorporate consistent levels of detailing and finishes on all sides of the structure, with particular attention to publicly visible facades. No side-by-side or cross-private road duplication of a house elevation would occur.

The garages are recessed two feet from the front house elevation. In addition, the 74 houses that front on Pocket Road have garages that are attached to the rear of the houses, thereby virtually eliminating the view of garages from those traveling on Pocket Road (the main travel road into the LPPT PUD). Several of the floor plans include second stories above garages and also include windows and other architectural detailing that have the effect of reducing the dominance of the garage doors.

The proposed designs prominently feature front entries or rear facades that are designed to approximate a front-entry appearance, oriented to the street, and many also include covered porches. Additionally, the proposed units that front on Pocket Road feature a dual "front-door" appearance to both Pocket Road and the interior private street.

Most of the proposed home designs feature separate pedestrian access to the front doors from the driveway, interior private-street, and the existing Linear Parkway. Of the total 139 units, the 65 lots fronting on the interior private-street would have 16-foot wide and 18-foot long driveways; 72 of the lots fronting on Pocket Road would have 16-foot wide and 20-foot long driveways; two of the specialty lots would have 16-foot wide and 15-foot long driveways. Since the houses are a minimum of 57-feet wide, the driveways will comprise ±28% of the front width and this would not dominate the visual appearance of the front elevations of the proposed units. The driveways lead straight into the private street and do not encroach into the front yard area between the front entries and the street.

The front yard setbacks from the lots fronting on the interior, private street are "reduced" -- approximately 9-to-11 feet, with a typical 18-foot driveway. The front yard setbacks of the houses fronting on Pocket Road and the landscape easement are zero feet because there are two landscape easements totaling 40 feet between the proposed houses and the Pocket Road right-of-way. These setbacks bring the houses with their windows and "eyes on the street" closer to the streets and sidewalks for a sense of security for pedestrians. The proposed plans feature nine different elevation designs, with a varied palette of colors, trim

materials, and roofs. The yards of the lots fronting on Pocket Road will be completely landscaped. The front yards of the lots fronting on the interior private street will be completely landscaped. Landscaping of the backyards of the interior lots will be the responsibility of the homeowner. The Conceptual Landscape Plan is in Exhibit D of the DEIR. These features, plus the varied home sizes and heights, will prevent any sense of homogeny.

The project will plant between 1 and 2.5 Riverlake Community Association approved shade trees in each yard abutting the interior private street. Shade trees exist already in landscape easement along Pocket Road and additional shade trees will be planted in the mini-parks throughout the development. Because the private drive is narrower than a standard City street section, the proposed shade trees are expected to provide adequate cover of the street's hard surface. A landscape strip between the private street and the interior sidewalk is not proposed. When the Islands at Riverlake project was previously approved by the Planning Commission, it was not subject to conditions of approval requiring the use of drought-tolerant landscaping.

Most of the existing shade trees within the landscape easement will be preserved; larger shade trees may be planted in the mini-parks, and the proposed landscaping coverage well exceeds the 25% minimum coverage requirement of the LPPT PUD Development Guidelines (proposed landscape coverage averages 44%).

Of the 139 proposed units, 74 houses will front on the landscape easement on Pocket Road. The project will be accessed through five new driveways and the Linear Parkway and one connection in West Shore Drive. None of the ingress/egress locations would be gated and no walls are proposed for the perimeter of the project.

The project is located immediately adjacent to an existing landscape easement along Pocket Road and is designed to front on this Linear Parkway. The project proposes seven passive use mini-parks scattered throughout the development to provide access and integration with the City walkway in the Linear Park.

Overall, the proposed project is considered consistent with the SFRDP. Therefore, this impact is considered **less-than-significant**. No mitigation is required.

20. **AES-4 Impact: Aesthetics**

(a) Potentially Significant Impact

Project opponents have made a "fair argument" that the density and intensity of the detached units in the Islands at Riverlake project may result in a

demonstrable negative aesthetic effect as compared to previously approved attached-unit projects.

(b) Facts in Support of Finding

At 7.15 dwelling units per acre, the proposed project is less than the maximum 8 dwelling units per net acre density designation of the LPPT PUD. The proposed density is consistent with the density designated by the SGPU (4-15 du/net acre), PACP-SPSP (7-15 du/net acre), and the R-1A zone (15 du/acre maximum) (LAN-10 Impact under Section 4.1.5 of the DEIR).

Based on the evaluation under LAN-11 Impact in Section 4.1.5 of the DEIR, the intensity (mass as it relates to density) of the proposed project is consistent with City findings for similar R-1A housing products abutting standard R-1 projects. The Islands at Riverlake project proposes smaller houses than the typical houses in the LPPT PUD on smaller than typical lots. The project uses smaller lots to achieve the required density. The smaller lots result in greater mass/bulk statistics. The Alternatives Analysis in Chapter Five illustrates that the intensity of the development is directly proportional to the number of residential units located on the project site.

The proposed project will be more dense than the adjacent existing neighborhoods; however, the project site has been slated for this density of development for at least 20 years. In the opinion of the City planning staff, there is no further objective valuation that can be made regarding the aesthetic effect associated with the proposed project's density. Because the project is consistent with the City's goals and policies encouraging denser residential infill development and is consistent with objective City criteria governing maximum density, any aesthetic impact associated with the project's density is therefore considered **less-than-significant**. No mitigation is required.

21. **AES-5 Impact: Aesthetics**

(a) Potentially Significant Impact

Project opponents have made a "fair argument" that the Islands at Riverlake project could have a demonstrable negative aesthetic effect if it would obstruct a significant view or view shed in a location that is visible from a public gathering or viewing area.

(b) Facts in Support of Finding

(i) Views from Pocket Road: The proposed project consists of two rows of wide and shallow lots with garage access off a private drive between the Linear Parkway and the existing houses. On the proposed houses along the Linear Parkway, the front door/elevation will face the linear parkway and Pocket Road.

The existing character of the site is a graded vacant lot, bordered on one side by residential development and by a 60-foot wide linear parkway on the other. The character of the proposed project is congruous with the neighboring residential development. Passers-by of the project on Pocket Road would see the front elevations of detached houses and would not consider the development visually disruptive because urban residential development is a common and accepted part of the landscape in the City.

The existing view from Pocket Road is of the Linear Parkway in the foreground, homes in the midground, and sky in the background. The proposed project will not substantially change this view. The view from Pocket Road after project construction will be of the Linear Parkway in the foreground, homes in the midground, and sky in the background.

The Linear Parkway is maintained by the Riverlake Community Association (RCA) with contribution from the project. The RCA voted to tentatively include the Islands at Riverlake subdivision into the homeowners association (final approval would occur during the final map phase). The City will condition the project to have a homeowners association, if not the Riverlake Community Association. Implementation of, and adherence to, a homeowners association or Riverlake Community Association CC&Rs for front yard maintenance would ensure that the residential development and the Linear Parkway are maintained in a manner consistent with the rest of the Riverlake community. Therefore, the potential aesthetic effect associated with the view of the project from Pocket Road is considered to be **less-than-significant**. No mitigation is required.

(ii) Private Views from Residential Development: Some existing residents have expressed the opinion that the proposed project would conflict with their visual expectations for the site. Some residents previously expressed an expectation for larger, manor-style homes or attached townhomes. The proposed project would figure prominently in the foreground of the private view sheds from the rear of the neighboring houses and would in some cases obstruct their view of the Linear Parkway. Clustered manor homes or townhouses would possibly result in different private view sheds being affected, but it cannot be reasonably argued that the effect would be "more" or "less" under the subject project. Clustered manor homes could block similar private view sheds as the proposed combination of single- and two-story single-family homes. Townhouses could conceivably be similar or block more views because of their height.

To characterize these private views and potential impacts to them as triggering mitigation under CEQA is inappropriate, however, as the subject property has been designated for over 20 years for two-story residential development. As such, the private views under consideration were interim beneficial conditions. The loss or impairment of these views with proposed development of the subject site is **not a significant impact** under CEQA.

(iii) Public views down length of interior street of project: Some project opponents have expressed the view that passersby looking down the length of the interior street of the project will experience a "canyoning" or "tunneling" effect, due to the narrower width of the private street and the reduced front setbacks of the proposed lot plans. It should be noted that this assessment first arose when the applicant first proposed predominantly two-story homes, with shorter setbacks, throughout the project site. That proposal has since been revised to include a greater mix of single- and two-story houses, and greater setbacks. The City has no established, objective or quantifiable criteria by which to measure this subjective perception of "tunneling." As discussed above, however, the project has been determined to be consistent with the quantifiable criteria for density, setbacks, lot coverage, landscaping requirements, and building heights and styles.

The City Fire, Development Services, and Transportation Departments considered the width of the private street and determined that the narrower width would not pose any significant public safety risks or traffic hazards. The length of the interior street will be interrupted by periodic wider, "hammerhead" turnouts and concrete "islands" which will minimize the potential adverse visual effect that a long, uninterrupted stretch might otherwise create. Shade trees will be planted in the mini-parks proposed throughout the development and in the yards facing the interior street. In consideration of all of these factors, the potential "canyoning" or "tunneling" effect is determined to be **less-than-significant** from a CEQA perspective. The ultimate determination of the desirability of the proposed design and the appropriate balancing of the needs of existing and future residents will be decided by the Planning Commission and City Council and guided by the standards for the issuance of a special permit. No mitigation is required.

22. **AES-6 Impact: Aesthetics**

(a) Potentially Significant Impact

Project opponents have made a "fair argument" that the Islands at Riverlake project proposal to construct houses and plant trees could have demonstrable negative aesthetic effects if they excessively shade the Linear Parkway, locate existing adjacent residences in complete shade, or incorporate landscaping that is incompatible with the existing character of the neighborhood.

(b) Facts in Support of Finding

A total of 65 houses would be built on interior lots. Of the 65 houses, 55 would be single-story and 10 would be two-story. The two-story lots are lots 14, 45, 51, 54, 55, 69, 75, 79, 80, and 86. The lots that are proposed for two-story plans are located adjacent to cul-de-sacs and not existing homes. The single-story houses would be a maximum of 16 feet high, and the two-story houses would be a

maximum of 24.5 feet high. Of the 59 existing houses, 11 are single-story and 48 are two-story houses. The houses will be constructed on level ground adjacent to existing houses on the same ground level. The City's Zoning Ordinance limits the height of buildings in the R-1 to 35 feet.

The Islands at Riverlake project proposes greater setbacks and lower building heights than have been approved and constructed in Bridgeview, Southshore, and Dutra Bend. The proposed setbacks are greater than and the height less than what has been approved and constructed in other subdivisions in the LPPT PUD. The Guidelines require each front yard have a minimum of one 15-gallon shade tree that has been selected from the RCA's Approved Shade Trees list. The CC&Rs require a minimum of five trees per lot. One of the five required 15-gallon trees must be a shade tree located in the front yard. The back yards of the abutting houses appear to comply with the requirement. At maturity, the shortest approved shade tree is 20 feet (Trident Maple) and the tallest is 80 feet tall (Red Oak, Scarlet Oak, and Maidenhair). The average mature tree height of the approved tree list is ± 50 feet.

The Islands at Riverlake project would plant 1 to 2.5 shade trees in the front yards of the existing interior lots. The new homeowners of interior lots are required to landscape their backyards. It would be the homeowner's responsibility to plant the remaining 4 – 2.5 required trees in the backyard. The average tree height is 34 feet higher than the proposed single-story house and ± 25 feet higher than the two-story house. If there were shade impacts, they would result from shade trees planted in backyards not from the buildings. Shade impacts resulting from shade trees are not considered a significant impact because the Riverlake Community Association has expressly identified shade trees as a community benefit. Therefore, AES-6 is considered a **less-than-significant** impact. No mitigation is required.

23. **AES-7 Impact: Aesthetics**

(a) Potentially Significant Impact

The Islands at Riverlake Project could result in a demonstrable negative aesthetic effect if it would cast glare light or glare into traffic or residential uses in such a way that it causes a public hazard or annoyance for a sustained period of time.

(b) Facts in Support of Finding

The project will include the installation of outdoor lighting. Compliance with SCC Titles 17.24 and 17.68.030 Part B will ensure that exterior lighting is consistent with similarly zoned and developed areas in the City. Among the restrictions of these regulations are: light must be reflected away from neighboring land uses

(SCC 17.68.030 Part B). Therefore, AES-7 is considered a **less-than-significant** impact. No mitigation is required.

24. **CUL-1 Impact: Cultural Resources**

(a) Potentially Significant Impact

Previously unidentified artifacts could be discovered during trenching to install underground utilities.

(b) Facts in Support of Finding

The **potentially significant** impact listed above would be reduced to a less-than-significant level with the following mitigation measures provided in the Islands at Riverlake Project EIR:

CUL-1 Mitigation: If subsurface archaeological or historical remains (including, but not limited to, unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, work within 100 feet of the discovery shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a **less-than-significant** level before construction continues.

With implementation of the above mitigation measure, this impact would be reduced to **less-than-significant** levels.

25. **CUL-2 Impact: Cultural Resources**

a. Potentially Significant Impact

Previously unidentified human remains could be unearthed during construction.

b. Facts in Support of Finding

The **potentially significant** impact listed above would be reduced to a less-than-significant level with the following mitigation measures provided in the Islands at Riverlake Project EIR:

CUL-2 Mitigation: If human burials are encountered, work within 100 feet of the discovery shall stop immediately and the Sacramento County Coroner's office shall be notified immediately. If the remains are determined to be Native American in origin, both the Native American Heritage Commission and any identified descendants

must be notified and recommendations for treatment solicited (CEQA Section 15064.5).

With implementation of the above mitigation measure, this impact would be reduced to **less-than-significant** levels.

26. **REC-1 Impact: Recreational Resources**

(a) Potentially Significant Impact

The Islands at Riverlake Project will create an increased demand for parks due to increased population.

(b) Facts in Support of Finding

The SGPU DEIR and the Sacramento Master Park Plan standard for park dedication by the developers is 5 acres per 1,000 residents or approximately 2.5 acres per 1,000 residents for Neighborhood Parks and the same ratio for Community Parks. The proposed project will result in approximately 473 new residents. Pursuant to City plans, the project is required to provide a total of 2.37 acres of parks (1.18 acres of Neighborhood Parks and 1.18 acres of Community Parks).

Dedication of parkland was a condition of approval for the LPPT PUD in 1985. To satisfy the parkland dedication requirement for the entire LPPT PUD development, the original developer provided a ± 30-acre scenic and recreational lake; a 2.5-acre public park constructed to the satisfaction of the City on the landward side of the levee between lots 16 and 17 (Shore Park Garden Apartments), and a partially publicly dedicated (2.2 acres to the City) and partially privately owned (3.6 acres to the RCA) Linear Parkway improved to the satisfaction of the City. The City determined that "City and Developer agree that Developer's obligations... are more than sufficient to satisfy Developer's parkland dedication obligation for the total project, so that no such dedication or fees in lieu thereof shall be required" (Development Agreement dated 27 August 1985 and amended 15 July 1996). The original developer completed the obligations specified in the Developer Agreement.

The LPPT PUD has completed its parkland dedication obligation. REC-1 Impacts are considered **less-than-significant**. No mitigation is required.

27. **REC-2 Impact: Recreational Resources**

(a) Potentially Significant Impact

Adjacent private residential development may affect recreational opportunities in the Linear Parkway.

(b) Facts in Support of Finding

The LPPT PUD was approved with the Townhouse and related development (R-1A) designation located adjacent to the Linear Parkway. The City has consistently found that residential uses at densities up to 164 dwelling units per net acre are compatible with Linear Parkway use. The Pocket Road Manor Houses was approved in 1987 (P87-129, -130, and –131) with a time extension approved in 1989 (all projects joined under number P87-129). The Pocket Road Manor Houses were approved to construct 100 single-family alternative attached and 50 single-family alternative detached houses. The Riverlake Park Homes was approved in 1994 (P93-089) with a time extension for the project approved in 1995. The Riverlake Park Homes project was approved to construct 162 individually owned residential units in 22 triplexes and 24 quadplexes. The Islands at Riverlake project is a residential land use and proposes a lower density than the previously approved projects.

With the proposed project, single-family alternative detached housing would be constructed between the Linear Parkway and the existing residential development. No fence or sound wall is proposed along the Linear Parkway. The residential units adjacent to the parkway are designed to appear as if the front of the house faces the parkway and Pocket Road.

The presence of new homes on the project site adjacent to the Linear Parkway is not expected to discourage existing Linear Parkway users from continuing to use it. The presence of homes adjacent to parks and parkways parks bordering residential subdivisions is common in the City. The presence of a developed residential environment next to the Linear Parkway may afford people using the Linear Parkway a greater sense of security than the existing vacant land, particularly at night.

Because the City determined that the two previous residential development projects would not cause significant impacts to the Linear Parkway use, and the proposed project is a residential land use with a lower density than the previously approved projects, impacts to the Linear Parkway resulting from adjacent residential development is considered a **less-than-significant** impact. No mitigation is required.

28. **REC-3 Impact: Recreational Resources**

(a) Potentially Significant Impact

Construction of driveway entrances and walkways in the Linear Parkway may affect recreational opportunities in the Linear Parkway.

(b) Facts in Support of Finding

Construction of the five new driveways to Pocket Road will convert 6,879 square feet (0.16 acre) of the Linear Parkway to roadway use. A new three-foot wide pathway would be constructed in the Riverlake Community Association landscape easement parallel to the existing eight-foot-wide walkway in the City of Sacramento parkway easement. Like the walkway in the City's easement, the new pathway meanders. The pathway connects each lot fronting Pocket Road with either the new pathways through the mini-parks or with the private road. Each residential lot fronting Pocket Road would have a three-foot-wide, straight, broom-finished concrete pathway connection with the new Riverlake Community Association pathway. No units fronting Pocket Road will have direct pathway connection with the City of Sacramento's eight-foot wide walkway in the City's parkway easement or with any City sidewalk. The new pathways result in the conversion of 16,825 square feet (0.39 acre) of the Linear Parkway. The total amount of Linear Parkway conversion due to roads and pathways is 0.55 acre.

Project opponents also claim that the proposed project will encroach into the easement. However, the terms of the Linear Parkway easements allow the project applicant, as owner of the property subject to the easements, to construct driveways and other facilities such as sidewalks across the easements as are necessary and appropriate to subdivide and develop the adjacent lots.

The Riverlake Manor Houses project plans (P87-129, -130, and –131) showed patios, parking lots, and pathways in the Riverlake Community Association landscape easement area of the Linear Parkway (Figure 12). The City conditioned its approval on the removal of patios and parking lots from the landscape easement. The City eliminated private pathway connections to public sidewalk ROW at West Shore Drive and East Shore Drive. Pathways in the landscape easement connecting the residential units were acceptable. This is verified by the revised drawings approved in 1989 for the project's time extension: patios and parking spaces were removed from the parkway and direct connection of private pathways to public sidewalk ROW were eliminated.

The project would construct seven passive use mini-parks totaling 0.36 acre of open space. The mini-parks help to integrate the Islands at Riverlake subdivision with the Linear Parkway. The pathways connecting the houses fronting Pocket Road with the mini-park serves to encourage use of the walkway in the City's parkway easement. Having the improved paths will make it easier for residents to access the walkway instead of walking through the grass to the City walkway.

Because the proposed construction in the Linear Parkway is consistent with the parkway easement recorded in favor of the City and the landscape easement recorded in favor of the Riverlake Community Association, the project is consistent with the two previously approved projects, and provides passive use mini-parks, impacts on recreational opportunities in the Linear Parkway are considered **less-than-significant**. No mitigation is required.

B. REJECTION OF ALTERNATIVES

CEQA mandates that every EIR evaluate a no-project alternative, plus a range of alternatives to the project or its location. Alternatives provide a basis of comparison to the project in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to consider reasonable feasible options for minimizing environmental consequences of a project. For the reasons documented in the EIR and summarized below, the City finds that approval and implementation of the project as proposed is appropriate. The EIR concluded that there were no significant and unavoidable environmental impacts, nor any significant impacts requiring mitigation associated with the proposed project's land use planning consistency, aesthetics or recreational resources. Therefore, the City is not required under CEQA to make findings regarding the feasibility or infeasibility of any of the project alternatives. The alternatives analysis demonstrates that there are a wide range of designs possible for the project site that are more or less consistent with existing plans and policies, with minor differences in lot coverage, setbacks, number of units, street width and location, building orientation, height and massing, none of which result in substantial benefits or improvements for the environment over the proposed project, which has no significant, unmitigated environmental impacts. The evidence supporting these findings is presented in the Draft EIR and responses to comments in the Final EIR.

1. Alternative 1: No Project Alternative

The No Project Alternative (Alternative 1) is required by CEQA. The No Project alternative assumes that the construction equipment and materials would be removed and the site would be restored to the conditions that were present as late as August 2004. The site would remain vacant and no development would likely occur on the site in the near future. The site would be subject to weed abatement measures once or twice annually.

Reasons for Rejecting Alternative 1:

1) Alternative 1 is not consistent with the General, Community, or Schematic Plans because each designated the site to be developed with residential land uses. The City would need to look elsewhere in the City to realize the loss of this housing potential.

2) Alternative 1 does not meet the goals and objectives of the proposed Islands at Riverlake Project as identified on page 3-40 of the Draft EIR.

2. Alternative 2: Pocket Road Manor Houses Alternative

The Pocket Road Manor Houses Project was approved in 1987 (P87-129, P87-130, and P87-131). It consists of 150 individually owned, single-family alternative residential

units. Fifty of the units would be detached and 100 would be in halfplexes. This alternative has a private street that is narrower than the City's standard street width.

Reasons for Rejecting Alternative 2:

1) Alternative 2 requires more private road ingress/egress points than the proposed project.

