Title: (Pass for Publication) Ordinance to Approve a Rezone for the Luther Gardens Senior Apartments Project (P19-031)

Location: East side of Luther Drive, approximately 1,000 feet south of Florin Road and Luther Drive, APN: 049-0010-106-0000, District 8

Recommendation: 1) Review a Resolution for a General Plan Amendment to re-designate ±0.79 acres from Suburban Neighborhood Low Density to Suburban Neighborhood High Density; 2) review an Ordinance rezoning ±0.79 acres from the Single-Unit Dwelling (R-1) zone to the Multi-Unit Dwelling (R-2B) zone; 3) review a Resolution for an Environmental Determination and Site Plan and Design Review; and 4) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted November 5, 2019.

Contact: Marcus Adams, Senior Planner, (916) 808-5044, Community Development Department

Presenter: None.

Attachments:
01-Description/Analysis
02-Background
03-Resolution: General Plan Land Use Designation Amendment
04-Exhibit A: General Plan Amendment Exhibit
05-Ordinance: Rezone
06-Exhibit A: Rezone Exhibit
07-Resolution: Environmental Determination and Site Plan and Design Review
08-Exhibit A: CEQA Memorandum
09-Exhibit B: Project Plans
10-Site Photos
Description/Analysis

Issue Detail: The applicant is requesting entitlements to construct a two-story, 16-unit apartment building on a 0.79-acre vacant parcel. The site is located on Luther Drive, south of Florin Road. The project site is designated as Suburban Neighborhood Low Density (SNLD) in the General Plan and located in the Single-Unit Dwelling (R-1) zone. In order to develop the site as proposed, the necessary entitlements include a General Plan Amendment to redesignate the site from Suburban Neighborhood Low Density (SNLD) to Suburban Neighborhood High Density (SNHD), a Rezone from Single-Unit Dwelling (R-1) zone to Multi-Unit Dwelling (R-2B) zone, and Site Plan and Design Review for the construction of the apartment building and site improvements.

Public/Neighborhood Outreach and Comments: As part of the application review process, an early notification notice was mailed to property owners within 300 feet of the proposed project on June 13, 2019. There are no active neighborhood associations within 300-feet of the subject site. Staff received no comments or concerns from nearby residents. The site was posted on August 7, 2019, in advance of the August 22nd Planning and Design Commission hearing and all property owners within 300 feet were notified about the public hearing. Staff received two phone calls from nearby residents opposing the project due to the size of the building and the desire to retain the R-1 zone for single-unit dwellings along Luther Drive.

Policy Considerations:

General Plan

The 2035 General Plan Update was adopted by City Council on March 3, 2015. The 2035 General Plan’s goals, policies, and implementation programs define a roadmap to achieving Sacramento’s vision to be the most livable city in America. The 2035 General Plan designation of the subject site is Suburban Neighborhood Low Density. This designation provides for low-intensity housing and neighborhood support uses. However, the project proposes a General Plan Amendment to Suburban Neighborhood High Density, which would allow the construction a multi-family project with 16-units. General Plan goals and policies below support the proposed project.

Goal LU 1.1: Growth and Change. Support sustainable growth and change through orderly and well-planned development that provides for the needs of existing and future residents and businesses, ensures the effective and equitable provision of public services, and makes efficient use of land and infrastructure.
• **Policy LU 1.1.1: Regional Leadership.** The City shall be the regional leader in sustainable development and encourage compact, higher-density development that conserves land resources, protects habitat, supports transit, reduces vehicle trips, improves air quality, conserves energy and water, and diversifies Sacramento’s housing stock. *(RDR)*

• **Policy LU 1.1.4: Leading Infill Growth.** The City shall facilitate infill development through active leadership and the strategic provision of infrastructure and services and supporting land uses. *(MPSP)*

• **Policy LU 1.1.5: Infill Development.** The City shall promote and provide incentives (e.g., focused infill planning, zoning/rezoning, revised regulations, provision of infrastructure) for infill development, reuse, and growth in existing urbanized areas to enhance community character, optimize City investments in infrastructure and community facilities, support increased transit use, promote pedestrian- and bicycle-friendly neighborhoods, increase housing diversity, ensure integrity of historic districts, and enhance retail viability. *(RDR/MPSP)*

The project is consistent with the above goal and policies because the project promotes sustainable growth and change through infill development, and is proposing a building for seniors, which will respond to the needs of existing and future residents and increase housing diversity in the area. The project makes efficient use of land by promoting higher density development that is compatible with surrounding uses and seeks to conserve energy through the implementation of solar panels on the roof. There is a vacant parcel and existing apartment complex located at the corner of Meadowgate and Mandy Drive, approximately .25 miles east of the project site, designated Suburban Neighborhood High Density, therefore, the General Plan amendment is consistent with surrounding land uses of properties greater than half an acre being designated for multi-family housing within the General Plan’s “Suburban” district.

**Goal LU 2.1: City of Neighborhoods.** Maintain a city of diverse, distinct, and well-structured neighborhoods that meet the community’s needs for complete, sustainable, and high-quality living environments, from the historic downtown core to well-integrated new growth areas.

• **Policy LU 2.1.3: Complete and Well-Structured Neighborhoods.** The City shall promote the design of complete and well-structured neighborhoods whose physical layout and land use mix promote walking to services, biking, and transit use; foster community pride; enhance neighborhood identity; ensure public safety; are family-friendly and address the needs of all ages and abilities. *(RDR)*
• **Policy LU 2.1.8: Neighborhood Enhancement.** The City shall promote infill development, reuse, rehabilitation, and reuse efforts that contribute positively (e.g., architectural design) to existing neighborhoods and surrounding areas. *(RDR)*

• **Policy LU 2.7.4: Public Safety and Community Design.** The City shall promote design of neighborhoods, centers, streets, and public spaces that enhances public safety and discourages crime by providing street-fronting uses (“eyes on the street”), adequate lighting and sight lines, and features that cultivate a sense of community ownership. *(RDR)*

• **Policy LU 2.7.8: Buildings that Engage the Street.** The City shall require buildings to be oriented to and actively engage and complete the public realm through such features as building orientation, build-to and setback lines, façade articulation, ground-floor transparency, and location of parking. *(RDR)*

• **Policy LU 2.7.8: Screening of Off-street Parking.** The City shall reduce the visual prominence of parking within the public realm by requiring most off-street parking to be located behind or within structures or otherwise fully or partially screened from public view. *(RDR/MSPS)*

The project is consistent with the above goal and policies because while increasing the density allowed on the site, the proposed increase is an appropriate transition between the single-family homes to the south and the commercial business to the north. The site design promotes the healthy development of the neighborhood by meeting development standards related to tree shading, parking, solid waste facilities, and Fire Department access. The project is providing senior housing, thereby addressing the needs of all ages and abilities in the neighborhood and is enhancing the area by infilling the site with a more efficient land use. The design and orientation of the building engages with the street as it proposes a street-fronting use that encourages “eyes on the street”. The project reduces visual prominence of parking by locating the off-street parking behind the building.

