



REPORT TO COUNCIL

City of Sacramento

14

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

PUBLIC HEARING
April 11, 2006

Honorable Mayor and
Members of the City Council

Subject: Twin Oaks Estates (P05-146)

Location/Council District: South of South Avenue, west of Norwood Avenue
APN: 250-0130-008, 250-0130-009, 250-0130-010, 250-0130-011, Del Paso Heights
Elementary School District, Council District 2

Recommendation:

Planning Commission and staff recommend that the City Council take the following actions: 1) Consider and approve the Resolution approving the Mitigated Negative Declaration and Mitigation Monitoring Plan; and 2) Approve the Ordinance amending the districts established by the Zoning Ordinance.

Contact: Jamie Cutlip, Junior Planner, 808-8684; Gregory Bitter, Senior Planner, 808-7816

Presenters: Jamie Cutlip, Junior Planner

Department: Development Services Department

Division: Planning

Organization No: 4875

Summary:

The applicant is requesting entitlements to develop 27 detached single-family residential units on 3.4± acres. The property is currently in the Standard Single-Family (R-1) zone. A Rezone is required to develop 27 lots because the lots, ranging in size from 4,014 to 9,746 square feet, vary from the typical 5,200 square feet for single-family lots. At a density of 8 du/na, the proposed Single Family Alternative (R-1A) zone remains consistent with the General Plan designation of Low Density Residential (4-15 du/na) and the North Sacramento Community Plan designation of Residential (7-15 du/na).

Committee/Commission Action:

On March 9, 2006, the Planning Commission unanimously approved (six ayes and zero noes) the Twin Oaks Estates project and forwarded the recommendation to the City Council for approval on the Rezone. At the same meeting, the Planning Commission approved the Mitigated Negative Declaration, Mitigation Monitoring Plan, Tentative Maps and Special Permits for the project.

Background Information:

The project site has two existing single-family residences, which are intended to be demolished. In addition, the project site contains two vacant parcels. Review of the entitlement history for the project site did not reveal any previous entitlements. The project is in the Strawberry Manor Design Review District, and the proposed units are required to meet the Standard Single Family Design Guidelines and are subject to review and approval of Design Review staff.

The applicant is now requesting entitlements to allow the development of 27 single-family detached residential units on 3.4± net acres.

Financial Considerations:

This project has no fiscal considerations.

Environmental Considerations:

Environmental Planning Services has determined the project, as proposed, will not have a significant impact to the environment; therefore, a Mitigated Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act (CEQA) Guidelines, mitigation measures have been identified to reduce impacts to a less-than-significant level. These mitigation measures address biological resources and cultural resources. The mitigation measures are listed in the attached Mitigation Monitoring Plan (Exhibit A). The draft Initial Study/Mitigated Negative Declaration was available for public review and comment during the period of Wednesday, January 25, 2006 through February 24, 2006.

Two comment letters were received by staff. One from the Sacramento Regional County Sanitation District (SRCSD) stating the project will not significantly impact SRCSD facilities. The other letter was sent from Regional Transit (RT) locating nearby bus routes on Norwood Avenue and recommending that transit information be made available in the sales/rental office. Therefore, staff recommends that the City Council approve the Mitigated Negative Declaration and adopt the Mitigation Monitoring Plan.

Policy Considerations:

The project is consistent with the General Plan goals to develop residential land uses in a manner which is efficient and utilizes existing and planned urban resources, promotes infill development, and provide adequate housing sites and opportunities for all

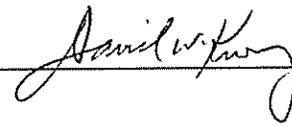
households. The project is also consistent with the following North Sacramento Community Plan policies: to accommodate projected growth while enhancing the existing attractive features of the community; to provide adequate housing opportunities to attract new residents and employment centers; and to increase the supply of decent, safe and affordable housing.

Smart Growth Principles: City Council adopted a set of Smart Growth Principles in December 2001 in order to encourage development patterns that are sustainable and balanced in terms of economic objectives, social goals, and use of environmental/ natural resources. The subject proposal enhances housing opportunities by creating a range of housing opportunities and choices, by concentrating new development and targeting infrastructure investment within the urban core, thus fostering walkable communities.

Strategic Plan Implementation: The recommended action conforms with the City of Sacramento Strategic Plan, specifically by adhering to policies that promote development of the fullest range of housing choices in every community in the City and to invest in infrastructure development that will achieve established community standards and optimize economic growth.

Emerging Small Business Development (ESBD):

No goods or services are being purchased under this report.

Respectfully Submitted by:  _____
David Kwong
Planning Manager

Approved by:  _____
William Thomas
Director of Development Services

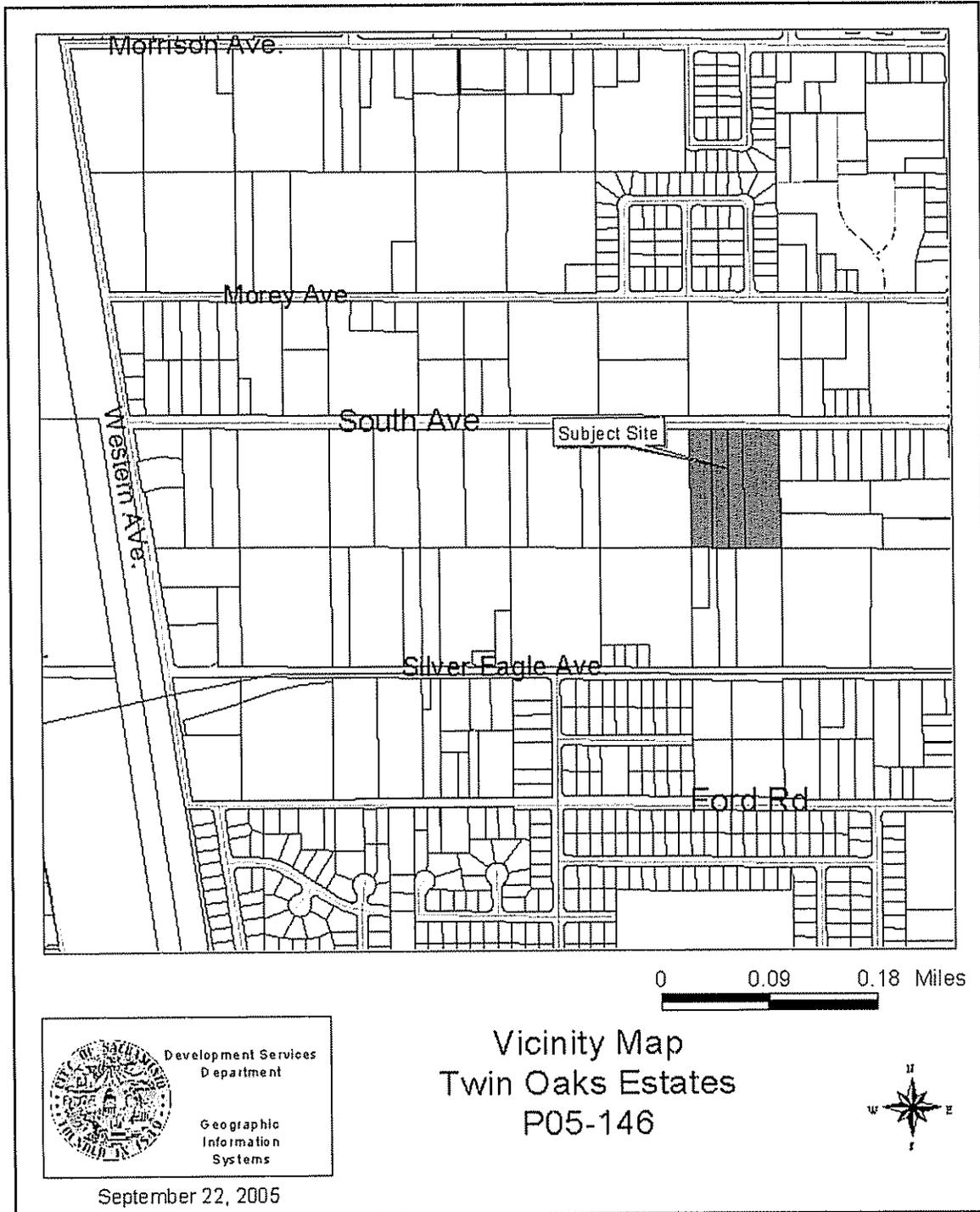
Recommendation Approved:

