



REPORT TO PLANNING COMMISSION City of Sacramento

915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
August 24, 2006

To: Honorable Members of the Planning Commission

Subject: Biscos Estates (P05-056)

Request to subdivide a 5.0± acre parcel into 18 single-family lots in the Standard Single-Family (R-1) Zone.

- A. Environmental Determination: Categorical Exemption pursuant to CEQA Section 15332 (Infill Development Projects);
- B. Inclusionary Housing Plan;
- C. Tentative Map to subdivide 5.0± acres into 18 single-family lots in the Standard Single-Family (R-1) Zone; and
- D. Subdivision Modifications to create substandard interior and corner lots in the Standard Single-Family (R-1) Zone.

Location/Council District:

475 Main Ave., Sacramento, CA 95838

Assessor's Parcel Number 226-0230-003

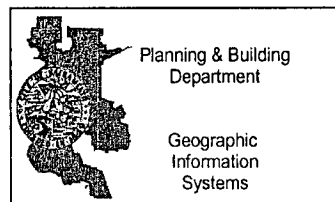
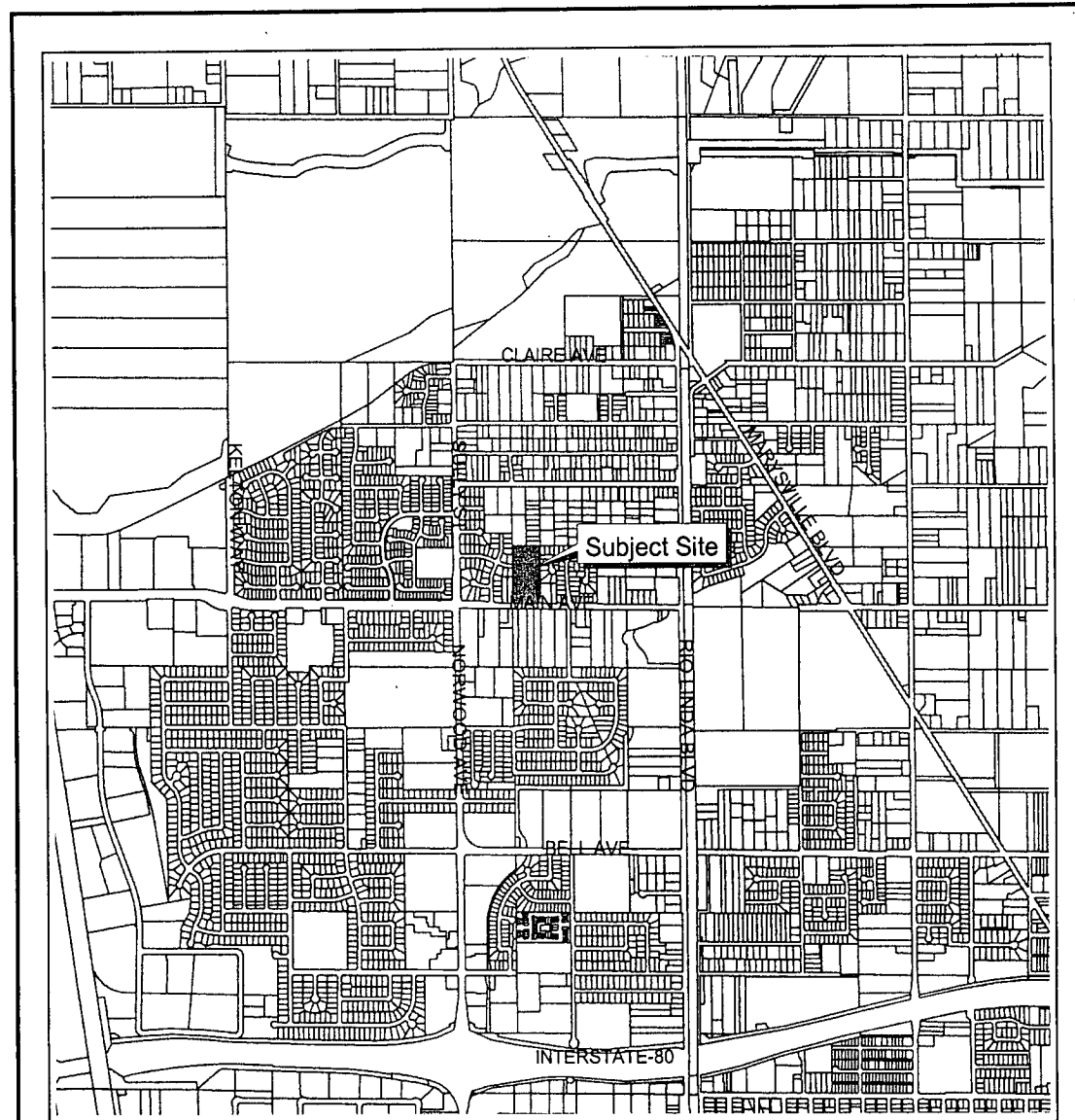
Council District 2.

Recommendation: Staff recommends the Commission approve the request based on the findings and subject to the conditions listed in Attachment 1. The Commission has final approval authority over items A-D above, and its decision is appealable to the City Council. At the time this report was prepared, there were no outstanding issues involving the proposal.

Staff Planner: Steve Kowalski, Associate Planner, (916) 808-4752

Applicant: JTS Engineering Consultants [contact: Javed T. Siddiqui, (916) 441-6708]
1808 J Street, Sacramento, CA 95814

Owner: Traijan and Alexandrina Biscos, (916) 505-2575
2300 Garfield Avenue, Carmichael, CA 95608



Vicinity Map
Biscos Estates
P05-056

0 2000 Feet



Summary

The applicant proposes to subdivide a 5.0± acre parcel into 18 lots in the Standard Single-Family (R-1) Zone. There are two existing houses on the property that will remain on their own lots, while 16 new single-family lots will also be created as part of the subdivision. Pacific Gas & Electric Co. (PG&E) has overhead power lines traversing the entire property diagonally from the southeast corner to the northwest corner, therefore the lots have had to be configured so as not to encroach into PG&E's easement. This has resulted in a number of the lots being substandard in either width, depth, or total area. The applicant will also build a number of new public streets that will connect with existing stubs adjacent to the site at the ends of Sextant Way to the west, Regis Drive to the east and 5th Street to the north. The PG&E towers on the site will be incorporated into a traffic circle where the three new through streets intersect. A fourth right-of-way will be developed (labeled on the Tentative Map as "Biscos Way") off of 5th Street which will terminate as a stub at the western property line, allowing for additional future connectivity to the west.

The property is located in the Expanded North Area Design Review District, therefore the final house plans will be subject to review and approval by the City's Design Review staff. The proposal is consistent with the North Sacramento Community Plan and the General Plan land use designation for the site, and staff is recommending approval of the project subject to the attached conditions.

Table 1: Project Information

General Plan designation: Low Density Residential (4-15 dwelling units per net acre)

North Sacramento Community Plan designation: Residential 7-15 dwelling units per net acre

Existing zoning of site: Standard Single Family (R-1)

Existing use of site: mostly vacant with two existing single-family dwelling, PG&E transmission line towers are also located on site

Property area: 5.0± gross acres; 2.95± net acres

Background Information

There is no record of prior planning applications affecting this property.

Public/Neighborhood Outreach and Comments

As part of the application review process, staff routed the proposal to the Robla Park Neighborhood Association, the Pinedale Neighborhood Association and the Pinedale Park Neighborhood Association. The Robla Park Neighborhood Association requested that a sidewalk be installed along the Main Avenue property frontage. Staff will require full frontage improvements, including sidewalks, along Main Avenue as a condition of

approval of the Tentative Map. The Robla Park Neighborhood Association also expressed concern over homes being built in close proximity to the overhead power lines. PG&E has reviewed the plans and placed conditions restricting certain portions of the property from development on the Tentative Map.

Staff also mailed notices to all property owners within 500 feet of the project site prior to this public hearing. A neighboring property owner immediately to the north of the site informed staff that the portion of 5th Street north of the property was currently a private road. This neighbor did not oppose the subdivision; instead, he simply wanted to make sure that the new development did not provide access via 5th Street across his property. Staff will require the applicant to install a barricade at the end of the public portion of 5th Street (at the property line) to ensure that the new residents of the subdivision will not be able to drive onto the neighbor's property. Should the land to the north ever be subdivided, that subdivider will be required to convert the private portion of 5th Street into a public right-of-way and improve it to match the portion of 5th Street this applicant will be constructing.

