



**REPORT TO  
PLANNING COMMISSION  
City of Sacramento**

915 I Street, Sacramento, CA 95814-2671

**FINAL STAFF REPORT**  
**April 27, 2006**

Honorable Members of the Planning Commission

**Subject: Fowler Estates Subdivision** - A request to develop 25 detached single-family alternative style dwelling units on  $\pm 2.17$  vacant acres in the Multi-family Review (R-2A-R) zone. (P05-178)

- A. Environmental Determination:** Categorically Exempt;
- B. Tentative Map** to subdivide a vacant  $\pm 2.17$  acre parcel into 25 alternative style single-family lots in the Multi-family Review (R-2A-R) zone;
- C. Special Permit** to develop 25 alternative style (zero lot line) single-family residences in the Multi-family Review (R-2A-R) zone.

**Location/Council District:**

South side of Fowler Avenue, east of Stockton Boulevard

Assessor's Parcel Number (APN): 040-0032-018

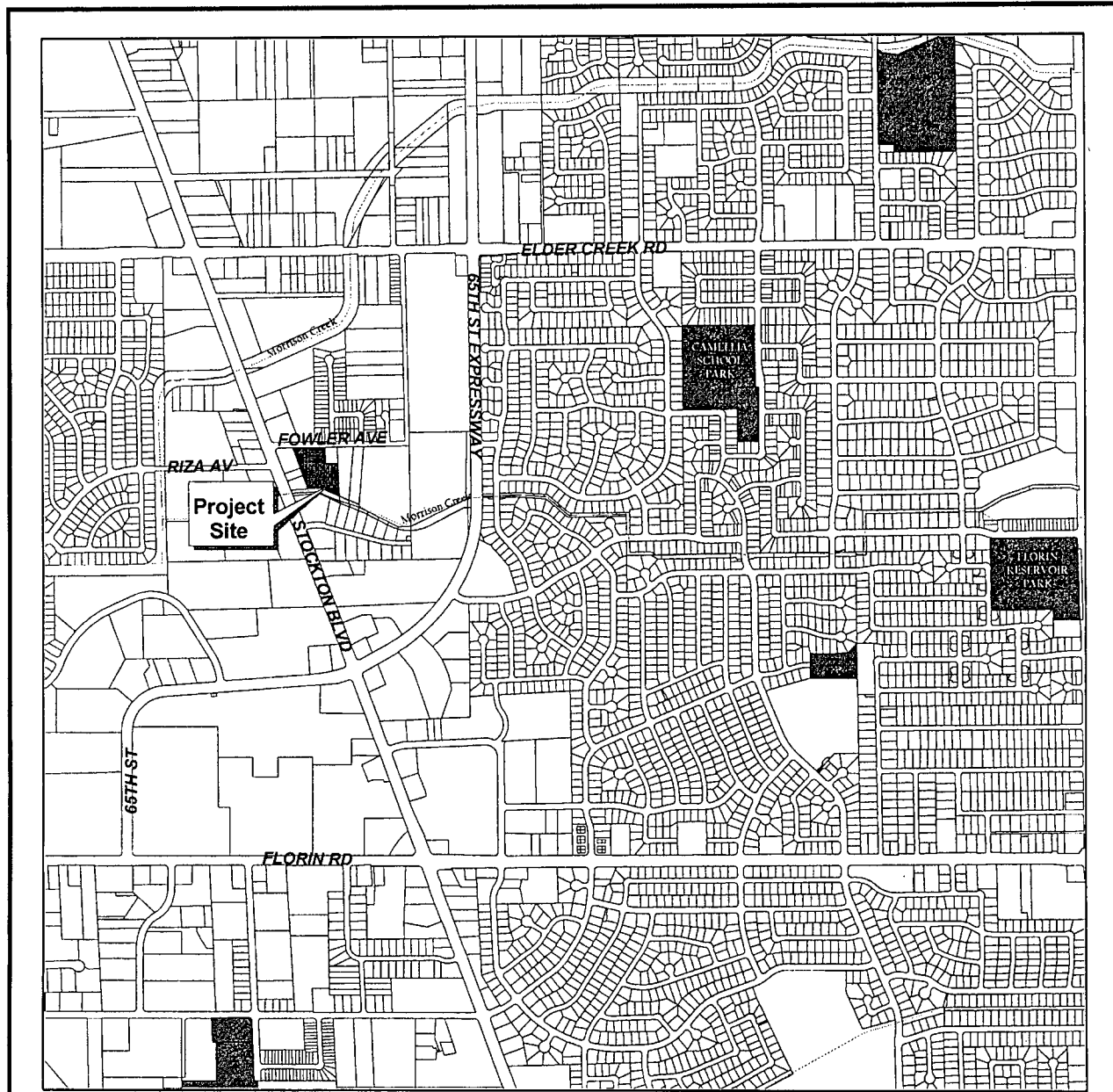
Council District 6

**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-C above, and its decision may be appealed to the City Council.

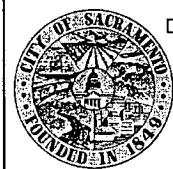
**Staff Contact:** Kimberly Kaufmann-Brisby, Associate Planner, 916-808-5590

**Applicant:** Hassan Pejuhesh, HP Engineering, 629 Commons Drive, Sacramento, California, 916-925-1625

**Owner:** Johnny Shek, 6701 Stockton Boulevard, Sacramento, California, 95823, 206-661-8261



0 900 1800 Feet



Development Services  
Department

Geographic  
Information  
Systems

Vicinity Map  
for  
Fowler Avenue Subdivision



P05-178

**Summary:** The applicant proposes to develop a vacant ±2.17 gross acre parcel with 25 alternative style, zero lot line, detached single-family dwellings in the Multi-family Review (R-2A-R) zone. Two floor plans, each with three different elevations, are proposed. A 41' wide public right-of-way will provide vehicular and pedestrian access through the development.

Initial project issues included proposed guest parking areas and the maintenance of them, the inconsistency in lot sizes, improving the architectural design and the provision of unique elevation styles, and the provision of adequate rear yard area.

The applicant revised the project by eliminating the problematic guest parking areas, revised the lotting pattern and street location to afford adequate private outdoor area for all lots as well as to create similarly sized lots. The applicant also has improved the architectural design by bringing the design into compliance with the Single-family Residential Design Principles.