 _____
RAY KERRIDGE
City Manager

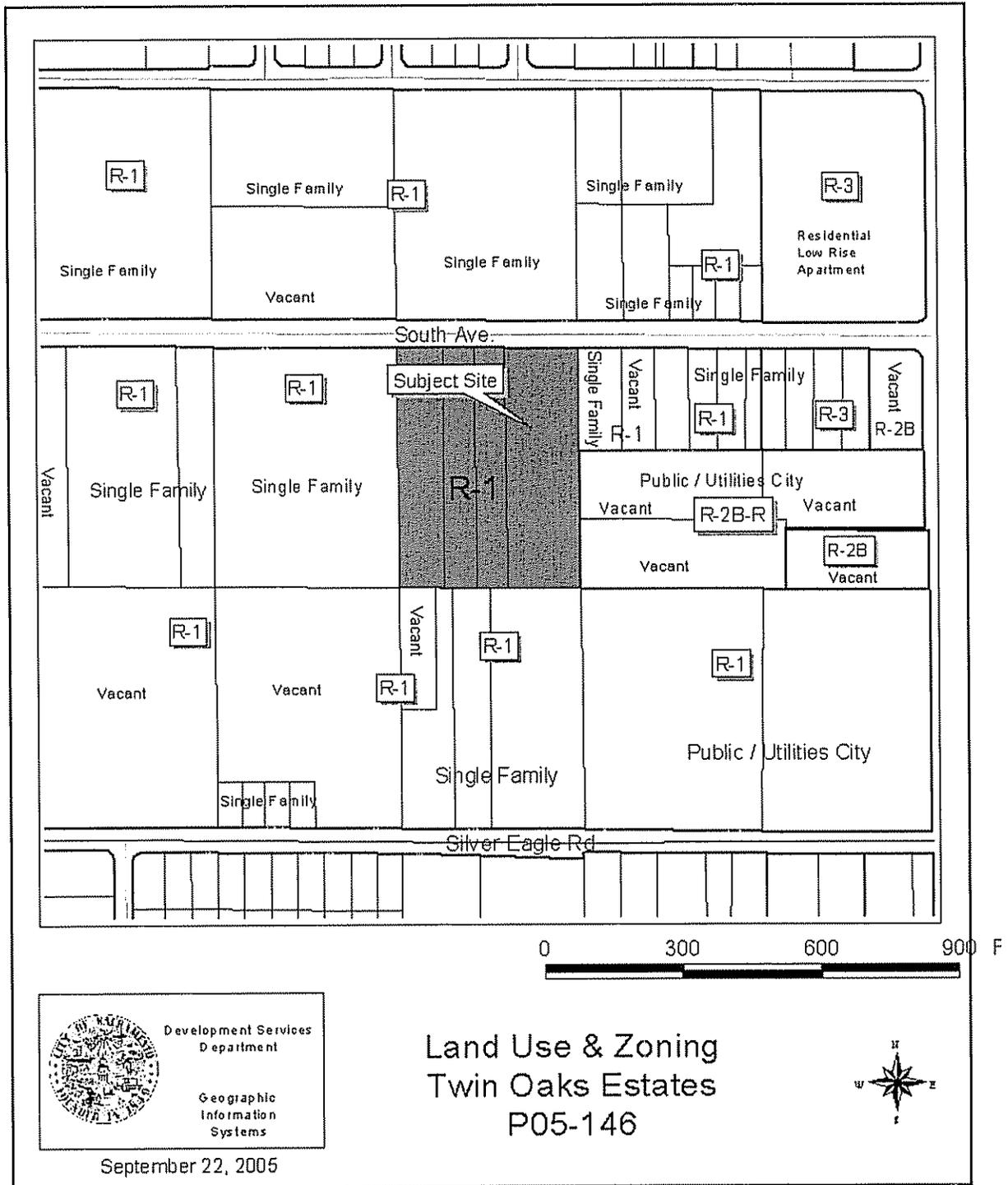
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Attachment A – Vicinity Map



Attachment B – Land Use Map



ORDINANCE NO.

Adopted by the Sacramento City Council

April 11, 2006

AN ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE, TITLE 17 OF THE CITY CODE, BY REMOVING 3.4± ACRES FROM THE STANDARD SINGLE-FAMILY (R-1) ZONE AND PLACING IN THE SINGLE FAMILY ALTERNATIVE (R-1A) ZONE, FOR THE PROPERTY LOCATED AT SOUTH AVENUE AND APPROXIMATELY 700 FEET WEST OF NORWOOD AVENUE (P05-146) (APN: 250-0130-008, 250-0130-009, 250-0130-010, 250-0130-011), COUNCIL DISTRICT 2

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

SECTION 1

The property generally described, known and referred to as APN: 250-0130-008, 250-0130-009, 250-0130-010, 250-0130-011 which is shown on attached Exhibit A, consists of 3.4± acres and is currently in the Standard Single-Family (R-1) zone established by the Comprehensive Zoning Ordinance (Title 17 of the City Code). Said territory is hereby removed from the R-1 zone and placed in the Single Family Alternative (R-1A) zone.

SECTION 2

Rezoning of the property shown in the attached Exhibit A, by the adoption of this Ordinance, will be considered to be in compliance with the requirements for the rezoning of property described in the Comprehensive Zoning Ordinance, Title 17 of the City Code, as amended, as those procedures have been affected by recent court decisions.

SECTION 3

The City Clerk of the City of Sacramento is hereby directed to amend the official zoning maps, which are part of said Ordinance to conform to the provisions of this Ordinance.

