RESOLUTION NO. 2019-0348

Adopted by the Sacramento City Council

September 3, 2019

Adopting Finding of Fact and Approving the Fairgrounds Subdivision Project (P18-048)

BACKGROUND

- A. On July 25, 2019, the City Planning and Design Commission conducted a public hearing on and forwarded to the City Council a recommendation to approve the Fairgrounds Subdivision Project.
- B. On September 3, 2019, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Section 17.812.010 (2)(b), the City Council conducted a public hearing on the Project.

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

- Section 1. Based on the verbal and documentary evidence received at the hearing on the Fairgrounds Subdivision Project (Project), the City Council approves the Project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.
- Section 2. The City Council approves the Project entitlements based on the following findings of fact:
- **A. Tentative Subdivision Map** to subdivide to subdivide 8.68 gross acres into 68 parcels in the Single-Unit or Duplex Dwelling (R-1A) zone is **approved** based on the following findings:
 - 1. None of the conditions described in Government Code section 66474 exist with respect to the proposed subdivision as follows:
 - a. The proposed map is consistent with the General Plan, all applicable community and specific plans, Title 16 of the City Code, and all other applicable provisions of the City Code;
 - b. The design and improvement of the proposed subdivision is consistent with the General Plan, all applicable community and specific plans, Title 16 of the City Code, and all other applicable provisions of the City Code;
 - c. The site is physically suitable for the type of development;

- d. The site is physically suitable for the proposed density of development;
- e. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- f. The design of the subdivision and the type of improvements are not likely to cause serious public health problems.
- g. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
- 2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, all applicable community and specific plans, Title 16 of the City Code, and all other applicable provisions of the City Code (Gov. Code §66473.5).
- 3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. Code §66474.6).
- 4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1).
- 5. The City has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).
- **B.** Tree Permit to remove seven protected trees is approved based on the following findings of fact:
 - 1. Reasons for Removal: There is a need for the proposed work in order to develop the property.
 - 2. Reasons for Replacement Requirement: The replacement plan is consistent with the standards set forth in section 12.56.060 of the Tree Planting, Maintenance and Conservation Ordinance.

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

1. 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 SAFCA 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.

D. Government Code section 65863 (No Net Loss) Findings

As required by Government Code section 65863:

- 1. The proposed reduction in density is consistent with the general plan, including the housing element, and the remaining sites identified in the housing element are adequate to accommodate the City's share of the regional housing need.
- 2. The 2013-2021 Housing Element identified a total of 685 vacant acres to accommodate housing, in which 468 acres were identified for lower income housing. The 8.6-acre project contains approximately 1.6 acres that are identified as lower income housing in the Housing Element. Rezoning the project would take away 1.6 acres from the 468 acres identified for lower income, leaving a remainder of ±466 acres. The remaining 466 acres is adequate to meet the City's regional housing need for lower income housing.

Conditions of Approval

A. Tentative Subdivision Map to subdivide to subdivide 8.68 gross acres into 68 parcels in the Single-Unit or Duplex Dwelling (R-1A) zone is **approved** based on the following conditions:

GENERAL

A1. Pay off existing assessments or file the necessary segregation requests and fees to segregate existing assessments.

- A2. Pursuant to City Code Section 17.500.190, indicate easements on the Final Map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the Department of Public Works after consultation with the U.S. Postal Service.
- A3. Show all continuing and proposed/required easements on the Final Map.

PLANNING

A4. The applicant agrees to construct a minimum 5-foot wide sidewalk from the Fairgrounds Drive sidewalk through the property addressed as 702 Fairgrounds Drive (APN: 011-0200-025-0000) that connects to the City's Greenfair Park (APN: 011-0200-026-0000). The applicant also agrees to remove a portion of the existing wrought-iron fencing to allow for public access. The applicant agrees to dedicate this pedestrian path to the City of Sacramento as a public pedestrian easement. The existing Greenfair Homeowner's Association and subsequent landowner(s) shall maintain said easement in perpetuity.