The project is not considered to be controversial. ***A common open space lot, Lot A, was added to the subdivision map by the Planning Commission during the hearing. Additional conditions of approval and an exhibit outlining the location and lot dimensions were added as well.***

<b>Table 1: Project Information</b>
<b>General Plan designation:</b> Low Density Residential (4-15 dwelling units per net acre)
<b>South Sacramento Community Plan designation:</b> Residential 7-15 dwelling units per net acre
<b>Existing zoning of site:</b> R-2A-R (Multi-family Plan Review)
<b>Existing use of site:</b> vacant
<b>Property area:</b> ±2.17 gross acres

**Background Information:** The project site was rezoned from Standard Single-family Residential (R-1) to Multi-family Plan Review in 1979 (P8489, Ordinance No. 4249 approved on July 10, 1979). The Community Plan was amended to accommodate the zoning change and a 64 unit apartment complex was also approved as part of the application. The apartment complex was never constructed. On April 23, 1989, a Tentative Map and Special Permit were approved for the site, the tentative map was not finalized and the special permit was not vested. No additional records of prior planning applications affecting this property were found.

**Public/Neighborhood Outreach and Comments:** The Southeast Area Neighborhood Association, the Stockton Boulevard Partnership and the Capital Estates Homeowners Association were sent Early Project Notification packets. The Stockton Boulevard Partnership responded with concerns regarding the proliferation of strip mall development, however because this project is a residential project the concerns were not applicable to this project. To date, no other associations have provided comments.

**Environmental Considerations:** The proposed project is exempt from environmental review pursuant to CEQA Guidelines Section 15332. Section 15332 exempts projects such as the current application, as "in-fill development", because the proposed project "is consistent with the General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations."

The proposed development is within city limits on a site of less than five acres that is substantially surrounded by urban uses. The site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality and the site is adequately served by all required utilities and public services.