Table of Contents:

Exhibit A: Twin Oaks Estates Rezoning Map – 1 Page

Adopted by the City of Sacramento City Council on April 11, 2006, by the following vote:

Ayes:

Noes:

Abstain:

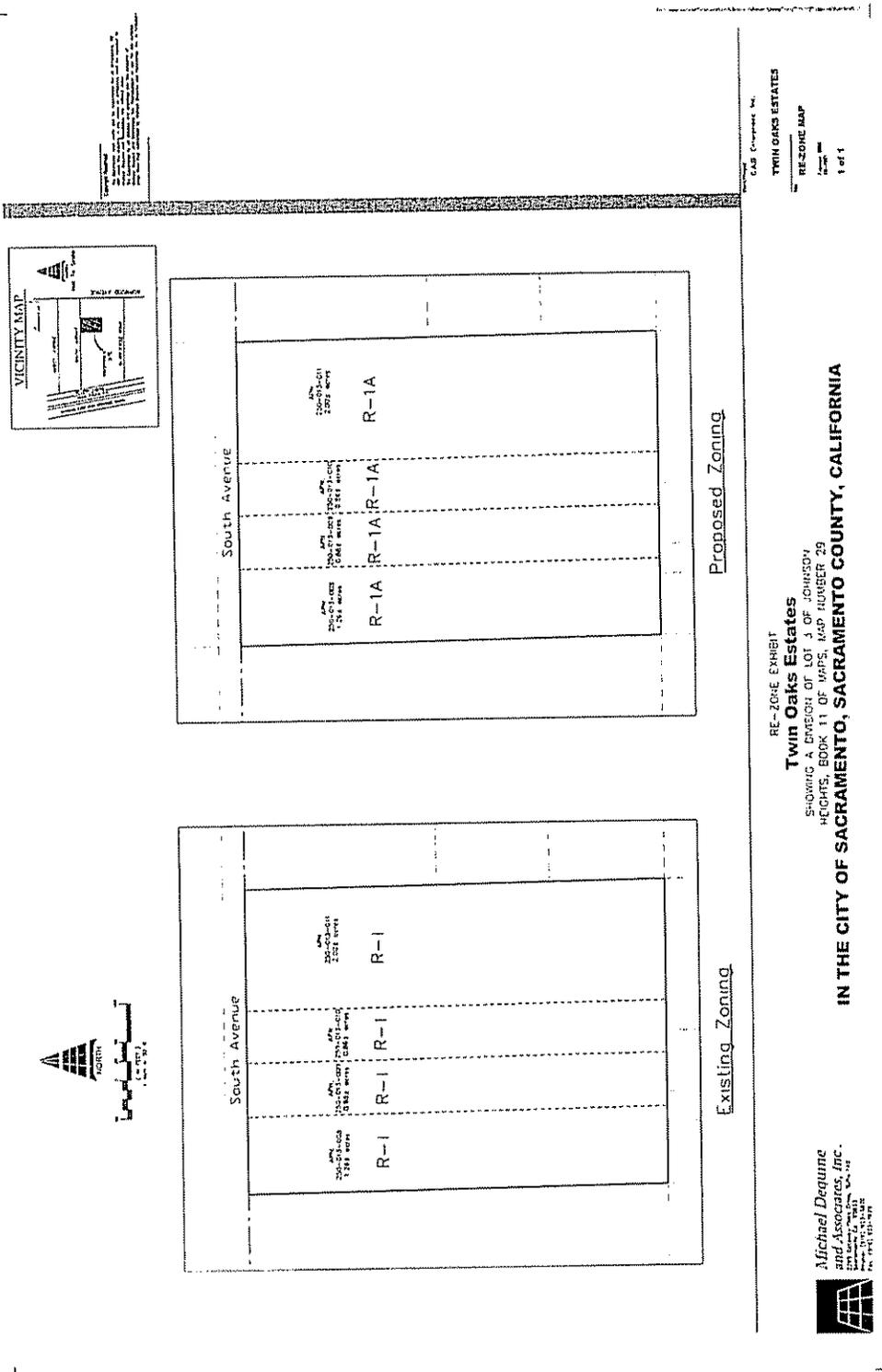
Absent:

Mayor Heather Fargo

Attest:

Shirley Concolino, City Clerk

Exhibit A: Rezone



RESOLUTION NO.

Adopted by the Sacramento City Council

April 11, 2006

A RESOLUTION CONSIDERING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN FOR THE PROPERTY LOCATED AT SOUTH AVENUE AND APPROXIMATELY 700 FEET WEST OF NORWOOD AVENUE (P05-146) (APN: 250-0130-008, 250-0130-009, 250-0130-010, 250-0130-011), COUNCIL DISTRICT 2

BACKGROUND

- A. On March 9, 2006, the City Planning Commission considered the Mitigated Negative Declaration and Mitigation Monitoring Plan;
- B. On April 11, 2006, 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 April 11, 2006, 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. Considered the Mitigated Negative Declaration;
 - B. Considered the Mitigation Monitoring Plan.

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

FINDINGS OF FACT

- A. Mitigated Negative Declaration: The City Council **approves** the Mitigated Negative Declaration, based upon the following findings:
 1. The Mitigated Negative Declaration was prepared and circulated for the above-identified project pursuant to the requirements of CEQA;

2. The proposed Mitigated Negative Declaration and comments received during the public review process were considered prior to action being taken on the project; and
3. Based upon the Initial Study and the comments received during the public review process, there is no substantial evidence that the project will have a significant effect on the environment.

B. Mitigation Monitoring Plan: The Mitigation Monitoring Plan is **approved** based upon the following findings of fact:

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;
3. The Mitigation Monitoring Plan meets the requirements of Public Resources Code Sec. 21081.6; and
4. The Mitigation Monitoring Plan is approved, and the mitigation measures shall be implemented and monitored as set forth in the Plan.

Table of Contents:

Exhibit A: Mitigation Monitoring Plan – 9 pages

Adopted by the City of Sacramento City Council on April 11, 2006, by the following vote:

Ayes:

Noes:

Abstain:

Absent

Mayor Heather Fargo

Attest:

Shirley Concolino, City Clerk

Exhibit A: Mitigation Monitoring Plan

MITIGATION MONITORING PLAN

FOR
TWIN OAKS ESTATES (P05-146)

TYPE OF ENVIRONMENTAL DOCUMENT:
INITIAL STUDY/ NEGATIVE DECLARATION

PREPARED FOR:
CITY OF SACRAMENTO, DEVELOPMENT SERVICES DEPARTMENT

DATE:
February 24, 2006

ADOPTED BY:
CITY OF SACRAMENTO
CITY PLANNING COMMISSION

DATE:

ATTEST:

**TWIN OAKS ESTATES (P05-146)
MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Development Services Department, Environmental Planning Services, 2101 Arena Blvd, Suite 200, Sacramento, CA 95834, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: Twin Oaks Estates / P05-146
Owner/Developer- Name: C.A.B. Enterprises, Inc., Christian Houge
Address: 705 -2 E. Bidwell Street, Suite 161
 Folsom, CA 95630

Project Location / Legal Description of Property (if recorded):

The proposed project is located on the south side of South Avenue, approximately 750 feet west of Norwood Avenue at 270, 280, and 312 South Avenue, in the North Sacramento Community Plan area of the City of Sacramento, Sacramento County (APNs: 250-0130-008, -009, -010, & -011).

Project Description:

The proposed project consists of entitlements to develop 27 single-family residential lots on 5.0± acres located at South Avenue in the North Sacramento Community Plan area, zoned Single-Family Residential (R-1). The project site currently contains a couple of residential structures and several outbuildings, which will be removed by demolition. Specific entitlements include:

- A. **Rezone** 5.0± gross acres from Single-Family Residential (R-1) to Single-Family Alternative (R-1A) in the North Sacramento Community Plan area;
- B. **Tentative Subdivision Map** to subdivide four parcels totaling 5.0± acres into 27 single-family residential lots;
- C. **Subdivision Modification** to allow lot sizes smaller than 6,200 square feet for corner lots and 5,200 square feet for interior lots.