**South Area Community Plan**

The subject site is located within the South Area Community Plan (Community Plan) area of the General Plan. The General Plan vision for the South Area is for a complete community with safe neighborhoods, distinctive local-gathering places within mixed-use districts and corridors, and strong employment centers.

Within the Community Plan area is the Florin Subregional Center, located west of Franklin Boulevard, north and south of Florin Road. The subject site is located at the southern
boundary of the Subregional Center (see Figure 1, blue dot parcel). The vision for the Subregional Center is a balanced mix of uses that will serve a growing community and the residential areas. A teen center and senior center have been identified as needs for the area. With an existing mix of commercial and retail uses and anticipated development on vacant sites due to the proximity to the Florin Road Light Rail Station, the area is expected to provide easily accessible living, shopping, recreation, and services, especially for seniors and childcare. The proposed 16-unit multi-family building for seniors compliments the vision for the Subregional Center.

**Figure 1: Subregional Center**

**Economic Impacts:** Not applicable.

**Environmental Considerations:** The applicant seeks to construct a 2-story, 16-unit apartment complex on a 0.79-acre parcel east of Luther Drive, approximately 1,000 feet south of Florin Road, APN: 049-0010-106-0000. The project site is vacant. The project includes a request for changes to the general plan and zoning designation.
With one exception, the project proposal meets the requirements for an exemption from the California Environmental Quality Act (CEQA) as infill development described in CEQA Guidelines section 15332. The project satisfies the following requirements:

- The project site is within the city limits, is no more than five acres in size, and is surrounded by urban uses;
- The site has no value as habitat for endangered, rare or threatened species;
- Approval of the project would result in no significant effects relating to traffic, noise, air quality or water quality; and
- The site can be adequately served by all required public utilities and services.

The proposed project, however, is not “…consistent with the applicable general plan designation and all applicable general plan policies as with applicable zoning designation and regulations…” which is also a requirement for the section 15332 categorical exemption.

Environmental review staff have reviewed the project to determine whether it would result in any significant effects or would have cumulative effects that have not been identified and evaluated in the City’s Master EIR. Even though the project requires a general plan amendment for approval, residential uses as anticipated in the current general plan would not change, and the density change that could be allowed by the requested general plan and zoning changes would not affect the analysis and conclusions in the Master EIR. Staff has identified no significant effects that would otherwise result from project approval.

Under these circumstances, environmental staff have considered the application of CEQA Guidelines section 15061(b)(3), which provides that a project is exempt from CEQA review if it can be seen with certainty that the project would have no significant effect on the environment. This exemption is commonly referred to as the “common sense exemption.” The application and supplemental materials have been considered. See Attachment 7, Exhibit A to this staff report for a memorandum that generally covers issue areas of concern in the CEQA process, and which provides substantial evidence that the project would not have a significant effect on the environment.

Based on the substantial evidence in the record, staff has determined that the project would not have a significant effect on the environment, and that the project is exempt from CEQA review pursuant to CEQA Guidelines section 15061(b)(3).

**200-Year Flood Protection**: State Law (SB 5) and Planning and Development Code chapter 17.810 require that the City must make specific findings prior to approving certain entitlements for projects within a flood hazard zone. The purpose is to ensure that new development will have protection from a 200-year flood event or will achieve that protection by 2025. The project
site is within a flood hazard zone and is an area covered by Sacramento Area Flood Control Agency (SAFCA) improvements to the State Plan of Flood Control System, and specific findings related to the level of protection have been incorporated as part of this project. Even though the project site is within a flood hazard zone, the, SAFCA, has made adequate progress on the construction of a flood protection system that will ensure protection from a 200-year flood event or will achieve that protection by 2025. This is based on the SAFCA Urban level of flood protection plan, adequate progress baseline report, and adequate progress toward an urban level of flood protection engineer’s report that were accepted by City Council Resolution No. 2016-0226 on June 21, 2016 and the SAFCA 2018 Adequate Progress Annual Report accepted by City Council Resolution No. 2018-0445 on November 20, 2018.

**Sustainability:** The proposed project supports sustainable growth and change by providing for the needs of existing and future residents and making efficient use of land and infrastructure. The project promotes higher-density development that conserves land resources.

**Commission/Committee Action:** On August 22, 2019, the Planning and Design Commission held a public hearing on the Luther Gardens Apartments project and passed a motion (9 ayes, 2 absent, 1 recused) to forward a recommendation of approval to City Council for all entitlements.

**Rationale for Recommendation:** Staff recommends City Council approval of the requested entitlements based on the findings and subject to the conditions listed in Attachment 7. The proposal complies with the goals and policies of the 2035 General Plan in that project is making efficient use of land by developing housing on a vacant site that will address the housing needs of seniors, further diversifying Sacramento’s housing stock. The project seeks to conserve energy by locating solar panels on the roof, activate Luther Drive by designing and orienting the building toward the street, and providing off-street parking behind the building. Although the project amends the General Plan and requires a rezone, the project meets the multi-unit dwelling development standards in the city code. The project is consistent with the Suburban Neighborhood High Density designation that exists within the surrounding area on parcels greater than half an acre and will provide an appropriate transition between the single-family development to the south and the commercial development to the north. Finally, the project is consistent with all required development standards and findings.

**Financial Considerations:** None.

**Local Business Enterprise (LBE):** No goods or services are being purchased under this report.
Figure 2: Vicinity & Zoning Map

PI9-031
Vicinity & Zoning Map
Luther Gardens Apartments for Seniors

G. Annibale | August 2019
Background Information

The subject site is located east of Luther Drive, approximately 1,000 feet south of Florin Road, southwest of Florin Road and Franklin Boulevard, in the Single-Unit Dwelling (R-1) zone. The site is currently vacant.

In 2017, the applicant proposed a two-story, 24 dwelling unit apartment project (P17-066). The requested entitlements were for a General Plan amendment to Traditional Neighborhood Medium Density and a Rezone to Multi-Unit Dwelling (R-3A) zone. Staff did not support the project because the project as designed was inconsistent with General Plan goals and policies and would not promote the public health, safety, convenience, and welfare. For those reasons, the project was denied by City Council on September 25, 2018.