**Policy Considerations:** The General Plan designates the site for Low Density Residential 4-15 dwelling units per net acre (du/na). The South Sacramento Community Plan designates the site for Residential 11-21 du/na and the Multi-Family Residential Plan Review (R-2A-R) allows a maximum density of 17 du/na. The project proposes a net density of 14 du/na which is consistent with the land use designations and applicable policies of the General Plan and the South Sacramento Community Plan.

**Project Design:**

As an infill site the project layout provides for future vehicular connectivity to the properties east of the project site. Project layout and architectural design are consistent with the Single-family Residential Design Principles. Staff is not aware of any controversy regarding the project and staff supports the project design.

**Land Use**

The applicant proposes to subdivide and develop the vacant ±1.74 net acre parcel with 25 petite lots and 25 zero lot line detached single family dwellings. The project is consistent with the existing Multi-family Plan Review (R-2A-R) zoning. The Plan Review or R designation attached to the Multi-family (R-2A) designation requires approval of a Plan Review for development of the property, however, the development of alternative housing types requires a special permit which supersedes the plan review requirement. The applicant proposes to develop homes on small lots which deviate from the lot size and width standards. Section 17.24.050(8) of the zoning code permits deviations from these standards in the R-2A zone with the issuance of a special permit for the development of alternative housing types. In evaluating special permit proposals of this type, the Commission is required to make the following findings:

A. A special permit shall be granted upon sound principles of land use.

The land use is consistent with the General Plan, the South Sacramento Community Plan, the Single-family Residential Design Principles, and the underlying Multi-family Review (R-2A-R) zoning. See also the discussion under B., below.

- B. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance.

The project site zoning allows alternative style single-family housing with the approval of a special permit. The project proposes to apply architectural design compatible with the surrounding area, will use quality construction materials, and has implemented design components consistent with the Single-family Residential Design Principles.

Additionally, staff finds the proposed lot width, depth, and setbacks are adequate to accommodate setbacks which will protect the privacy of neighbors and ensure adequate open space and access to light and air.

- C. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located.

The proposed project is consistent with the residential land use policies and density requirements of the General and South Sacramento Community plans.

<b>Table 3: Height and area standards</b>			
<b>Standard</b>	<b>Required</b>	<b>Proposed</b>	<b>Deviation</b>
Height	35'	±21'	no
Front setback	20'	18'- 24'	yes
Side setback	5'	3.67'- 7'	yes
Street side setback	25'	12.5'	yes
Rear setback	15'	10'- 40'	yes
Courtyard	n/a	n/a	n/a
Lot coverage	50% max.	16% - 35%	no
Density	7-15 d.u./n.a.	14 d.u./n.a.	no

As indicated above, the project fails to meet the front, side yard, street side setbacks, and lot coverage requirements for the R-2A zone. Section 17.24.050(8) of the zoning code permits deviations from these standards in the R-2A zone with the issuance of a special permit.

A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance.

The proposed setback and lot coverage deviations will not create a nuisance in that adequate front setbacks are provided for driveway parking. The rear yard setbacks, where less than 15', are stepped with just a portion of the setback less than 15; the remainder meets or exceeds the 15' minimum, providing useable outdoor area. In two instances the side yard setback is less than five feet and that is due to an irregular parcel layout. In this case, adequate rear yard area mitigates the deviation. The street side yard setback requirement of 25' is intended for apartment development. Because the lots all meet the 12.5' street side yard setback for single-family development staff finds the setback to be appropriate. Staff finds that the proposed lot width, depth, setbacks and coverage are adequate to accommodate setbacks which will protect the privacy of neighbors and ensure adequate open space and access to light and air.