SECTION 2: GENERAL INFORMATION

The Plan includes mitigation for Biological Resources and Cultural Resources. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study 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 identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The mitigation measures have been taken from the Initial Study and are assigned the same number they have in the document. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Sacramento will be responsible for ensuring compliance.

			VERIFICATION OF COMPLIANCE		
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
7. BIOLOGICAL RESOURCES					
BR-1 The Developer of the Twin Oaks Estate project will develop and institute an Environmental Awareness Program to inform construction workers about biological resources associated with the Twin Oaks Estates project.	Applicant / Developer	City Development Services Department	Provide verification to the Development Services Department	Measures shall be implemented prior to issuance of any grading or building permits	
BR-2 Prior to issuance of any grading permit the applicant /developer shall have a pre-construction survey prepared and completed to determine whether any Swainson's hawk nest trees will be removed on-site, or active Swainson's hawk nest sites occur on or within ½ mile of the development site. These surveys shall be conducted according to the Swainson's Hawk Technical Advisory Committee's (May 31, 2000) methodology or updated methodologies, as approved by the USFWS and CDFG using experienced Swainson's hawk surveyors	Applicant / Developer	City Development Services Department, CA Dept of Fish & Game (DFG)	Pre-construction biological surveys shall be completed and verification of compliance shall be provided to Development Services Staff prior to grading/building permits being issued	Measures shall be implemented prior to issuance of any grading or building permits	
BR-3 If breeding Swainson's hawks (i.e. exhibiting nest building or nesting behavior) are identified, no new disturbances (e.g., heavy equipment operation associated with construction) will occur within ½ mile of an active nest between March 15 and September 15, or until a qualified biologist, with concurrence by CDFG, has determined that young have fledged	Applicant / Developer	City of Sacramento Development Services Department, CA Dept of Fish & Game (DFG)	If required, written verification of compliance from the biologist and/or DFG shall be provided to Development Services Staff prior to issuance of grading permits	If required, Measures shall be implemented prior to	

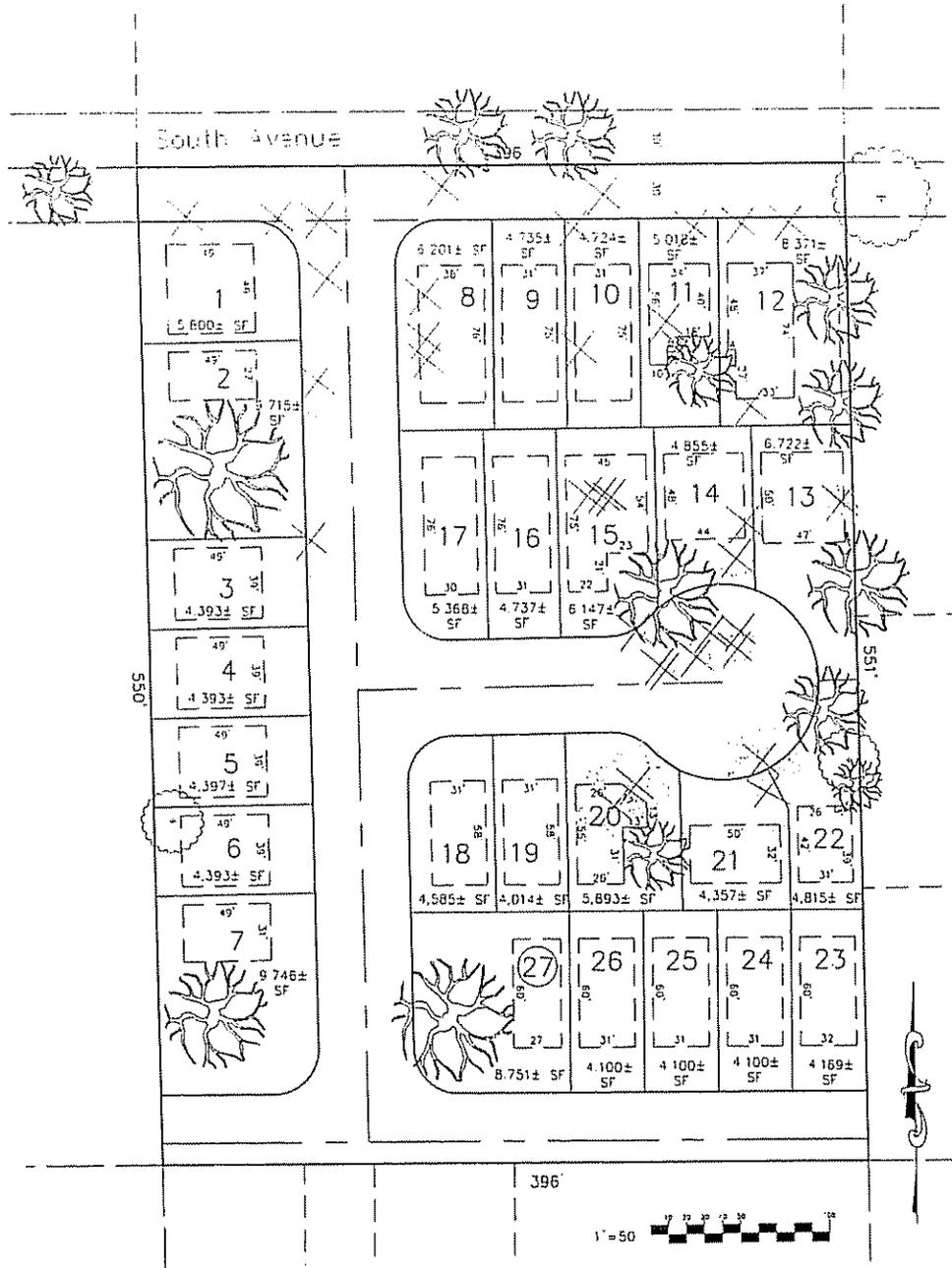
			VERIFICATION OF COMPLIANCE		
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>or that the nest is no longer occupied. If the active nest site is located within ¼ mile of existing urban development, the no new disturbance zone can be limited to the ¼ mile versus ½ mile. Routine disturbances such as agricultural activities, commuter traffic, and routine facility maintenance activities within ½ mile of an active nest are not restricted.</p> <p>BR-4. Where disturbance of a Swainson's hawk nest cannot be avoided, such disturbance shall be temporarily avoided (i.e., defer construction activities until after the nesting season) and then, if unavoidable, the nest tree may be destroyed during the non-nesting season. For purposes of this provision the Swainson's hawk nesting season is defined as March 15 to September 15. If a nest tree (any tree that has an active nest in the year the impact is to occur) must be removed, tree removal shall only occur between September 15 and February 1.</p>	Applicant / Developer	City of Sacramento Development Services Department, CA Dept. of Fish & Game (DFG).	If required, written verification of compliance from the biologist and/or DFG shall be provided to Development Services Staff prior to issuance of grading permits.	issuance of any grading or building permits	
<p>BR-5. If a Swainson's hawk nest tree is to be removed and fledglings are present, the tree may not be removed until September 15 or until the California Department of Fish and Game has determined that the young have fledged and are no longer dependent upon the nest tree.</p>	Applicant / Developer	City of Sacramento Development Services Department, CA Dept. of Fish & Game (DFG).	If required, written verification of compliance from the biologist and/or DFG shall be provided to Development Services Staff prior to issuance of grading permits.	If required, Measures shall be implemented prior to issuance of any grading or building permits.	