Environmental Considerations

Staff has determined that the proposal qualifies as a Class 32 Categorical Exemption (Infill Development Projects) pursuant to Section 15332 of the California Environmental Quality Act (CEQA). Because it qualifies as a categorical exemption, the project is exempt from environmental review.

Policy Considerations

General Plan: The subject site is designated Low Density Residential (4-15 dwelling units per net acre) in the Land Use Element of the General Plan. The proposed density of the subdivision is 6.1± units per net acre, well within the General Plan's target density range. Furthermore, the proposal is consistent with the following General Plan policies:

1. It is City policy to approve development in the City's new growth areas that promotes efficient growth patterns and public service extensions, and is compatible with adjacent developments (Overall Urban Growth Policy 4, Section 1-38).
2. Maintain orderly residential growth in areas where urban services are readily available or can be provided in an efficient cost-effective manner (Goal D, Section 2-13).
3. Provide adequate housing sites and opportunities for all households (Goal 1, Section 3.10-2).

General Plan Update Vision and Guiding Principles: While the City's General Plan is being updated, the City Council has adopted a vision for the future of the City as well as several guiding principles to help achieve this vision. This was done to ensure that

new developments submitted during the ongoing update comply with the goals and policies that are being incorporated into the General Plan through the update. The applicable guiding principles that this proposal complies with include:

1. Promote developments that foster accessibility and connectivity between areas and safely and efficiently accommodate a mixture of cars, transit, bicyclists, and pedestrians.
2. Include a mix of housing types within neighborhoods to promote a diversity of household types and housing choices for residents of all ages and income levels to promote stable neighborhoods.
3. Use the existing assets of infrastructure and public facilities to increase infill and re-use, while maintaining important qualities of community character.

In addition to being consistent with these principles, the proposal is not contrary to any of the other approved principles of the General Plan Update Vision.

North Sacramento Community Plan (NSCP): The subject property is designated Residential 7-15 dwelling units per net acre in the NSCP. The project features a proposed density of just over 6 dwelling units per net acre; therefore the proposed density is one unit less than the density prescribed by the NSCP. However, Section D of the Land Use Element of the NSCP (p. 10) exempts projects of less than 3 acres from meeting the minimum density requirement of the 7-15 units per net acre range. The subject property only measures 2.95 net acres after all of the rights-of-way and undevelopable areas under the PG&E lines are calculated out, therefore the proposal is exempt from the minimum density requirement of 7 units per net acre. Nevertheless, the proposal is still consistent with the following goals and objectives of the NSCP:

1. Encourage development north of Interstate 80 in a manner which encourages neighborhood cohesiveness and a variety of housing types (NSCP, p. 9).
2. Provide a mixture of housing types and densities to meet the needs of varying family size, age and income levels (p. 48).
3. Try to equitably distribute housing associated with various household income groups, especially those for lower income persons (p. 49).

Project Design

Tentative Map Design

The proposed tentative map features 18 new single-family lots ranging in size from 4,584 to 16,361 square feet. There are two existing homes on the property that will be preserved and located on Lots 12 and 17. There are also two PG&E towers supporting overhead transmission lines at a point just north of the center of the property. No

structures can be built under these power lines; therefore the applicant has laid out the subdivision in a manner in which only right-of-way and undevelopable setback areas will be located underneath the lines.

Because of the odd shapes and the large undevelopable portions of a number of the lots, the applicant has provided a site plan showing how each lot will be developed (see Exhibit 1C). Three of the lots being created (Lots 8-10) have frontage on two parallel streets, but a condition has been placed on the Tentative Map requiring each of their northern frontages to be dedicated to the City to prevent access onto Sextant Way and/or the proposed traffic circle. All of the other lots will have single frontage along either Main Avenue, 5th Street, Biscos Way, Sextant Way or Regis Drive. Home sizes in the subdivision will be relatively large, ranging from 2,062 to 2,640 square feet, and each home will feature 5-6 bedrooms and a side-by-side 2-car garage.

In order to approve a tentative map, the Planning Commission must make the following findings:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision;
2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, the North Sacramento Community Plan, and Chapter 16 of the City Code, which itself is a Specific Plan of the City;
3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Control Board, Central Valley Region; and
4. The design of the proposed subdivision provides, to the extent feasible, for future passive and/or natural heating and cooling opportunities.

Vehicular Circulation: Three existing streets adjacent to the site have been left as stubs ending at the property lines of the subject parcel, and the applicant will be required to complete the segments of these streets across his property (Sextant Way, Regis Drive and 5th Street). The PG&E towers will be located in the middle of a new traffic circle where Sextant Way, Regis Drive and 5th Street will intersect. A fourth street will be provided ("Biscos Way") off of the new segment of 5th Street which will end as a stub with a fire vehicle turnaround to provide for future connectivity to the southwest.

Pedestrian Circulation: All of the new streets to be constructed throughout the proposed subdivision will have attached sidewalks. The sidewalks to be constructed along Sextant Way and Regis Drive will be designed to transition with the existing sidewalks along these streets to the east and west. The neighboring properties on both sides of Main Avenue do not have frontage improvements, but a recent subdivision

developed at the intersection of Main and Taylor Street has attached sidewalks, so the applicant will be required to match this along the entire Main frontage of the subdivision.

Walls, Fencing & Trees: No details covering the placement and design of any walls or fences have been submitted at this time. However, because the site is located in the Expanded North Area Design Review District, the developer will be required to submit house plans complete with these details subject to review and approval by the City's Design Review staff. With regard to trees, the City Arborist is requiring the preservation of the existing Heritage oak on Lot 1. The applicant has submitted a site plan showing the future homesite on this lot located completely outside of the drip-line of the tree to the Arborist's satisfaction.

Subdivision Review Committee: On June 7, 2006, the Subdivision Review Committee voted unanimously to recommend approval of the proposed Tentative Map subject to the Recommended Findings of Fact and Conditions of Approval listed in Attachment 1.

Staff recommends approval of the Tentative Map subject to the conditions listed in Attachment 1 as it is consistent with the policies of the General Plan and North Sacramento Community Plan, the Subdivision Map Act, and the requirements of the Development Engineering Division.

Subdivision Modifications

The applicant is requesting subdivision modifications to allow the creation of a number of lots that are substandard in width, depth, and/or lot size. The presence of the PG&E towers and overhead transmission lines on the site, coupled with the configuration of the proposed roadways, results in the creation of numerous irregularly-shaped lots, many of which are substandard in some way (see Exhibit 1B). The following table shows the number of proposed lots that deviate from the standard lot dimension requirements for single-family residential subdivisions:

Lot Feature	Required	Substandard Lots
Minimum lot width for an interior lot	52'	Lots 3 & 5
Minimum lot width for a corner lot	62'	Lot 4
Minimum lot depth for all interior & corner lots	100'	Lots 3, 4, 6, 7, 11, 12, 14 & 15
Minimum lot size for an interior lot	5,200 sq. ft.	Lots 3 & 5
Minimum lot size for a corner lot	6,200 sq. ft.	Lots 4 & 15

As the table above shows, nine of the 18 total lots will be substandard in either width, depth or total lot size. The reason these lots are substandard is due to the presence of the PG&E towers and overhead lines on the site. PG&E requires approximately a 135' wide easement underneath the power lines in which no structures can be built. This undevelopable area cuts a diagonal swath across the property that consumes nearly $\frac{1}{4}$ of the acreage, leaving triangular-shaped developable areas at the northeast and southwest corners of the property. When the new street segments are factored in, the remaining developable land is of various odd shapes and sizes.

In order to approve subdivision modifications, the Planning Commission must make the following findings:

- A. That the property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical, or undesirable in the particular case to conform to the strict application of these regulations;
- B. That the cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification;
- C. That the modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity;
- D. That granting the modification is in accord with the intent and purposes of these regulations and is consistent with the General Plan and with all other applicable specific plans of the city.

Staff has worked with the applicant on the subdivision design, and supports the concept as proposed on the grounds that the applicant will be required to complete numerous connections to stubbed rights-of-way adjacent to the site to improve neighborhood connectivity. The configuration of these streets coupled with the undevelopable areas that must be maintained under the power lines leaves only odd-shaped developable areas on the northeast and western sides of the property. Because of the odd shape of these developable areas, there is no simple way to subdivide the land into standard rectangular-shaped lots.