2) Alternative 2 would result in a potential zoning inconsistency which previously required a Special Permit to allow the construction of the private road. The project would construct a road adjacent to the side yard of existing houses within the 12.5-foot minimum street side, side yard setbacks required by the zoning code for the R-1 zone and the R-1A zone. The road would be located five feet from the adjacent, existing side yards. This would cause the existing houses to be approximately 10 feet from the new road. Two design features of the project would mitigate some of the negative impacts resulting from locating a road in this alignment. The existing six-foot high fence would attenuate traffic noise and screen views of the road from the yard and rooms on the first floor. Traffic noise and views of the road would be less well screened from rooms on the second floor. To provide more screening, shrubs or modest sized trees could be planted in the five-foot setback between the road and the fence.

3) Alternative 2 is potentially inconsistent with the Single Family Residential Design Principles (SFRDP) (City of Sacramento September 2000). The site plan configures the houses on an angle to the property line. Under the heading "Building Design" on page 8 of the SFRDP, the Planning Commission encourages, "Fronts of houses and entries that face the street. Each house should have a clearly identified entry and have active use windows (i.e., living room, kitchen) facing the street." The rationale is that it provides for "eyes on the street" and contributes to pedestrian safety and activity (ibid). The garages further screen the street from active use windows.

4) Alternative 2 does not meet the goals and objectives of the proposed Islands at Riverlake Project as identified on page 3-40 of the Draft EIR.

3. **Alternative 3: Riverlake Park Homes Alternative**

The Riverlake Park Homes project was approved in 1994 (P93-089). It consists of 162 individually owned, single-family alternative residential units. Sixty-six of the units would be in 22 triplexes and 96 would be in 24 quadplexes. This alternative has a private street that is narrower than the City's standard street width.

Reasons for Rejecting Alternative 3:

1) Alternative 3 requires more private road ingress/egress points than the proposed project.

2) Alternative 3 would result in a potential zoning inconsistency which previously required a Special Permit to allow the construction of the private road. The project would construct a road adjacent to the side yard of existing houses within the 12.5-foot minimum street side, side yard setbacks required by the zoning code for the R-1 zone and the R-1A zone. The road would be located five feet from the adjacent, existing side yards. This would cause the existing houses to be approximately 10 feet from the new road. Two design features of the project would mitigate some of the negative impacts resulting from locating a road in this alignment. The existing six-foot high fence would attenuate traffic noise and screen views of the road from the yard and rooms on the first floor. Traffic noise and views of the road would be less well screened from rooms on the second floor. To provide more screening, shrubs or modest sized trees could be planted in the five-foot setback between the road and the fence.

3) Alternative 3 plan does not conform to the Single Family Residential Design Principles (City of Sacramento September 2000). The 24 quadplexes locate the four garages between the living units and the private street. The 22 triplexes are facing inward and opposite to another triplex. The active use windows are facing the Linear Parkway and not the private street.

4) Alternative 3 does not meet the goals and objectives of the proposed Islands at Riverlake Project as identified on page 3-40 of the Draft EIR.

4. **Alternative 4: Pocket Protectors' Plan Alternative**

The Pocket Protectors' Plan consists of 126 individually owned, single-family alternative residential units. All of the units would be in 63 halfplexes. This alternative has a private street that is narrower than the City's standard street width.

Reasons for Rejecting Alternative 4:

1) Alternative 4 would not be consistent with the Community Plan land use designation for a minimum of 7 dwelling units per net acre; therefore, the project would require a Community Plan amendment. The density is above the maximum density of 5 dwelling units per net acre for Single Family (R-1) and below the maximum 8 units per net acre for the Townhouse (R-1A) designation on the LPPT PUD Schematic Plan.

2) Alternative 4 would result in a potential zoning inconsistency which previously required a Special Permit to allow the construction of the private road. The project would construct a road adjacent to the side yard of existing houses within the 12.5-foot minimum street side, side yard setbacks required by the zoning code for the R-1 zone and the R-1A zone. The road would be located five feet from the adjacent, existing side yards. This would cause the existing houses to be approximately 10 feet from the new road. Two design features of the project would mitigate some of the negative impacts resulting from locating a road in this alignment. The existing six-foot high fence would attenuate traffic noise and screen views of the road from the yard and rooms on the first floor. Traffic noise and views of the road would be less well screened from rooms on the second floor. To provide more screening, shrubs or modest sized trees could be planted in the five-foot setback between the road and the fence.

3) Alternative 4 configures the buildings on an angle like Alternative 2. Potential inconsistencies with the Single Family Design Principles (City of Sacramento September 2000) could lead to health and safety concerns by shielding active use windows from the private street.

4) Alternative 4 does not meet the goals and objectives of the proposed Islands at Riverlake Project as identified on page 3-40 of the Draft EIR.

5. **Alternative 5: Zero Lot Line Alternative**

The Zero Lot Line Project consists of 155 individually owned, single-family alternative residential units. All of the units would be detached. The front of the units would face Pocket Road. The garage would be accessed from the private drive. This alternative has a private street that is narrower than the City's standard street width.

Reasons for Rejecting Alternative 5:

1) Alternative 5 would result in the same potential zoning inconsistency that was described for the Alternative 2, Alternative 3, and Alternative 4 projects. The project would construct a road within the 12.5-foot minimum side yard setback adjacent to the street. The existing six-foot high fence in conjunction with the five-foot wide planter would be adequate to satisfy the noise and safety concerns caused by the proximity of the private street to existing houses. As discussed under the evaluations of the Pocket Road Manor Houses, Riverlake Park Homes, and Pocket Protectors' Plan projects, another method of achieving the R-1 standard street side, side yard setbacks would be to shift the entire project three feet towards Pocket Road. The total width of the Linear Parkway would be reduced from 60 feet to 57 feet to

reduce privacy concerns and zoning inconsistencies. The possible encroachment could result in potentially significant aesthetic and recreational resources impacts.

2) Alternative 5 does not conform to the Single Family Residential Design Principles (City of Sacramento September 2000). The zero lot line units would locate the garage between the living units and the private street. The active use windows would face the patio and not the private street.

3) Alternative 5 does not meet the goals and objectives of the proposed Islands at Riverlake Project as identified on page 3-40 of the Draft EIR.

6. **Alternative 6: R-1 Rezone Alternative**

The R-1 Rezone alternative considers the development of a single-family standard residential subdivision that meets all of the setbacks and lot coverage requirements of an R-1 zoned development. The subdivision would consist of approximately 100 individually owned, single-family standard residential units on R-1 standard 5,200 square-foot lots. The units would have standard R-1 setbacks with a maximum lot coverage of 40% and maximum building height of 35 feet, based on City Code requirements. All of the units would be detached. The front of the units would face Pocket Road. The garage would be accessed from the interior private drive. This alternative has a private street that is narrower than the City's standard street width.

Reasons for Rejecting Alternative 6:

1) Alternative 6 would construct a road within the 12.5-foot minimum side yard setback adjacent to the street. The existing six-foot high fence in conjunction with the five-foot wide planter would be adequate to satisfy the noise and safety concerns caused by the proximity of the private street to existing houses. As discussed under the evaluations of the Pocket Road Manor Houses, Riverlake Park Homes, and Pocket Protectors' Plan projects, another method of achieving the R-1 standard street side, side yard setbacks would be to shift the entire project three feet towards Pocket Road. The total width of the Linear Parkway would be reduced from 60 feet to 57 feet to reduce privacy concerns and zoning inconsistencies. The possible encroachment could result in potentially significant aesthetic and recreational resources impacts.

2) In Alternative 6 the maximum number of 5,200-square foot lots based on the developable acreage is 100 lots. This results in a dwelling units per net acre density of 5.14 units. Because this density is less than the 7 unit minimum set forth in the Pocket Area Community Plan, the R-1 Rezone Alternative would not be consistent with the Community Plan

designation of the project site as Residential 7 – 15 dwelling units per net acre. A Community Plan amendment would be required.

3) Alternative 6 would require an LPPT PUD Schematic Plan amendment because the project would not be consistent with the Townhouse R-1A designation. None of the subdivisions in Riverlake would be built at the 8- to 10-dwelling-units per net-acre density originally designated for 77.7 net acres in the LPPT PUD Schematic Plan. No amendment to the LPPT PUD Development Guidelines would be needed.

4) Alternative 6 does not meet the goals and objectives of the proposed Islands at Riverlake Project as identified on page 3-40 of the Draft EIR.

7. **Alternative A: R-1A Mixed Alternative**

The R-1A Mixed alternative would construct 139 detached and attached single-family alternative residential units. A 22-foot wide private road with a four-foot wide sidewalk on one side would have the same alignment as the proposed Islands at Riverlake project. The R-1A Mixed alternative would construct between 5 and 30 single- or two-story halfplexes between the private road and the existing fence instead of the detached units the Islands at Riverlake proposes to construct. The rear yard setbacks for the halfplexes would be consistent with other approved R-1A halfplexes in the LPPT PUD for a minimum 7.5-foot rear yard setback. This alternative has a private street that is narrower than the City's standard street width.

Reasons for Rejecting Alternative 7:

1) Alternative 7 would construct houses with setbacks that are potentially incompatible with adjacent properties. The setbacks for the halfplexes abutting existing houses would be less than the R-1 standard 15-foot rear yard setback. Some detached single- and two-story houses would also abut existing houses. The detached unit rear yard setback would also be less than the R-1 standard 15-foot rear yard setback.

2) Alternative 7 does not meet the goals and objectives of the proposed Islands at Riverlake Project as identified on page 3-40 of the Draft EIR.

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

Section 1. The City Council certifies the Environmental Impact Report (EIR) for the Islands at Riverlake project (P05-004).

Section 2. The City Council approves the Mitigation Monitoring Plan for the Islands at Riverlake project (P05-004) based upon the following findings:

1. One or more mitigation measures have been added to the above-identified project;
2. A Mitigation Monitoring Plan has been prepared to ensure compliance and implementation of the mitigation measures for the above-identified project, a copy of which is attached as Exhibit A;

Table of Contents:

Exhibit A: Mitigation Monitoring Plan – 6 Pages

Subject: Islands at Riverlake (P05-004) September 27, 2005

Exhibit A

MITIGATION MONITORING PLAN

FOR

Islands at Riverlake/ P05-004

Type of Environmental Document:
Environmental Impact Report

Prepared For:
City of Sacramento, Development Services Department, Planning Division

Date:
August 2005

Adopted By:
City of Sacramento, City Council

Date:

_____

Attest:

_____
Secretary

CITY OF SACRAMENTO
MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan has been required by and prepared for the Development Services Department Planning Division, 915 I Street, Room 300, Sacramento, CA 95814, (916) 808-5590, pursuant to CEQA Guidelines Section 21081.

SECTION 1: PROJECT IDENTIFICATION

Project Name and/or File Number: Islands at Riverlake / P05-004
Applicant - Name: Regis Homes/ Bill Heartman - contact
Project Location / Legal description of Property (if recorded): The project is located in the City of Sacramento, Sacramento County, California. The project is located on County Assessor's Parcel Numbers 031-1210-003, 031-1210-061, 031-1200-073, 031-1030-015, 031-1030-031, and 031-1300-048. The parcels are located on the north and south sides of Pocket Road from approximately 1,200 feet west of West Shore Drive to approximately 580 feet east of Dutra Bend Drive. The Project is approximately 250 feet west of the intersection of Pocket Road and Greenhaven Drive and approximately 2,000 feet west of Interstate 5.

SECTION 2: GENERAL INFORMATION

The project as proposed includes mitigation measures for potential impacts to air quality, biological resources, traffic, and cultural resources. The intent of the Mitigation Monitoring Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified in the Environmental Impact Report (EIR) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer. The number system of the mitigation measures matches the numbering system of the EIR.

Air Quality

AIR-1: Short-term Emissions (Construction) - Emissions of ROG, NOx, and PM10.

- The project shall provide a plan for approval by the City of Sacramento, in consultation with SMAQMD, demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction.

- The project representative shall submit to the City of Sacramento and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the

duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.

- The project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the City of Sacramento and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.

Entities Responsible for Ensuring Compliance:

City of Sacramento,
Development Services Department Building Division
Development Services Department Building Division, Field Inspection

Sacramento Air Quality Management District

Monitoring Program:

Prior to issuance of any Grading Permits and/or Improvement Plans, the Building Division will review and approve the Plan submitted by the project developer that demonstrates that the Plan will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction and verify that the Plan was submitted to SMAQMD for concurrent review.

The Building Division will verify that the inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project is submitted to the Building Division and SMAQMD.

The Building Division will verify that the monthly monitoring reports are submitted to the Building Division and SMAQMD. The Building Division, Field Inspection may conduct periodic inspections.

Transportation/Circulation

TRAN-2: Reduce exposure of residents to safety hazards.

- On-street parking shall be prohibited on the private roads. The private roads shall be signed and striped for no parking at all times. A homeowners association shall be responsible for enforcing the no parking rule.

- The Covenants, Codes and Restrictions (CC&Rs) shall require that all trash and recycle bins are placed on the same side of the private road on pick-up day.

Entities Responsible for Ensuring Compliance:

City of Sacramento,
Development Services Department Building Division

Monitoring Program:

Prior to issuance of Improvement Plans, the Building Division will verify that the plans for the private road note that the curbs are striped and signs are provided for no parking.

Prior to the issuance of certificates of occupancy, the Building Division will verify that a Homeowners Association has been formed or the project has joined the Riverlake Community Association and the CC&Rs for the subdivision indicate that it is the responsibility of the Homeowners Association or Riverlake Community Association to enforce the no parking rule on the private roads.

Prior to the issuance of certificates of occupancy, the Building Division will verify that the CC&Rs for the subdivision identify that residents are to place trash and recycle bins on one side of the street. The CC&Rs will designate the side of the street bins are to be placed.

Biological Resources

BIO-1: Avoid disturbance of nesting raptors

- If construction begins outside the 1 March to 15 September breeding season, there will be no need to conduct a preconstruction survey for active nests.

- If construction is scheduled to recommence during the breeding season, a preconstruction survey will be conducted by a qualified biologist to determine if raptors are nesting within 0.25 mile of the project site.
  - The applicant will conduct a preconstruction survey at least 2 weeks prior to construction.
  - If no active nests are found, no additional mitigation will be necessary.
  - If active raptor nests are found within 0.25 mile of the project site, DFG will be notified and no project activities that would result in nest abandonment (e.g., noise generated from the operation of heavy equipment) will be conducted without DFG approval.

Entities Responsible for Ensuring Compliance:

City of Sacramento,
Development Services Department Building Division
Development Services Department Building Division, Field Inspection

Monitoring Program:

Prior to issuance of any Grading Permits and/or Improvement Plans, the Building Division will verify that surveys have been conducted. If any active nests are found, the Building Division will verify that the appropriate DFG avoidance measure(s) are implemented. If avoidance measures are needed, Building Division, Field Inspection may conduct periodic inspections to ensure the avoidance measures are implemented.

BIO-2: Protect trees

- Project plans shall note that all roots shall be cut clean. Any roots greater than two inches in diameter will require inspection by an ISA certified arborist prior to severing. The applicant shall provide the City Arborist with a report demonstrating that severed roots greater than two inches diameter were inspected before cutting by an ISA certified arborist.

Entities Responsible for Ensuring Compliance:

City of Sacramento,
Development Services Department Building Division
Department of Parks and Recreation Parks and Tree Services

Monitoring Program:

Prior to issuance of any Grading Permits and/or Improvement Plans, the Building Division will verify that the project plans note that all roots shall be cut clean and any roots greater than two inches diameter require inspection by an ISA certified arborist prior to severing. The City Arborist will review reports of severed roots greater than two inches diameter and may inspect health of tree to assess any damage.

CULTURAL RESOURCES

CUL-1 Protect previously unidentified artifacts

- If subsurface archaeological or historical remains (including, but not limited to, unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, work within 100 feet of the discovery shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues.

Entities Responsible for Ensuring Compliance:

City of Sacramento,
Development Services Department Building Division
Development Services Department Planning Division
Development Services Department Building Division, Field Inspection

Monitoring Program:

Prior to issuance of any Grading Permits and/or Improvement Plans, the Building Division shall verify that the project developer has noted CUL-1 on all plans. If artifacts are found, the Planning Division will review the recommendations of the archeologist and Native American Heritage Commission to verify the significance of the artifact and, if necessary, the measures required to ensure a less than significant impact. The Building Division will verify that the appropriate measures are implemented. If avoidance measures are needed, Building Division, Field Inspection may conduct periodic inspections to ensure the avoidance measures are implemented.

CUL-2 Protect human remains if found

- If human burials are encountered, work within 100 feet of the discovery shall stop immediately and the Sacramento County Coroner's office shall be notified immediately. If the remains are determined to be Native American in origin, both the Native American Heritage Commission and any identified descendants must be notified and recommendations for treatment solicited (CEQA Section 15064.5).

Entities Responsible for Ensuring Compliance:

City of Sacramento,
Development Services Department Building Division
Development Services Department Building Division, Field Inspection

Monitoring Program:

Prior to issuance of any Grading Permits and/or Improvement Plans, the Building Division shall verify that the project developer has noted CUL-2 on all plans. If human burials are found, the Building Division will review the recommendations treatment to verify that the appropriate measures are implemented. The Building Division, Field Inspection may conduct periodic inspections to ensure the avoidance measures are implemented.

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

DATE

RESOLUTION TO AMEND THE POCKET AREA COMMUNITY PLAN-SOUTH POCKET SPECIFIC PLAN TO CLARIFY THAT THE "TOWNHOUSE AND RELATED DEVELOPMENT" DESIGNATION OF THE SOUTH POCKET SPECIFIC PLAN ALLOWS THE FULL RANGE OF RESIDENTIAL USES ALLOWED UNDER THE ZONING CODE FOR ALTERNATIVE SINGLE-FAMILY RESIDENTIAL HOUSING TYPES AS ALLOWED IN THE ALTERNATIVE SINGLE-FAMILY (R-1A) ZONE INCLUDING ATTACHED AND DETACHED UNITS, TOWNHOUSES, CLUSTER HOUSING, CONDOMINIUMS, COOPERATIVES OR OTHER SIMILAR PROJECTS; (P05-004) (ASSESSORS PARCEL NUMBERS (APNS): 031-1210-003; 031-1200-073; 031-1210-061; 031-1030-015; 031-1030-031; AND 031-1300-048).

WHEREAS, the Planning Commission conducted a public hearing on September 15, 2005, and the City Council conducted a public hearing on September 27, 2005, concerning the above plan amendment and based on documentary and oral evidence submitted at the public hearing, the Council hereby finds:

1. The proposed text amendment is consistent with the General Plan and Zoning Ordinance and clarifies residential housing types allowed in the Townhouse and Related Development and is compatible with the surrounding land uses;

1. The subject site is suitable for alternative style detached single-family development; and,

2. The proposal is consistent with the policies of the Pocket Area Community Plan-South Pocket Specific Plan.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Sacramento that:

The text as described on the attached Exhibit 1 in the City of Sacramento is hereby amended in the Pocket Area Community Plan-South Pocket Specific Plan to read as shown on the attached exhibit.

_____

MAYOR

Subject: Islands at Riverlake (P05-004) September 27, 2005

ATTEST:

_____

CITY CLERK P05-004

Exhibit A

The Pocket Area-South Pocket Specific Plan definition of "Townhouse and Related Development" shall be revised to read as follows:

The "Townhouse and Related Development" designation allows the full range of residential uses allowed under the zoning code for alternative single-family residential housing types as allowed in the Alternative Single-family (R-1A) zone including attached and detached units, townhouses, cluster housing, condominiums, cooperatives or other similar projects.

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

DATE

RESOLUTION TO AMEND THE LPPT PLANNED UNIT DEVELOPMENT (PUD) GUIDELINES TO SPECIFY THE "TOWNHOUSE AND RELATED DEVELOPMENT" DESIGNATION OF THE PUD SCHEMATIC PLAN ALLOWS THE FULL RANGE OF RESIDENTIAL USES ALLOWED UNDER THE ZONING CODE FOR ALTERNATIVE SINGLE-FAMILY RESIDENTIAL HOUSING TYPES AS ALLOWED IN THE ALTERNATIVE SINGLE-FAMILY (R-1A) ZONE. (P05-004) (ASSESSORS PARCEL NUMBERS (APNS): 031-1210-003; 031-1200-073; 031-1210-061; 031-1030-015; 031-1030-031; AND 031-1300-048.

BACKGROUND

A. The City Council conducted a public hearing on September 27, 2005, to consider amending the LPPT Planned Unit Development (PUD) Guidelines. Based on documentary and oral evidence submitted at said public hearing, the City Council hereby finds:

1. The PUD conforms to the General Plan and the Pocket Area Community Plan-South Pocket Specific Plan;

2. The PUD meets the purposes and criteria stated in the City Zoning Ordinance in that the PUD facilitates primarily residential uses designed to assure that new development is healthy and of long-lasting benefit to the community and the City; and,

3. Development of the PUD will not be injurious to the public welfare, nor to other property in the vicinity of the development and will be in harmony with the general purposes and intent of the Zoning Ordinance in that the PUD ensures that development will be well-designed, and that the residential uses do not create a negative impact on adjacent uses.

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

Section 1 The City Council of the City of Sacramento finds, in accordance with the City Code, Chapter 17, that the LPPT PUD Guidelines Amendment (as shown on the attached Exhibit A) is hereby approved.

_____

MAYOR

Subject: Islands at Riverlake (P05-004) September 27, 2005

ATTEST:

_____

CITY CLERK P05-004

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Exhibit A

DEVELOPMENT GUIDELINES

LPPT PUD
(P85-165, as amended by P05-004)

The "Townhouse and Related Development" (R-1A) designation shall allow the full range of residential uses allowed under the zoning code for alternative single-family residential housing types as allowed in the Alternative Single-family (R-1A) zone including attached and detached units, townhouses, cluster housing, condominiums, cooperatives or other similar projects.