			VERIFICATION OF COMPLIANCE		
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>by the value of the tree to be saved as provided by the City Arborist. Additionally, this mitigation value may also fluctuate based upon the landscaping proposed by the developer in the landscape plan. The City Arborist will review the landscape plan and will provide a value of the trees proposed that may be subtracted from the mitigation value for the removal of the Heritage sized trees on site</p> <p>BR-8 During construction activity on any property upon which is located a heritage tree, the following rules shall apply. Unless the express written permission of the City Parks and Recreation Director or his/her designee is first obtained, no person shall:</p> <ul style="list-style-type: none"> a Change the amount of irrigation provided to any heritage tree from that which was provided prior to the commencement of construction activity b Trench, grade or pave into the drip line area of a heritage tree c Change, by more than two (2) feet, grade elevations within thirty (30) feet of the drip line area of a heritage tree d Park or operate any motor vehicle within 	<p>Applicant / Developer</p>	<p>City Development Services Department</p> <p>City of Sacramento Urban Forest Services Division of the Parks and Recreation Department.</p>	<p>Mitigation Measures, shall be included on the Construction Specifications and Plans</p> <p>Verification of compliance from the Urban Forest Services Arborist shall be provided to Development Services Staff prior to issuance of grading permits</p>	<p>of any grading or building permits or as agreed upon by the Urban Forest Services Arborist</p> <p>Measures</p>	

			VERIFICATION OF COMPLIANCE		
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>the drip line area of any heritage tree</p> <p>e. Place or store any equipment or construction materials within the drip line area of any heritage tree</p> <p>f. Attach any signs, ropes, cables or any other items to any heritage tree</p> <p>g. Cut or trim any branch of a heritage tree for temporary construction purposes</p> <p>h. Place or allow to flow into or over the drip line area of any heritage tree any oil, fuel, concrete mix or other deleterious substance</p>				shall be implemented prior to issuance of any grading or building permits or as agreed upon by the Urban Forest Services Arborist	
<p>14. CULTURAL RESOURCES:</p> <p>CR-1. If subsurface archaeological or historical remains are</p>	Applicant / Developer	City Development Services Department	Mitigation Measures shall be included on the Map and within	Measures shall be implemented in	

			VERIFICATION OF COMPLIANCE		
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<p>discovered during construction, work in the area 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</p> <p>CR-2. If human burials are encountered, all work in the area 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); Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94 and 5097.98.</p>	Applicant / Developer	City Development Services Department	<p>the Standard Construction Specifications</p> <p>Verification of compliance shall be provided to the Development Services Staff</p> <p>Mitigation Measures shall be included on the Map and within the Standard Construction Specifications. If required, verification of compliance shall be provided to the Development Services Staff</p>	<p>field during grading and construction activities</p> <p>Measures shall be implemented in field during grading and construction activities</p>	

Attachment 2 – Site & Plot Plan



 Michael Dequine
and Associates, Inc.
2204 Gateway Oaks Drive, Suite 140
Sacramento, CA 95833
Phone: (916) 485-4600
Fax: (916) 485-4118

Twin Oaks Estates
Tentative Subdivision Map

Attachment 3 – Floor Plans & Elevations Coversheet

REVISIONS

NOTICE TO PLAN REVIEW PERSONNEL

DRAWER DEVELOPER
 C.A.R. ENTERPRISES, Inc.
 Dr. Christina Hoeg, CEO
 "The Oak Center"
 10000 E. 15th Ave.
 Suite 100
 Aurora, CO 80012
 303.741.1100

PROJECT ADDRESS
 Deer Oak Estates
 South Avenue
 City of Montrose, CO
 81401

APPROVED
 Paul LaRocca, State
 REGISTERED ARCHITECT
 10000 E. 15th Ave. #100
 Aurora, CO 80012
 303.741.1100

SCALE: 3/4" = 1'-0"
SCALE: 1/4" = 1'-0"

CS

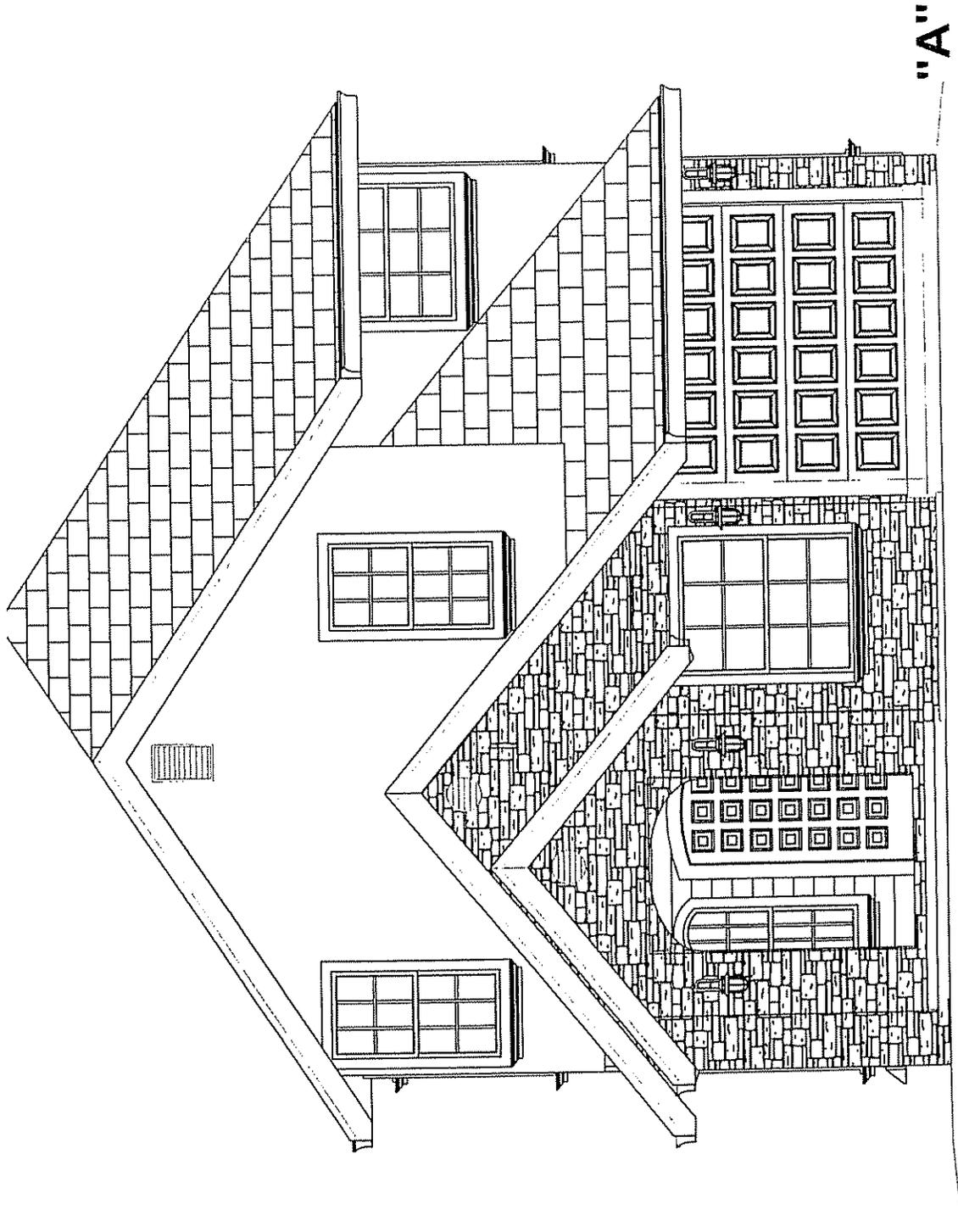
"A"
 PLS. LOT #s: 2, 17, 20, 22, 27
 PLAN - "A" ELEVATION