Subsequently, the applicant has reduced the density of the project and has addressed the critical issues identified by staff, including the General Plan inconsistencies related to density, width of driveways, fire access and circulation, recycling and trash enclosures, and tree shading requirements. City Code Section 17.800.050 does not allow an application to be submitted on the site where a project has been denied for a period of one year, unless the new application is for a substantially different project. Staff determined that the proposed project is substantially different from the 2017 project, thereby allowing the applicant to submit the current application.

The requested entitlements include a General Plan amendment to Suburban Neighborhood High Density, rezone to Multi-Unit Dwelling (R-2B) zone, and Site Plan and Design Review. The project requires a Planning and Design Commission recommendation in order to proceed to the City Council for a hearing.

<table>
<thead>
<tr>
<th>Table 1: Project Information</th>
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<tbody>
<tr>
<td><strong>Existing General Plan Designation:</strong> Suburban Neighborhood Low Density (SNLD) (Density 3-8 du/acre)</td>
</tr>
<tr>
<td><strong>Proposed General Plan Designation:</strong> Suburban Neighborhood High density (SNHD) (Density 15-30 du/acre). The proposed project density is 20.25 dwelling units per acre.</td>
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<tr>
<td><strong>Community Plan Area:</strong> South Area</td>
</tr>
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<td><strong>Design Review District:</strong> Citywide</td>
</tr>
<tr>
<td><strong>Existing Zoning:</strong> Single-Unit Dwelling (R-1)</td>
</tr>
<tr>
<td><strong>Proposed Zoning:</strong> Multi-Unit Dwelling (R-2B), allows up to 21 du/na</td>
</tr>
<tr>
<td><strong>Existing Use:</strong> Vacant</td>
</tr>
<tr>
<td><strong>Proposed Use of Site:</strong> two story, 16-unit apartment building for seniors</td>
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<tr>
<td><strong>Property Area:</strong> 0.79 acres / 34,560 square feet</td>
</tr>
<tr>
<td><strong>Proposed Gross Building Area:</strong> ±19,950 square feet</td>
</tr>
<tr>
<td><strong>Parking District:</strong> Suburban</td>
</tr>
</tbody>
</table>
Surrounding Land Use Context

The project site is surrounded by a variety of residential and commercial uses, including single-family residences to the east, Luther Burbank High School to the west, an auto repair facility to the north, and a mobile home park and single-family residences to the south. There are two other apartment complexes within proximity to the project – Parkview Apartments on Munson Way and the condominiums located at Meadowgate and Mandy Drive (Figure 3: Land Use Map).

Figure 3: Land Use Map
Entitlement Review

In order to develop a 16-unit apartment project, the following entitlements are required: General Plan land use designation amendment, a Rezone, and Site Plan and Design Review. There are no deviations requested.

Amendment to General Plan land use designation: The City’s General Plan categorizes property into specific land use designations based on several characteristics of the existing neighborhood. These land use designations prescribe development intensity standards in terms of density for residential projects and floor area ratio (FAR) for commercial/mixed-use development.

The subject site’s current General Plan land use designation is Suburban Neighborhood Low Density. It is expected that residential projects in this designation would be at 3-8 dwelling units per net acre. The proposed project is 20 du/na, requiring an amendment to the Suburban Neighborhood High Density designation, which allows 15-30 du/na.

In order to approve an amendment to a General Plan land use designation, the City Council must find--

1. The amendment is internally consistent with the goals, policies, and other provisions of the General Plan.

   Staff finds that the proposed development is consistent with the general plan goals and policies in that the project will add to housing choices in the area by providing senior multi-family in-fill housing adjacent to single-family development; promote sustainable development by utilizing existing infrastructure; engage the street with street-fronting development (“eyes on the street”).

2. The amendment promotes the public health, safety, convenience, and welfare of the City.

   The amendment promotes the public health, safety, convenience, and welfare of the city, in that the amendment will allow the proposed development, which: a) is compatible with the surrounding residential land uses and densities; b) provides the necessary infrastructure to fully serve the project; and c) complies with all City development standards, including tree-shading, open space, parking, solid waste, and emergency access.

3. The zoning classification of the subject parcel is consistent with the proposed general plan land use designation.

   The proposed land use designation is consistent with the zoning designation of the site, in that the proposed zoning classification is Multi-
Unit Dwelling (R-2B) zone which allows up to 21 du/na and development of multi-dwelling buildings.

Rezone: The site is currently zoned Single-Unit Dwelling (R-1), the purpose of which is to accommodate low-density residential uses composed of single-unit residences and duplex dwellings on corners. The applicant is proposing to rezone the subject site to Multi Unit Dwelling (R-2B) to allow the development of a 16-unit apartment building. In order to approve a rezone, the City Council must make the following findings:

1. The rezoning is consistent with the applicable general plan designation, use, and development standards; the goals, policies, or other provisions of the general plan; and any applicable specific plan.
2. The amendment promotes the public health, safety, convenience, and welfare of the city.

Staff finds that the project is consistent with the findings of the general plan designation in that the project will provide multi-family housing within an existing vacant site adjacent to single-family residential land uses, thereby diversifying neighborhood housing types and promotion of sustainability by utilizing existing infrastructure. The proposed rezone to the R-2B zone is appropriate paired with the proposed Suburban Neighborhood High Density general plan designation. Both designations allow multi-family development at the proposed density and the project will meet all development standards of the zone.

Project Design

Access, Circulation and Parking

The project is located approximately 1000 feet south of the Florin Road and Luther Drive intersections. There are two curb cuts proposed along Luther Drive to access the site. The entrance is located towards the southwest corner with a one-way driveway that runs along the east, exiting towards the northwest corner of the property.

The project is conditioned to construct curb, gutter, sidewalk, and streetlights (if required) on Luther Drive. There is currently no sidewalk in front of the project site.

The Fire Department has indicated that the project can be adequately accessed without providing maneuvering space through the entire parking lot, and that a truck could pull up into the driveway alongside the building and then back out onto Luther Drive in such a circumstance. The site complies with City Code Section 17.508.050, which requires that commercial driveways have a minimum of 16 feet for one-way traffic entering and exiting the site.

There is an enclosure for trash and recycling that will be located on the north end of the building and will be accessible from the north driveway. It is anticipated that dumpsters will be pushed out to the street by building management to a waiting commercial solid waste vehicle when it is time for them to be emptied.
Parking Analysis - The subject site is located in the Suburban Parking District. The minimum requirement for parking spaces is 1.5 spaces per dwelling unit. The applicant is proposing a 16-unit apartment for seniors. Per 17.608.020 of the City Code, the off-street vehicle and bicycle parking requirement are reduced by 50% for each senior housing unit. The project requires a minimum of 12 parking spaces and there are 24 spaces total, 23 spaces proposed at 60 degrees and one (1) accessible space at 90 degrees. Nine (9) spaces are compact spaces. The site meets parking and maneuvering requirements.