RESOLUTION NO.

Adopted by the Sacramento City Council

Date

A RESOLUTION ADOPTING THE NOTICE OF DECISION AND FINDINGS OF FACT APPROVING THE ISLANDS AT RIVERLAKE PROJECT AND APPROVING THE TENTATIVE MAP, SPECIAL PERMIT AND SUBDIVISION MODIFICATION, LOCATED IN THE LPPT PLANNED UNIT DEVELOPMENT, ALONG THE NORTH AND SOUTH SIDES OF POCKET ROAD PRIMARILY BETWEEN EAST AND WEST SHORE DRIVES IN SACRAMENTO, CALIFORNIA. (P05-004) (ASSESSOR'S PARCEL NUMBERS (APNS): 031-1210-003; 031-1200-073; 031-1210-061; 031-1030-015; 031-1030-031; AND 031-1300-048.

BACKGROUND

A. On September 15, 2005, the City Planning Commission denied the Special Permit the requested entitlements, with conditions; and

B. On September 16, 2005 the decision of the City Planning Commission denying the Special Permit was appealed by the Applicant; and,

C. On September 27, 2005, 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 September 27, 2005, the City Council heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the City Council took the following actions for the location listed above:

A. Approved the Special Permit to develop 139 detached alternative single-family homes and 27 common lots in the Alternative Single-family Planned Unit Development (R-1A PUD) zone;

B. Approved the Tentative Subdivision Map to subdivide 21.4± vacant acres into 166 lots; and,

C. Approved the Subdivision Modification to reduce the standard 53 foot right-of-way for a private street.

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

A. Special Permit: The Special Permit to develop detached single family dwellings within the LPPT PUD is approved based on the following Findings of Fact and subject to the Conditions of Approval:

1. The project is based upon sound principles of land use in that the proposed project is consistent with the General Plan, the Pocket Area Community Plan, the LPPT PUD, the Single-Family Residential Design Principles, and the underlying Single-family Alternative (R-1A) zoning;

2. The proposed use will not adversely affect the public health, safety or general welfare of the surrounding residential neighborhood in that:

   a. The project is designated for single-family alternative residential development;

   b. The project proposes to apply design compatible with the surrounding area, will use quality construction materials, and has implemented numerous design components consistent with the Single-Family Residential Design Principles, and;

   c. The proposed project is within the Zoning Ordinance's requirements for allowable setbacks within the Single-family Alternative (R-1A) zone.

3. The proposed project is consistent with the General Plan and the Pocket Area Community Plan land use designations and density requirements of Low Density Residential (4 – 15 du/na) and Residential (7-15 du/na), respectively;

4. The proposed project is within the LPPT PUD Guidelines and Schematic Plan maximum density allowed for the parcels-164 units are allowed-139 units are proposed; and,

5. The project complies with the SGPU Housing Element that encourages the promotion of a variety of housing types within neighborhoods to encourage economic diversity and housing choice (SGPU, 3.10-13).

B. Tentative Map. The Tentative Map subdividing ±21.4 vacant acres into 166 lots in the R-1A PUD zone is approved based on the following Findings of Fact and subject to the conditions of approval:

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 Sacramento General Plan Update, the Pocket Area Community Plan, and subdivision Ordinance Chapter 16.12.020 of the Sacramento City Code. The Sacramento General Plan Update designates the site for Low Density Residential (4-15 du/na) and the Pocket Community Plan designates the site for Residential 7-15 du/na.

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

4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

C. Subdivision Modification. The Subdivision Modification to reduce the standard 53' right-of-way width for a private street is approved based on the following Findings of Fact and subject to the Conditions of Approval:

1. The property to be divided is of such size or shape, or is affected by such topographic conditions, or there are such special circumstances or conditions affecting the property that it is impossible, impractical, or undesirable in this particular case to conform to the strict application of these regulations. The narrow width of the project site requires that in order to develop the site as proposed the lot widths be shallower than the City standard and that the roadway be a narrower width than standard in order to provide the project's two tiers of shallow lots access;

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 modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity in that the Development Services Department-Development Engineering and Finance Division, the Department of Utilities, the Department of General Services-Solid Waste Division, and the Fire Department reviewed the project and the private drive for safe ingress and egress, adequate room for utility placement, and sufficient room for emergency and solid waste, recycling, and green waste vehicle access. Each department has approved the project as proposed, subject to the attached conditions;

4. Granting the modification is in accord with the intent and the purposes of these regulations and is consistent with the General Plan and with all other applicable

specific plans of the City. The Single-family Alternative (R-1A) zoning is consistent with the General Plan and Community Plan land use designations of Low Density Residential (4-15 du/na) and Residential 7-15, respectively.

CONDITIONS OF APPROVAL

E. The **Special Permit** to develop detached single-family dwellings within the LPPT PUD is hereby approved subject to the following conditions of approval (the applicant shall satisfy each of the following conditions prior to obtaining any building permits unless a different time for compliance is specifically stated in these conditions):

Planning Division

E1. The applicant shall obtain all necessary building permits prior to commencing construction;

E1a. Applicant shall construct the project in compliance with applicable state and federal accessibility standards;

E2. Any modification to the Special Permit, as approved, shall require the approval of a Special Permit Modification;

E3. Prior to occupancy of any residential unit other than the model homes, the applicant shall either form his own Homeowner's Association (HOA) or annex into the existing Riverlake Community Association (RCA) for maintenance of all common areas within the Islands at Riverlake development;

E4. Construction of the passive open space/mini-parks shall coincide with the completion of construction of adjacent lots. The passive open space/mini-park amenities shall include, but are not limited to: a meandering sidewalk, seating, shade structure(s), and landscaping, which shall include large, deciduous shade tree(s) as approved by the City Arborist;

E5. Construction of the pedestrian access walkways shall coincide with the construction of the private drive, the individual connectors shall be constructed as each individual house nears completion, but prior to the issuance of the certificate of occupancy. Installation of the specially stamped and colored asphalt crossing the private drive at each pedestrian access pathway shall coincide with construction of the private drive; Construction of the 4' wide sidewalks on one side of the private drive shall coincide with the construction of the private drive;

E6. The HOA shall be responsible for the maintenance of all common areas, including the private drives, parking spaces and parking slots between houses, the landscaping and fountains in the traffic islands, pedestrian access paths and their fair share of the 25-foot wide landscape easement (a portion of the 40-foot linear parkway) and the passive mini-park/open space areas;

E7. The HOA will be responsible for maintaining the front yard landscaping for all houses within the Islands at Riverlake. For the houses facing the private drive, the association shall maintain from the back of sidewalk to the wing fences. For the houses facing Pocket Road, the association shall maintain the front yards from the wing fence to the property line, plus the landscaping at the rear of the house along the private drive that lies outside the "private yards". The "private yards" are designated on the typical plot plans as being enclosed by a picket fence that may be modified with the approval of planning staff. Each individual homeowner shall be responsible under the CC& R's to maintain their private yards to a standard as established and specified by the HOA;

E8. Lots R, S, T, U, V and W shall be maintained by the HOA until such time as these parcels are transferred or sold to the adjacent property owner's of the existing houses at the ends of the three cul-de-sacs within Riverlake;

E9. The design and construction materials of the single-family residences shall be consistent with the attached elevations. Any modifications or substitutions will require additional planning review and approval prior to the issuance of building permits;

E10. Prior to issuance of building permits, proof that the dedication and recordation of a "No Build" easement along the entirety of the project facing Pocket Road shall be presented to the satisfaction of building staff;

E11. Provide individual plot plans (with setback dimensions) for all lots immediately adjacent to existing residences and on lots where trees may be impacted for planning staff review and approval;

E12. Only Plans 7110 and 7120 will be allowed adjacent to residences existing at the time of the approval of this plan except for those lots designated as "2-story bldg." on the Tentative Map dated January 2005;

E13. Construction of Plans 5710, 5713, 5720 and 5730 are limited to lots fronting Pocket Road and those lots designated as "2-story bldg." on the Tentative Map dated January 2005;

E14. No side-by-side or cross-private drive duplication of a house elevation is allowed;

E15. Comply with requirements included in the Mitigation Monitoring Plan developed by and kept on file in the Planning Division office. No grading may occur within the drip line of any heritage tree designated for preservation **except with approval of the City Arborist**. Refer to the Mitigation Monitoring Plan for specific tree identification numbers and appropriate mitigation for trimming or replacement value for removal. For any numbered tree, identified on the Tentative Map, that is

removed, the applicant shall replace that tree with a 24" box tree of a variety as approved by the City Arborist;

E16. Automatic front yard sprinklers and landscaping with a minimum of two and one-half shade trees shall be provided, as feasible, (five trees for every two lots from a list approved by the City Arborist) within the front yard of each residence at the time of construction;

E17. Provide for planning staff review plans and elevations to scale and dimensioned for a typical proposed mini-park/open space area. Include for planning staff review and approval an overall dimensioned site plan of the recreation area with details on landscaping, walkways, and any structures to be installed;

E18. Provide plans and elevations-to scale and dimensioned for the proposed fountains and attached project signage for planning staff review and approval. All proposed signage shall comply with the City's Sign Ordinance;

E19. A total of 55 parking spaces are proposed; no less than 50 spaces may be constructed. The spaces shall be distributed evenly throughout the subdivision within the mini-parks, slot parking spaces between homes and off project entrances, "quasi-roundabouts", and hammerhead turnarounds, as appropriate. Any spaces exceeding the maximum number of spaces, 55, will require additional entitlement approval;

E20. Garages must be used for parking. Storage within the garage area shall be limited so as to not interfere with the parking of 2 cars in each garage;

E21. Comply with the fifty percent shading requirement for all parking areas, (Section 17.64.030(H) of the Zoning Ordinance). All planters must be fully automatically irrigated and enclosed with 6" concrete curbing on all sides adjacent to a parking space. The overall landscape mix shall include at least three different (minimum 15-gallon size) tree types (genera) throughout the required shading area. All planter soil surfaces shall be covered with living groundcover within two years of installation. 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;

E22. All common parking spaces and parking slots shall be increased in depth to 21 feet, including the 4' walk or 17' on the walkless side of the private drive to ensure adequate depth so no vehicular encroachment into the private drive occurs. All parking areas shall have decorative "stop blocks". Prior to the construction of any parking area, the developer shall submit for review and approval by planning staff, details of the proposed "stop blocks";

E23. Lighting for the development shall be coordinated with the landscaping plan so there is minimal interference between the light standards and required illumination and the trees and required shading. All light fixtures are to be vandal-resistant. The private drive lighting shall be shielded from adjacent parcels.

F. The **Tentative Map** subdividing ±21.4 vacant acres into 166 parcels in the Single-family Alternative Planned Unit Development (R-1A PUD) zone is hereby 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 guidelines approved for this project (P05-004). The design of any improvement not covered by these conditions or the PUD Guidelines 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:

GENERAL: All Projects

1. 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 Development Engineering and Finance. Improvements required for each phase shall be determined by the City prior to recording that phase. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards;

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

3. 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 Development Engineering and Finance after consultation with the U.S. Postal Service;

4. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P05-004);

5. Meet all conditions of the existing LPPT PUD unless the condition is superseded by a Tentative Map condition;

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

7. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50

meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition;

Development Engineering: Streets

8. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk fronting the property on Pocket Road, Dutra Bend, East Shore Drive and West Shore Drive per City standards and to the satisfaction of Development Engineering and Finance;

9. 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 that 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;

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

11. Design and construct a traffic signal at Pocket Road and West Shore Drive.

12. Signal design and construction shall be to the satisfaction of Development Engineering and Finance. The City shall reimburse the applicant for 50% of the hard construction costs associated with the signal construction. The 50% reimbursement amount shall be determined based on the lowest of three competitive bids from qualified contractors; otherwise, the reimbursement amount will be at the City's sole discretion. The applicant shall provide all on-site easements and right-of-way needed for turn lanes, signal facilities and related appurtenances;

13. The applicant shall submit a signal design concept report to Development Engineering and Finance for review and approval prior to the submittal of any improvement plans involving traffic signal work;

14. All proposed hammerheads and emergency accesses shall be constructed to City standards and to the satisfaction of Development Services and Fire. The

hammerhead shall be constructed with a gate equipped with a Knox box to the satisfaction of the Fire Department. All hammerheads shall be constructed with a street structural section consisting of 4" AC over 16" AB to accommodate the turnaround for solid waste and emergency vehicles to the satisfaction of Development Engineering and Finance;

15. Construct standard driveways at the entrance to the private streets along Pocket Road and West Shore Drive to the satisfaction of Development Engineering and Finance. Turning movements at all driveways along Pocket Road and West Shore Drive shall be right-in/right-out only with the exception at Coleman Ranch Way and Silva Ranch way where full turning movements are allowed. The homeowners association shall maintain the landscaped medians at these driveways. Driveways along Pocket Road shall be designed to accommodate a Su-30 design vehicle and to accommodate the landscaped medians at those locations;

16. Repair or reconstruct any non-ADA compliant handicapped ramps (if needed) at the following locations as part of the frontage improvements:
    a. On both sides of Dutra Bend along the walkway. That includes the ramps on either side of the median island.
    b. The northwest corner of East Shore Drive.
    c. The entire intersection of West shore Drive and Pocket Road as part of the signal design and construction.
    d. At all new driveway cuts.

    The construction of said ramps shall be to the satisfaction of Development Engineering and Finance.

Development Engineering: Private Streets

17. Designate private streets as Public Utility Easements;

18. Construct the private street identified on the Tentative Map as Lots A, B, C, A-A, P-P and Q-Q with a 22-foot right-of-way. The private street shall be constructed to the standards of a public street, specifically regarding structural section and drainage, except for the rolled curb and gutter on these streets shall be 2 feet in width. The private street shall have a minimum of 20 foot f/c to f/c clear driving area. Private street entrances must be designed to provide adequate stopping site distance. The private street shall be maintained by the Homeowner's Association in perpetuity or through an alternate financing mechanism acceptable to the City;

19. Secure gated entries in a manner approved by the Fire and Police Departments;

20. Street lighting facilities shall be designed to City standards. The City shall review and approve street lighting plans for private streets by the same process as that used for public streets;

21. Provide appropriate easements for street light maintenance. These easements must be in place prior to commencement of City maintenance of street lighting facilities;

22. CC&Rs recorded for the subdivision must provide for City maintenance of the street lighting facilities;

23. The private streets shall be signed and striped for NO PARKING at all times to the satisfaction of Development Engineering and Finance. The Homeowner's Association shall be responsible for enforcing the No Parking along private streets;

24. All proposed traffic circles/fountains along the private drive shall be designed and constructed with a mountable curb to facilitate the maneuvering of emergency vehicles to the satisfaction of the departments of Development Services and Fire;

PUBLIC/PRIVATE UTILITIES

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

26. Dedicate any private drive, ingress and egress easement, or Irrevocable Offer of Dedication and 5 feet and 10 feet where transformers shall be located (location to be determined by SMUD's Subdivision Coordinator prior to recordation of all maps) adjacent thereto as a public utility easement for underground facilities and appurtenances;

27. Dedicate Lots P and C-C (the mini-park lots) as a public utility easement for underground facilities and appurtenances;

CITY UTILITIES

28. Provide standard subdivision improvements per Section 16.48.110 of the City Code.

29. The Policy for Private Streets requires that all streets within the subdivision that are to be private shall have the full width of the private streets dedicated as a public utility easement for the water distribution system. An additional 3 feet adjacent to all the streets shall also be dedicated as an easement for water distribution system appurtenances such as hydrants and water meters. The easement shall include language assuring Department of Utilities' personnel and maintenance vehicles unrestricted and unlimited access to any private streets and easements at all times.

30. All water, sewer and drainage facilities within the subdivision shall be constructed to City standards and approved by the Department of Utilities prior to acceptance of maintenance responsibilities.

31. Abandon excess sewer, drain and water easements within lots 65, Lot C-C, 66, 75, Lot E-E, 76, 85, 86, 87, 92 and Lot G-G.

32. Prior to or concurrent with the submittal of improvement plans, a project specific water study shall be approved by the Department of Utilities. The water distribution system shall be designed to satisfy the more critical of the two following conditions: (1) at maximum day peak hour demand, the operating or "residual" pressure at all water service connections shall be at least 30 pounds per square inch and (2) at average maximum day demand plus fire flow, the operating or "residual" pressure in the area of the fire shall not be less than 20 pounds per square inch. The water study shall determine if the existing and proposed water distribution system is adequate to supply fire flow demands for the project. A water supply test may be required for this project. Contact the Department of Utilities for the pressure boundary conditions to be used in the water study. The method and calculations for the design of the water distribution system shall be reviewed and approved by the Department of Utilities prior to improvement plan approval. The water distribution system shall be connected to the water mains that were previously stubbed to the property from the north wherever possible, to the satisfaction of the Department of Utilities. Any excess stubs and easements shall be properly abandoned.

33. Only one domestic water service will be allowed per parcel. Any new domestic water service shall be metered.

34. Water mains will be permitted under fountains placed in the streets if encased within the limits of the island. Gate valves shall be placed at each side of the island. No trees will be permitted in the island if it is used as a planter.

35. 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 Department of Utilities. All sewer mains shall be a minimum of 8-inch diameter. All sewer pipes and MHs shall be installed to prevent groundwater infiltration to the sanitary sewer system. No mains will be permitted under fountains or tree wells placed in the streets. Sewer mains shall be aligned to the satisfaction of the Department of Utilities.

36. A drainage study and shed map as described in Section 11.7 of the City Design and Procedures Manual is required. This study and shed map shall be approved by the Department of Utilities. The 10-year and 100-year HGL's shall be shown on the improvement plans. The 10-year HGL shall be no higher than 6 inches below the lowest DI. Finished lot pad elevations

shall be a minimum of 1.00 feet above the 100-year HGL and approved by the Department of Utilities. The drainage study shall identify all existing off-site flows that are blocked by the proposed project and shall propose City maintained drainage facilities to convey these flows. Sufficient off-site and on-site spot elevations shall be provided in the drainage study to determine the direction of storm water runoff. The drainage study shall include an overland flow release map for the proposed project. Finished floor elevations shall be a minimum of 1.5 feet above the controlling overland flow release elevation. Drainage mains will not be permitted under fountains or tree wells placed in the streets. Drainage pipes shall be aligned to the satisfaction of the Department of Utilities.

37. A seepage study will be required and shall be 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 private streets. Appropriate facilities shall be constructed to alleviate those problems.

38. If the applicant wants the City to maintain and operate the on-site storm drainage facilities, a written request must be filed with the Department of Utilities (per the Policy for Private Streets in Residential Area).

39. All new groundwater discharges to the Combined or Separated Sewers must be regulated and monitored by the Department of Utilities (City Council Resolution #92-439). Groundwater discharges to the City's sewer system are defined as follows:
    A. Construction dewatering discharges
    B. Treated or untreated contaminated groundwater cleanup discharges
    C. Uncontaminated groundwater discharges

Groundwater discharges may contain toxic and/or explosive chemicals that could be harmful to the environment and to service workers working in the City's sewer system. Groundwater discharges to the sewer system go beyond the original design of the City's system, thus removing existing sewer capacity from other system users and potentially causing overflows or restricting development. The additional water from groundwater discharges must be conveyed and pumped by the City's existing facilities. The additional volume of water increases the City's operations and maintenance costs through increased capacity, power, and maintenance costs.

Currently, two types of groundwater discharges are recognized by the Department of Utilities; limited discharges and long-term discharges. These types of discharges are described as follows:

A. " Limited discharges" are short groundwater discharges of 7-days duration or less. Limited discharges must be approved through the Department of Utilities by acceptance letter.

B. " Long-term discharges" are groundwater discharges of greater duration than 7 days. Long-term discharge must be approved through the Department of Utilities and the City Manager through a Memorandum of Understanding (MOU) process. The Groundwater MOU has a term of one year and requires the discharger to:

a. Provide a description of the groundwater discharge,
b. Obtain a Regional Sanitation District permit,
c. Obtain approval from the Regional Water Quality Control Board if discharge is part of groundwater cleanup or contains contaminants above MCLs,
d. Pay fees based on flow amounts when a fee schedule is established by ordinance,
e. Comply with any new pertinent laws,
f. Assess and repair sewer lines if the discharge exceeds MCLs,
g. Suspend discharges during storm events or at City request,
h. Provide shut-off switches accessible to the City,
i. Indemnify the City against all claims related to the MOU.

40. 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.

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

42. 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 <u>not</u> affect site design. Refer to the "Guidance Manual for On-Site Storm water Quality Control Measures" dated January 2000 for appropriate source control measures.

43. This project is greater than 1 acre (21.4 ± acres); therefore the project is required to comply with the State" NPDES General Permit for Storm water 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 Storm water Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from the Department of Utilities by calling 808-1400.

44. Show all existing and proposed easements on the final map. Provide public easements for any public water, sewer, or drainage mains that cross private property to the satisfaction of the Department of Utilities (e.g. Lot L-L, etc.).

Parks

45. The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annex the project to an existing parks maintenance district prior to recording a Final Map. The applicant shall pay all City fees for formation of or annexation to special districts. The purpose of the district is to equitably spread the cost of neighborhood park maintenance on the basis of special benefit, in the case of an assessment district. In the case of a special tax district, the costs will be spread based upon the hearing report which specifies the tax rate and method of apportionment.