"B"
 PLS. LOT #s: 1, 8, 11, 12, 19, 21, 24, 26
 PLAN - "B" ELEVATION

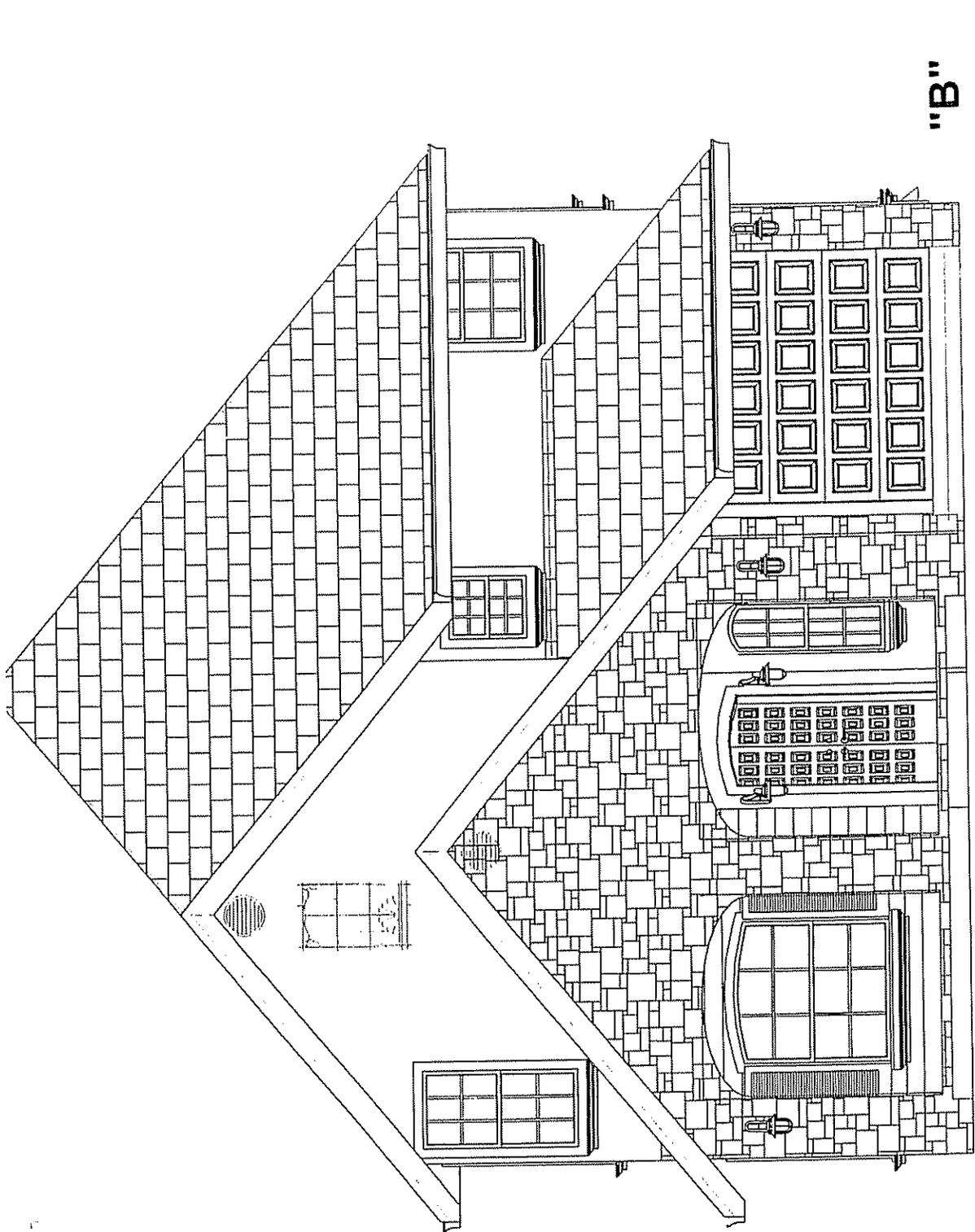
"C"
 PLS. LOT #s: 13, 14, 15, 16, 18, 23, 25, 28
 PLAN - "C" ELEVATION

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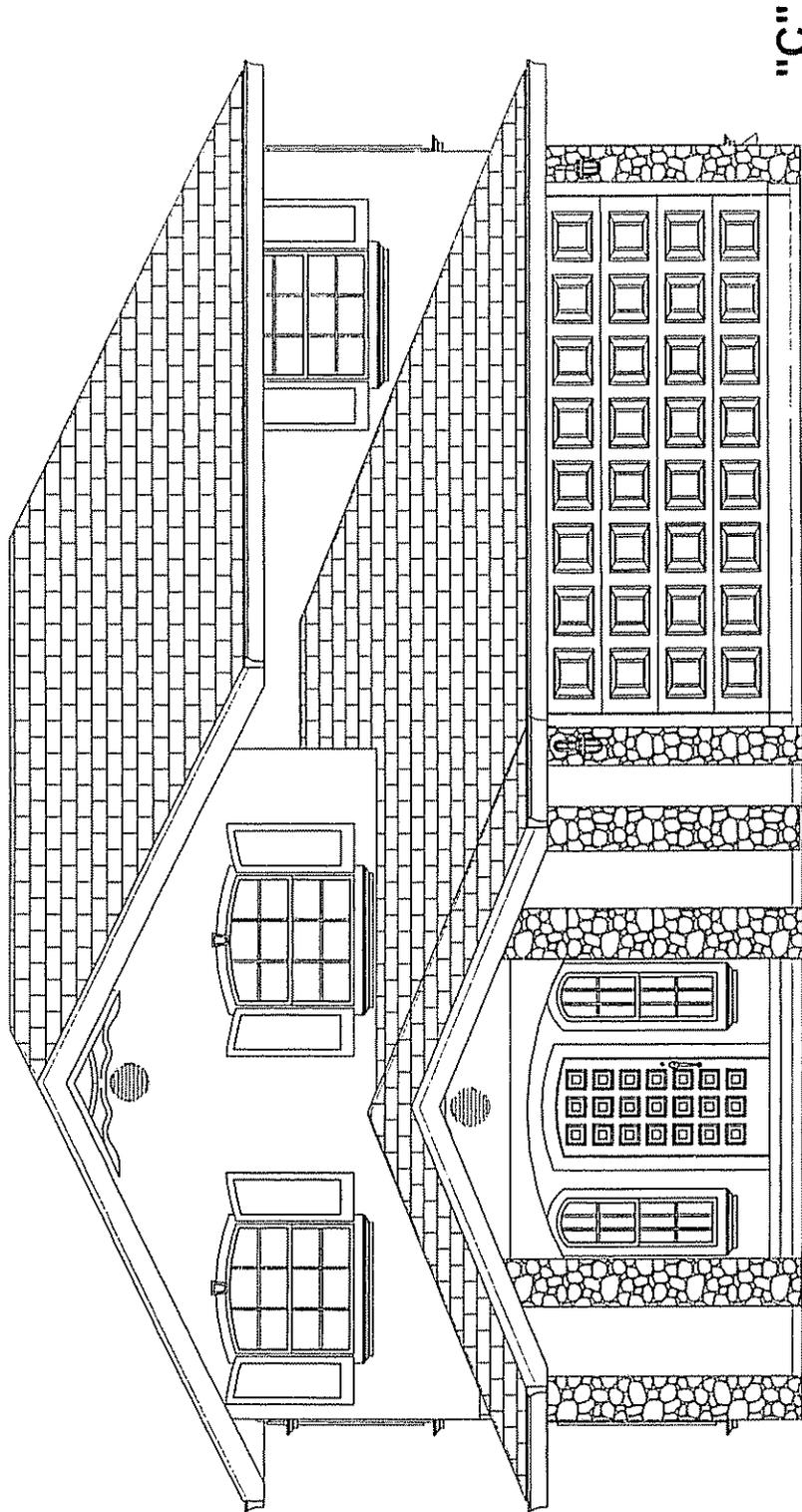
Attachment 4 – Building Type "A" Elevation