PUBLIC WORKS

- A5. Submit a Geotechnical Analysis prepared by a registered engineer to be used in street design. The analysis shall identify and recommend solutions for groundwater related problems, which may occur within both the subdivision lots and public right-of-way. Construct appropriate facilities to alleviate those problems. As a result of the analysis street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater conditions.
- A6. Construct standard subdivision improvements as noted in these conditions pursuant to section 17.504.050 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Public Works. Improvements required shall be determined by the city. The City shall determine improvements required for each phase prior to recordation of each phase. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk adjacent to the subject property per City standards to the satisfaction of the Department of Public Works.
- A7. At its discretion, the City may require the inclusion of traffic calming devices along residential streets, to be constructed as part of the public improvements. These devices may include, but are not limited to, traffic circles, speed bumps, additional 4-way intersections, etc. Speed bumps will be required on certain

- streets adjacent to school/park combinations, as determined by the Department of Public Works.
- A8. Dedicate and construct Fairgrounds Drive adjacent to the subject property as a 53-ft right-of-way street cross-section (half-street only) per City standards to the satisfaction of the Department of Public Works.
 - Note: This condition only applies to segments of Fairgrounds Drive without existing sidewalks.
- A9. Dedicate and construct all new proposed roadways as a 53-ft local residential street section per City standards to the satisfaction of the Department of Public Works.
- A10. All proposed cul-de-sacs shall be dedicated and constructed per City standards to the satisfaction of the Department of Public Works.
- A11. Construct A.D.A. compliant ramps at all corners of the following intersections:
 - a. Fairgrounds Drive at Round Rock Drive (West);
 - b. Fairground Drive at Spanish Fork Drive;
 - c. Fairgrounds Drive at Beth Page Drive;
 - d. Fairgrounds Drive at Round Rock Drive (East);
 - e. Spanish Fork Drive at Round Rock Drive; and
 - f. Beth Page Drive at Round Rock Drive.
- A12. All right-of-way and street improvement transitions that result from changing the right-of-way of any street shall be located, designed and constructed to the satisfaction of the Department of Public Works. The center lines of such streets shall be aligned.
- A13. The applicant shall pay the amount of \$25,000.00 as fair share contribution towards the traffic signal upgrade work at the intersection of Broadway and 56th Street which shall include the installation of a video-based vehicle detection system and traffic signal controller.
- A14. The applicant shall install a rectangular rapid flashing beacon (RRFB) along Broadway at the intersection of Broadway and 53rd Street per City standards to the satisfaction of the Department of Public Works.
- A15. The applicant shall provide a signing and striping improvement plan if new signage or striping is proposed; or if existing signing and/or striping is removed or

- relocated. The plans shall be to the satisfaction of the Department of Public Works.
- A16. The centerline of Spanish Fork Drive and Beth Page Drive as shown on the tentative map shall align with the centerline of Apprentice Court and Conquest Court respectively per City standards to the satisfaction of the Department of Public Works.
- A17. The applicant shall install permanent street signs per City standards to the satisfaction of the Department of Public Works.
- A18. The applicant shall pay for the cost of the future relocation of the existing speed bump along Fairgrounds Drive south of Round Rock Drive adjacent to the subject property.
- A19. The applicant shall install the missing sidewalk along the east side of Fairgrounds Drive (East) between the subject property and the Broadway/Fairgrounds Drive/56th Street intersection per City standards to the satisfaction of the Department of Public Works.
- A20. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Department of Public Works.

ELECTRICAL (PUBLIC WORKS)

A21. This application requires streetlights on all public streets within the project area. The number and locations of these lights will be determined when development plans are submitted for review.

SMUD

A22. SMUD has existing underground 21kV facilities along Fairgrounds dr. to the north and west of the Project site. There is also existing underground 21kv facilities and transformers dispersed throughout the project site that 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.
- A23. 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.
- A24. 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.
- A25. 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.
- A26. 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.
- A27. The Applicant shall locate, verify, and provide a drawing to SMUD identifying all electrical utility infrastructure for the existing structures. If necessary, any existing onsite electrical infrastructure that serves existing structures shall be relocated to the satisfaction of SMUD.
- A28. 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.

SASD - None

SRCSD - None

DOU

- A29. All existing easements and all existing right-of-ways shall be shown on the Final Map, except for all abandoned easements and right-of-ways.
- A30. Dedicate all necessary easements, IOD easements right-of-way, fee title property, or IOD in fee title property on the final map as required to implement the approved drainage, water and sewer studies.