Nevertheless, all of the substandard lots will still be large enough to accommodate standard building setbacks and homes exceeding 2,000 square feet in area. Therefore, the subdivision modification to allow the substandard lots will not be detrimental to the neighborhood, nor will it violate the density requirements of the General Plan and the North Sacramento Community Plan. For these reasons, staff believes that the findings to approve the subdivision modifications can be made in this case.

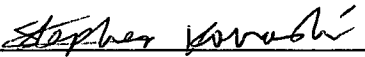
Inclusionary Housing Plan

The proposed subdivision is located in one of the City's new growth areas. As a residential development in a new growth area, the project must include units specifically

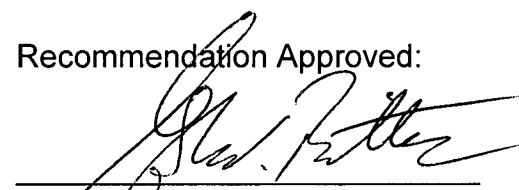
developed for, affordable to, and sold to Low Income Households. Chapter 17.190 of the Zoning Code requires 15% of the total number of new units being constructed to be affordable to Low Income Households. Low Income Households are defined as households whose combined incomes do not exceed 80% of the median income for Sacramento County. In this case, since 16 new lots are being proposed, the developer must provide 2 units affordable to Low Income Households. Pursuant to Section 17.190.030(B)(2) of the Zoning Code, because the project does not exceed 5 acres in size the applicant is not required to provide units affordable to Very Low Income Households.

The developer has submitted an Inclusionary Housing Plan that has been reviewed and approved by the Sacramento Housing and Redevelopment Agency (SHRA) (See Exhibit 1A). This plan features two affordable detached single-family units on the southwesterly-most lots in the subdivision adjacent to the intersection of 5th Street and Main Avenue. These units will be approximately 2,000 square feet in size and feature a 2-car garage and 5 bedrooms each.

Although the Zoning Code typically requires developers to disperse the affordable units evenly throughout a new subdivision as much as possible, in this case the number of lots being created is small enough that staff does not oppose the proposal to have the two affordable units located next-door to each other.

Respectfully submitted by: 
 Stephen Kowalski
 Associate Planner

Recommendation Approved:


 Gregory Bitter
 Senior Planner

Attachments

Attachment 1	Recommended Findings of Fact and Conditions of Approval
Exhibit 1A	Inclusionary Housing Plan
Exhibit 1B	Tentative Subdivision Map
Exhibit 1C	Site Plan
Exhibit 1D	Plan "A" Elevations (for Lot 9)
Exhibit 1E	Plan "A" Elevations (all other Plan "A" lots)
Exhibit 1F	Plan "A" Floorplans
Exhibit 1G	Plan "B" Elevations
Exhibit 1H	Plan "B" Floorplans
Attachment 2	Land Use & Zoning Map

**Attachment 1
Recommended Findings of Fact and Conditions of Approval
Biscos Estates (P05-056)
475 Main Avenue**

Recommended Findings of Fact:

- A. Environmental Determination:** The Planning Commission finds that the project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act (CEQA) Guidelines.
- B. The Inclusionary Housing Plan** is hereby approved based on the following findings of fact:
1. The plan implements the Housing Element of the General Plan and the Mixed Income Housing Ordinance (Chapter 17.190 of the Zoning Code) in that it provides for inclusion of housing affordable to Low Income Households;
 2. The plan provides for on-site construction of ownership units in the following quantity: two (2) units (15% of the project total) will be on-site ownership single-family units affordable to Low Income Households;
 3. The plan provides for an appropriate variety of unit sizes as required by the Mixed Income Housing Ordinance, in that the Planning Director, upon recommendation of the SHRA Director, has determined that single-family units having 5 bedrooms are appropriate for an ownership housing type in the subject neighborhood;
 4. The conditions of approval require that the exterior appearance of the affordable units be compatible with the market-rate units in that exterior building materials and finishes of the affordable units will be of the same quality and type as the market-rate units;
 5. The conditions of approval provide that the affordable units shall comply with all applicable development standards;
 6. The plan phases the construction of affordable units to ensure that each phase of market-rate units subject to the Mixed Income Housing Ordinance will not be completed without the construction of the affordable units; and
 7. A condition has been placed on the Tentative Map to ensure recordation of the Inclusionary Housing Agreement prior to filing of the Final Map.

C. The **Tentative Map** to subdivide a 5.0± acre parcel into 18 lots in the Standard Single-Family (R-1) Zone is hereby approved based on the following findings of fact:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision;
2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, the North Sacramento Community Plan, and Chapter 16 of the City Code, which itself is a Specific Plan of the City of Sacramento. The City's General Plan designates the subject site as Low Density Residential (4-15 du/na), while the North Sacramento Community Plan land use designation is Residential 7-15 du/na. The proposed density is 6.1± du/na, and the project is exempt from complying with the prescribed density of the North Sacramento Community Plan because it is less than 3 net acres in size (NSCP, p. 10);
3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in the violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Control Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision; and
4. The design of the proposed subdivision provides, to the extent feasible, for future passive and/or natural heating and cooling opportunities.

D. The **Subdivision Modifications** to create substandard interior and corner lots in the Standard Single-Family (R-1) Zone are hereby approved based on the following findings of fact:

1. The property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical, or undesirable in the particular case to conform to the strict application of these regulations;
2. The cost to the subdivider, of strict or literal compliance with the regulation, is not the sole reason for granting the modification;
3. The modifications will not be detrimental to the public health, safety, or welfare or be injurious to other properties in the vicinity in that the lots will still be of adequate shape and size to accommodate the use for which the land is currently zoned (detached single-family dwellings similar in size to other new homes in the neighborhood).

4. Granting of the modifications is in accord with the intent and purposes of these regulations and is consistent with the general plan and with all other applicable specific plans of the city in that the subdivision will still feature single-family residential lots consistent with the current General Plan and North Sacramento Community Plan land use designations of the area.

Recommended Conditions of Approval:

- C. The **Tentative Map** to subdivide a 5.0± acre parcel into 18 single-family lots in the Standard Single-Family (R-1) Zone is hereby approved subject to the following conditions:

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P05-056). The design of any improvement not covered by these conditions shall be to City standard.

The applicant shall satisfy each of the following conditions prior to filing the Final Map unless a different time for compliance is specifically stated in these conditions. Any condition requiring an improvement that has already been designed and secured under a City-approved improvement agreement may be considered satisfied at the discretion of the Development Engineering Division:

GENERAL:

- C1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.
- C2. Pursuant to City Code Section 16.40.190, indicate all easements on the Final Map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval by the Development Engineering Division after consultation with the U.S. Postal Service.
- C3. Show all continuing and proposed/required easements on the Final Map.
- C4. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition.

DEVELOPMENT ENGINEERING DIVISION: Streets

- C10. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Development Engineering Division. 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 street lighting and the repair or replacement/reconstruction of any existing deteriorated or damaged curb, gutter or sidewalk per City standards to the satisfaction of the Development Engineering Division.
- C11. Dedicate and construct all internal subdivision streets as City Standard 41' cross-sections.
- C12. Dedicate and construct Main Avenue to match the existing improvements at the intersection of Main Avenue and Taylor Street. **Note: Taylor and Main is used as an example of what the improvements should look like. There are 2 lots that separate this site from said improvements. It is not the intent of this condition to require construction of improvements adjacent to those lots.**
- C13. The applicant shall use best efforts to obtain an easement from the adjacent property owner(s) for right-of-way along 5th Street where it intersects with Main Avenue so full round corners can be constructed. If the applicant cannot obtain the necessary right-of-way, some other A.D.A.-compliant solution must be implemented.
- C14. The northern property line of Lots 8, 9 and 10 shall be dedicated to the City as an exclusive no vehicular ingress/egress rights line to the satisfaction of the Development Engineering Division.
- C15. The design and placement of walls, fences, signs and landscaping near intersections and driveways shall allow stopping sight distances per Caltrans standards and comply with City Code Section 12.28.010 (25' Sight Triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited to 3.5' in height. The area of exclusion shall be determined by the Development Engineering Division.
- C16. The round-about at the center of the Tentative Map is not necessary for traffic operation. However, it does solve certain geometric issues associated with the intersecting streets and allows the applicant to make the most efficient use of the available land. The round-about area shall be dedicated as right-of-way to the City, and shall be constructed, signed and striped to City Standards to the satisfaction of the Development Engineering Division. **Note: Because of the unusual nature of this improvement, special consideration should be given to the design and construction of the improvement.**

- C17. Comply with A.D.A. requirements in all aspects.
- C18. The applicant shall make provisions for bus stops, shelters, etc., to the satisfaction of Regional Transit.
- C19. The applicant shall dedicate (if necessary) and construct bus turn-outs for all bus stops adjacent to the subject site to the satisfaction of the Development Engineering Division.