<table>
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<tr>
<th>Standard Type</th>
<th>Requirement</th>
<th>Proposed</th>
<th>Deviation Required?</th>
</tr>
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<tbody>
<tr>
<td>Vehicle Parking</td>
<td>12 spaces</td>
<td>24 spaces</td>
<td>No</td>
</tr>
<tr>
<td>Compact Spaces</td>
<td>Up to 50% allowed</td>
<td>9 spaces</td>
<td>No</td>
</tr>
<tr>
<td>One-way Driveways</td>
<td>Min. 16 feet wide</td>
<td>16 feet</td>
<td>No</td>
</tr>
<tr>
<td>Parking space depth</td>
<td>Minimum 19 feet (standard); 17 feet (compact) (Type 60° angle)</td>
<td>With 2-ft overhang in planter area: 19 feet (standard); 17 feet (compact)</td>
<td>No</td>
</tr>
</tbody>
</table>
**Bicycle Parking** - Bicycle parking for the Suburban parking district is a minimum of 1 space per 2 dwelling units or 2 spaces, whichever is greater, for long-term and 1 space per 20 dwelling units or 2 spaces, whichever is greater, for short-term. As mentioned above, bicycle parking requirement is reduced 50% for senior housing. The proposal requires a minimum of 4 spaces for long-term and 2 spaces for short-term. The site plan shows a double-loaded bicycle rack with 16 spaces and an area generally allocated for long-term bike lockers at the south end of the site; specific locker design and location in this area will be determined in plan check. The applicant would be required to provide the minimum bike parking required by City Code; no deviation is requested.

**Site Plan and Design Review**

The project requires Site Plan and Design Review for site improvements and the construction of the apartment building.

**Building Design and Setbacks** - The building has a modern-contemporary design and will be constructed with fiber cement panels or stucco. The building has a flat roof with open space on the rooftop, space for solar panels, and large floor-to-ceiling windows. The project design complies with the Citywide Multi-Unit Dwelling Design Guidelines (2019) with the building at the street, parking behind the building, with abundant exterior open space.

The building is a two-stories with sixteen (16) units (eight on each floor), each with two bedrooms/one bathroom. There are laundry facilities on the second floor. Each unit will have a balcony or patio area.

The project has been reviewed to confirm compliance with development standards for lot coverage, setbacks and building height, per section 17.208 of the City Code for multi-unit dwellings. Table 3 below outlines the project’s compliance with development standards of the proposed R-2B zone.

<table>
<thead>
<tr>
<th>Standard Type</th>
<th>Requirement</th>
<th>Proposed</th>
<th>Deviation Required?</th>
</tr>
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<tbody>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front (west)</td>
<td>Minimum 10 feet, Maximum 25 feet</td>
<td>±14.5 feet</td>
<td>No</td>
</tr>
<tr>
<td>Interior (south)</td>
<td>Minimum 5 feet</td>
<td>±59 feet</td>
<td>No</td>
</tr>
<tr>
<td>Interior (north)</td>
<td>No Minimum</td>
<td>±52 feet</td>
<td>No</td>
</tr>
<tr>
<td>Rear (east)</td>
<td>Minimum 15 feet</td>
<td>39+ feet</td>
<td>No</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>Maximum 50%</td>
<td>31%</td>
<td>No</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>Maximum 35 feet</td>
<td>±24 feet</td>
<td>No</td>
</tr>
</tbody>
</table>
**Landscape and Open Space** Trees, shrubs, and groundcover will provide landscaping within the front-yard and along the sides and rear of the building. Multi-family dwellings are required to provide open space for residents at the ratio of 100 sqft of common or private open space per unit. There is open space on the north and south ends of the building, where there is space for gardening. There is also possible open space on the building’s roof. Each unit has its own private patio or balcony.

The site will meet the tree shading requirement through a combination of trees and carport structures. There is a carport structure over all parking spaces along the rear property line.

There is a 6-foot high masonry wall proposed around the exterior of the site. The parking lot area is not proposed to be gated. There is a low wall proposed around the private patios along Luther Drive, providing delineation between the public sidewalk and the private patio areas.
RESOLUTION 2019-
Adopted by Sacramento City Council

DATE

AMENDING THE 2035 GENERAL PLAN LAND USE AND URBAN FORM DIAGRAM
FOR APPROXIMATELY 0.79 ACRES FROM SUBURBAN NEIGHBORHOOD LOW
DENSITY TO SUBURBAN NEIGHBORHOOD HIGH DENSITY FOR THE LUTHER
GARDEN APARTMENTS PROJECT, LOCATED ON LUTHER DRIVE (APN: 049-
0010-106-0000) (P19-031)

BACKGROUND

A. On March 3, 2015, Council adopted the 2035 General Plan (Resolution 2015-
0061).

B. On August 22, 2019, the City Planning and Design Commission conducted a public
hearing on, and forwarded to the City Council, a recommendation to approve
with conditions the Luther Garden Apartments project (P19-031), which includes
the proposed amendments to the 2035 General Plan Land Use and Urban Form
Diagram, as set forth in Exhibit A.

C. On ______________, the City Council conducted a public hearing, for which
notice was given pursuant to Sacramento City Code Section 17.812.010 (2)(b).

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

Section 1. The amendment is internally consistent with the goals, policies, and other
provisions of the general plan, as the proposed development is consistent
with the general plan goals and policies in that the project will provide
multi-family in-fill housing adjacent to single-family development; promote
sustainable development by utilizing existing infrastructure; engage the
street with street-fronting development (“eyes on the street”).

Section 2. The amendment promotes the public health, safety, convenience, and
welfare of the city in that: a) The proposed development is compatible with
the surrounding residential land uses and densities; b) provides the
necessary infrastructure to fully serve the project; and c) the development
complies with all City development standards, including tree-shading,
open space, parking, solid waste, and emergency access.
Section 3. The proposed zoning classification of the affected site is Multi-Unit Dwelling (R-2B) zone and is consistent with the proposed general plan land use designation of Suburban Neighborhood High Density (SNHD) because multi-family uses are allowed in this General Plan designation and the project density of 20 du/na is consistent with the maximum density of 30 du/na allowed in the SNHD designation.

Section 4. Based on verbal and documentary evidence received at the hearing, the City Council approves the 2035 General Plan Land Use and Urban Form Diagram Amendment as set forth in Exhibit A.

Section 5. Exhibit A is part of this Resolution.