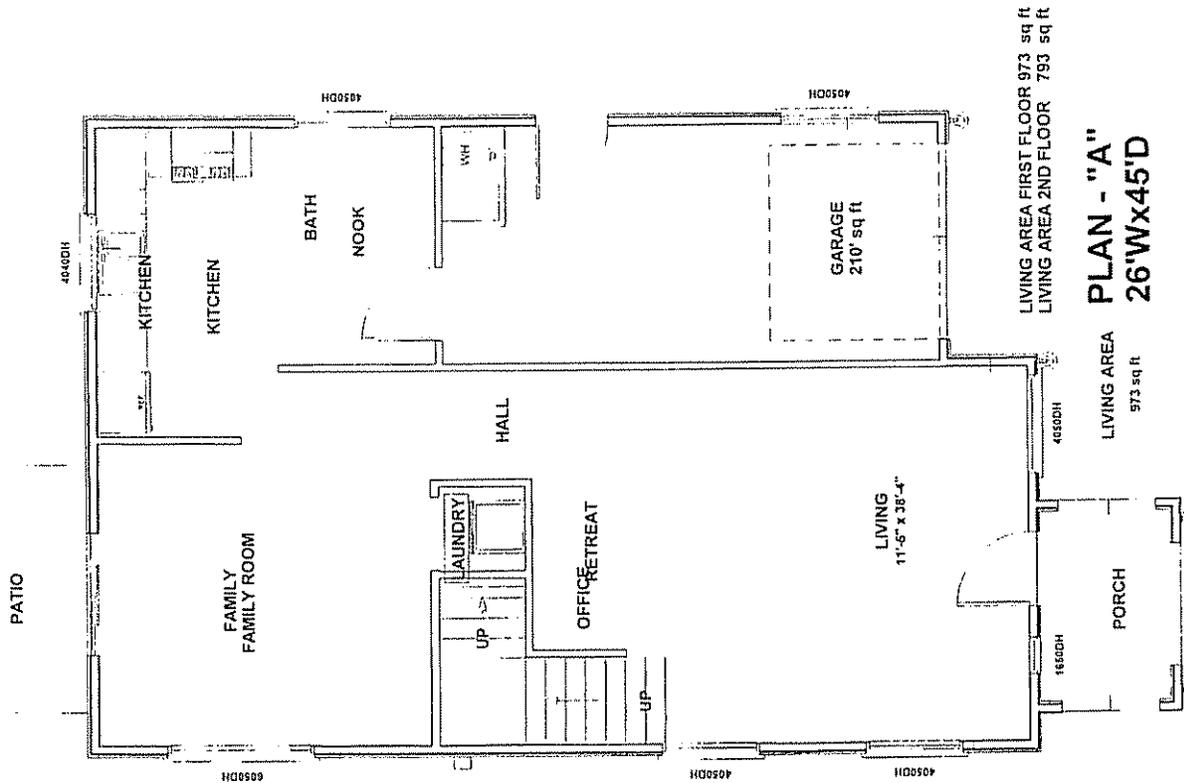
Attachment 5 – Building Type "B" Elevation



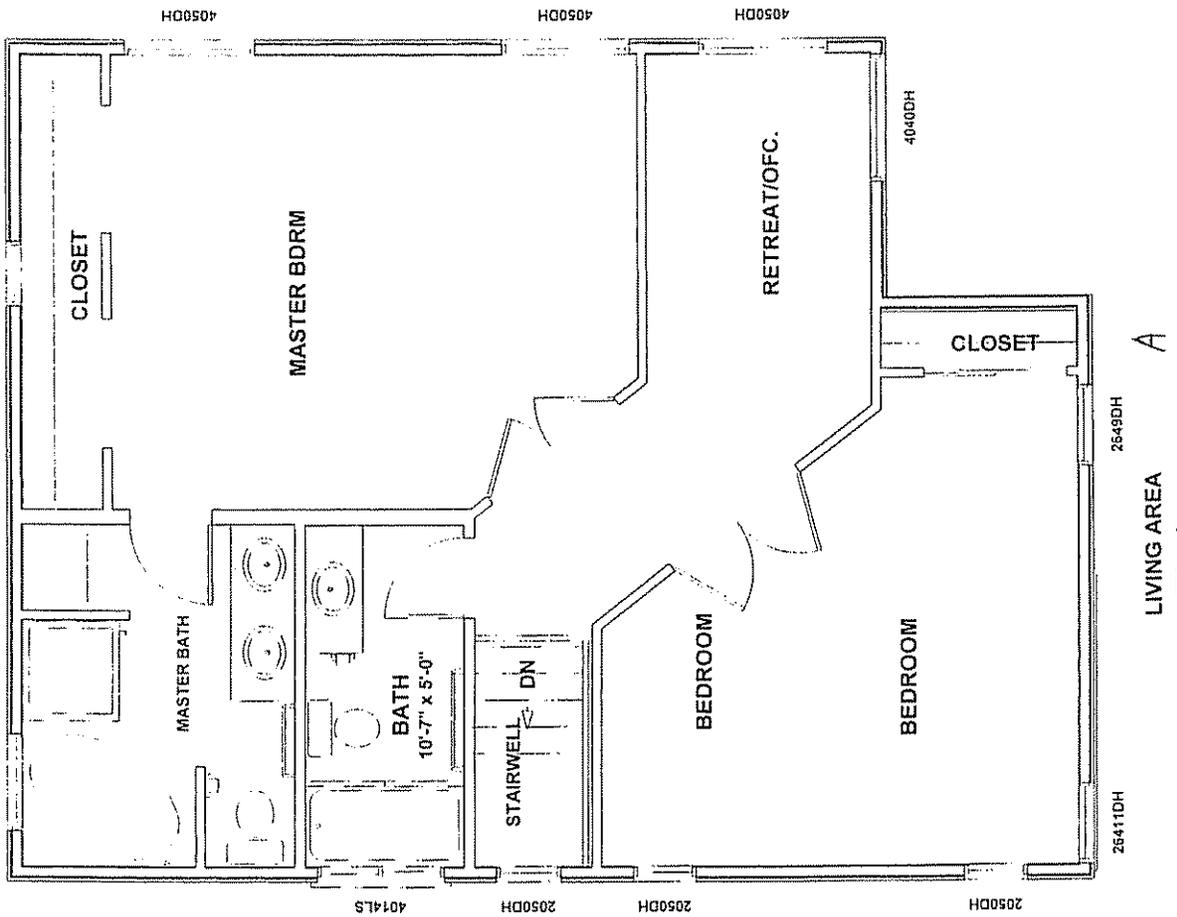
Attachment 6 – Building Type "C" Elevation