#### **Building design, signage and landscaping**

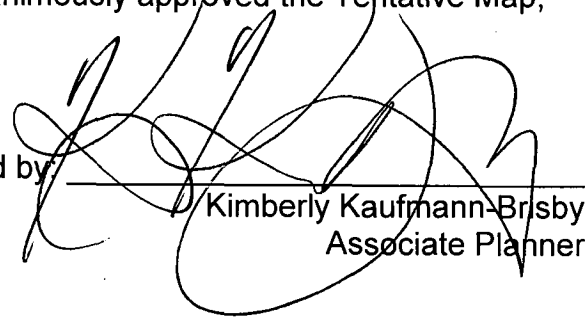
The project design will not be detrimental to the public health, safety or welfare nor will it result in the creation of a nuisance because the architectural design subscribes to the Single-family Residential Design Principles with two floor plans and three architectural styles provided for each floor plan, thus providing a diversity of design. Both plans provide covered porch entries. The porches provide adequate area for the placement of patio furniture which in turn encourages neighborhood interaction. The garages are recessed and do not dominate the front elevation. High quality, durable building materials are proposed with concrete board siding and concrete tile roofing. Each yard will be planted with at least one medium to deep-rooted shade tree and the front yard areas will be landscaped.

#### **Tentative Map design**

The proposed Tentative Map subdivides  $\pm 2.17$  acres into 25 single-family lots ranging from 3,139 to 7,677 square feet in area. The minimum area per dwelling unit in the Multi-family (R-2A) zone is 2,500 square feet, with which the proposed lots comply. The parcel is subdivided midway along the Fowler Avenue with the project's 41' wide street. As an infill property, the reduced street right-of-way is allowed, to facilitate infill development. Five lots will face and have access off Fowler Avenue. The remaining 20 lots will be accessed from the internal street. The street terminates with a cul-de-sac which abuts the adjacent property. Provisions have been made for the future connectivity to the adjacent property with the addition of an irrevocable offer of dedication connecting the cul-de-sac to the adjacent property.

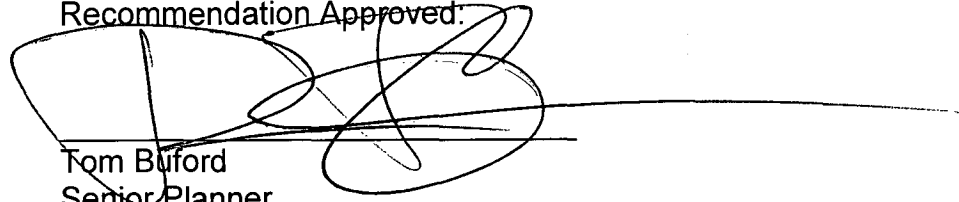
The Subdivision Review Committee (SRC) unanimously approved the Tentative Map, with conditions, on March 15, 2006.

Respectfully submitted by



Kimberly Kaufmann-Brady  
Associate Planner

Recommendation Approved:

A handwritten signature in black ink, appearing to read 'Tom Buford', is written over a horizontal line. The signature is stylized and extends to the right.

Tom Buford  
Senior Planner

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**Attachment 1**  
**Proposed Findings and Conditions**  
**Amended by Planning Commission on April 27, 2006**

**Findings Of Fact**

- A. Environmental Determination: Categorical Exemption:** The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section 15332 of the 2005 California Environmental Quality Act and Guidelines based on the following Findings of Fact:
1. The project is consistent with the General Plan designation of Low Density Residential (4-15 du/na), the South Sacramento Community Plan designation of Residential 7-15 du/na and with the zoning designation of Multi-Family;
  2. The project consists of less than five acres, is within the city limits and is surrounded by urban uses;
  3. The project site has no value as habitat for endangered, rare, or threatened species;
  4. The site can be adequately served by all required utilities and public services;
  5. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- B. The Tentative Map** to subdivide a vacant ±2.17 acre parcel into 25 alternative style single-family lots in the Multi-family Review (R-2A-R) zone is approved subject to the following Findings of Fact and Conditions of Approval:
1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision.
  2. The proposed subdivision, together with the provisions for its design and improvement is consistent with the City General Plan and the Subdivision Ordinance, Chapter 16.12.020, of the Sacramento City Code. The City General Plan designates the site for Low Density Residential (4-15 du/na) and the South Sacramento Community Plan designates the site for Residential 7-15 du/na.
  3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste

discharge requirements prescribed by the California Regional Quality Control Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision.