MISCELLANEOUS

46. Title to any property required to be dedicated to the City in fee shall be conveyed free and clear of all rights, restrictions, easements, impediments, encumbrances, liens, taxes, assessments or other security interests of any kind (hereafter collectively referred to as "Encumbrances"), except as provided herein. The applicant shall take all actions necessary to remove any and all Encumbrances prior to approval of the Final Map and acceptance of the dedication by City, except that the applicant shall not be required to remove Encumbrances of record, including but not limited to easements or rights-of-way for public roads or public utilities, which, in the sole and exclusive judgment of the City, cannot be removed and/or would not interfere with the City's future use of the property. The applicant shall provide title insurance with the City as the named beneficiary assuring the conveyance of such title to City;

47. An existing street lighting system exists in the project area. Improvements to the right-of-way may require modifications to the existing system;

48. Form a Homeowner's Association with CC&Rs or annex to the existing Riverlake Association for the purpose of contributing to the cost of maintaining the landscaped strip (40 foot Parkway) along Pocket Road and maintaining the landscaped medians along Pocket Road;

49. Form a Homeowner's Association with CC&Rs or annex into the existing Riverlake Association for the maintenance of all lettered lots within this

subdivision as shown on the Tentative Map. CC&Rs shall be recorded assuring maintenance of all private streets, lights, sewer services, drop inlets, drain leads, landscaping, irrigation and noise barriers. Lettered lots R, S, T, U, V and W may be transferred to an existing Riverlake Association or transferred to the adjacent single family lots within the Bridgeview at Riverlake community;

50. Pay Pocket Bridge fees;

ADVISORY NOTES:

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

51. The Quimby requirement for this project was satisfied with the dedication under the Riverlake Master plans.

52. 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).

53. This subdivision is located within a "Rescue Zone". This project shall comply with the policies set forth in the City of Sacramento Comprehensive Flood Management Plan, dated February, 1996. New residential subdivisions greater than 2 acres shall either identify public refuge locations, or have a minimum of 50% of the residential units with the entire roof having a maximum roof pitch of 4:12, or have a floor level at least one foot above the rescue flood elevation (elev. 14.4').

54. The proposed project is located in the Flood zone designated as an A99 zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective February 18, 2005. Within the A99 zone, there are no requirements to elevate or flood proof.

55. All new residential development, excepting single-family residential infill areas will be required to be constructed with the lowest floor, including basement, at or above elevation 10.3 feet, or 3 feet above the highest adjacent grade, whichever is lower. However, this subdivision is determined to be in a residential infill area and therefore, not subjected to the regulations pertaining to Morrison Creek 100-year flood plain.

56. Fire apparatus access. Plans for fire department access roads shall be submitted to the Fire Department for review and shall be approved prior to the start of construction. CFC 901.2.2.1

57. Fire hydrant systems. Plans and specifications for fire hydrant systems shall be submitted to the Fire Department for review and shall be approved prior to start of construction. CFC 901.2.2.2

58. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction. CFC 901.3

59. Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. CFC 902.2.2.1

60. Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a roadbed consisting of material unaffected by the introduction of water based upon fire flow or rain based on 25 year storm and a surface consisting of a minimum of a single layer of asphalt. CFC 902.2.2.2

61. Turning radius. All turning radius for fire access shall be designed as 45' inside and 55' outside. Cul-de-sac shall be 45' radius or city standard hammerhead. CFC 902.2.2.3

62. Key Boxes. When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life saving or firefighting purposes, or where the building is served by a fire alarm system which is monitored by a central station, the chief is authorized to require approved key switches, key boxes or padlocks to be installed in approved accessible locations or areas in order to permit immediate fire department access. CFC 902.4

63. Gates and barriers. Plans shall be submitted for review and approval prior to the installation of gates, barriers, and access control devices which are to be constructed on or within fire department apparatus access roadways. CFC 902.2.4.3

64. Required installations. The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or the site of the premises or both to be protected as required and approved by the chief. CFC 903.4.2 See also Appendix III-B, Section 5, Distribution of Fire Hydrants.

65. Gated system. Shall be reviewed by fire, a single gate 20' clear width, dual gate 16' each side.

66. RT currently operates bus route 3 along Pocket Road. Route 3 provides peak hour service, Monday through Friday, between the Pocket area and

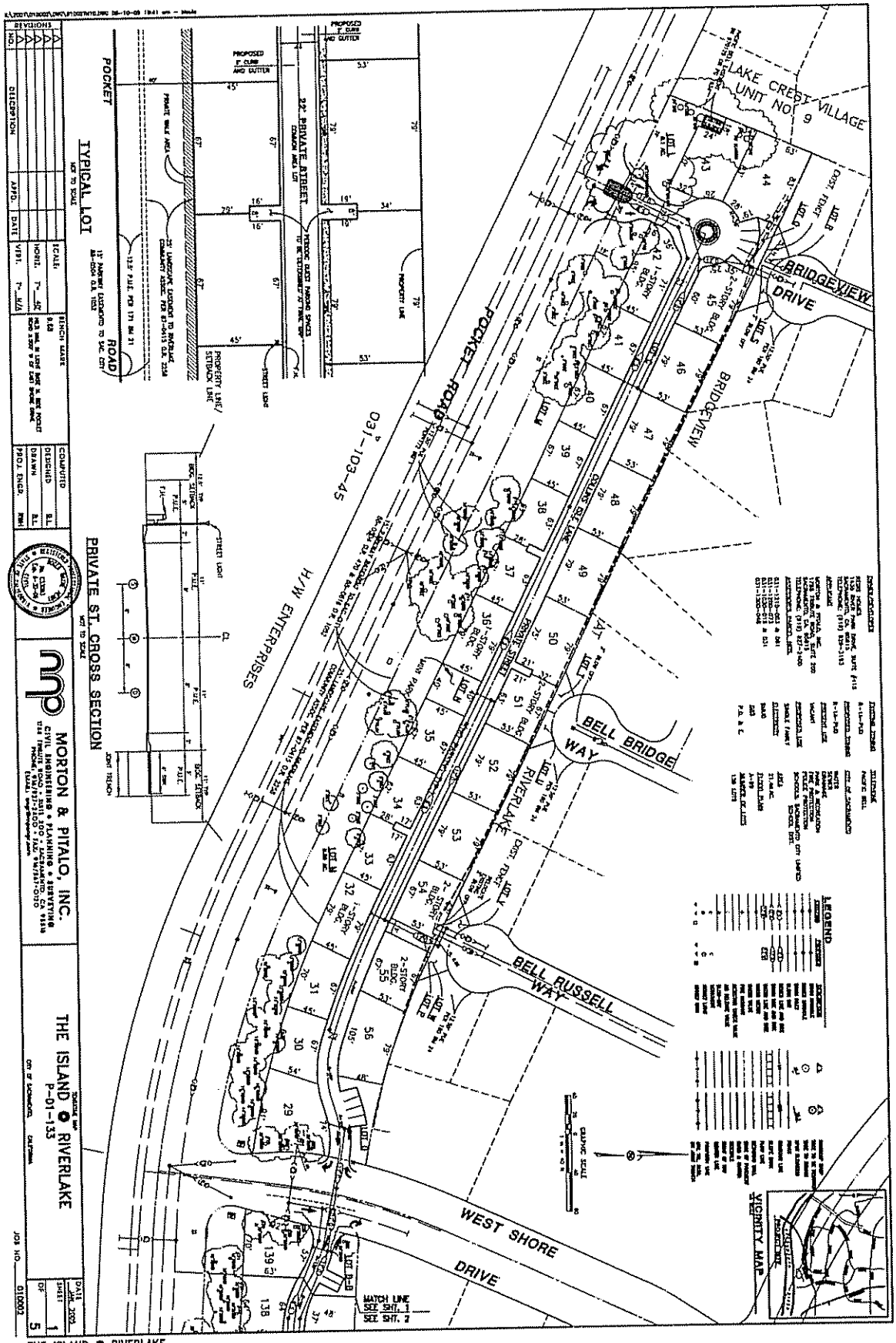
Downtown Sacramento and does not operate on weekends or holidays. Any possible impacts on existing bus stops/benches, and obstruction to RT transit operations, short or long term, must be coordinated with Lynn Cain (bus stops) in Facilities Management at 321-3830 and Deidre Brown (Operations) in RT's Transportation Department at 321-2894.

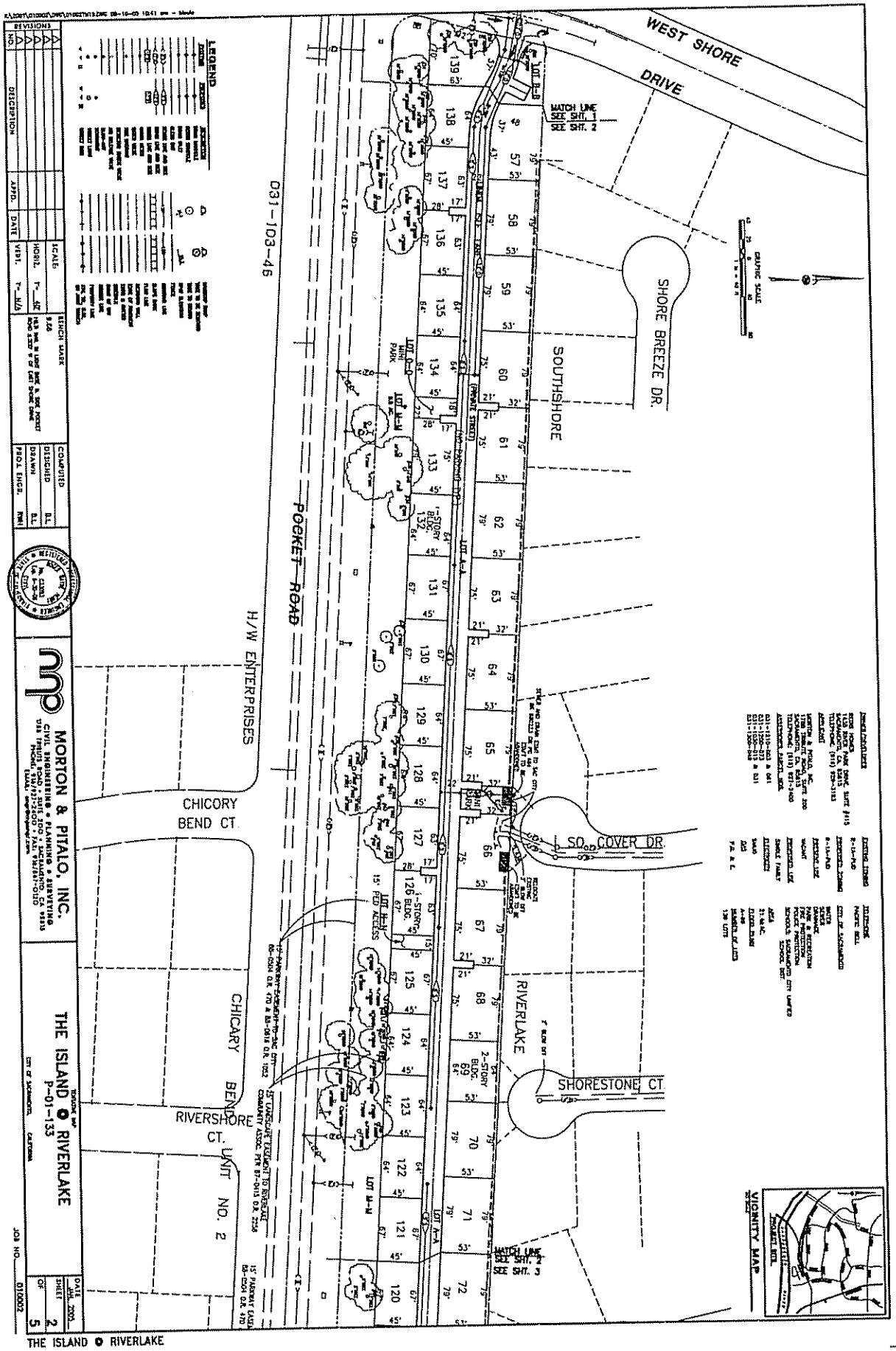
67. All trash and recycle receptacles shall be placed on the same side of the private drive on pick-up day. Receptacles shall be placed along the side of the private drive that does not include the sidewalk. Trash containers shall be marked with resident addresses. The developer shall incorporate such a rule into the CC&Rs subject to coordination and approval of language with the General Services Department -Solid Waste Division. If at some time in the future, the Solid Waste Division modifies collection of green waste to a containerized service, this requirement may be modified subject to approval by the General Services Department -Solid Waste Division.

Table of Contents:

Exhibit A – Tentative Subdivision Map-5 pgs.
Exhibit B – Private Street Details-1 pg.
Exhibit C – Landscape Exhibits-12 pgs.
Exhibit D – Typical Site Plan-1 pg.
Exhibit E – Linear Parkway Pedestrian Access Plan-1 pg.
Exhibit F - Special Plot Plan-Lot 14-1 pg.
Exhibit G - Special Plot Plan-Lot 29-1 pg.
Exhibit H - Special Plot Plan-Lot 139-1 pg.
Exhibit I – House Plans-84 pgs.
Attachment D – Response to Additional DEIR Comments-29 pgs.

Exhibit A-Tentative Subdivision Map (5 pages)

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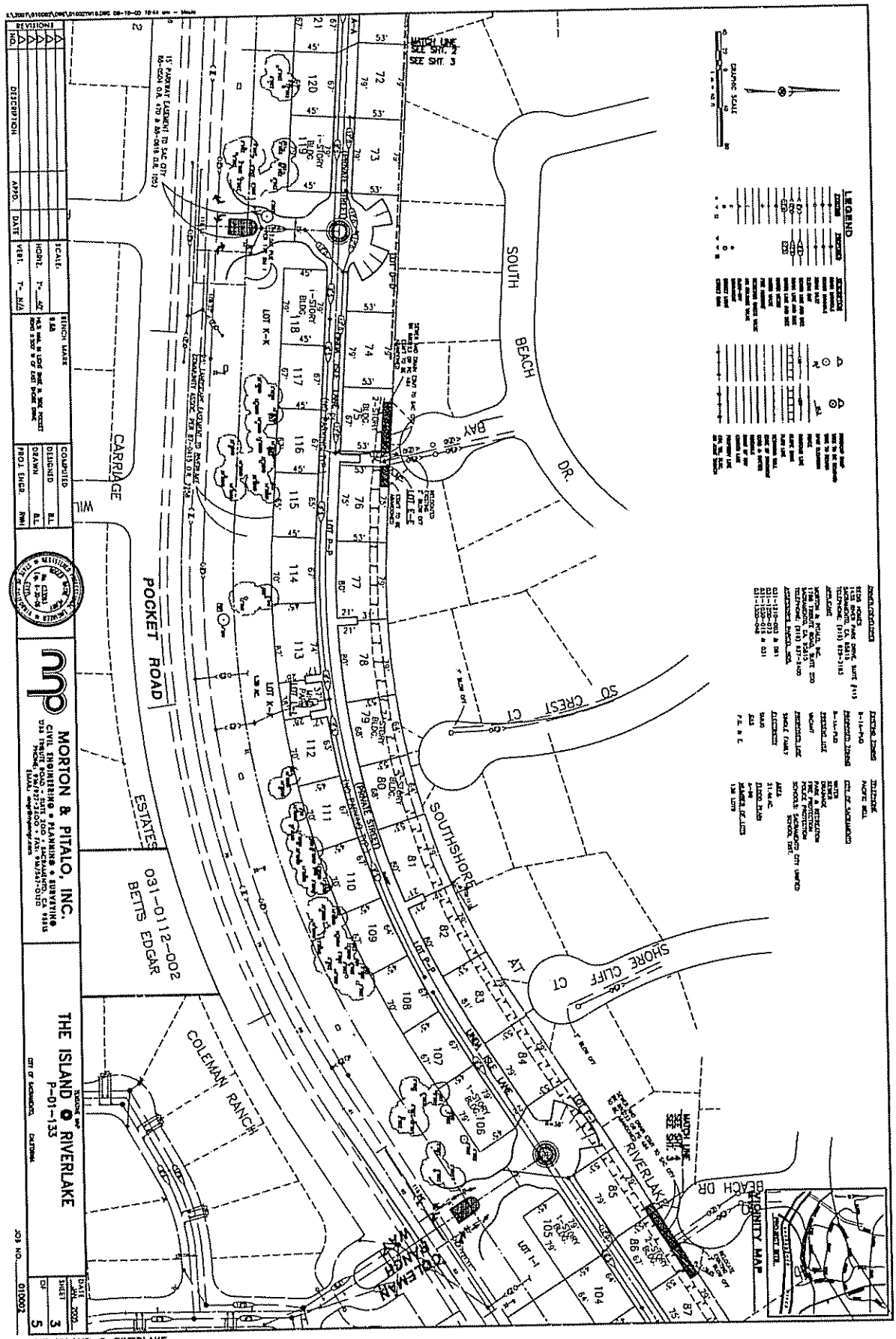
SHORE BREEZE DR.
SOUTHSHORE
POCKET ROAD
H/W ENTERPRISES
CHICORY BEND CT.
SOUTH COVER DR.
RIVERLAKE
SHORESTONE CT.
RIVERSHORE CT.
CHICARY BEND
UNIT NO. 2
031-103-46
MATCH LINE SEE SHT. 1 SEE SHT. 2
MATCH LINE SEE SHT. 2 SEE SHT. 3
VICINITY MAP
MORTON & PITALO, INC.
THE ISLAND @ RIVERLAKE
P-01-133
JOB NO. 010002
SHEET 2 OF 5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THE ISLAND @ RIVERLAKE
P-01-133
SOUTH BEACH DR.
BAY
SO CREST CT
SOUTHSHORE AT RIVERLAKE
SHORE CLIFF CT
POCKET ROAD
CARRIAGE
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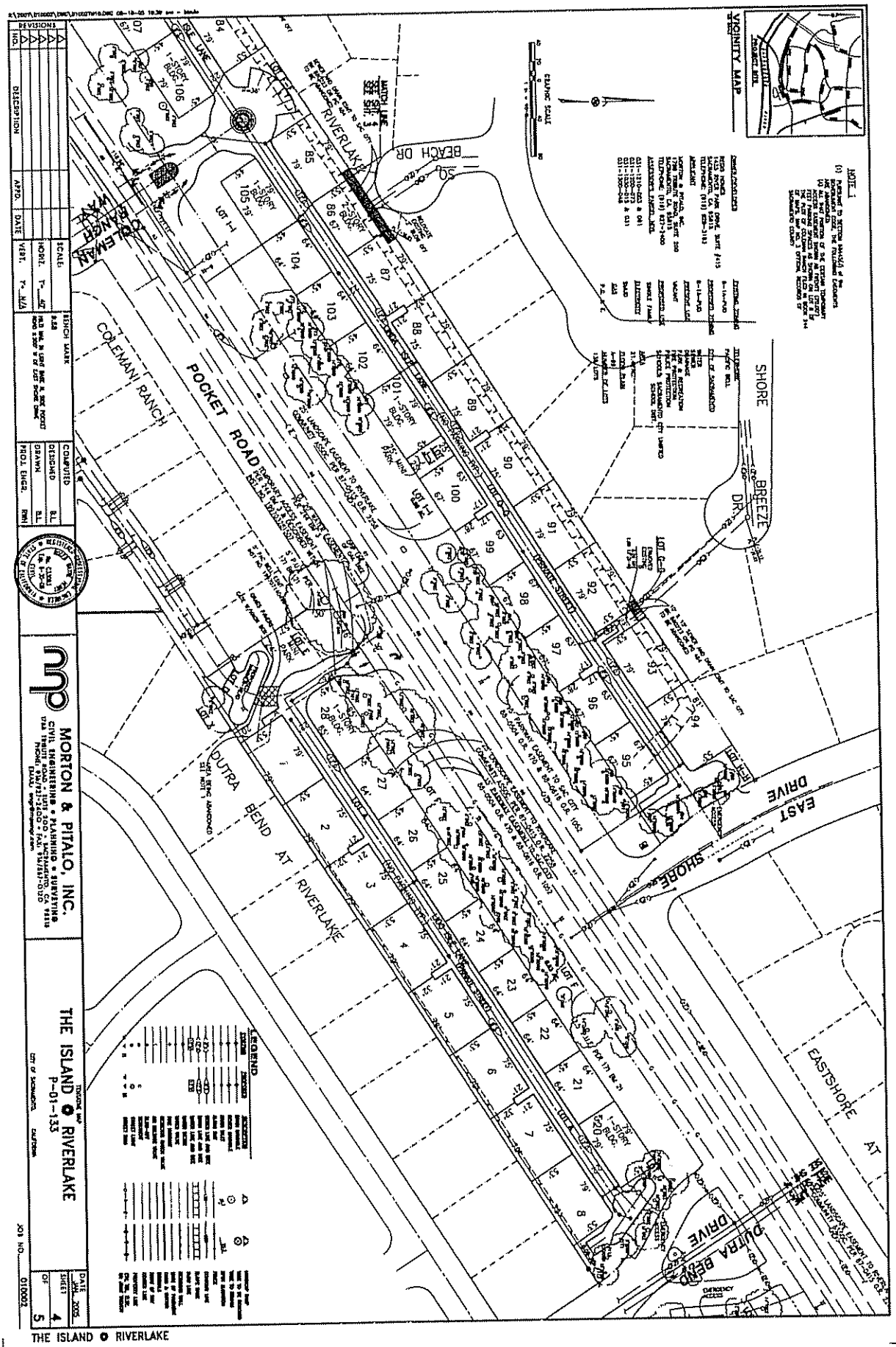
BETTS EDGAR
COLEMAN RANCH
COLEMAN RANCH WAY
VICINITY MAP
LEGEND
THE ISLAND @ RIVERLAKE


THE ISLAND @ RIVERLAKE
P-01-133
MORTON & PITALO, INC.
CIVIL ENGINEERING • PLANNING • SURVEYING
POCKET ROAD
COLEMAN RANCH
RIVERLAKE
BEACH DR
SHORE
BREEZE DR
EAST SHORE DRIVE
EASTSHORE AT
DUTRA BEND
BEND AT RIVERLAKE
VICINITY MAP
LEGEND
MATCH LINE
SEE SHT. 3
SEE SHT. 5
SCALE: 1" = 40'
DATE: JUL 2005
SHEET 4 OF 5
JOB NO. 01002