PUBLIC/PRIVATE UTILITIES (SMUD and PG&E)

- C20. Dedicate a standard 12.5 foot public utility easement (PUE) for underground and overhead facilities and appurtenances adjacent to Main Avenue.
- C21. Dedicate a standard 12.5 foot public utility easement (PUE) for underground facilities and appurtenances adjacent to all public street rights-of-way.
- C22. Label PG&E's transmission line easement as a "Restricted Building and Use Area".
- C23. The applicant shall obtain a Consent for Common Use Easement from PG&E prior to recordation of the Final Map. This Easement is needed to allow SMUD to install underground facilities within PG&E's easement.
- C24. The owner/developer must disclose to future/potential property owners the existing 230 kV electrical facilities.

DEPARTMENT OF UTILITIES (DOU)

- C25. Prior to the submittal of improvement plans, the applicant must provide the DOU with the average day water system demands, the fire flow demands, and the proposed points of connection to the water distribution system for the proposed development. The DOU can then provide the "boundary conditions" for the design of the water distribution system. The water distribution system shall be designed, per Section 13.4 of the Design and Procedures Manual, to satisfy the more critical of the two following conditions: 1) At maximum day peak hour demand, the operating or "residual" pressure at all water service connections shall be at least 30 pounds per square inch; and 2) At average maximum day demand plus fire flow, the operating or "residual" pressure in each area of the fire shall not be less than 20 pounds per square inch.

Prior to the submittal of improvement plans, the applicant shall submit a water study with pipe network calculations for the proposed water distribution system. The calculations shall be reviewed and approved by the DOU prior to improvement plan submittal. **Note: An 8-inch water main is located in 5th**

Street north of the site, and a 12-inch water main is located in Main Avenue south of the site. All new water mains shall be 8-inch minimum diameter. New fire hydrants will be required to the satisfaction of the DOU and the Fire Department.

- C26. Provide separate metered domestic water services to each new parcel. Per City Code, water meters shall be located at the point of service which is the back of the curb for separated sidewalks or the back of walk for connected sidewalks.
- C27. Provide separate sanitary sewer services to each parcel to the satisfaction of the DOU. Lot 12 shall be connected to a new sewer main in Biscos Way. **Note: A 6-inch main is located in Sextant Way to the west, 5th Street to the north, Regis Drive to the east, and Main Avenue to the south. In addition, there is a 12-inch sewer main in Main Avenue. All new sewer mains shall be 8-inch minimum diameter. The point of connection for all new sewer mains shall be to the satisfaction of the DOU.**
- C28. Prior to submittal of improvement plans, a drainage study using the City of Sacramento's SSWMM model shall be reviewed and approved by the DOU. Finished lot pad elevations shall be a minimum of 1.20 feet above the 100-year HGL and shall be approved by the DOU. The drainage study shall identify all existing off-site flows that are blocked by the proposed project and shall propose City-maintained and/or private drainage facilities and private easements to convey these flows. Sufficient off-site and on-site spot elevations shall be provided in the drainage study to determine the direction of storm drain runoff. The drainage study shall include an overland flow release map for the proposed project. Lot pad elevations shall be a minimum of 1.5 feet above the controlling overland release elevation. Storm drain pipes in the streets shall be sized based on the DOU SSWMM model. On-site oversized pipes may be required to create storage for the undersized off-site system. Off-site pipes will be required to connect the project site to one of the existing drainage systems located in Main Avenue. The system east of the project site in Main Avenue flows to Taylor Street and ultimately to Magpie Creek. The system west of the project site in Main Avenue flows to Norwood Avenue and south to Magpie Creek. Drainage improvements shall be to the satisfaction of the DOU.
- C29. 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.
- C30. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment control methods on the subdivision improvement plans. These plans shall also show the methods to control urban runoff pollution from the project site during construction.

- C31. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Only source control measures are required. This will not affect site design. Refer to the "Guidance Manual for On-site Stormwater Quality Control Measures," dated January 2000, for appropriate source control measures.
- C32. This project will disturb greater than 1 acre of property, therefore the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and Notice of Intent may be obtained at www.swrcb.ca.gov/stormwtr/construction.html. The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit or approval of improvement plans to assure that the following items are included: 1) vicinity map, 2) site map, 3) list of potential pollutant sources, 4) type and location of erosion and sediment BMPs, 5) name and phone number of person responsible for the SWPPP, 6) signed certification page by the property owner or authorized representative.

FIRE DEPARTMENT

- C33. A reciprocal ingress/egress agreement shall be provided for review by the City Attorney for all shared driveways being used for Fire Department access. (Biscos Way will require a fire department turnaround. As designed, the hammerhead crosses onto private property.)

URBAN FOREST SERVICES

- C34. Prior to any construction activity a 6' high cyclone fence or other fencing acceptable to the city arborist will be installed at or within 3' of the dripline of the Oak on lot #1.
- C35. The contractor is to call for a City Arborist (916-808-6345) inspection/review before any work to be performed inside the dripline or fenced area.
- C36. During construction if any roots greater than 2" are encountered all excavation near the tree will stop and the contractor will call for a City Arborist (916-808-6345) site inspection.
- C37. The contractor will irrigate the protection zone to field capacity w/ soaker hose or spray heads every two weeks in dry soil conditions.

PARK PLANNING DESIGN & DEVELOPMENT DEPARTMENT

- C38. **Payment of In-lieu Park Fee:** Pursuant to City Code Chapter 16.64 (Parkland Dedication), the applicant shall pay to the City an in-lieu park fee in the amount determined under City Code Sections 16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication.
- C39. **Maintenance District:** The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annex the project into an existing parks maintenance district. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district (contact Sini Makasini, Special Districts Project Manager at 916-808-7967 for further information). In assessment districts, the cost of neighborhood park maintenance is equitably spread on the basis of special benefit. In special tax districts, the cost will be 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:

General

1. Plans for the houses to be built on the new lots will have to satisfy the requirements of the Expanded North Area Design Review Checklist.
2. The units must be constructed in a manner so that no two next-door to each other feature the same exterior architectural details, building materials, and color schemes.

PG&E

3. Provide the following language for recordation on the Final Map:
 - a. CURRENTLY INDUSTRIAL STANDARDS FOR BUILDING SETBACKS FROM A 115KV TOWER LINE IS 37.5' FROM THE CENTER OF THE TOWER LINE (THIS IS THE WIDTH THAT PG&E MAY CONDEMN WHEN CONSTRUCTING NEW TOWER LINES). 30' FROM THE CENTER OF THE TOWER LINE MAY BE ACCEPTABLE, ESPECIALLY IF THE HOUSE TO BE BUILT WERE SINGLE-STORY AND THE ROOF PEAKS WERE NOT ADJACENT TO THE BUILDING SETBACK LINE. PLEASE CONTACT PG&E'S LAND DEPARTMENT AT (530) 889-5089 FOR MORE INFORMATION.

- b. PG&E SHALL REVIEW GRADING AND BUILDING PLANS PRIOR TO FINAL APPROVAL OF THIS PROJECT.
- c. LAND USE IS RESTRICTED WITHIN PG&E'S EASEMENT. CONTACT PG&E'S LAND DEPARTMENT AT (530) 889-5089 FOR REVIEW OF ALL PROPOSED USES. THE PLANTING OF TREES WITHIN PG&E'S EASEMENT IS CONSIDERED AN UNACCEPTABLE USE.
- d. ACCESS TO PG&E'S FACILITIES MUST BE MAINTAINED AT ALL TIMES. WHEN WORKING NEAR PG&E'S ELECTRIC FACILITIES, PLEASE MAINTAIN THE MINIMUM CLEARANCES FOR WORKERS AND EQUIPMENT OPERATING NEAR THE HIGH VOLTAGE ELECTRIC LINES SET OUT IN THE HIGH VOLTAGE SAFETY ORDERS OF THE CALIFORNIA DIVISION OF INDUSTRIAL SAFETY, AS WELL AS ANY OTHER APPLICABLE SAFETY REGULATIONS.