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

**C.** The **Special Permit** to develop 25 alternative style (zero lot line) single-family residences in the Multi-family Review (R-2A-R) zone is approved subject to the following Findings of Fact and Conditions of Approval:

1. The project is based upon sound principles of land use in that the land use is consistent with the General Plan, the South Sacramento Community Plan, the Single-family Residential Design Principles, and the underlying Multi-family Review (R-2A-R) zoning.
2. The proposed project is consistent with the residential land use policies and density requirements of the General and South Sacramento Community plans.
3. The proposed use would not be detrimental to the public health, safety and welfare, not result in a public nuisance in that: The project site zoning allows alternative style single-family housing with the approval of a special permit. The project proposes to apply architectural design compatible with the surrounding area, will use quality construction materials, and has implemented design components consistent with the single-family Residential Design Principles. The proposed lot width, depth, and setbacks are adequate to accommodate setbacks which will protect the privacy of neighbors and ensure adequate light and air.

**Conditions Of Approval-Amended by Planning Commission 4/27/2006**

**B.** The **Tentative Map** to subdivide a vacant ±2.17 acre parcel into 25 alternative style single-family lots in the Multi-family Review (R-2A-R) 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 (P05-178). 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 and Finance Division:

**GENERAL: All Projects**

1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
2. Pursuant to City Code Section 16.40.190, indicate easements on the Final Map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the Development Engineering and Finance Division after consultation with the U.S. Postal Service;
3. Show all continuing and proposed/required easements on the Final Map;
4. 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;
5. Prior to submittal of improvement plans for any phase of this project, the developer's design consultant(s) shall participate in a pre-design conference with City staff. The purpose of this conference is to allow City staff and the design consultants to exchange information on project design requirements and to coordinate the improvement plan review process. Contact the Development Engineering and Finance Division, Plan Check Engineer at 808-7493 to schedule the conference. It is strongly recommended that the conference be held as early in the design process as possible;

**Planning**

6. The applicant shall dedicate to the City an Irrevocable Offer of Dedication (I.O.D.) for 41 feet at the end of the proposed cul-de-sac for future connectivity to the property to the east. The I.O.D. shall be maintained by the adjacent property owner(s) until he City accepts the I.O.D.
7. Prior to the Final Map, for lots with zero lot lines, the applicant shall enter into and record an Agreement for Conveyance of Easements with the City stating that a 3.5-foot private access and maintenance easement shall be conveyed to and reserved for the lot adjacent to the zero lot line, at no cost, at the time of sale or other conveyance of either parcel.
  - a. ***The applicant shall create a common space Lot A, incorporating areas from lots 10 and 11 to the satisfaction of the Development Services Department, and as shown on the Tentative Map.***

- b. Form a Homeowner's Association. The CC&Rs shall be reviewed and approved by the City and recorded assuring maintenance of common Lot A as shown on the Tentative Map. The Homeowner's Association shall maintain the common Lot A and the front yard areas of all residential lots (lots 1-25) in perpetuity.**

**Development Engineering and Finance Division: Streets**

8. 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;
9. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk fronting the property per City standards and to the satisfaction of the Development Engineering and Finance Division;
10. Dedicate and construct Fowler Avenue as a City standard 53-foot right-of-way residential section to the satisfaction of the Development Engineering and Finance Division;
11. Place a 2-inch (minimum) sleeve(s) under the sidewalks for each single family lot along all streets with separated curb and sidewalk in order to allow for landscaping and irrigation of the landscape planter. Sleeves shall be placed at the time sidewalks are constructed. Landscaping may be deferred until construction of the homes;
12. Dedicate and construct the proposed street/court as a 41-foot right-of-way residential section to the satisfaction of the Development Engineering and Finance Division;
13. Developer is required to install permanent street signs to the satisfaction of the Development Engineering and Finance Division;
14. 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 and Finance Division. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards;
15. This project shall require street lighting. There is an existing street lighting system in this project area. Improvements of right-of-way may require modification to the existing system. Electrical equipment shall be protected and

remain functional during construction;

16. 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 Development Engineering and Finance Division;