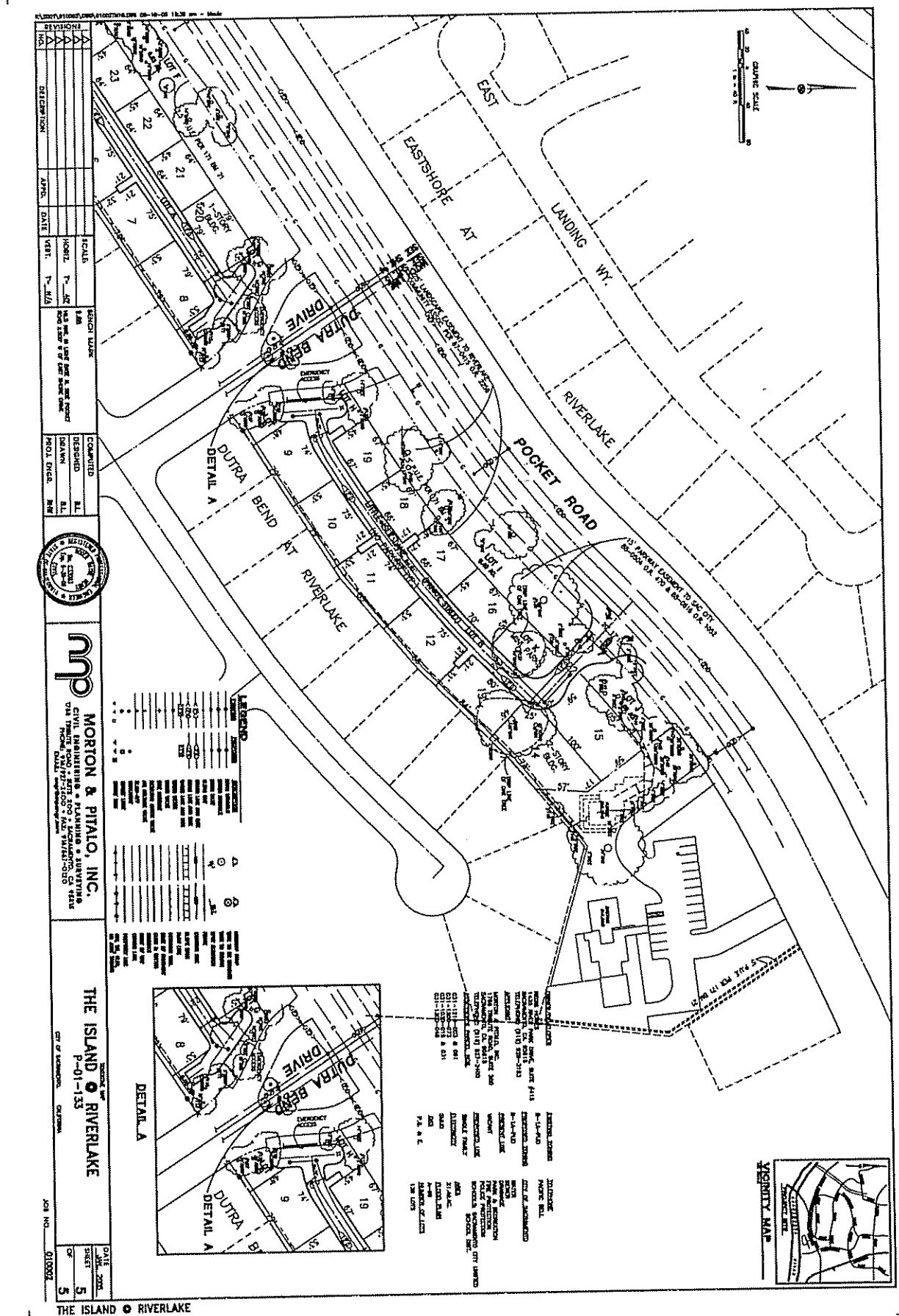
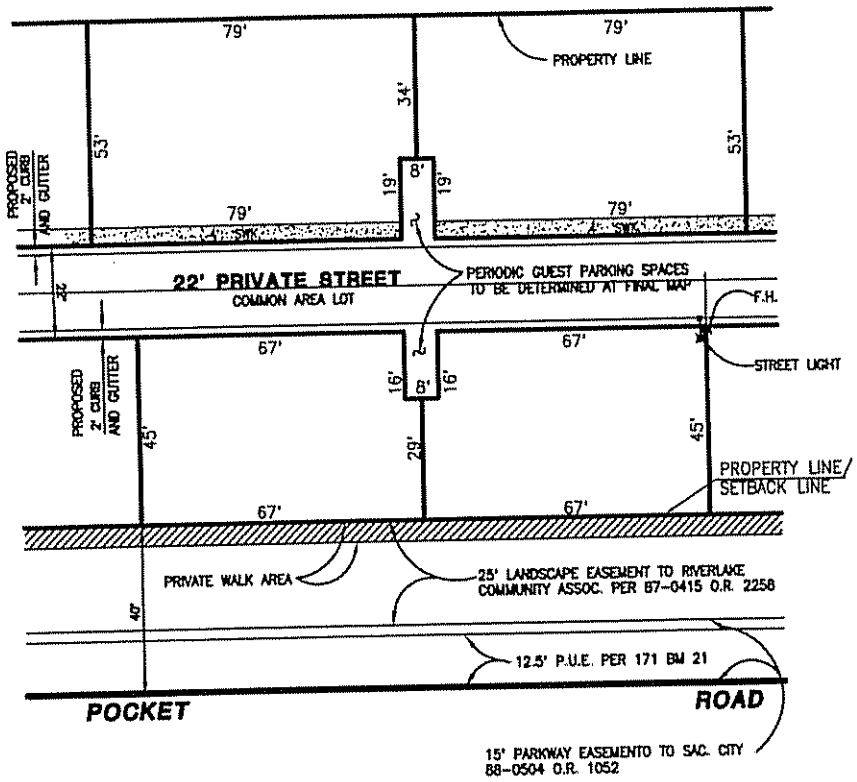

EAST
EASTSHORE AT
LANDING WY.
RIVERLAKE
POCKET ROAD
DUTRA BEND AT RIVERLAKE
DRIVE
DETAIL A
MORTON & PITALO, INC.
THE ISLAND @ RIVERLAKE
P-01-133
LEGEND
VICINITY MAP

Exhibit B – Private Street Details



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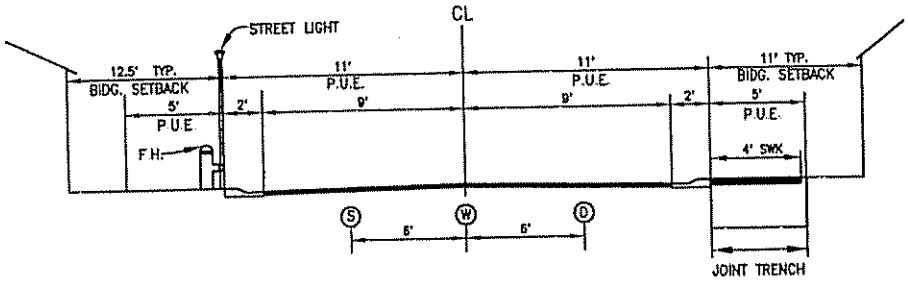


PRIVATE ST. CROSS SECTION
NOT TO SCALE

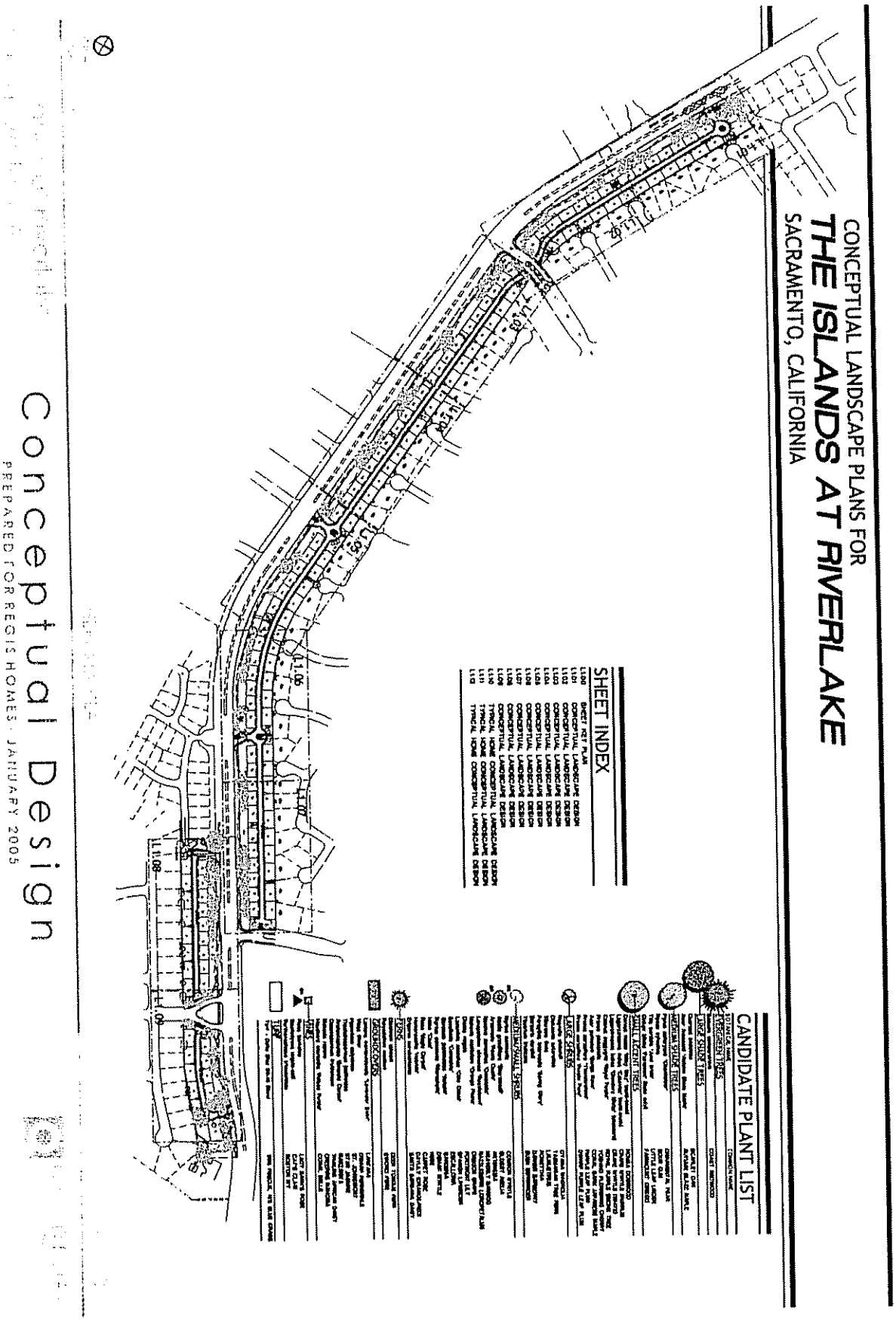
X:\2001\010002\DWG\PRIVATE-ST-EX-1.DWG 01-12-05 3:41 pm - blouie

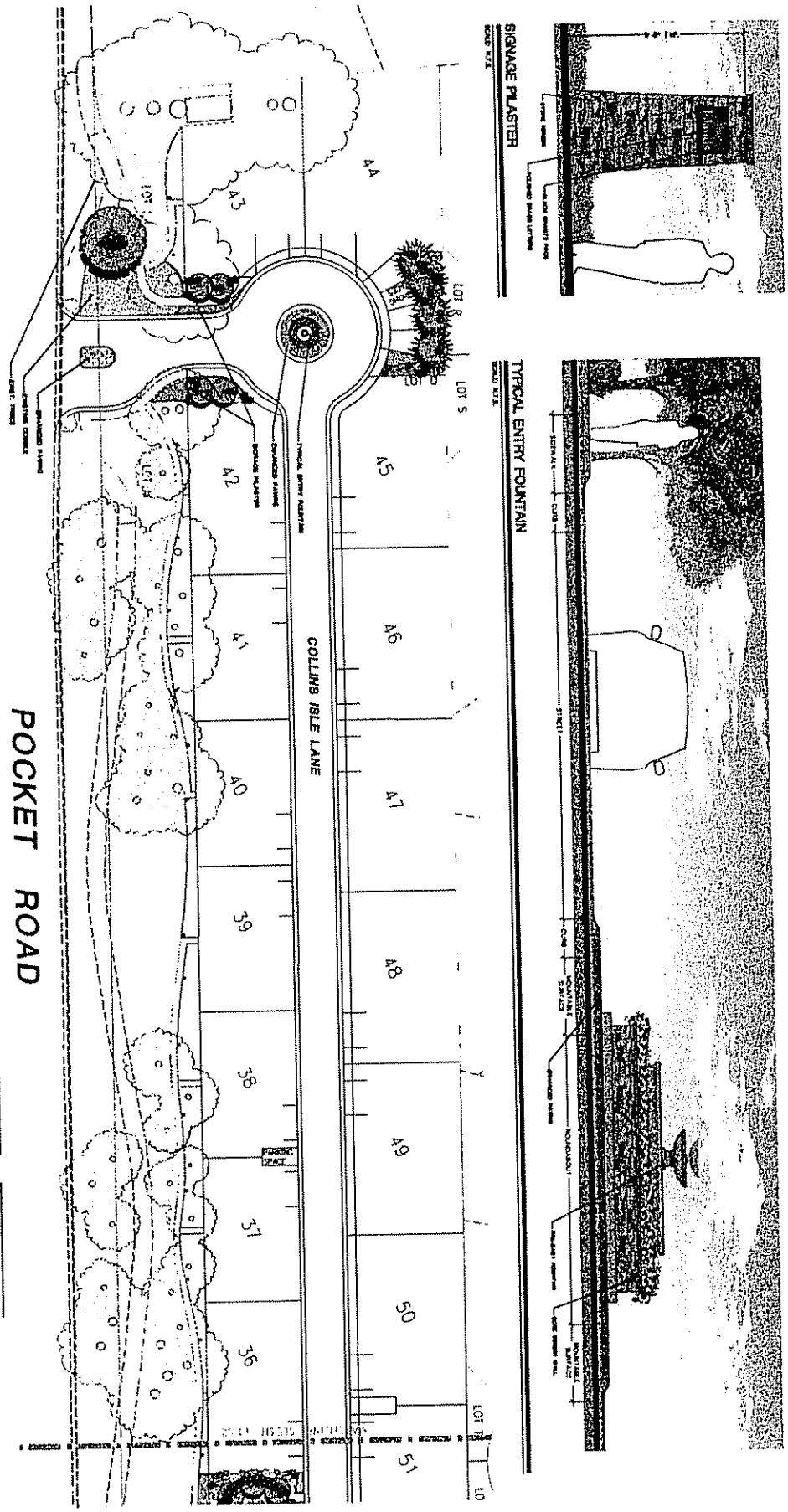
MORTON & PITALO, INC.
CIVIL ENGINEERING • PLANNING • SURVEYING
1788 TRIBUTE ROAD • SUITE 200 • SACRAMENTO, CA 95815
PHONE: 916/927-2400 • FAX: 916/567-0120

DRAWN:	B.L.	JOB NO:	010002
CHECKED:		DATE:	APRIL 2003
SCALE:	NOT TO SCALE	SHEET:	1 of 2

EXHIBIT MAP
22' PRIVATE STREET
CITY OF SACTO., CALIFORNIA

Exhibit C – Landscape Plans

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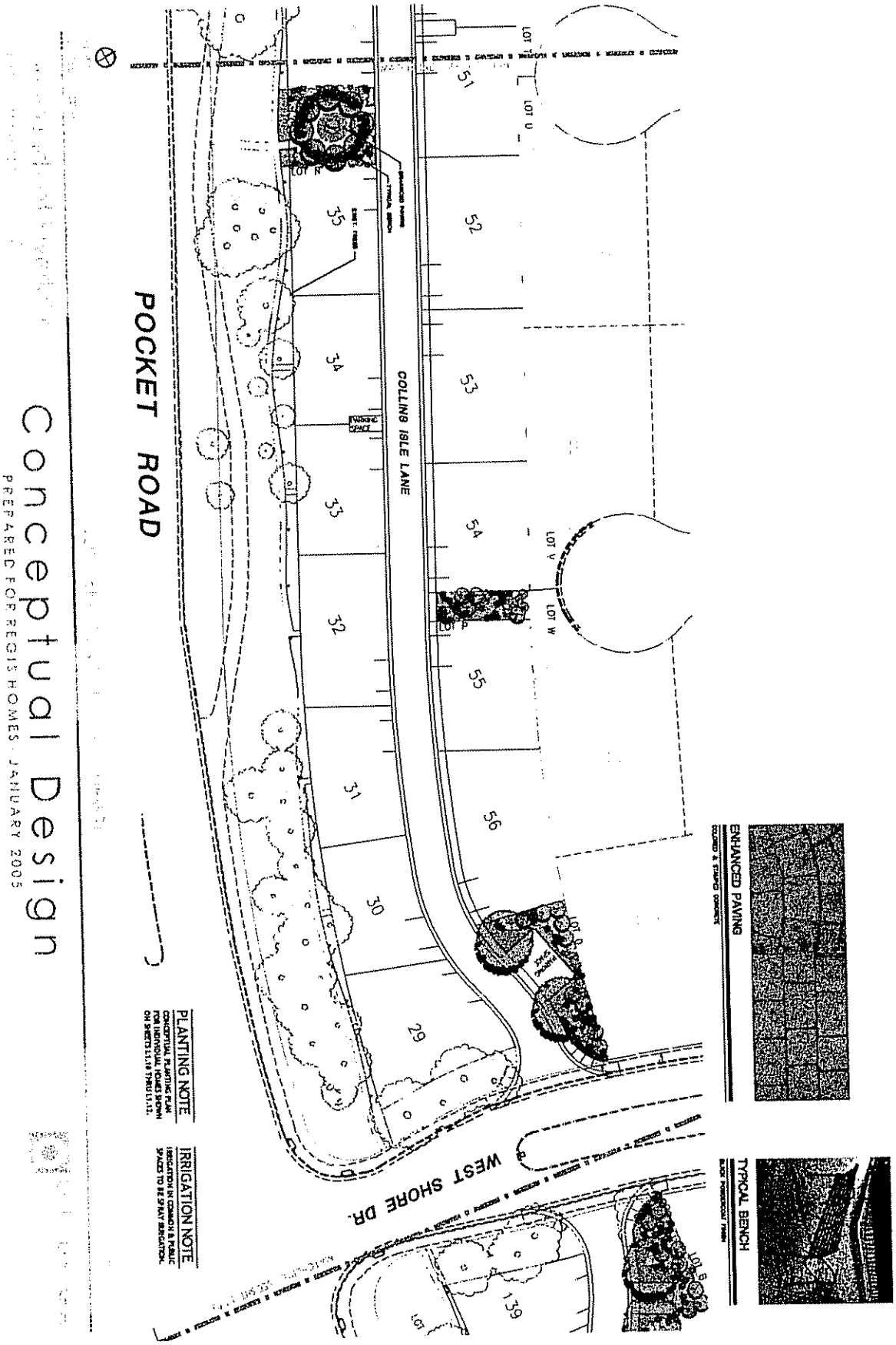
COLLINS ISLE LANE
POCKET ROAD
PLANTING NOTE
IRRIGATION NOTE
Conceptual Design
PREPARED FOR PEGIS HOMES JANUARY 2005