Department of Utilities

- 4. Off-site and oversized storm drain main extensions may be eligible for partial reimbursement through the formation of a Fee District or Assessment District. The cost for establishing a Fee District or Assessment District is the sole responsibility of the applicant/developer. Fee Districts and Assessment Districts generally must be formed prior to a Notice of Completion (NOC) being issued for the project. Fee Districts require approval by the City Council. Assessment Districts require a majority of the landowners' approval. The applicant is advised that a Fee District or Assessment District may take 6 months or longer to form, so any request for initiating a District should be submitted well in advance of the issuance of the NOC. Contact Public Improvement Financing (formerly the Development Engineering and Finance Division), at (916) 808-5440 to obtain information regarding Fee Districts and Assessment Districts.
- 5. The proposed subdivision is located in the Flood Zone designated "X" on the Federal Emergency Management Act Federal Insurance Rate Map (FIRM) dated July 6, 1998. There are no requirements to elevate or flood-proof within the "X" zone.

Fire Department

- 6. When fire protection is required to be installed, including fire apparatus access roads and water supplies for fire protection, such protection shall be installed and made serviceable prior to and during the time of construction.
- 7. Provide a water flow test. Arrangements for this test can be made at the North Permit Center's walk-in counter located at 2101 Arena Boulevard, Suite 200, Sacramento, CA 95834.

8. Provide the required fire hydrants in accordance with CFC 903.4.2 and Appendix III-B, Section 5.
9. The furthest projection of the exterior wall of a building shall be accessible from within 150 feet of an approved Fire Department access road and water supply as measured by an unobstructed route around the exterior of the building (CFC 902.2.1).
10. 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 38 feet in width shall be marked on one side. The entire hammerhead will also be striped "No Parking Fire Lane".

Park Planning, Design and Development Department

11. Per Chapter 16.64 of the City Code, "Park Dedication / In-Lieu (Quimby) Fees, due prior to approval of the final map, the estimated Quimby Fee due for this project is estimated at \$30,038. This is based on 16 single-family residential units and an average land value of \$105,000 per acre for the North Sacramento Planning Area, plus an additional 20% for off-site park infrastructure improvements. Any change in these factors will change the amount of Quimby Fees due. The final fee is calculated using factors at the time of payment.
12. Per Chapter 18.44 of the City Code, "Park Development Impact Fees" due at the time of issuance of building permits. The Park Development Impact Fee due for this project is estimated at \$70,048. This is based on 16 single-family units at \$4,378 each. Any change in these factors will change the amount of Impact Fee due. The fee is calculated using factors at the time that the project is submitted for building permit.
13. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

Sacramento Housing and Redevelopment Agency (SHRA)

14. Prior to filing of the Final Map, the applicant shall execute and record against all the lots in the Inclusionary Housing Agreement approved by the SHRA Director and attached to this staff report as Exhibit 1A.
15. The Inclusionary Housing Agreement shall provide that the exterior appearance of the affordable units be compatible with the market-rate units by requiring the exterior building materials and finishes of the affordable units to be of the same quality and type as the market-rate units.

16. The Inclusionary Housing Agreement shall provide that the affordable units comply with all applicable development standards unless such standards have been modified by the City.

Exhibit 1A – Inclusionary Housing Plan, p. 1

**Inclusionary Housing Plan
Biscos Estates**

April 20, 2006

Proposed Project

Traian Biscos is the owner and developer (Developer) of that certain real property in the City of Sacramento in which the developer proposes to develop and construct the Biscos Estates (Project). This 5 acre (gross) Project is located on 475 Main Ave. The Project will consist of eighteen single-family units on eighteen lots. Two of the proposed lots already have existing single family homes. The sixteen remaining vacant lots will contain detached single-family residential units.

Mixed Income Housing Policy

The Project site is located in a new growth area and project is subject to the City's Mixed Income Housing Policy. The Mixed Income Policy adopted in the City of Sacramento Housing Element and required by the City's Mixed Income Housing Ordinance, City of Sacramento City Code Chapter 17.190 requires that fifteen (15%) of the total units in the residential Project be affordable to lower income individuals (the "Inclusionary Units").

Pursuant to the City Code Section 17.190.110 (B), an Inclusionary Plan ("Plan") must be approved prior to or concurrent with the approval of legislative, or as applicable in this case adjudicative entitlements for the Project. City Code Section 17.190.110 (A) sets forth the number, unit mix, location, structure type, affordability and phasing of the Inclusionary Units in the Project. This document constitutes the Plan, and, as supplemented and amended from time to time, is intended to begin implementation of the Inclusionary Requirement for the Project. All future approvals shall be consistent with this Inclusionary Housing Plan.

The Inclusionary Requirement for the Project will be set forth in more detail in the Inclusionary Housing Agreement executed by the Developer and the Sacramento Housing and Redevelopment Agency ("SHRA") and recorded against all the residential land in the Project. The Inclusionary Housing Agreement shall be executed and recorded no later than the approval of the final map for the subdivision. The Inclusionary Housing Agreement will with particularity the site and building schematics for the construction and financing of the Inclusionary Units, pursuant Section 17.190.110 (C). The Inclusionary Housing Agreement shall be consistent with this Plan.

Number of Inclusionary Units

For projects under five gross acres in size, the Developer, or its successors and assignees, shall construct or cause to be constructed a number of dwelling units affordable to Low Income Households ("Low Income Units") as defined in the Sacramento City Code Section 17.190.030, equal to fifteen percent (15%) of the total number of housing units approved for the Residential

Exhibit 1A – Inclusionary Housing Plan, p. 2

Project. Based on the current Project proposal, the Inclusionary Requirement for the Project is two units for Low Income (15%).

Total Number of Units within the Project	16
Low Income Units (15% of units)	2
Total Number of Inclusionary	2

If the Project approvals are amended to increase the number of units in the Project, this Plan will be amended to reflect a number equal to fifteen percent (15%) of the increased total residential units in the amended entitlements for Low Income Units. If the Project approvals are amended to decrease the number of residential units in the Project, this Plan will be amended to reflect a number equal to fifteen percent (15%) for the decreased total residential units in the amended entitlements for Low Income units. However, after a building permit has been issued for any structure within a subdivision which contains Inclusionary Units, those Units will be constructed and maintained as Inclusionary Units pursuant to the terms of Chapter 17.190 of the City Code regardless of any subsequent reduction in the number of approved total residential units in the Project.

Units by Type and Tenure

The Inclusionary Housing Units shall consist of 2 single family detached units. Developer will offer the units as ownership units. An initial owner who purchases a for-sale inclusionary unit shall occupy that unit as their principle residence and shall certify to the Developer/builder of the unit that he/she is a first time homebuyer. SHRA will record a regulatory agreement against each inclusionary unit, detailing the recapture difference between the market sales price and the affordable price (adjusted for inflation) if the home is resold to a non-income qualified buyer in the future.

Size and Bedroom count

The Inclusionary Housing units will be approximately 2,000 square feet each, include 5 bedrooms and be two story units.

Location of Inclusionary Units within the Project

Inclusionary Units shall be located on-site within the proposed Biscos Estate Project as part of the single-family residential development. Inclusionary units are planned to be located on Lots 14 and 15 as shown in Attachment #1. Specific lots identified for Inclusionary Units will also be identified on the Tentative Map prior to approval by City Planning Commission.

Location of Inclusionary Units

Inclusionary Unit	Level of Affordability	Lot number	Size of Unit
1	Low Income	14	2,000 sq. ft.
2	Low Income	15	2,000 sq. ft.

Exhibit 1A – Inclusionary Housing Plan, p. 3

The locations of the inclusionary units within the Project are subject to Amendment, consistent with Selection 17.190.110 B (i) of the mixed Income Ordinance.

Affordability Requirements

Sale and occupancy of the Inclusionary Units shall be restricted to households with incomes, at the time of initial occupancy, that do not exceed eighty percent (80%) of the median income for Sacramento County, adjusted for actual household size for Low Income households and shall be consistent with the SURA guidelines. Median income figures are those published annually by the United States Department of Housing and Urban Development.