Table of Contents:

Exhibit A - General Plan Amendment Exhibit – 1 Page

Adopted by the City of Sacramento City Council on _____________, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest:
ORDINANCE NO. 2019 –

Adopted by the Sacramento City Council

DATE

ORDINANCE AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE BY
REZONING ±0.79 ACRES ON LUTHER DRIVE FROM THE SINGLE-UNIT
DWELLING (R-1) ZONE TO THE MULTI-UNIT DWELLING (R-2B) ZONE
APN: 049-0010-106

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

SECTION 1

As used in this ordinance, “Property” means the real property depicted in attached and incorporated Exhibit A (APN: 049-0010-106-0000).

SECTION 2

Title 17 of the Sacramento City Code (“Planning and Development Code”) is hereby amended by rezoning the Property (±0.79 acres) from Single-Unit Dwelling (R-1) to Multi-Unit Dwelling (R-2B) zone, as shown on Exhibit A.

SECTION 3

As required by section 17.808.230.C.1.d of the Planning and Development Code, the City Council finds that the rezoning of the property by this ordinance is consistent with the applicable general plan land use designation, proposed use, and development standards, in that the project complies with the goals and policies of the General Plan and all development standards of the R-2B zone. Furthermore, the project promotes the public health, safety, convenience, and welfare of the City by developing a vacant site with housing at a density that is suitable to facilitate the construction of a multi-family development anticipated for seniors that complies with all City development standards, including tree-shading, open space, parking, solid waste, and emergency access.

SECTION 4

The City Clerk is hereby directed to amend the City’s official zoning maps to conform to this ordinance.

SECTION 5

Exhibit A is a part of this ordinance.

Table of Contents:
Exhibit A: Rezone Map (1 Page)

Adopted by the City of Sacramento City Council on _____________, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest:
RESOLUTION 2019-
Adopted by the Sacramento City Council

DATE

DETERMINING THE LUTHER GARDEN APARTMENTS PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADOPTING FINDINGS OF FACT AND APPROVING THE LUTHER GARDEN APARTMENTS PROJECT, APN: 049-0010-106 (P19-031)

BACKGROUND

A. On August 22, 2019, the Planning and Design Commission conducted a public hearing and forwarded to the City Council, a recommendation to approve Luther Garden Apartments Project (P19-031); and

B. On __________, 2019 the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.010(2)(b) and received and considered evidence concerning the Luther Garden Apartments Project.

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

A. Environmental Determination: Environmental Exemption (Per CEQA Guidelines section 15061(b)(3).

As noted in the CEQA Exemption Memorandum (see attachment 8) staff has determined the project would not have a significant effect on the environment due to the fact the in-fill site is within an urban area served by public services and utilities; would not affect habitat for sensitive or protected species and does not contain any wetlands or vernal pools; would not generate traffic that would negatively impact operation of local streets or highways, and; considered in the Master EIR regarding the proposed residential development land use type. Based on the determination and recommendation of the City’s Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the project, the project is exempt from CEQA review pursuant to CEQA Guidelines section 15061(b)(3).

B. The Site Plan and Design Review to establish a ±19,950 square foot two-story, 16-unit apartment building is approved based on the following Findings of Fact:
1. The design, layout, and physical characteristics of the proposed project are consistent with the general plan and any applicable specific plan or transit village plan, in that it is consistent with the goals and policies of the general plan land use designation of Suburban Neighborhood High Density.

2. The design, layout, and physical characteristics of the proposed project are consistent with the purpose and intent of applicable design guidelines and development standards, in that the proposal is consistent with the Multi-Dwelling Design Guidelines:
   - The orientation of the building addresses the relationship to the street with entries to assure both viable, safe, and attractive sight design.
   - The visual prominence of vehicles is minimized by locating parking to the rear of the building.
   - The façade of the building encourages interaction with the street by including windows and landscaping along the street side of the building.
   - Tenant urban gardens allow for shared open space opportunities among residents.
   - Fencing and gating is integrated into the overall design of the building.

3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the subject site and comply with applicable design guidelines and development standards.

4. The design, layout, and physical characteristics of the proposed project are visually and functionally compatible with the surrounding neighborhood, in that the proposed project provides a transition to the single-unit dwellings located east and south of the site.

5. The design, layout, and physical characteristics of the proposed project ensure energy consumption is minimized and use of renewable energy sources is encouraged, in that the project proposes to conserve energy by locating solar panels on the roof.

6. The design, layout, and physical characteristics of the proposed project is not detrimental to the public health, safety, convenience or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance, in that the design and orientation of the building promotes “eyes on street” and visual prominence of vehicles is minimized by locating parking to the rear of the building.

C. 200-Year Flood Protection Finding Consistent with State Law (SB 5) and
Planning and Development Code Section 17.810:

The project site is within an area for which the local flood management agency has made adequate progress (as defined in California Government Code section 65007) on the construction of a flood protection system that will result in flood protection equal to or greater than the urban level of flood protection in urban areas for property located within a flood hazard zone, intended to be protected by the system, as demonstrated by the Sacramento Area Flood Control Agency Urban level of flood protection plan, adequate progress baseline report, and adequate progress toward an urban level of flood protection engineer’s report accepted by City Council Resolution No. 2016-0226 on June 21, 2016 and the SAFCA 2018 Adequate Progress Annual Report accepted by City Council Resolution No. 2018-0445 on November 20, 2018.

Conditions of Approval

C. The Site Plan and Design Review to establish a ±19,950 square foot two-story, 16-unit apartment building is approved based on the following conditions of approval:

PLANNING

B1. The project shall be constructed per the approved plans and these conditions of approval.

B2. Any modification to the project shall be subject to review and approval by Planning staff (and may require additional entitlements) prior to the issuance of building permits.

B3. Building materials and finishes shall be provided in accordance with the materials and colors shown on the plans. The building shall be constructed of cement panels or stucco (SW 7562 Roman Column color).

B4. The project shall comply with the wall and fence regulations for residential development, pursuant to the Planning and Development Code section 17.620.110. The walls shall be constructed per the approved plans.

B5. The carport shall be constructed per the approved plans and comply with section 17.624.050 of the code.

B6. Provide a minimum of four long-term and two short-term bicycle parking spaces and locate the bicycle parking as shown on the plans and in accordance with Bicycle Parking Facility Requirements 17.608.040 (N). Bicycle rack design shall meet the City Bike Rack Design and Placement Design Standards.

B7. Trash enclosures shall comply with section 17.616.040 of the code. The walls of
the enclosure shall be a minimum of 6 feet in height and be constructed of solid masonry material that matches the color of the main building.

B8. HVAC equipment shall be screened and shall not be visible from any street or pedestrian views.

B9. All signage shall comply with the City Sign Code requirements. All signage is subject to a separate review and approval process through a sign permit.