Conceptual Design
PREPARED FOR REGIS HOMES - JANUARY 2005
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COLLINS ISLE LANE
WEST SHORE DR.
PLANTING NOTE
IRRIGATION NOTE
ENHANCED PAVING
TYPICAL BENCH
LOT N
LOT U
LOT V
LOT W
LOT P
LOT B
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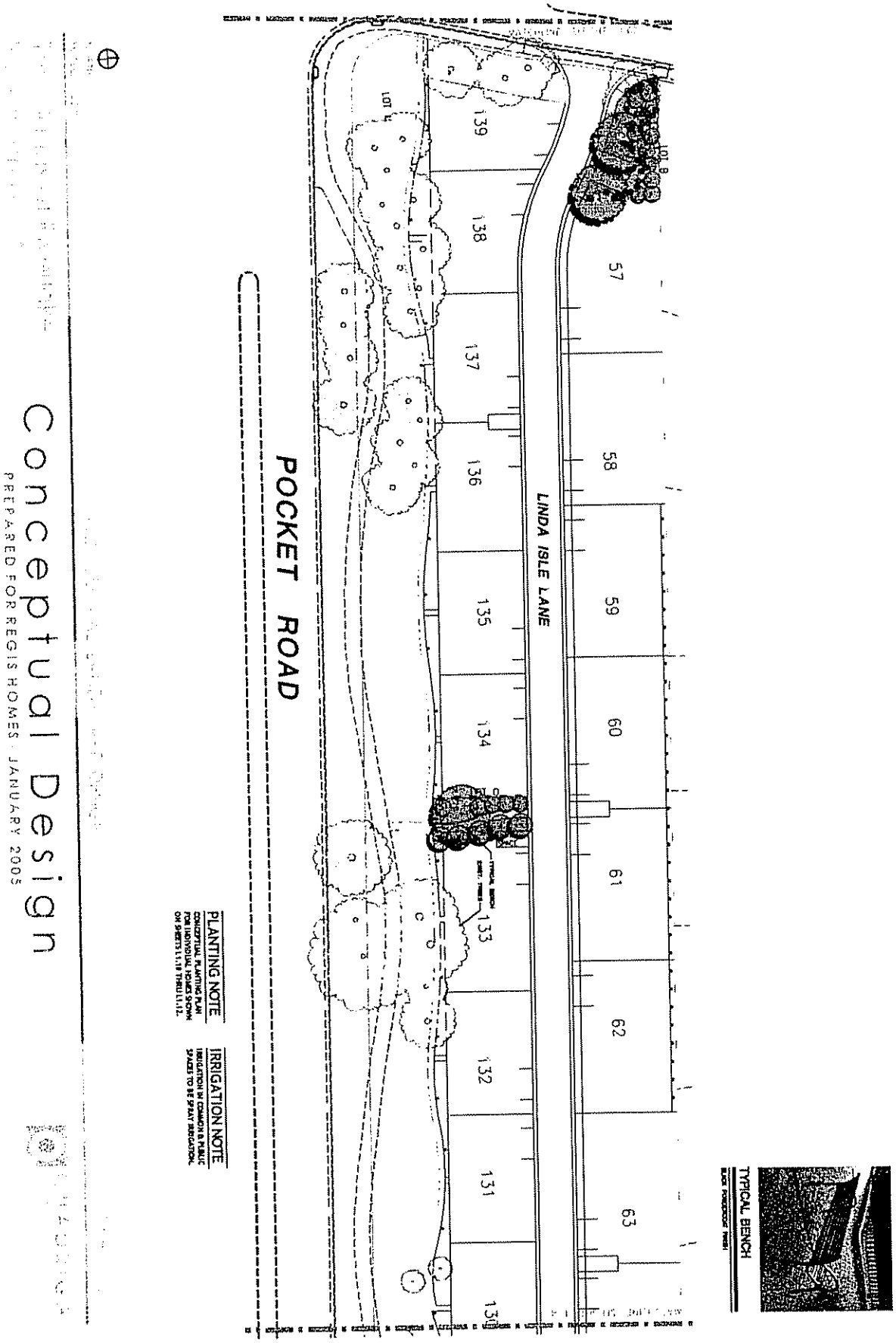
Conceptual Design
PREPARED FOR REGIS HOMES · JANUARY 2005
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LINDA ISLE LANE
LOT A
LOT B
139
138
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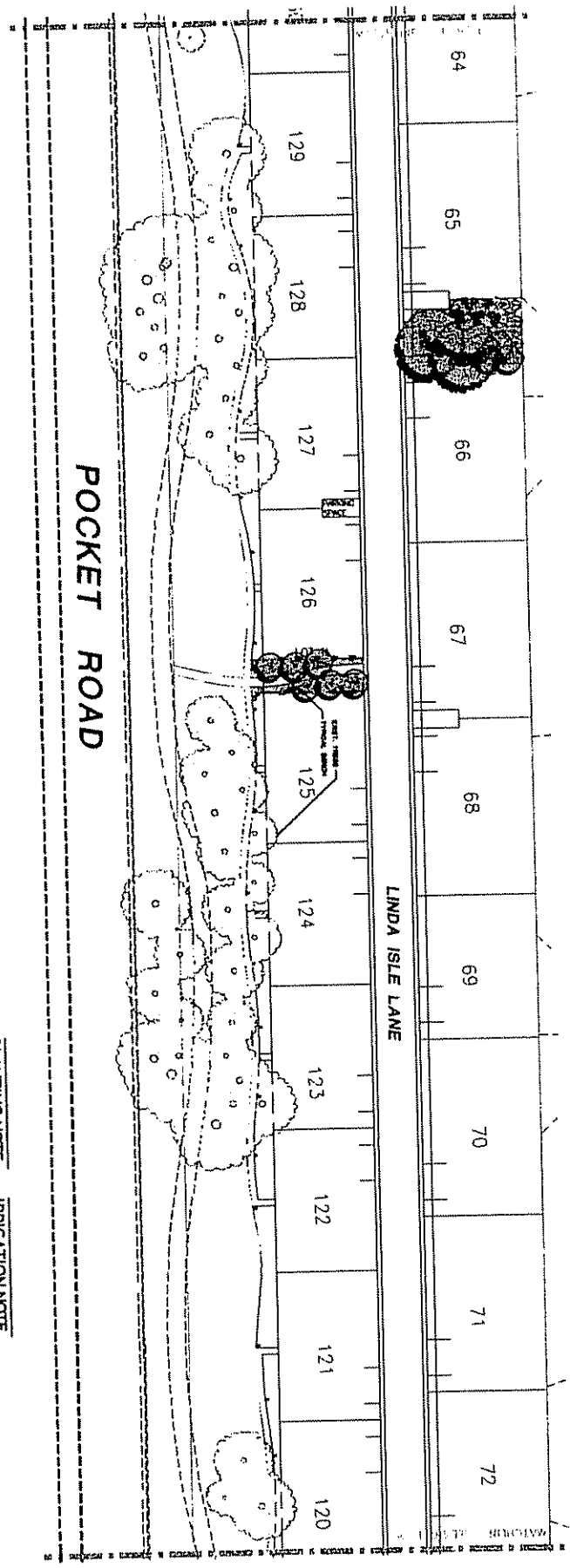
PLANTING NOTE
IRRIGATION NOTE
TYPICAL BENCH



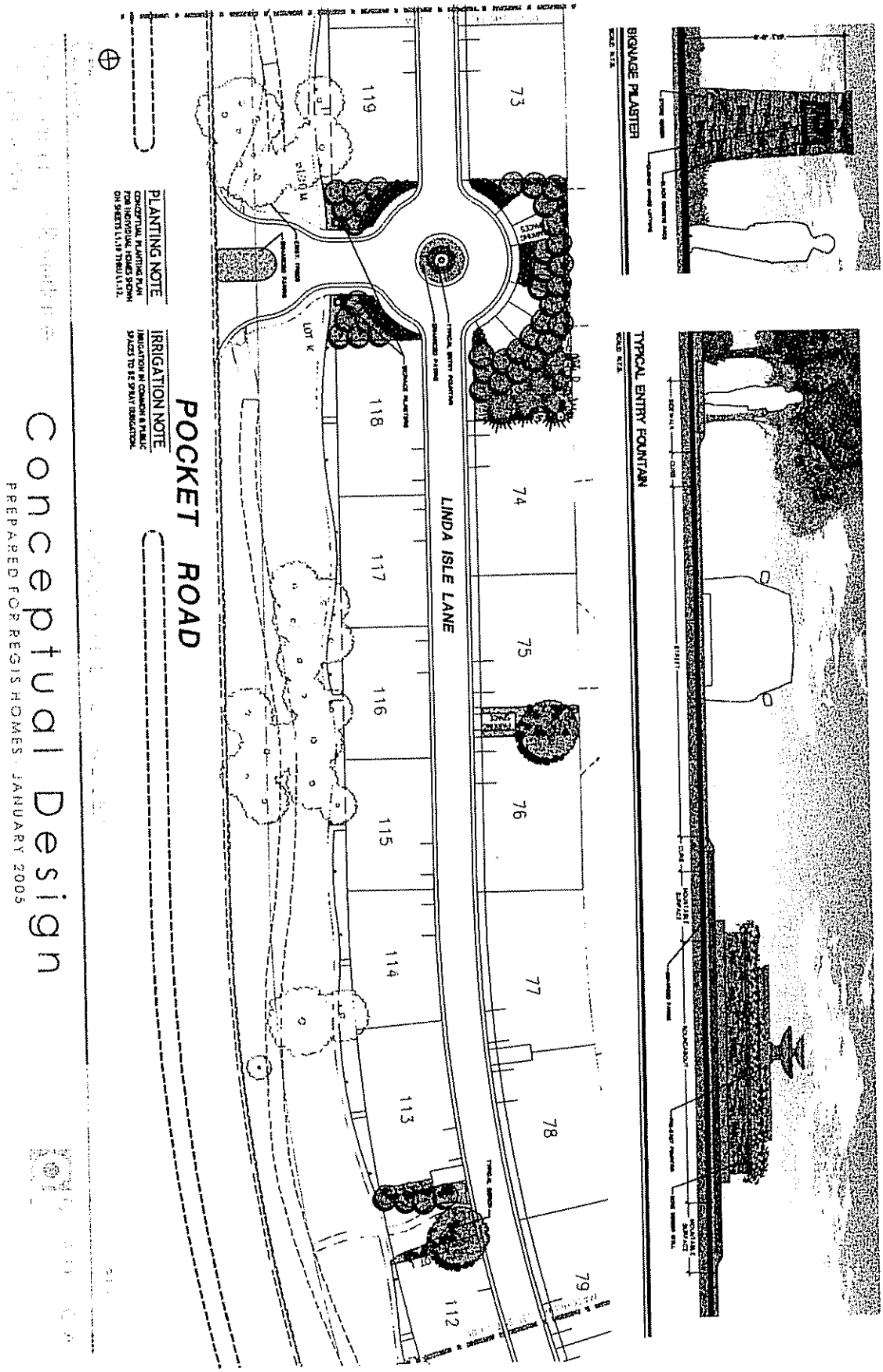
TYPICAL BENCH

PLANTING NOTE
CONCEPTUAL PLANTING PLAN FOR INDIVIDUAL LOTS SHOWN ON SHEETS L1.11 THRU L1.13.

IRRIGATION NOTE
IRRIGATION IN COMMON & PUBLIC AREAS TO BE SPRAY IRRIGATION.

Conceptual Design

PREPARED FOR REGIS HOMES JANUARY 2005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TYPICAL ENTRY FOUNTAIN
LINDA ISLE LANE
POCKET ROAD
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LOT K
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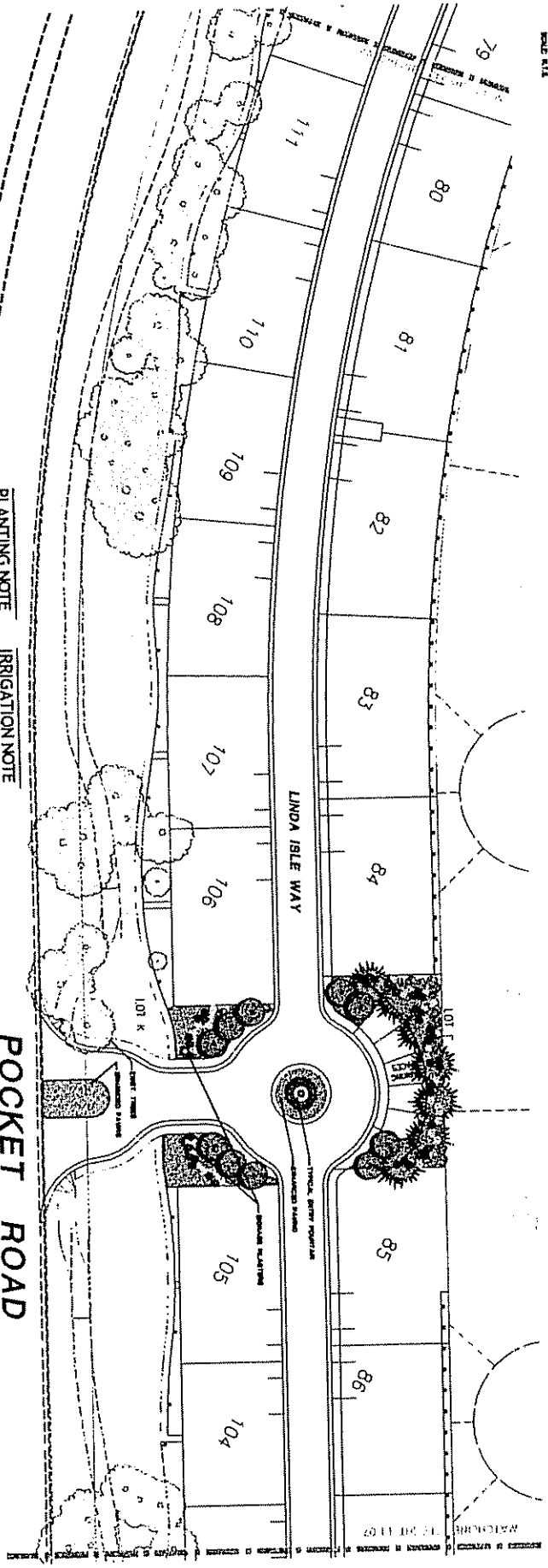
IRRIGATION NOTE
Conceptual Design
PREPARED FOR REGIS HOMES JANUARY 2005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LINDA ISLE WAY
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108
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111
LOT K
LOT L
TYPICAL ENTRY FOUNTAIN
SIGNAGE PLASTER
PLANTING NOTE
CONCEPTUAL PLANTING PLAN FOR INDIVIDUAL HOMES SHOWN ON SHEETS L1.1 TO THRU L1.12.
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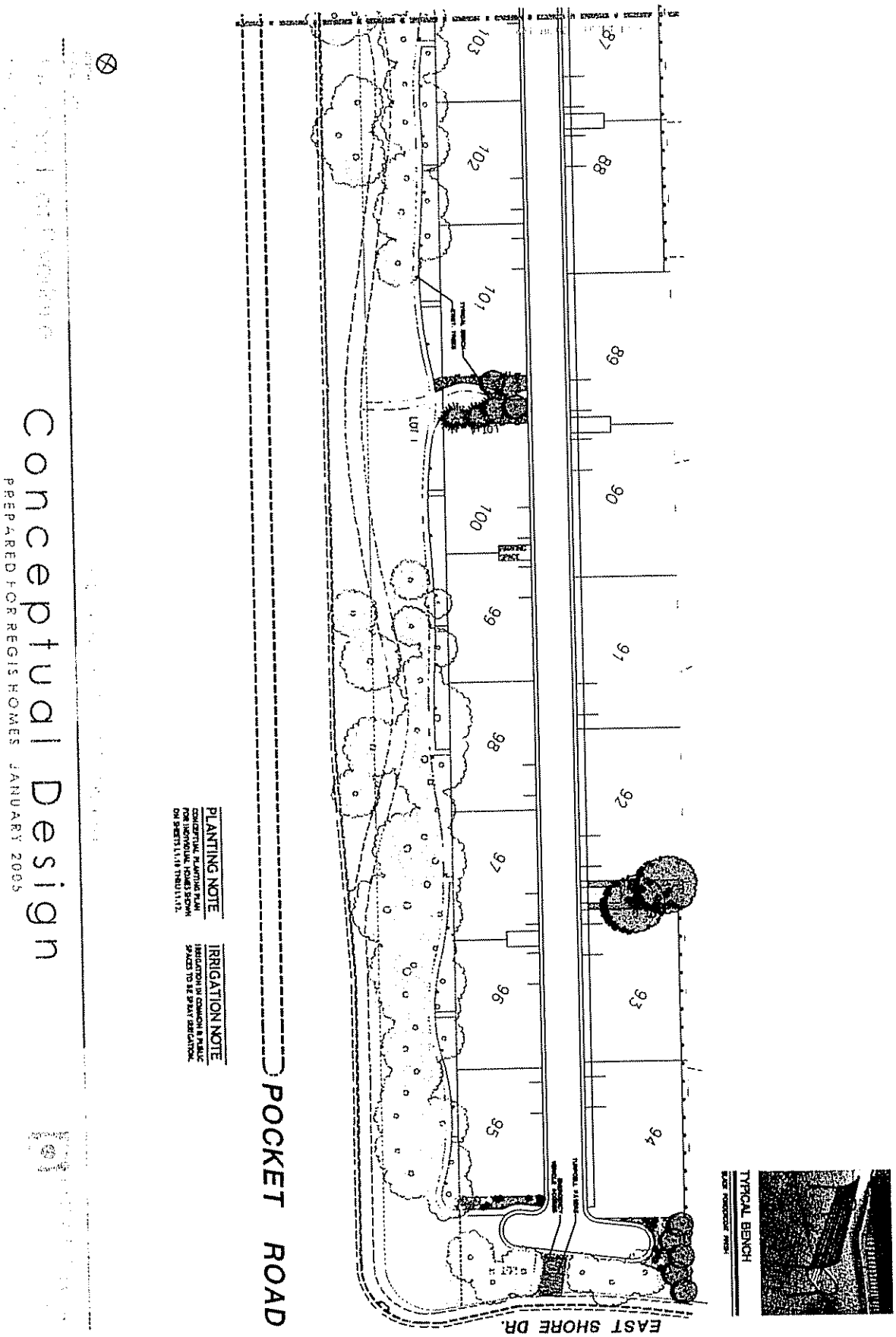
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IRRIGATION NOTE
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EAST SHORE DR.
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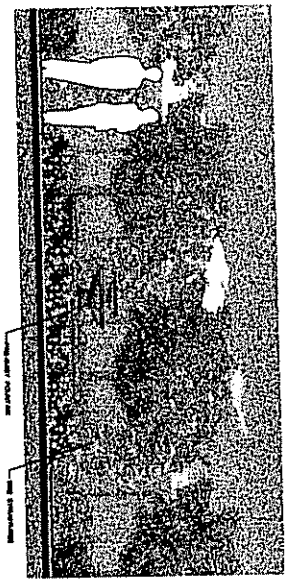

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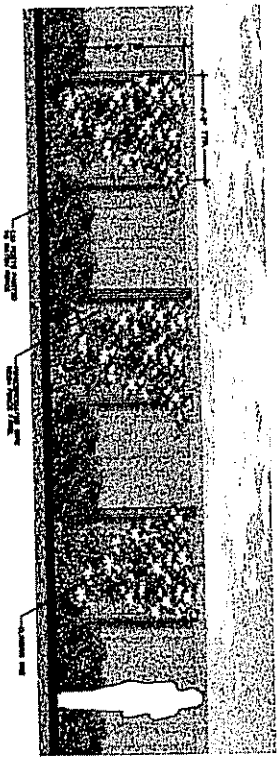
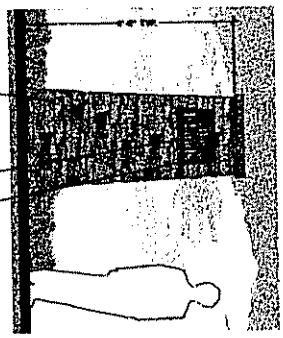


VINE STRUCTURES



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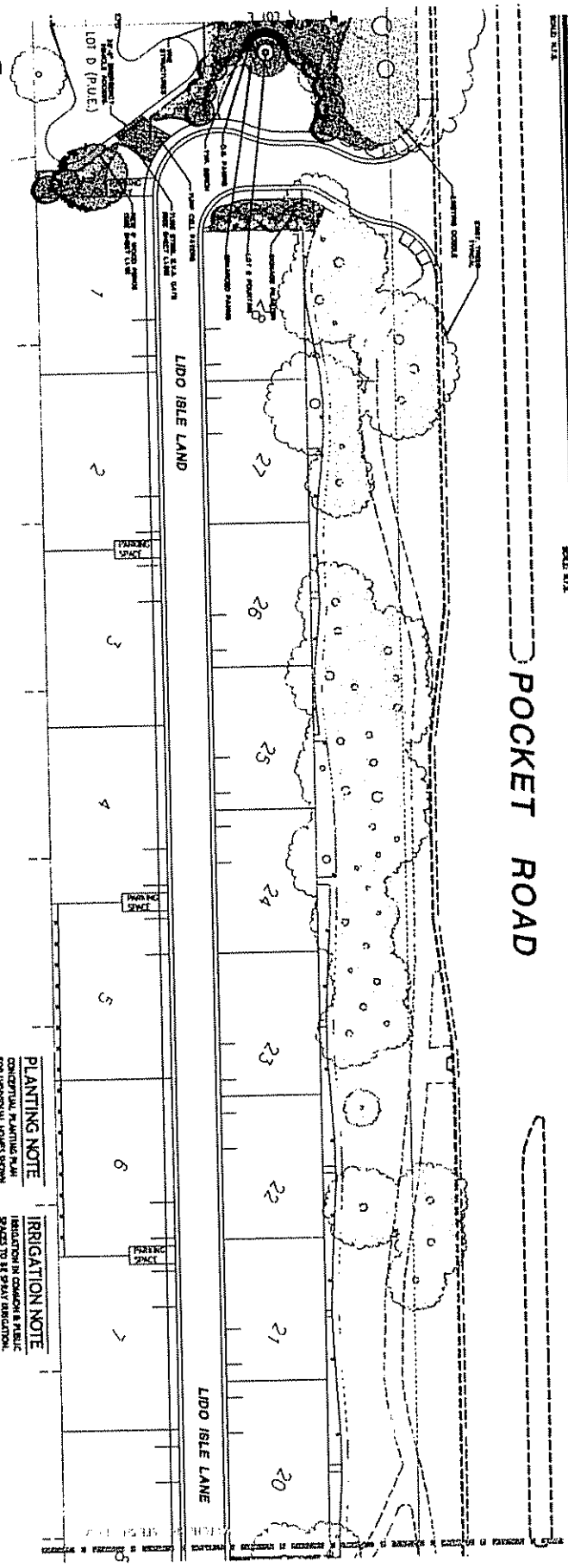