- A31. Properly abandon any existing water, sanitary sewer, drainage mains, and associated easements on the subject property to the satisfaction of the DOU.
- A32. 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 Water Planning Section (916-808-1400) at the early planning stages to address any water related requirements.
- A33. Two points of service for the public water distribution system for this subdivision or any phase of this subdivision are required. All water lines shall be placed within the asphalt section of public right-of-ways as per the City's Design and Procedures Manual.
- A34. Construct new water, sewer, and drainage facilities per the approved water, sewer, and drainage studies within the proposed streets to the satisfaction of the DOU. (Note: No public mains are allowed within private streets.)
- A35. Projects that generates 25 ESD's or more will require a sanitary sewer Plan Study as described in Section 9 of the City Design and Procedures Manual. This study and shed map shall be approved by the DOU. The applicant is advised to contact the City of Sacramento Utilities Department Sewer Planning Section (916-808-1400) at the early planning stages to address any sewer related requirements.
- A36. The development of this site must comply with the current drainage design standards. To meet this requirement 7,300 cubic feet of detention must be provided per each additional acre of impervious area. The maximum discharge rate must be limited to 0.19 cfs/acre. The required detention volume can be partially or fully mitigated by implementing Low Impact Development (LID) features such as Stormwater planters and porous pavement, provided these features conform to the DOU's Hydromodification Management Plan (HMP) requirements. Designer shall utilize the latest edition of the Sacramento Area Hydrology Model (SAHM) when using LID features. The applicant is advised to

- contact the City of Sacramento Utilities Department Drainage Planning 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.)
- A37. Finished floor elevations shall be a minimum of 1-foot above the 100-year HGL or 1.5–feet above the overland flow release elevation, whichever is higher or as approved by the DOU.
- A38. 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.
- A39. All lots shall be graded so that drainage does not cross property lines or private drainage easements shall be dedicated.
- A40. 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.
- A41. This project will disturb more than one acre of land; therefore, the project is 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.
- A42. 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.
- A43. The project is under 20-acres, therefore only source control measures are required. Improvement plans must include the source controls measures selected for the site. Refer to "Stormwater Quality Design Manual for the

Sacramento and South Placer Regions (May 2007)" Chapter 4 for appropriate source control measures.

FIRE

A44. Provide the required fire hydrants in accordance with CFC 507 and Appendix C, Section C102. (design appears to be adequate)

Note: 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 hydrant.

PARKS AND RECREATION

- A45. Payment of In-lieu Park Fee: Pursuant to Sacramento City Code Chapter 17.512 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§17.512.030 and 17.512.040 equal to the value of land prescribed for dedication under 17.512.020 and not satisfied by dedication. (See Advisory Note)
- A46. 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 Project Manager. In assessment districts, the cost of neighborhood park maintenance is equitably spread on the basis of special benefit. In special tax districts, the cost of neighborhood park maintenance is spread based upon the hearing report, which specifies the tax rate and method of apportionment.)

ADVISORY NOTES:

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

ADV1. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before

construction resumes. A note shall be placed on the final improvement plans referencing this condition.

- ADV2. House plans shall comply with City Code Chapter 17.508 Driveways which includes:
 - a) 17.508.040.J All driveways shall be at least 5-ft away from the property line.
 - b) 17.508.050.A Residential driveways shall have a width of at least 10ft and a depth of at least 20-ft measured from the right-of-way line.
- ADV3. 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.
- ADV4. Common area landscaping shall have a separate street tap for a metered irrigation service.
- ADV5. This project is served by the Combined Sewer System (CSS). Therefore, the developer/property owner will be required to pay the Combined Sewer System Development Fee prior to the issuance of building permit. The fee will be used for improvements to the CSS. The applicant is recommended to contact the Department of Utilities Development Services at 916-808-1400 for a CSS fee estimate.
- ADV6. The onsite water, sewer and storm drain systems shall be private systems maintained by the owner, association or other approved entity.
- ADV7. The applicant is encouraged to implement Low Impact Development (LID) strategy for the site design and utilize LID practices (i.e. stormwater planters) for stormwater treatment. The applicant can obtain LID runoff reduction credits following the guidance in the Stormwater Quality Design Manual. LID runoff reduction will reduce the required treatment volume which could potentially reduce the surface area requirements for the stormwater treatment measures. A private maintenance agreement may be required. Contact City of Sacramento Utilities Department Stormwater Program (808-1449) if you have additional questions.
- ADV8. 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.