**Public Works**

B10. The applicant shall repair or replace/reconstruct any existing deteriorated curb and gutter adjacent to the subject property along Luther drive per City standards to the satisfaction of the Department of Public Works.

B11. Dedicate sufficient right-of-way and construct a new 5-foot wide sidewalk along this property’s frontage to the satisfaction of the Department of Public Works. The new sidewalk shall connect to the existing sidewalks on the north and south side of this property with appropriate transitions along this project’s frontage to the satisfaction of the Department of Public Works.

B12. All new and existing driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Public Works. The applicant shall provide a signage and markings package (includes signage and pavement markings) to indicate that the proposed driveways are one way in/out to the satisfaction of the Department of Public Works.

B13. The site plan shall conform to the parking requirements set forth in City Code 17.608.040 regarding stall length, width and required maneuvering area.

B14. The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25’ sight triangle). Walls shall be set back 3’ behind the sight line needed for stopping sight distance to allow sufficient room for pilasters.

B15. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5’ in height at maturity. The area of exclusion shall be determined by the Department of Public Works.

**Utilities (DOU)**

B16. Per City Code Section, 13.04.070, multiple water service to a single lot or parcel may be allowed if approved by DOU Development Review and Operations and Maintenance staff. Any new water services (other than fire) shall be metered. Excess services shall be abandoned to the satisfaction of the DOU. (Note: Tapping
B17. Prior to or concurrent with the submittal of improvement plans, prepare a project specific water study for review and approval by the DOU. The water distribution system shall be designed to satisfy the more critical of the two following conditions: (1) at maximum day peak hour demand, the operating or "residual" pressure at all water service connections shall be at least 30 pounds per square inch, (2) at average maximum day demand plus fire flow, the operating or "residual" pressure in the area of the fire shall not be less than 20 pounds per square inch. The water study shall determine if the existing and proposed water distribution system is adequate to supply fire flow demands for the project. A water supply test may be required for this project. The applicant is advised to contact the City of Sacramento Utilities Department Development Review Section (916-808-1400) at the early planning stages to address any water related requirements.

B18. The proposed development does not front an existing public distribution water main. The property owner/developer shall construct a water main extension in Luther Drive as determined by the DOU. (Note: The water main extension shall be looped and all water lines shall be placed within the asphalt section of the public-right-of-ways as per the City's Design and Procedures Manual.)

B19. Common area landscaping greater than 5,000 square feet shall have a separate street tap for a meter irrigation service.

B20. The applicant shall prepare a project specific drainage study meeting the criteria specified in the current Onsite Design Manual for review and approval by the DOU. Per the current DOU Onsite Design Manual, either a static or dynamic analysis for mitigation sizing and drainage system design may be used. Using the static analysis and per the DOU onsite project storage method, an estimated 7,500 cubic feet of detention must be provided per each additional acre of impervious area with a limited maximum discharge rate of 0.18 cfs/acre or per the latest approved onsite criteria. The applicant is advised to contact the City of Sacramento Utilities Department Development Review Section (916-808-1400) at the early planning stages to address any drainage related requirements. (Note: A maintenance agreement may be required for detention and Low Impact Development (LID) features.)

B21. The onsite water and storm drain systems shall be private systems operated and maintained by the owner or other approved entity.

B22. Finished floor elevations shall be a minimum of 6-inches above the 100-year HGL or 1-foot above the overland flow release elevation, whichever is higher or as approved by the DOU.

B23. Per City Code, the applicant may not develop the project in any way that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses
the property. The project shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the DOU. If private infrastructure is constructed to handle off-site runoff, the applicant shall dedicate the required private easements, and/or, at the discretion of the DOU, the applicant shall enter into and record an Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.

B24. The lot shall be graded so that drainage does not cross property lines or private drainage easements shall be dedicated.

B25. No more than 6,000 square feet is allowed to sheet drain over public sidewalk. If the area is larger than 6,000 square feet, then an on-site surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap. All on-site system shall be designed to the standard specified in the DOU onsite manual.

B26. 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 DOU.

B27. If the project disturbs more than one acre of land, the project will be required to comply with the State’s “Construction General Permit”. To comply with the State Permit, the applicant must file a Notice of Intent (NOI) through the State’s Storm Water Multiple Application and Report Tracking System (SMARTS). A valid WDID number must be obtained and provided to the DOU prior to the issuance of any grading permits.

B28. 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 construction drawings. These plans shall also show the methods to control urban runoff pollution from the project site during construction.

B29. Post construction (permanent), stormwater quality control measures shall be incorporated into the development to minimize the increase of runoff pollution caused by the development of the area. The project is an area not served by an existing regional water quality control facility and/or the project has more than one-acre of new or modified impervious area, therefore, only source control measures is required. Refer to “Stormwater Quality Design Manual for the Sacramento Region (July 2018)” Chapter 4 for appropriate source control measures.

B30. This project is required to incorporate certified full capture trash control devices, please refer to Appendix H in the “Stormwater Quality Design Manual for the Sacramento Region (July 2018)” for more details.
B31. A maintenance agreement is required for the on-site full capture trash control systems. Contact DOU for a list of accepted proprietary devices if considered for full capture trash control. Construction drawings must include all proposed source control and on-site full capture trash control features and devices selected for the site. Refer to the latest edition of the “Stormwater Quality Design Manual for the Sacramento Region” for appropriate measures.

**Police**

**Lighting:**

B32. Exterior lighting shall be white light using LED lamps with full cutoff fixtures to limit glare and light trespass. Color temperature shall be between 2700K and 4100K with a color rendering index of 80 or higher and a light loss factor of .95 or better. When choosing lamps, the applicant shall look for efficiency of 110 lumens per watt or better. All existing exterior fixtures shall be replaced with fixtures that meet this requirement.

B33. Light poles, if applicable, shall be no higher than 16’.

B34. Broken or damaged exterior lighting shall be repaired or replaced within 48 hours of being noted.

B35. Entry drives, drive aisles, parking and bicycle parking shall be illuminated to a maintained minimum of 1.5 foot candles per square foot of parking area at a 6:1 average to minimum ratio.

B36. Exterior walkways, alcoves and passageways shall be illuminated to a maintained minimum of 1/3 foot candles per square foot of surface area at a 6:1 average to minimum ratio.

B37. Exterior lighting distribution and fixtures shall be approved by the Sacramento Police Department CPTED Sergeant (or designee) prior to issuance of a building permit.

B38. Exterior lighting shall be designed in coordination with the landscaping plan to minimize interference between the light standards and required illumination and the landscape trees and required shading.

B39. Exterior lighting shall be shielded or otherwise designed to avoid spill-over illumination to adjacent streets and properties.