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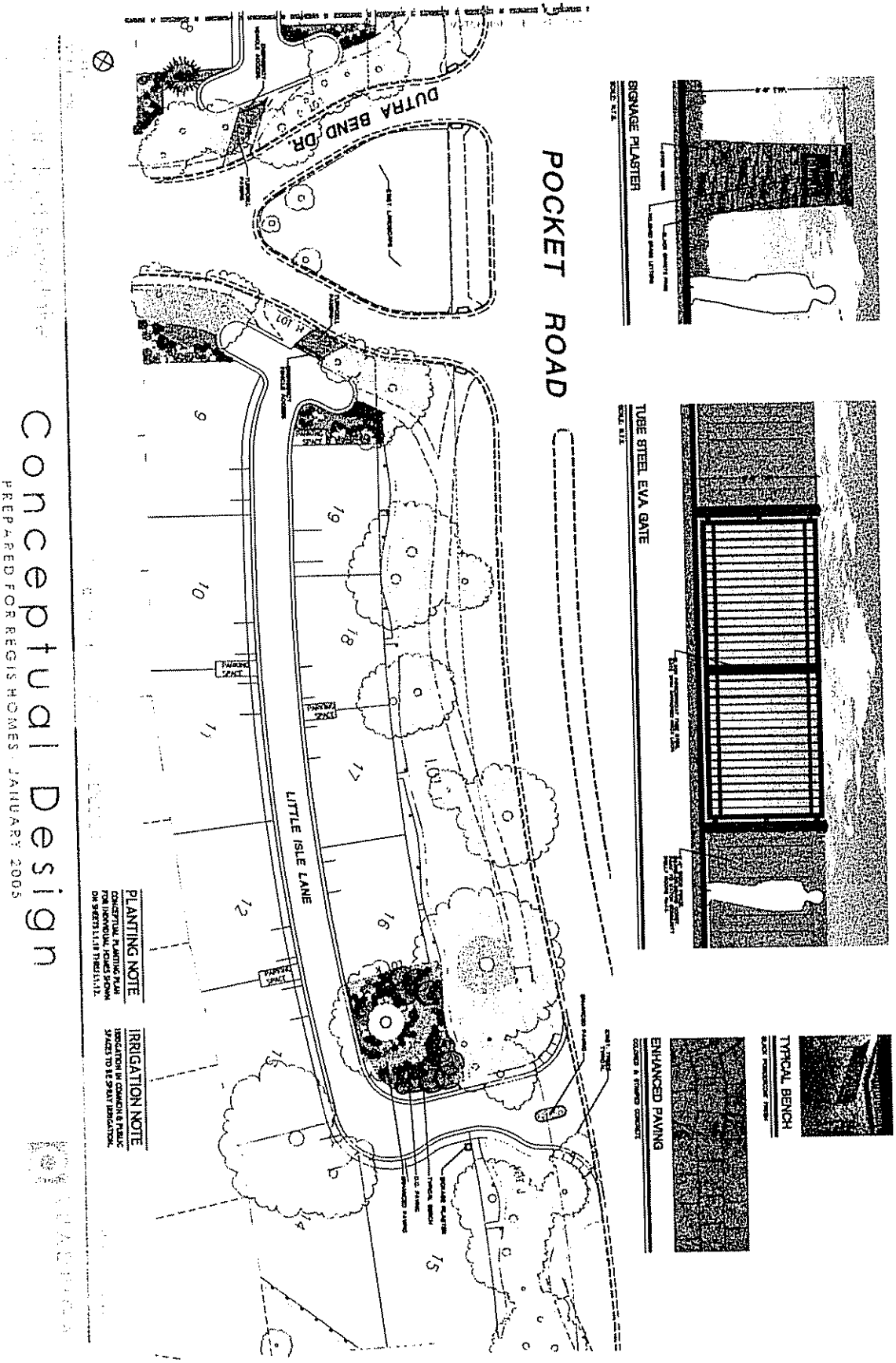
PREPARED FOR REGIS HOMES · JANUARY 2005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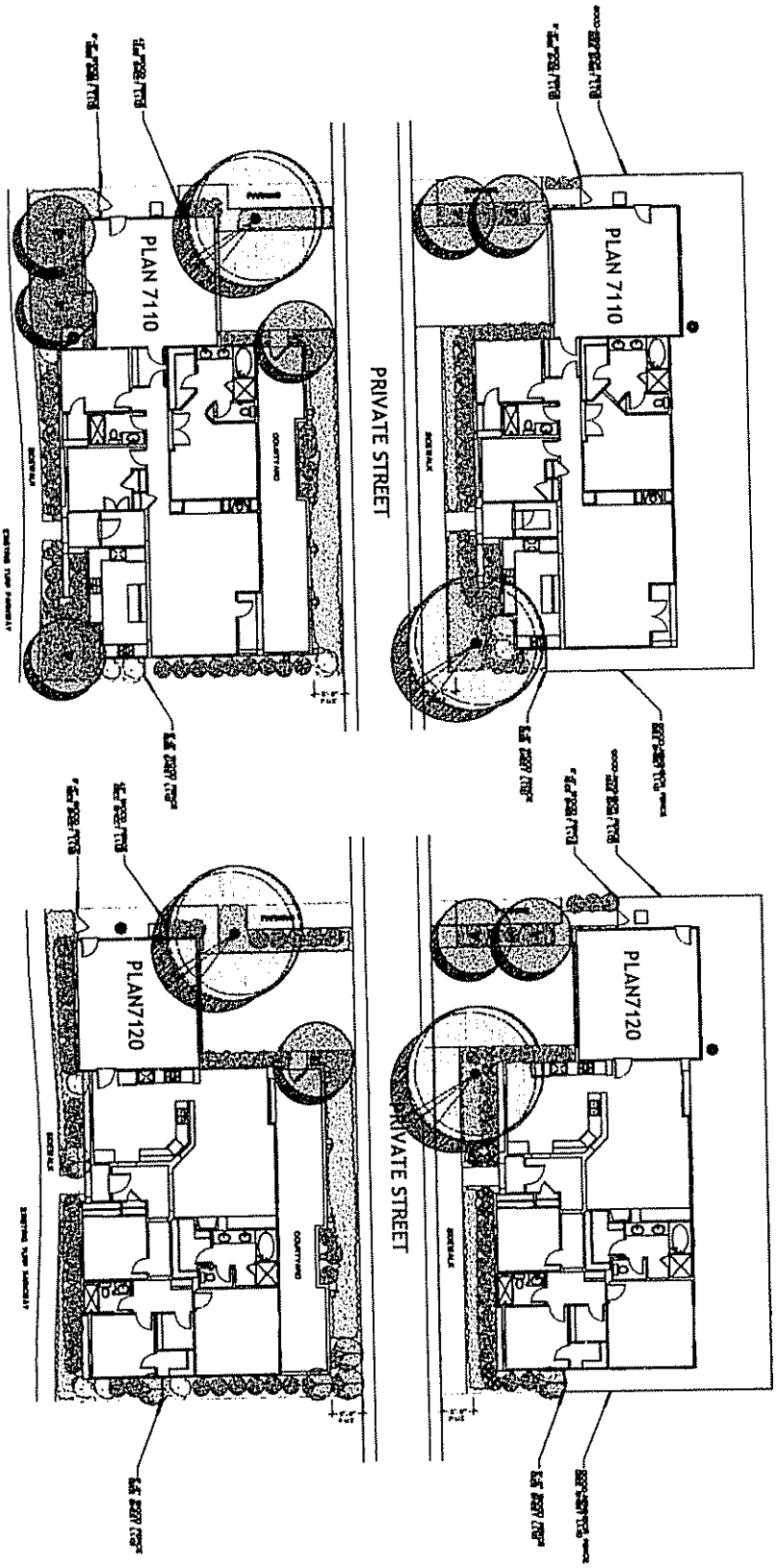
LITTLE ISLE LANE
PARKING ZONE
PLANTING NOTE
IRRIGATION NOTE
SIGNAGE PILASTER
TUBE STEEL EVA GATE
TYPICAL BENCH
ENHANCED PAVING
Conceptual Design
PREPARED FOR REGIS HOMES JANUARY 2005



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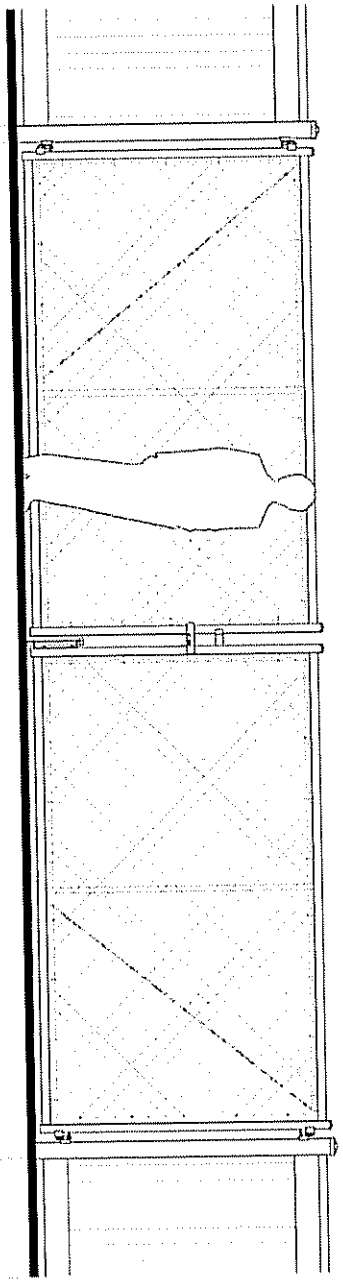
PREPARED FOR REGIS HOMES · JANUARY 2005



6'-0" E.V.A. CHAIN LINK GATE AT COLEMAN RANCH LOT #1 (SWINGING)

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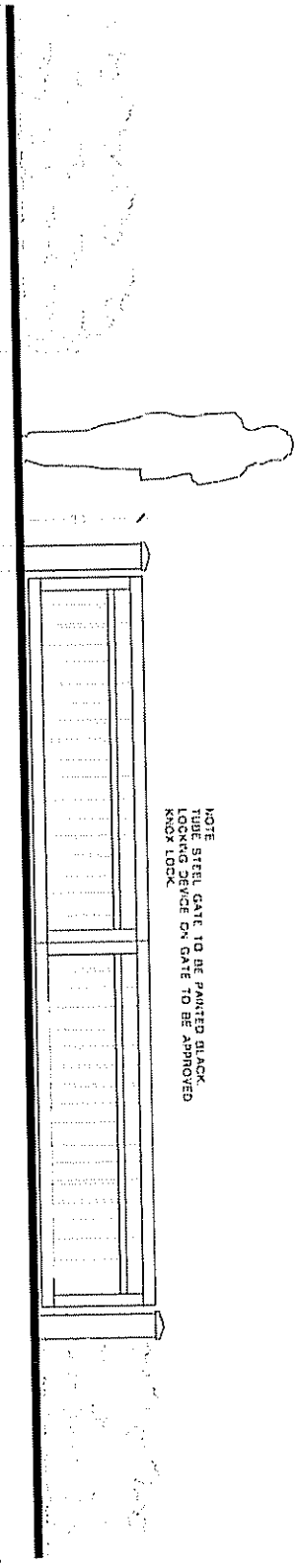


30" E.V.A. GATE AT HAMMERHEADS (SWINGING)

SCALE: N.T.S.

EMERGENCY VEHICLE ACCESS GATE DETAILS
(AS APPROVED BY RIVERLAKE COMMUNITY ASSOCIATION'S A.C.C.)