- ADV9. 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.
- ADV10. 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.
- ADV11. The City of Sacramento (City) 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 City collection system to the Sacramento Regional Wastewater Treatment Plant (SRWTP).
- ADV12. Structural setbacks less than 14-feet shall require the Applicant to conduct a pre- engineering meeting with all utilities to ensure property clearances are maintained.
- ADV13. 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.).
- ADV14. The Applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction- Services
- ADV15. 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
- ADV16. Dead ends exceeding 150 feet in length require an approved Fire Department turnaround (45' radius cul-de-sac or city standard hammerhead). CFC 503.2.5 (design appears to be adequate)

- ADV17. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 507.4
- ADV18. Per the most recently adopted California Residential Code, all new residential construction including 1 and 2 family dwellings and townhouses shall be provided with an approved NFPA 13 D sprinkler system.
- ADV19. As per City Code, the applicant will be responsible to meet his/her obligations regarding:
 - a) Title 17, 17.512 Park Dedication / In Lieu (Quimby) Fees, due prior to recordation of the final map. The Quimby fee due for this project is estimated at \$120,156. This is based on the creation of 68 new lots, each capable of development with up to 1 single-family residential unit at an average land value of \$155,000 per acre for the Fruitridge Broadway Community Plan Area, plus an additional 20% for off-site park infrastructure improvements. Any change in these factors will change the amount of the Quimby fee due. The final fee is calculated using factors at the time of payment.
 - b) Title 18, 18.56 Park Development Impact Fee (PIF), due at the time of issuance of building permit. City Council recently adopted changes to the PIF effective on 4/15/17. The new PIF due for this project is based on \$2.64 per residential square foot with a minimum rate of \$1,980 for units under 750 square feet and a maximum rate of \$5,278 for units over 2000 square feet. Once the applicant has decided on the residential unit sizes, a more accurate estimate can be provided on the PIF for residential square footage costs. The fee is calculated using factors at the time that the project is submitted for building permit.
 - c) Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.
- **B.** Tree Permit to remove seven protected trees is approved based on the following conditions:
 - B1. The applicant shall pay an in-lieu fee of \$38,675.00 to the Tree Planting and Replacement Fund upon receipt of the invoice.
 - B2. The applicant shall provide for the replanting of 68 15-gallon trees, one per parcel to the satisfaction of Urban Forestry.

B3. The applicant shall retain all trees permitted for removal until after all fees associated with the application for a building permit have been paid.

Table of Contents:

Exhibit A – Tentative Subdivision Map and accompanying plans

Adopted by the City of Sacramento City Council on September 3, 2019, by the following vote:

Ayes: Members Ashby, Carr, Guerra, Hansen, Harris, Jennings, Schenirer and Warren

Noes: None

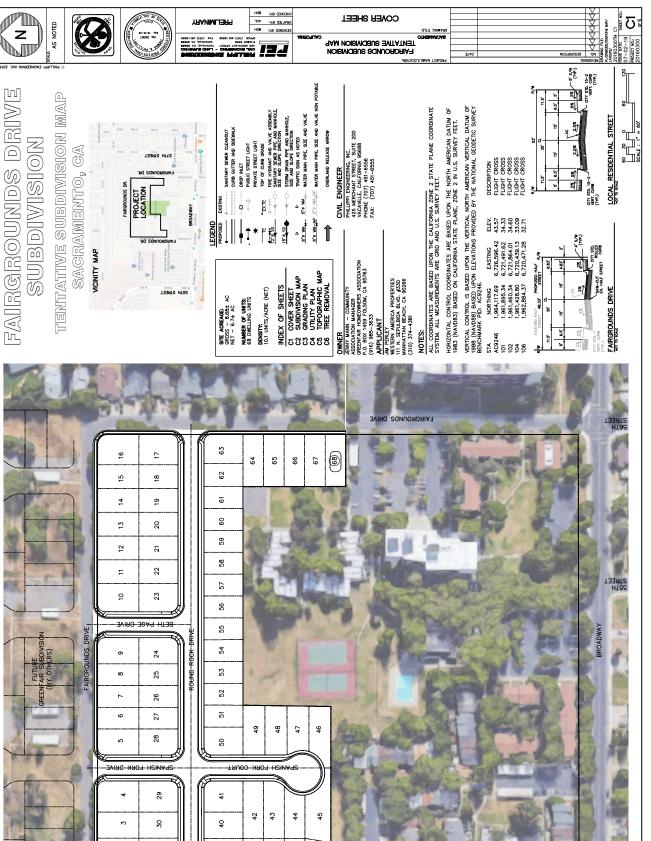
Abstain: None

Absent: Mayor Steinberg

Mindy Cuppy Digitally signed by Mindy Cuppy Date: 2019.09.05 16:09:16 -07'00' Attest:

Mindy Cuppy, City Clerk

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.