**Landscaping:**
B40. All mature landscaping shall follow the two-foot, six-foot rule. All landscaping shall be ground cover, two feet or less and lower tree canopies of mature trees shall be above six feet. This increases natural surveillance, eliminates hiding areas within the landscape, and provides for tenants and users a safer environment.

B41. Tree canopies shall not interfere with or block lighting. This creates shadows and areas of concealment. The landscaping plan shall allow for proper illumination and visibility regarding lighting and surveillance cameras through the maturity of trees and shrubs.

B42. If landscaping for screening is desired, this shall be accomplished by hostile vegetation such as holly.

B43. Pedestrian paths shall be a minimum of 6' wide.

Security:

B44. Fences shall be of decorative tubular steel, no climb type and a minimum of 6’ in height.

B45. All dumpsters shall be kept locked or in locked enclosures.

B46. Exterior trash receptacles shall be of a design to prevent unauthorized removal of articles from the trash bin.

B47. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the applicant shall be removed or painted over with matching paint within 72 hours of being applied.

B48. Property management shall be responsible for the daily removal of all litter from the site.

D49. Applicant shall install a “Knox Box” for police access to the exterior areas of the property after hours.

B50. Applicant shall install a “Knox Box” for police access to common areas on the premises, including, but not limited to the main entrance lobby.

B51. If common areas on the premises are accessible via electronic keypad, property management shall ensure law enforcement is updated with the current access code by contacting the Sacramento Police Department’s communications center at (916) 264-5471.

During Construction:
B52. The applicant shall enclose the entire perimeter of the project with a chain link fence with necessary construction gates to be locked after normal construction hours.

B53. The location shall be monitored by security after normal construction hours during all phases of construction.

B54. Adequate security lighting shall be provided to illuminate vulnerable equipment and materials. Lighting shall be white light with full cut off fixtures.

Fire

B55. 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 501.4

B56. The furthest projection of the exterior wall of a building shall be accessible from within 150 ft of an approved Fire Department access road (minimum 20' wide) and approved water supply as measured by an unobstructed route around the exterior of the building. (CFC 503.1.1, 507.5.1)

B57. Roads used for Fire Department access shall have an unobstructed width of not less than 20’ and unobstructed vertical clearance of 13’6” or more. CFC 503.2.1

B58. Roads used for Fire Department access that are less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; roads less than 36 feet in width shall be marked on one side.

B59. All turning radii for fire access shall be designed as 35’ inside and 55’ outside. CFC 503.2.4

B60. Fire Apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. CFC 503.2.3

B61. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 507.4

B62. Provide the required fire hydrants in accordance with CFC 507 and Appendix C, Section C102.

B63. Appendix C, Table C102.1 has been amended by the City of Sacramento so that the required number of hydrants is based on the required GPM of Table B105.1 before any allowed fire sprinkler reduction with modified spacing distances between hydrants.
B64. Provide appropriate Knox access for site. CFC Section 506

B65. An automatic fire sprinkler system shall be installed in any portion of a building when the floor area of the building exceeds 3,599 square feet or a change of use or occupancy that creates a greater fire or life safety hazard, and the floor area of that portion of the building, which is changed exceeds 3,599 square feet in area. CFC Fire Code Amendments 903.2 (2&4)

B66. Locate and identify Fire Department Connections (FDCs) on address side of building no further than 50 feet and no closer than 15 feet from a fire hydrant and not more than 30 feet from a paved roadway.

B67. An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. The room shall contain all system control valves, fire alarm control panels and other fire equipment required by the Fire Code Official. Fire Control rooms shall be located within the building at a location approved by the Fire Code Official and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room. Fire Control rooms shall not be less than 50 square feet for rooms without a fire pump and 200 square feet when a fire pump is present. CFC Amendments 901.4.7

Parks

B68. **Maintenance District**: The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), annex the project into an existing parks maintenance district, form an endowment, or other means of mitigating the impact of the project on the park system to the satisfaction of the City Attorney’s Office. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district. (Contact Public Improvement Financing, Special Districts). In assessment districts, the cost of neighborhood park maintenance is equitably spread on the basis of special benefit. In special tax districts, the cost of neighborhood park maintenance is spread based upon the hearing report, which specifies the tax rate and method of apportionment.

Regional Sanitation

B69. Developing this property will require the payment of Regional San sewer impact fees (connection fees). Regional San sewer impact fees shall be paid prior to the issuance of building permits. For questions pertaining to Regional San sewer impact fees, please contact the Sewer Fee Quote Desk at (916) 876-6100. *This project may be eligible for the Age-Restricted Residential Development fees and rates if it meets age-restriction requirements and qualifies for residential sewer rates.
SASD

B70. The Sacramento Area Sewer District (SASD) is responsible for providing local sewer service to the proposed project site via their local sanitary sewer collection system. Regional San is responsible for the conveyance of wastewater from the SASD collection system to the Sacramento Regional Wastewater Treatment Plant (SRWTP). SASD will respond via separate correspondence.

SMUD

B71. SMUD has existing underground 12kV facilities on west of the project side along Luther Dr and North of the parcel will need to remain. The Applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No. 128 safety clearances during construction and upon building completion. If the required clearances cannot be maintained, the Applicant shall be responsible for the cost of relocation.

B72. Any necessary future SMUD facilities located on the Applicant's property shall require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the Applicant’s property.

B73. In the event the Applicant requires the relocation or removal of existing SMUD facilities on or adjacent to the subject property, the Applicant shall coordinate with SMUD. The Applicant shall be responsible for the cost of relocation or removal.

B74. SMUD reserves the right to use any portion of its easements on or adjacent to the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs.

B75. The Applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The Applicant shall verify specific clearance requirements for other utilities (e.g., Gas, Telephone, etc.).

B76. In the event the City requires an Irrevocable Offer of Dedication (IOD) for future roadway improvements, the Applicant shall dedicate a 12.5-foot public utility easement (PUE) for overhead and/or underground facilities and appurtenances adjacent to the City’s IOD.

B77. The Applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service
conductor). Information regarding SMUD siting requirements can be found at: https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services

B78. The Applicant shall dedicate a 12.5-foot public utility easement for overhead and/or underground facilities and appurtenances adjacent to all public street rights-of-ways.

B79. The Applicant shall dedicate and provide all-weather vehicular access for service vehicles that are up to 26,000 pounds. At a minimum: (a) the drivable surface shall be 20-feet wide; and (b) all SMUD underground equipment and appurtenances shall be within 15-feet from the drivable surface.

Advisory Notes

Utilities (DOU)

ADV1. The proposed development is located within the Sacramento Area Sewer District (SASD). Satisfy all SASD requirements.