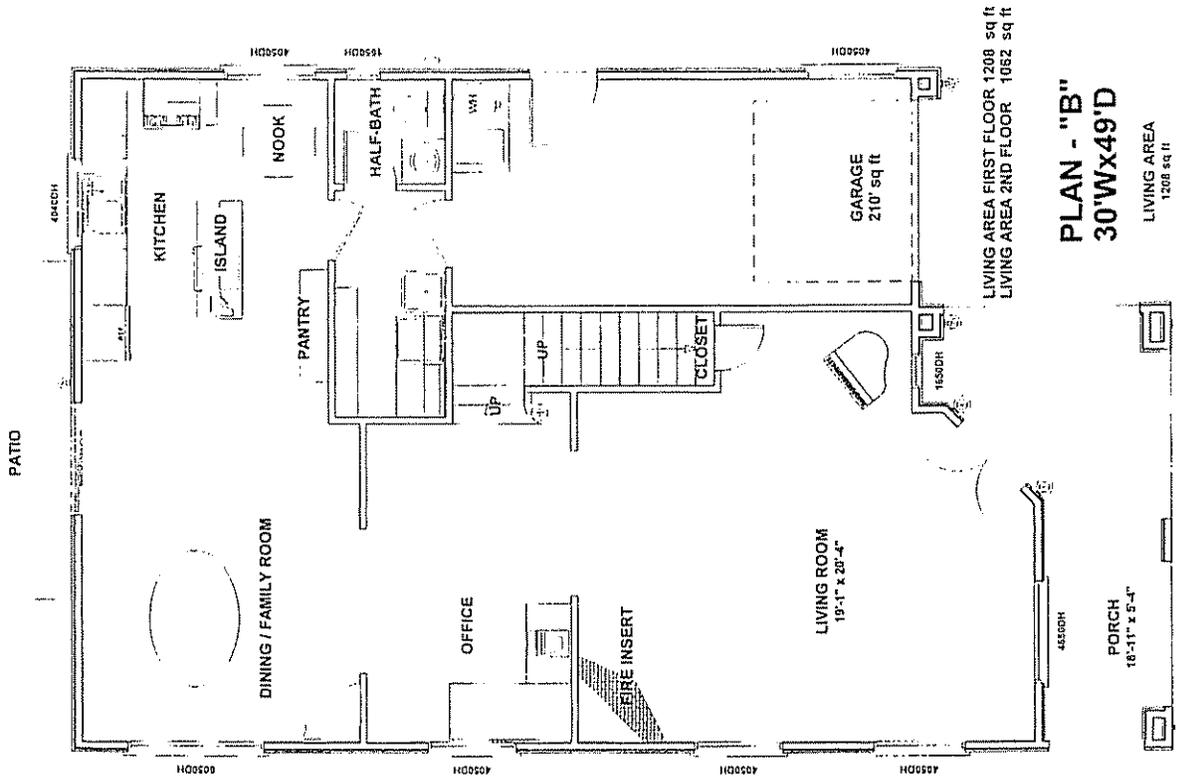
Attachment 7 – Building Type "A" First Floor Plan



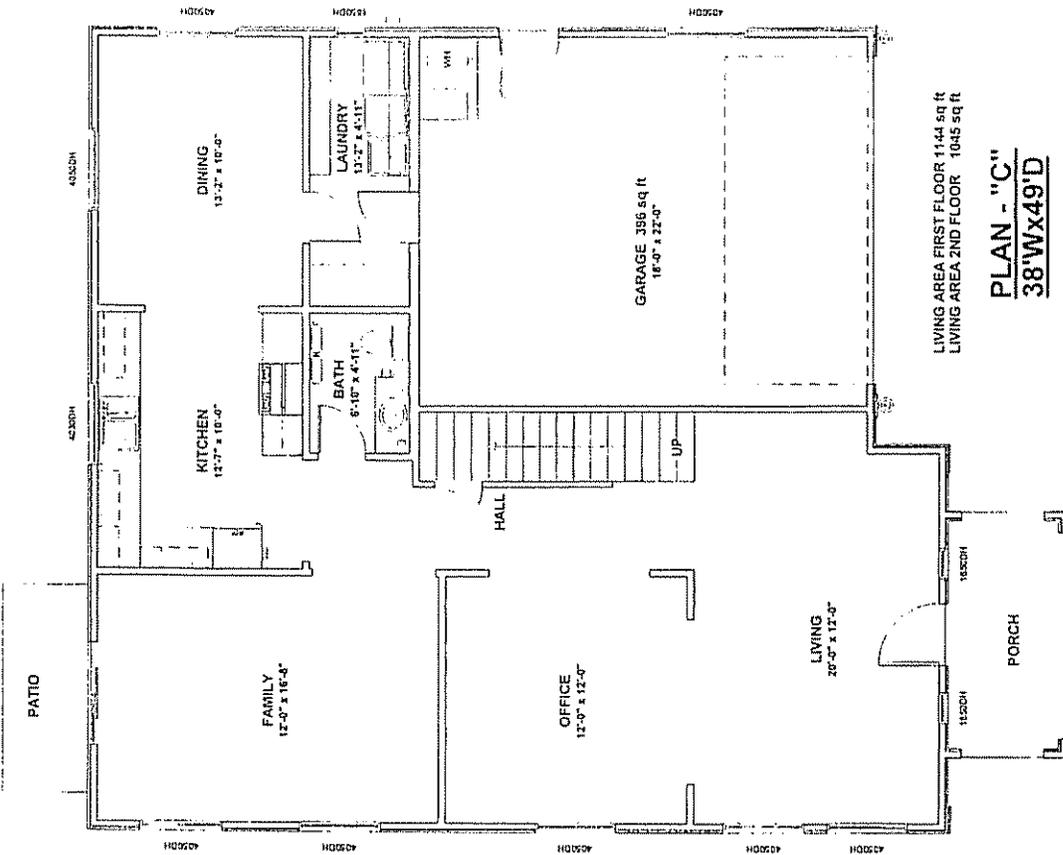
Attachment 8 – Building Type "A" Second Floor Plan



Attachment 9 – Building Type “B” First Floor Plan



Attachment 11 – Building Type "C" First Floor Plan



Attachment 12 – Building Type "C" Second Floor Plan