The sale price of the units will be set so that Low Income households can qualify for the purchase of the inclusionary units will be set such that no more than thirty-five percent (35%) of the gross annual household costs. As part of the Inclusionary Housing Agreement, SHRA will provide the Developer with a schedule of maximum sales prices affordable to income ranges. Sale prices of units will be outlined in the Inclusionary Housing Agreement. The units will be sold initially at an affordable housing price to a low-income household with a first time buyer. An SHRA 30-year note will govern the home's resale, allowing SHRA ninety days to refer an income-eligible purchaser is not found, the home may be resold, provided that SHRA recaptures the difference between the home's market value and its affordable housing price as well as any other City or SHRA contributions. The owner occupant will receive his or her initial equity in the home and a portion of the home's appreciated value. The terms of this arrangement will be outlined in the Inclusionary Housing Agreement between SHRA and the Developer.

Phasing of Development of the Inclusionary Units

The Inclusionary Units shall be development concurrently with the development of the remaining units in the project, as defined in Sacramento city code Section 17.190.020. The nature of the concurrency is defined by a series of linkages between approvals of the market rate units and the development of the Inclusionary Units.

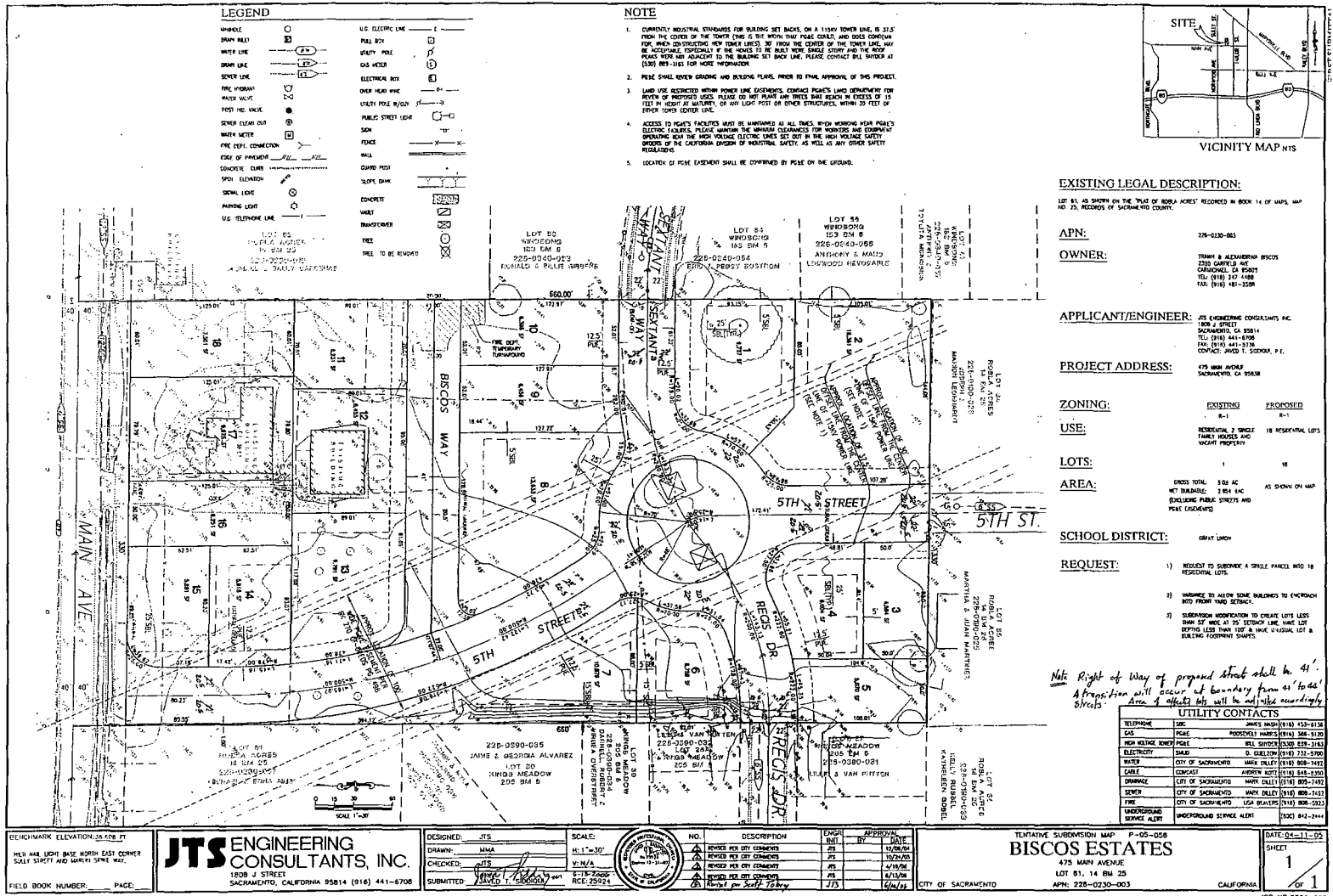
Market Rate Housing /Inclusionary Unit Linkages

The following describes the relationship of market rate development activity to the activity of inclusionary unit development activity. These milestones are outlined to ensure that the development of affordable units occurs concurrent with development of market rate units:

- The Inclusionary Housing Plan shall be approval concurrently with the approval of the Project's tentative map.
- The Inclusionary Housing Agreement shall be executed and recorded prior to the Project's final map.
- Up to 65% of the building permits for markets rate residential units may be pulled prior to the issuance of building permits for all inclusionary units in the subdivision.
- Marketing of inclusionary units with the Project shall occur concurrently with the marketing of market rate units.

Amendment and Administration of the Inclusionary Housing Plan

The Planning Director, with the advice of the Executive Director of SHRA, shall administer this Inclusionary Housing Plan. The Planning Director may make minor administrative amendments to the text of this Plan as provided in Sacramento City Code, Section 17.190.110.



EXISTING LEGAL DESCRIPTION:

LOT 41 AS SHOWN ON THE "PLAN OF BODA ACRES" RECORDED IN BOOK 14 OF MAPS, MAP NO. 73, RECORDS OF SACRAMENTO COUNTY.

APN: 228-0230-003
OWNER: TRINITY & MELANIE BISCO
 2302 CARFIELD AVE
 SACRAMENTO, CA 95814
 TEL: (916) 441-6708
 FAX: (916) 441-5138
 CONTACT: JAMES T. SODER, P.E.

APPLICANT/ENGINEER: JTS ENGINEERING CONSULTANTS, P.C.
 1000 J STREET
 SACRAMENTO, CA 95814
 TEL: (916) 441-6708
 FAX: (916) 441-5138
 CONTACT: JAMES T. SODER, P.E.

PROJECT ADDRESS: 470 MAIN AVENUE
 SACRAMENTO, CA 95818

ZONING: RES-1 PROPOSED R-1
USE: RESIDENTIAL 2 SINGLE FAMILY HOUSES AND VACANT PROPERTY

LOTS: 18
AREA: GROSS TOTAL: 5.04 AC. NET AVAILABLE: 2.85 AC. (EXCLUDING PUBLIC STREETS AND PLEAS EASEMENTS)

SCHOOL DISTRICT: GREAT LAKE

REQUEST:
 1) REQUEST TO SUBDIVIDE A SINGLE PARCEL INTO 18 RESIDENTIAL LOTS.
 2) VARIANCE TO ALLOW SOME BUILDINGS TO ENCHANCE AND FROM YARD SETBACK.
 3) SUBDIVISION MODIFICATION TO CREATE LOTS LESS THAN 50 FEET AT 20' SETBACK LINE AND LOT DEPTHS LESS THAN 100' & WIDE UTILITY LOT & BUILDING FOOTPRINT SHAPES.

Note: Right of Way of proposed street shall be 40'. A transition will occur at boundary from 40' to 45'. Area of utility lot will be adjusted accordingly.