ADV2. Water meters shall be located at the point of service, which is back of curb for separated sidewalks or back of walk for connected sidewalks.

ADV3. The proposed project is located in a Zone X on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs). Accordingly, the project site lies in an area with no requirements to elevate or flood proof.

Police

ADV4. City of Sacramento permits must be obtained for private patrol, alarms, and camera systems.

Parks

ADV5. As per City Code, the applicant will be responsible to meet his/her obligations regarding:

   a. Title 18, 18.56 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at $33,915. This project proposes a residential development totaling 19,950 square feet. The PIF due on
this project is based on the Housing Incentive Zone Rate of $1.70 per square foot for residential projects, with a minimum rate of $1,274 for units under 750 square feet and a maximum of $3,397 for units over 2,000 square feet. The fee is calculated using factors at the time that the project is submitted for building permit.

b. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

Regional Sanitation

AV6. The Sacramento Area Sewer District (SASD) is responsible for providing local sewer service to the proposed project site via their local sanitary sewer collection system. Regional San is responsible for the conveyance of wastewater from the SASD collection system to the Sacramento Regional Wastewater Treatment Plant (SRWTP). SASD will respond via separate correspondence.

SASD

AV7. The Sacramento Area Sewer District (SASD) is responsible for providing local sewer service to the proposed project site via their local sanitary sewer collection system. Regional San is responsible for the conveyance of wastewater from the SASD collection system to the Sacramento Regional Wastewater Treatment Plant (SRWTP). SASD will respond via separate correspondence.

Table of Contents:
Exhibit A: CEQA Memorandum
Exhibit B: Project Plans

Adopted by the City of Sacramento City Council on ____________, by the following vote:

Ayes:

Noes:

Abstain:

Absent:
Attest:
Luther Gardens Apartments for Seniors
Memorandum to Support CEQA Exemption
California Environmental Quality Act
Section 15061(b)(3)
July 22, 2019
Environmental Planning Services
File P19-031
300 Richards Boulevard
Sacramento, CA 95811

This Memorandum has been prepared to provide substantial evidence for the Environmental Planning Services conclusion that it can be seen with certainty that the proposed project would not have a significant effect on the environment. CEQA Guidelines section 15061(b)(3).

Project Location: 7200 block of Luther Drive, Sacramento CA 95822 (APN 049-0010-106-0000)

Project Description: The proposed requests an amendment to the 2035 General Plan land use designation for the project site from Suburban Neighborhood Low Density (SNLD) to Suburban Neighborhood High Density (SNHD), rezone the project site from R-1 to R-2B, and site plan and design review, for the construction and operation of a two-story, 16-unit apartment building.

Land Use

The proposed project consists of development of a vacant parcel with an apartment building. The project would include infrastructure associated with the proposed use. While the project requires amendments to the general plan and zoning, residential use is generally consistent with the uses in the vicinity of the project and was generally contemplated as part of the Master EIR prepared in conjunction with the 2035 General Plan. The proposed project would not divide an established community.

The project site is surrounded by urban uses, and is served by all public services and utilities.
Aesthetics

The project would not affect any views of rivers or downtown Sacramento. Lighting at the site would be directed downward and would avoid light spill or glare onto adjoining parcels.

The building design would be reviewed as part of the Site Plan and Design Review (SPDR) as required by City Code. The proposed building height is consistent with the adjacent 2-story homes. The project would not have a substantial adverse effect on aesthetics.

Air Quality

The project is on a 0.79-acre site. Construction activities would be subject to rules of the Sacramento Metropolitan Air Quality Management District (SMAQMD). The proposed 16-unit unit project is well below the operational screening criteria established by the SMAQMD for air emissions evaluated. There would be no impacts related to air quality.

Biological Resources

The project site is located in an urban area, and supports ruderal vegetation. The site is not located within a habitat conservation plan area, and development would not affect habitat for sensitive or protected species. There are no wetlands or vernal pools on the project site.

Cultural Resources

The project site is vacant and surrounded by development in the southern part of the City. The project site is not in an area identified as sensitive for cultural resources.

Energy

The proposed project would be served by existing utility providers for electricity and natural gas. Structures would be designed and constructed in compliance with current building and energy codes. Neither construction nor operation of the project would result in wasteful use of energy.

Geology and Soils

The building would meet current building code requirements for seismic reinforcement and lateral design. The soil is a clay that would be able to support the weight of the building. The building footings and slab would be designed to sustain minimum soil
bearing pressure as required by code. There is no indication of soil subsidence, erosion or soil unacceptability.

Hazards
There is no indication that the soil has been polluted requiring a cleanup, that there were underground storage tanks, Department of Defense uses, that the project site was used to dispose of hazardous materials or any other like kind of a situation that could affect water quality (Geotracker - California Water Quality Control Board Data Management System). The project site has not been identified by the California Department of Toxic Substances Control's Data Management System for tracking, cleanup, permitting, enforcement and investigation of hazardous wastes. The site is not listed in the Hazardous Waste and Substantive Sites Cortese List. The proposed use is residential and would result in small amounts of hazardous materials on site, but not in excess of such materials found and used in residential properties throughout the City.

Hydrology, Water Quality, Utilities
As part of the building permitting and plan checking process, construction documents and utility connections and infrastructure requirements would be reviewed and approved by the City of Sacramento Building Department. The proposed use is generally consistent with the general plan and zoning uses that have been considered in the Master EIR—the requested amendments would not substantially change the projections that were used in the planning process.

Noise
The proposed use would not be a substantial noise generating use. Construction noise would be temporary and subject to conditions in the City’s noise ordinance relating to hours of work.

Public Services
The project site is served by public utilities on Luther Drive. Public transportation services including the Regional Transit light rail station are located approximately one-half mile from the site and several bus lines on Florin Road operate near the site.

Recreation
The project would result in use of recreational facilities by residents. The planning documents for the site have anticipated residential use and the proposed changes in the general plan and zoning would not result in substantially higher demand. The project would not create the need for new park facilities. The project would pay fees that
support the City's recreational facilities. The projects tenant urban gardens would also serve for recreational activities.

Transportation

The proposed project would include parking for bicycles. Normal construction traffic would occur during construction of the project and would not substantially affect local transportation facilities. Traffic generated by operation of the proposed 16-unit apartment building would not generate sufficient trips to affect the operation of local streets or highways.

Dated: July 22, 2019

By: 

Tom Buford, Manager, Environmental Planning Services
HOUSES NEXT TO THE SUBJECT SITE
ACROSS THE STREET FROM THE SUBJECT SITE
AUTOBODIES REPAIR SHOP ON THE OTHER SIDE OF THE SUBJECT SITE