Exhibit D – Typical Site Plan

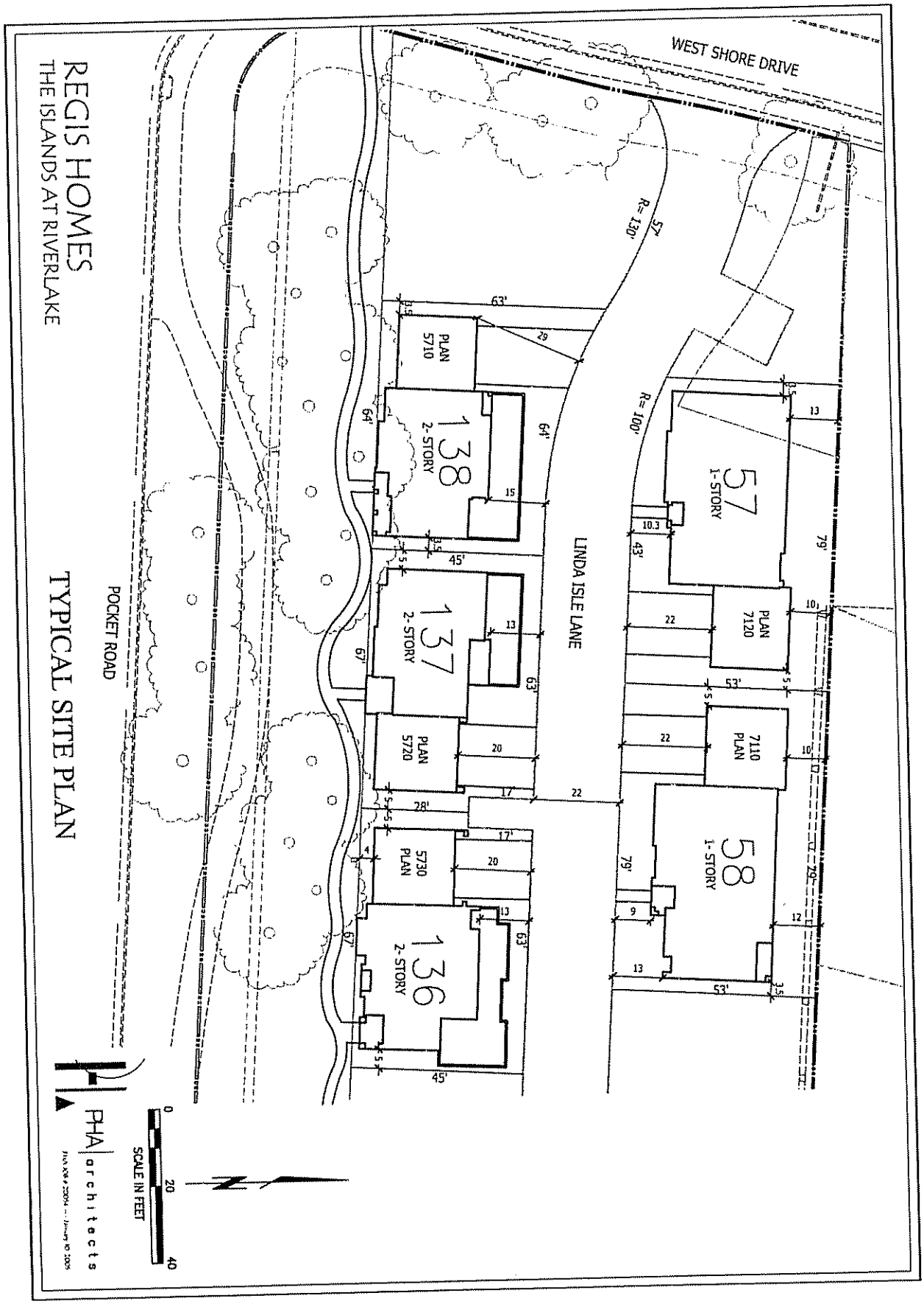


Exhibit E – Linear Parkway Pedestrian Access Plan

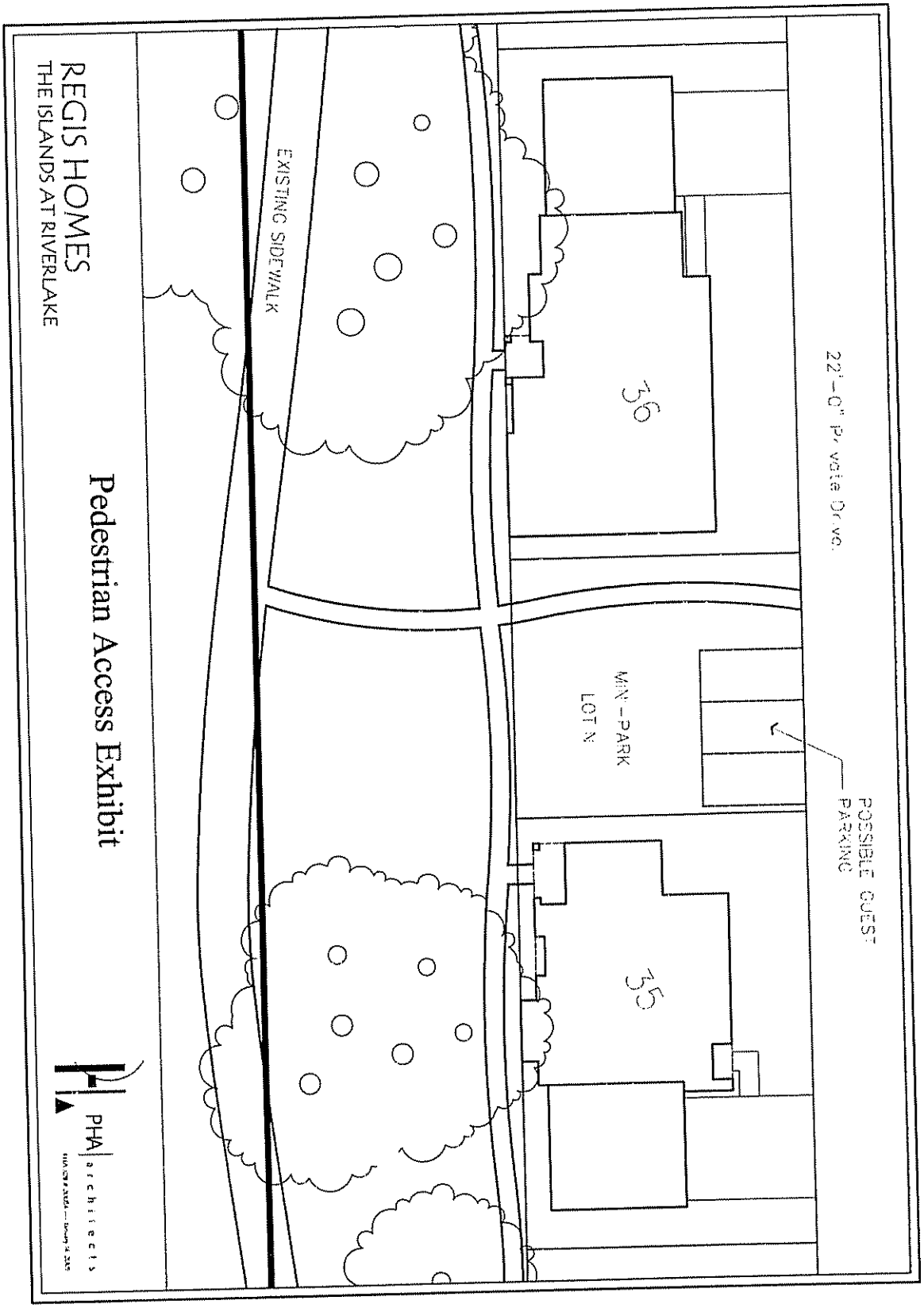


Exhibit F – Special Plot Plan-Lot 14

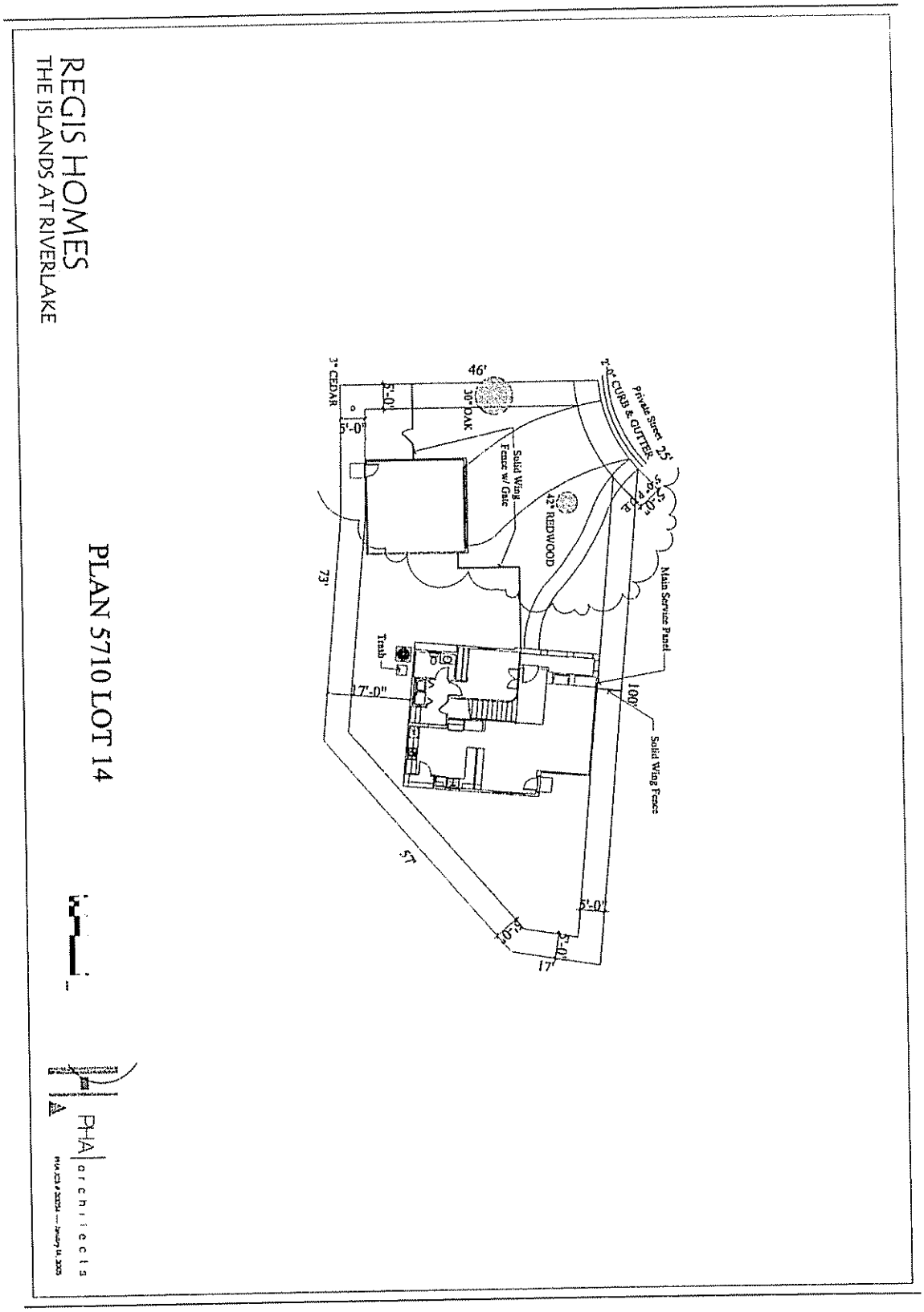


Exhibit G – Special Plot Plan – Lot 29

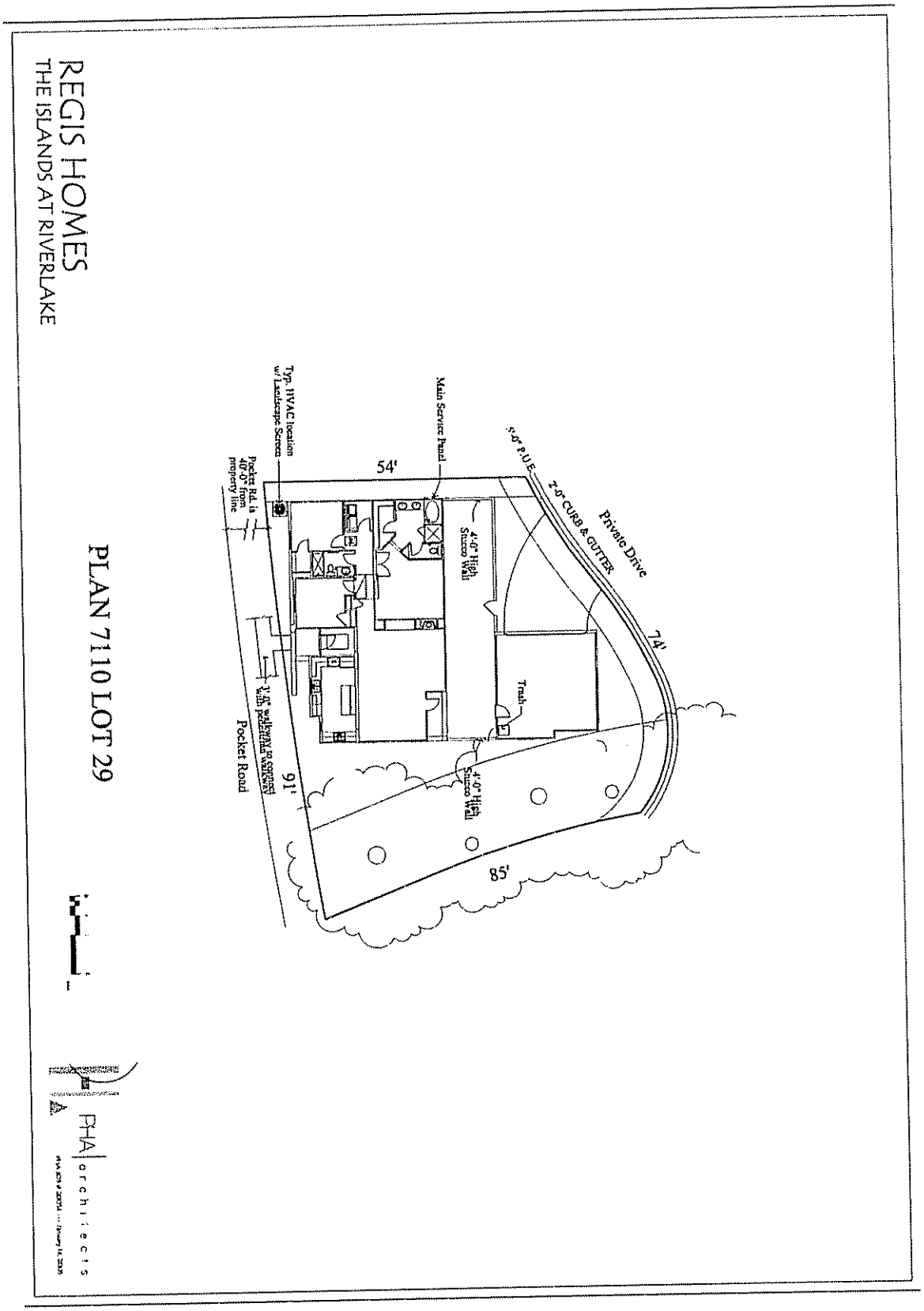
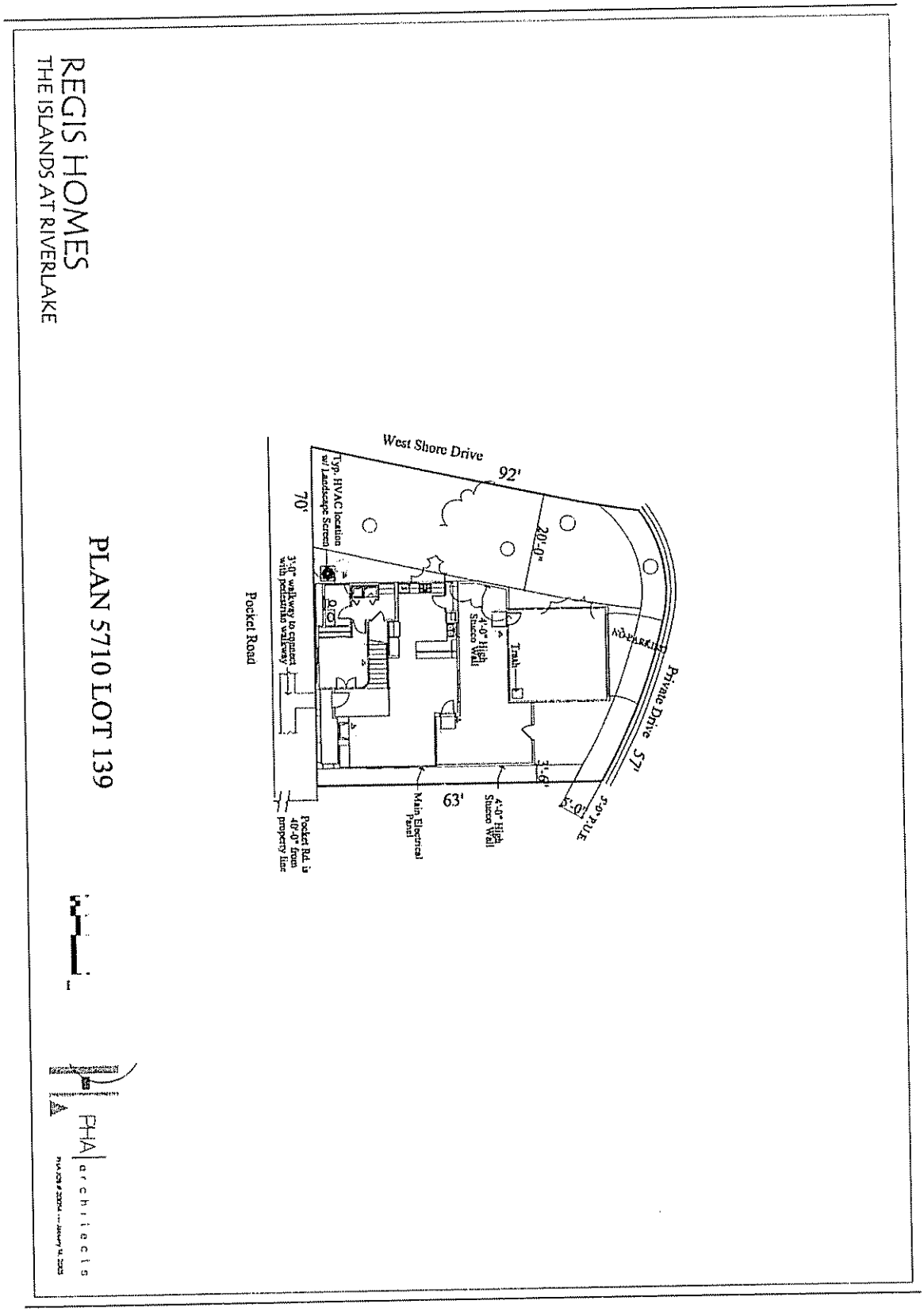
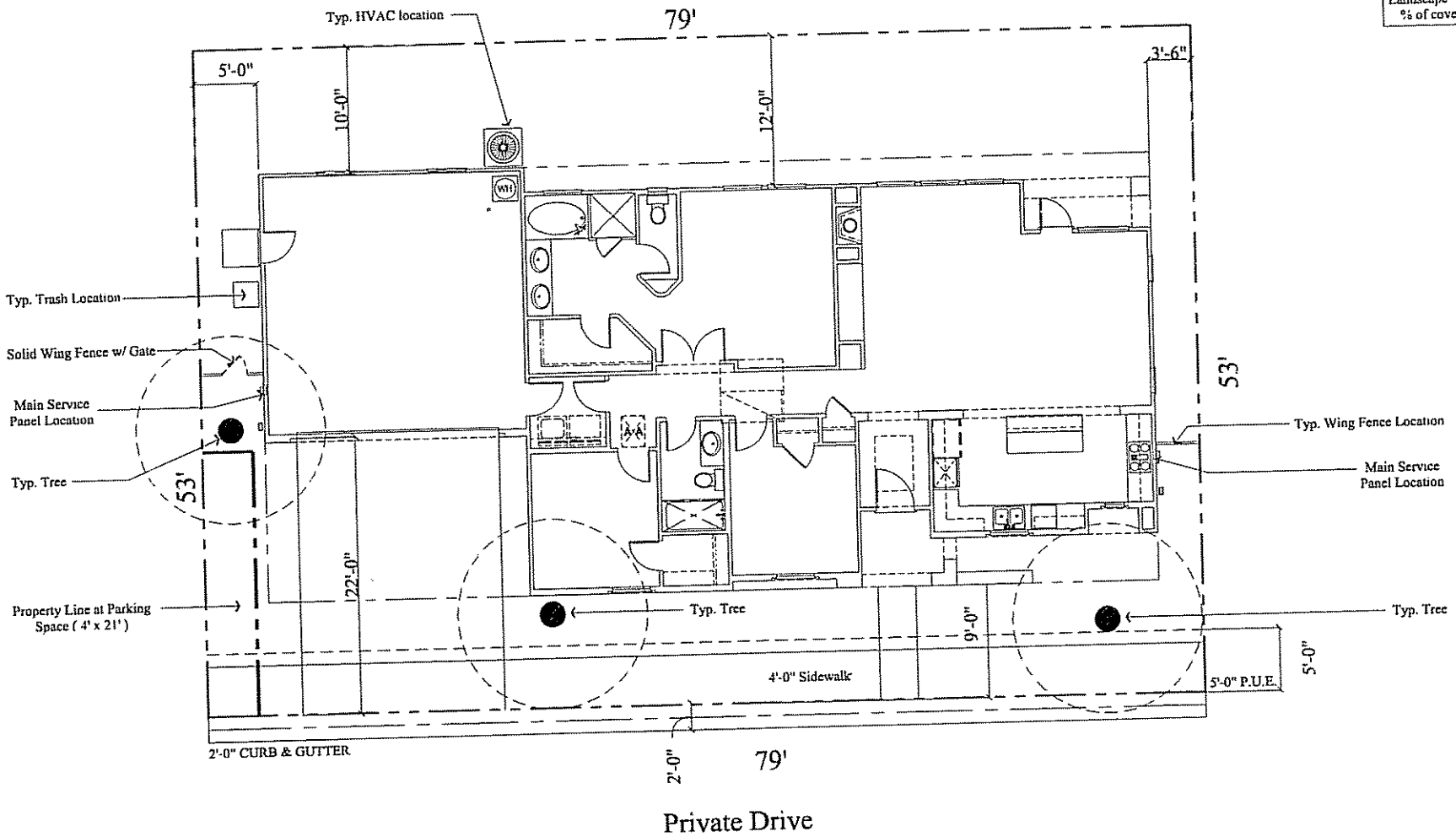


Exhibit H – Special Plot Plan – Lot 139



% of Lot Coverage	
Lot Size	4,187 s.f.
Bldg. Footprint	1,882 s.f.
% of coverage	45%
Walkways/Parking	422 s.f.
% of coverage	10%
Landscape	1,188 s.f.
% of coverage	45%

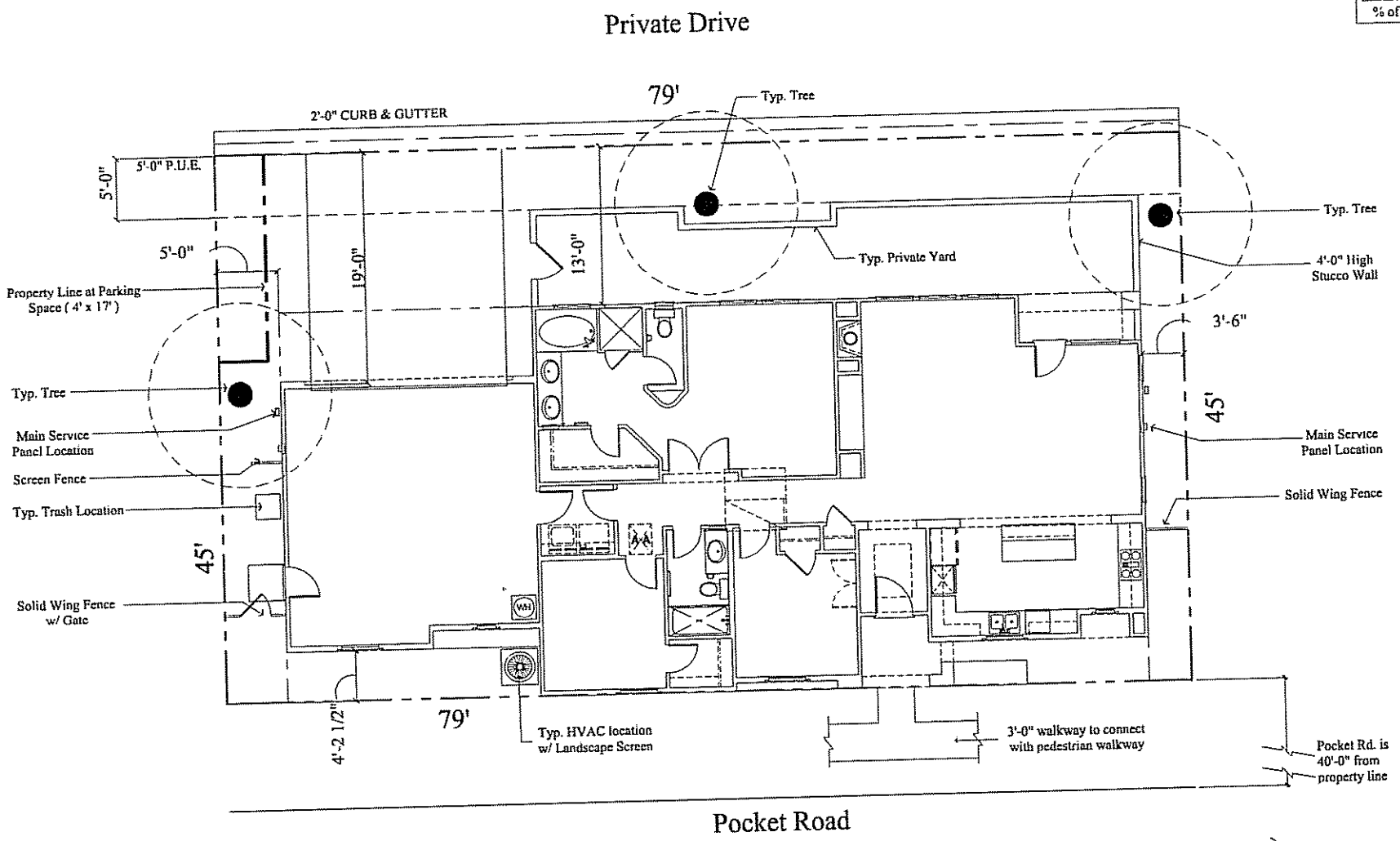


REGIS HOMES
THE ISLANDS AT RIVERLAKE

PLAN 7110
TYP. PLOT PLAN
Private Drive

PHA architects
PHA JOB # 20054 — January 14, 2005

% of Lot Coverage	
Lot Size	3,555 s.f.
Bldg. Footprint	1,884 s.f.
% of coverage	53%
Walkways/Parking	374 s.f.
% of coverage	11%
Landscape	1,297 s.f.
% of coverage	36%



REGIS HOMES
THE ISLANDS AT RIVERLAKE

PLAN 7110
TYP. PLOT PLAN
Pocket Road

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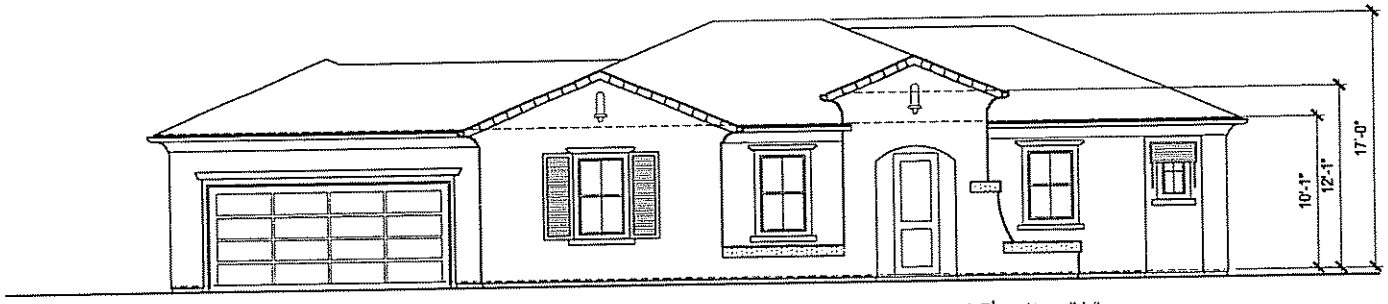
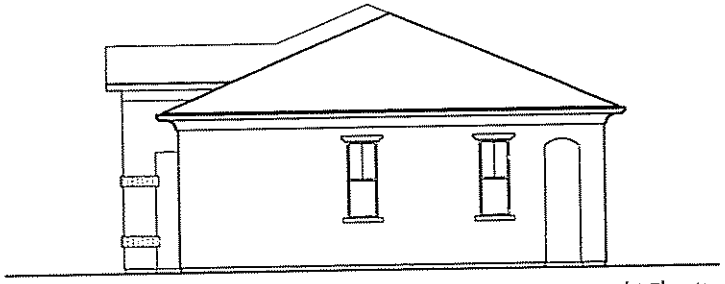


Front Elevation "A"



Right Elevation "A"

ELEVATION A MATERIALS	PAINT COLOR			BRICK	ROOF TILE
	BODY	TRIM	ACCENT		
SCHEME 1	KM4045-2	KM4002-1	KM4072-5	H.C. MUDDOX MENDOCINO	MONIER LIFETILE CASA GRANDE BLEND 1VACS6169
SCHEME 2	KM4055-3	KM4010-1	KM3832-5		
SCHEME 3	KM4021-2	KM4047-3	KM4120-5		

PAINT REFERENCED IS KELLY-MOORE
VENEER MATERIAL REFERENCED IS H.C. MUDDOX BRICK
ROOFING MATERIAL REFERENCED IS MONIER LIFETILE

REGIS HOMES
THE ISLANDS AT RIVERLAKE

PLAN 7110
EXTERIOR ELEVATION "A"
Private Drive

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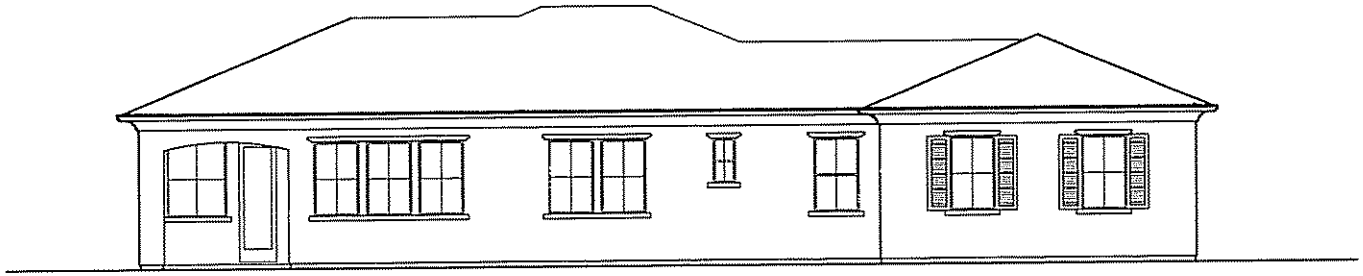
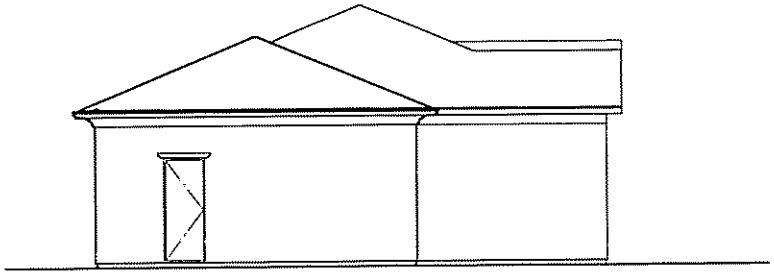


Rear Elevation "A"



Left Elevation "A"

ELEVATION A MATERIALS	PAINT COLOR			BRICK	ROOF TILE
	BODY	TRIM	ACCENT		
SCHEME 1	KM4045-2	KM4002-1	KM4072-5	H.C. MUDDOX MENDOCINO	MONIER LIFETILE CASA GRANDE BLEND 1VAC56169
SCHEME 2	KM4055-3	KM4010-1	KM3832-5		
SCHEME 3	KM4021-2	KM4047-3	KM4120-5		

PAINT REFERENCED IS KELLY-MOORE
VENEER MATERIAL REFERENCED IS H.C. MUDDOX BRICK
ROOFING MATERIAL REFERENCED IS MONIER LIFETILE

REGIS HOMES
THE ISLANDS AT RIVERLAKE

PLAN 7110
EXTERIOR ELEVATION "A"
Private Drive

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