UTILITY CONTACTS	
TELEPHONE	USE: JAMES HEDGECOCK (916) 433-1134
GAS	PG&E: PROCEEDING (916) 344-3129
WATER	WILLIAMS: (916) 441-2142
ELECTRICITY	PG&E: (916) 332-2700
WATER	CITY OF SACRAMENTO: MARK DALLEY (916) 808-7417
DATE	COUNCIL: JEROME ADAMS (916) 844-2300
ENGINEER	CITY OF SACRAMENTO: MARK DALLEY (916) 808-7417
SEWER	CITY OF SACRAMENTO: MARK DALLEY (916) 808-7417
FIRE	CITY OF SACRAMENTO: USA BEAVER (916) 808-2813
UNDERGROUND SERVICE ALERT	(800) 842-2144

BENCHMARK ELEVATION: 14.428 FT
 HUBBARD LIGHT BASE NORTH EAST CORNER
 SALLY STREET AND MARKET STREETS
 FIELD BOOK NUMBER: PAGE:

JTS ENGINEERING CONSULTANTS, INC.
 1000 J STREET
 SACRAMENTO, CALIFORNIA 95814 (916) 441-6708

NO.	DESCRIPTION	ENGR. INIT.	APPROVAL DATE
1	DESIGNED PER CITY COMMENTS	JTS	10/20/06
2	DRAWN PER CITY COMMENTS	JTS	10/20/06
3	CHECKED PER CITY COMMENTS	JTS	4/19/06
4	APPROVED PER CITY COMMENTS	JTS	4/19/06
5	REVISION PER Scott Tolby	JTS	6/16/06

DESIGNED: JTS
 DRAWN: JMS
 CHECKED: JTS
 SUBMITTED: JTS

SCALE: 1/4" = 30'
 N.T.S.
 1/8" = 2000'
 RCE: 25274

TENTATIVE SUBDIVISION MAP P-05-056
BISCOS ESTATES
 470 MAIN AVENUE
 LOT 41, 14 BM 25
 CITY OF SACRAMENTO APN: 228-0230-003 CALIFORNIA

DATE: 04-11-05
 SHEET: 1
 OF 1
 JOB NO: 2004-002

REVISED
 P05-056
 RECEIVED 6/19/06

Exhibit 1C – Site Plan

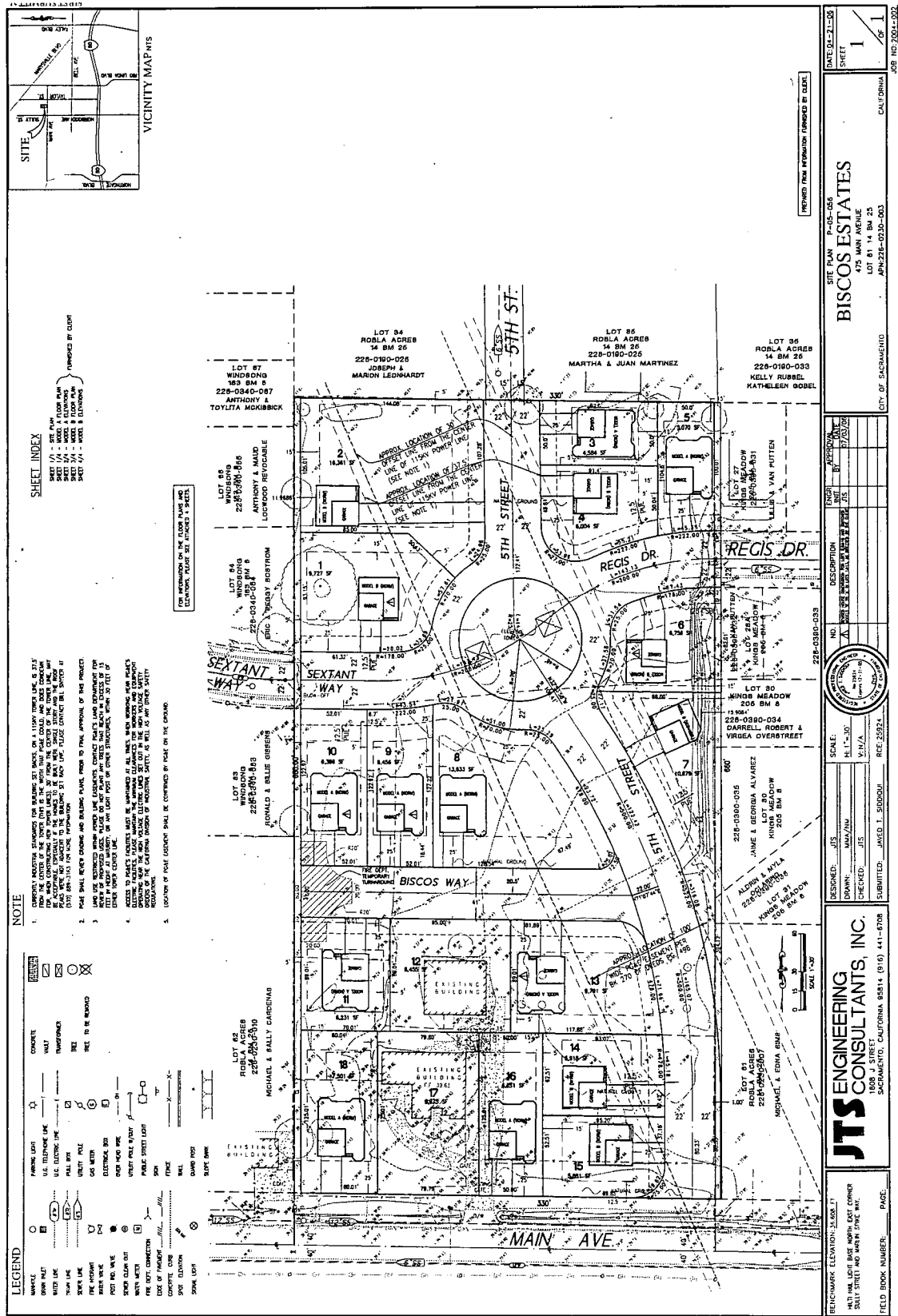


Exhibit 1D – Plan "A" Elevations (for Lot 9)