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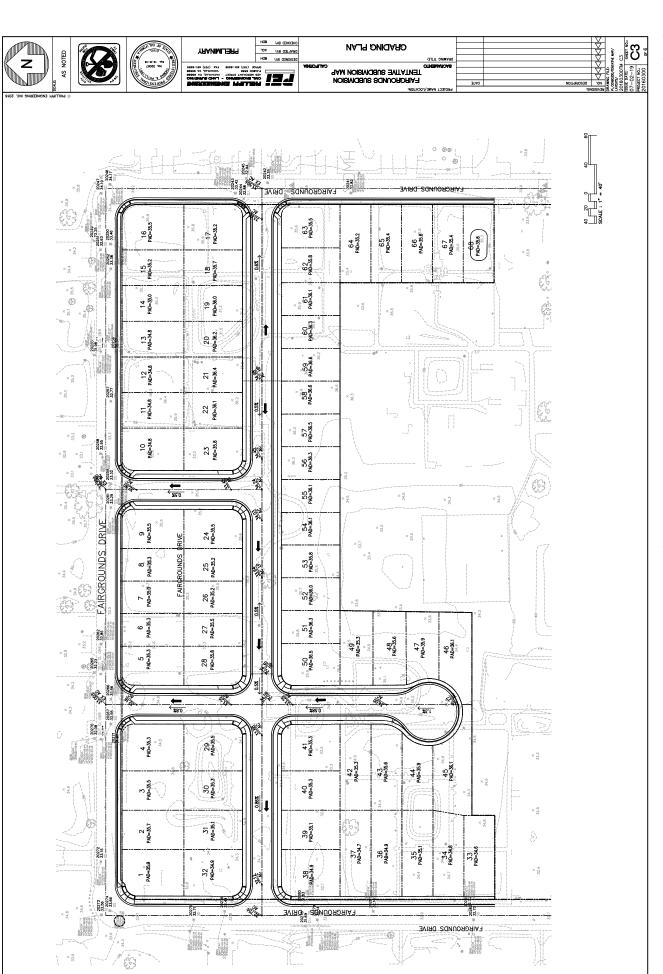
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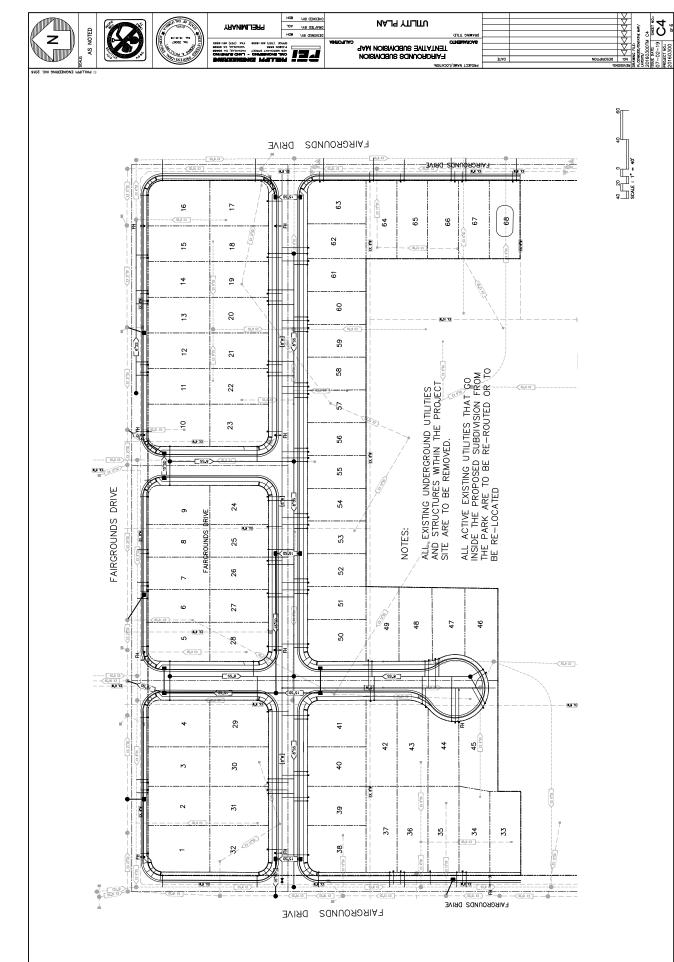
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