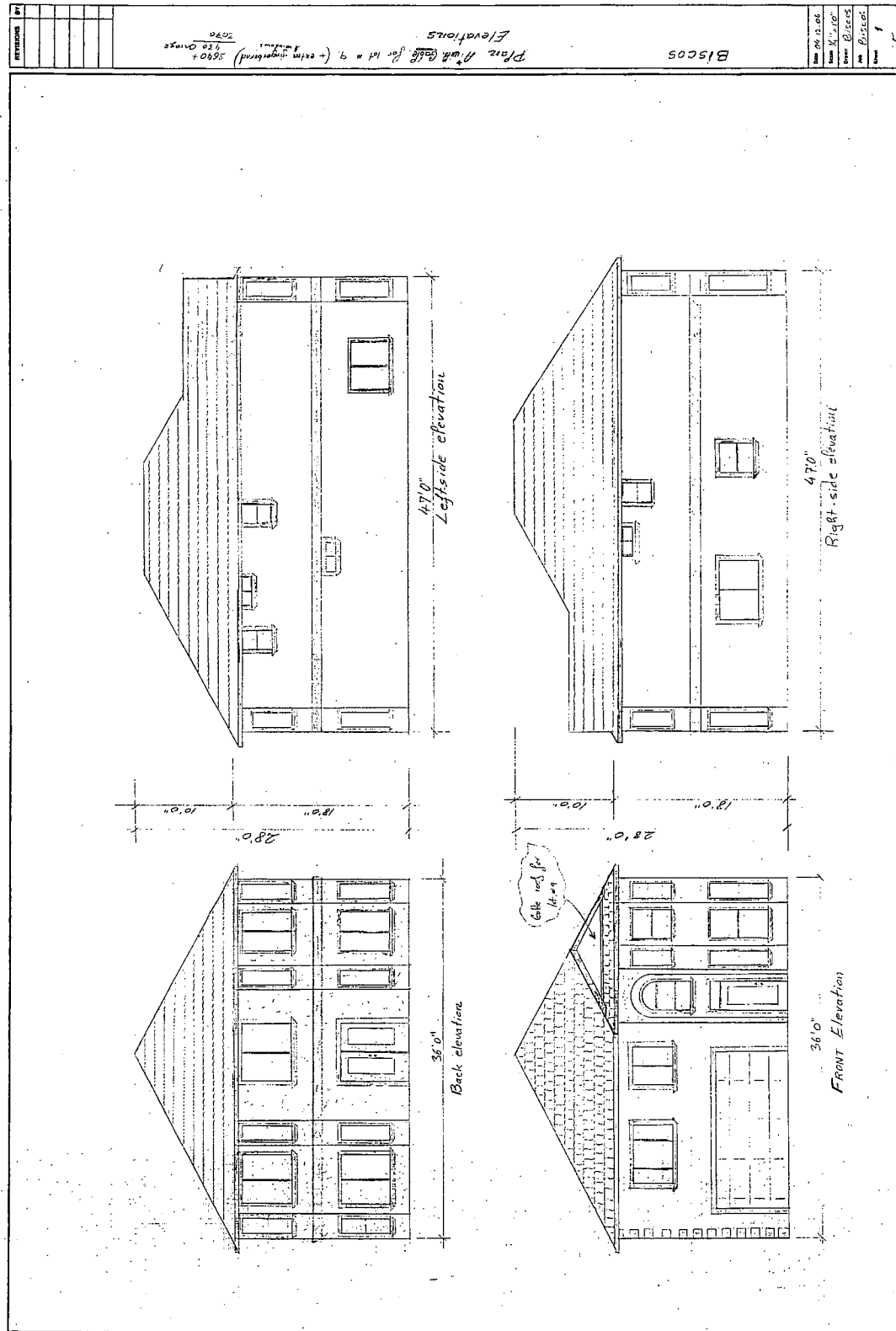


Exhibit 1F – Plan “A” Floorplans

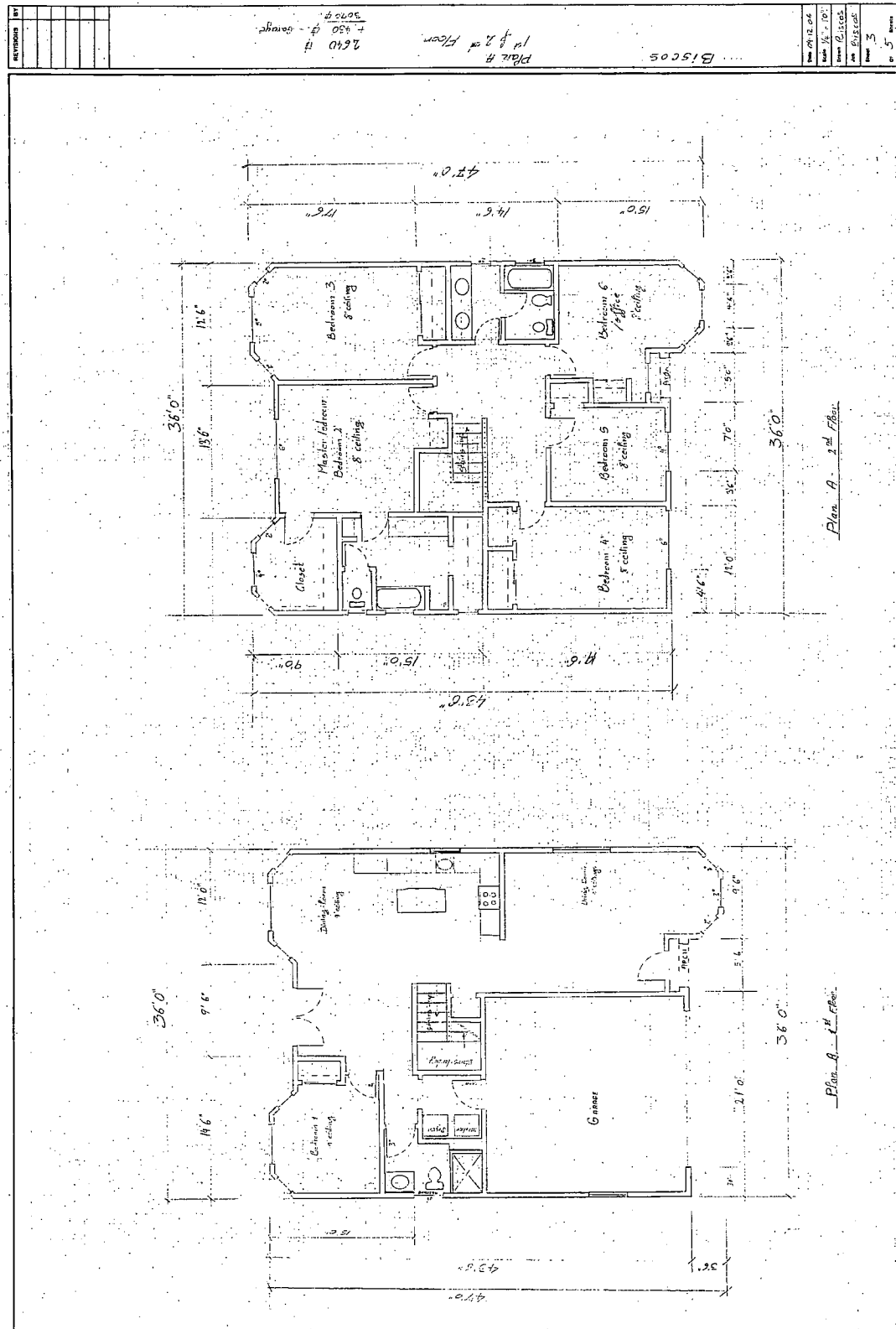
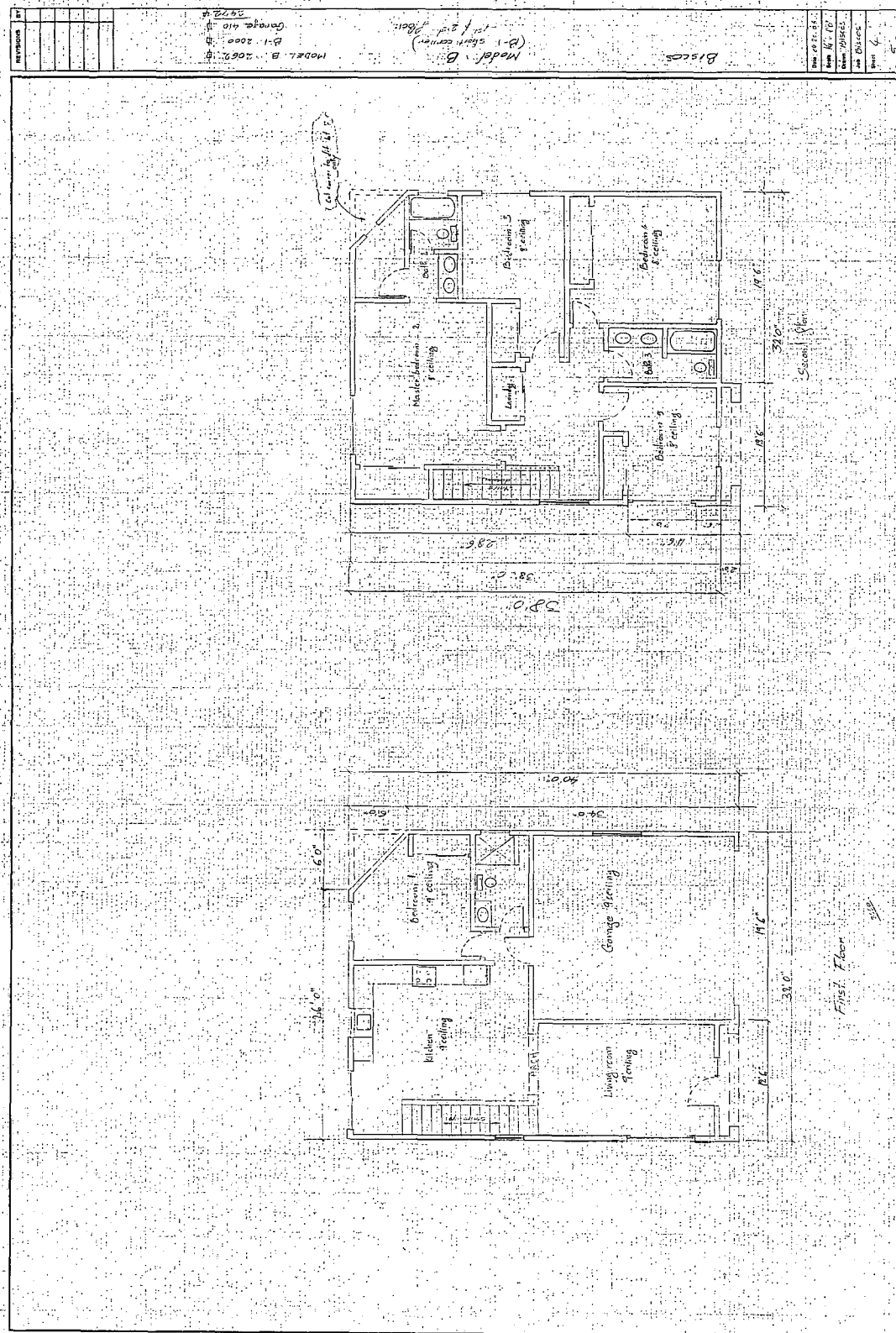


Exhibit 1H – Plan “B” Floorplans



Attachment 2 – Land Use & Zoning Map