#### **PUBLIC/PRIVATE UTILITIES**

17. Dedicate a standard 12.5 foot public utility easement (PUE) for underground and overhead facilities and appurtenances adjacent to Fowler Avenue;
18. Dedicate a 10-foot public utility easement (PUE) for underground facilities and appurtenances adjacent to adjacent to lot 17;
19. Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction;
20. Each parcel and each building with a sewage source shall have a separate connection to the CSD-1 sewer system;
21. In order to obtain sewer service, construction of CSD-1 sewer infrastructure will be required;
22. Sewer easements may be required. All sewer easements shall be dedicated to CSD-1, in a form approved by the District Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance;
23. CSD-1 will provide maintenance only in public right-of-ways and in minimum 20-foot wide easements dedicated to CSD-1 for the purpose of continuous access and maintenance;
24. CSD-1 requires their sewers to be located 10 feet from other parallel utilities (water, drain, electrical, etc.). Prior to recording the Final Map, the applicant shall prepare a utility plan that will demonstrate that this condition is met;

#### **CITY UTILITIES**

25. Prior to the submittal of improvement plans, the applicant must provide the

Department of Utilities (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:

- a. 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.
- b. 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.

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 Fowler Avenue. Fire hydrants are located along the south side of Fowler Avenue approximately 50 feet west of the subdivision and along the north side of Fowler Avenue opposite Lot 25. A new 8-inch minimum diameter water main and a new fire hydrant will be required for this subdivision within the new Court. To obtain the necessary separation from CSD-1 sewer improvements, the water main shall be placed 7 feet off of centerline, on the opposite side of the street from the sanitary sewer. Storm drainage improvements shall be placed along the street centerline;

26. Provide separate metered domestic water services to each new parcel;
27. Properly abandon under permit, from the City and County Environmental Management Department, any well or septic system located on the property;
28. Prior to submittal of improvement plans, a drainage study and shed map as described in Section 11.7 of the City Design and Procedures Manual is required. If required by the DOU, the applicant shall develop a SSWMM model for the drainage study. Prior to performing the drainage study, the applicant should coordinate with the DOU the scope of the drainage study. The Drainage system may need to be extended from Fowler Avenue to serve the new lots. Detention may be required in oversized pipes or the street section per the Design and Procedures Manual. 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 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. Note: This site is a portion of drainage shed G263. If it is determined that the drainage system in Fowler Avenue is too shallow, and drainage must be directed to the ditch along the south boundary of the project, the applicant shall provide a drainage easement to the satisfaction of DOU. Any permits from outside agencies (Army Corps of Engineers, Fish and Game, USFWS, SAFCA or

any other applicable agency) required to discharge directly to the ditch will be the responsibility of the applicant;

29. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities. The proposed development shall not block existing off-site drainage. If necessary, private facilities shall be constructed to convey existing off-site drainage and if necessary, the owner shall execute a drainage agreement with the City assuring maintenance of the private drainage facilities;
30. 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;
31. Post construction, storm water quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Only source control measures are required. This will not affect site design. Refer to the "Guidance Manual for On-site Stormwater Quality Control Measures," dated January 2000, for appropriate source control measures;
32. 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 NOI may be obtained at [www.swrcb.ca.gov/stormwtr/construction.html](http://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 SWPPP, 6) signed certification page by property owner or authorized representative;

**FIRE**

33. Provide the required fire hydrants in accordance with CFC 903.4.2 and Appendix III-B, Section 5;

**PPDD: Parks**

34. **Payment of In-lieu Park Fee:** Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§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. (See Advisory Note);
35. **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 Development Services Department, 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.);

#### MISCELLANEOUS

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

#### ADVISORY NOTES:

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

37. Special consideration should be given during the design phase of a development project to address the benefits derived from the urban forest by installing, whenever possible, large shade trees and thereby increasing the shade canopy cover on residential lots and streets. Trees in the urban environment reduce air and noise pollution, furnish habitat for wildlife, provide energy saving shade and cooling, enhance aesthetics and property values, and contribute to community image and quality of life;
38. The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated July 6, 1998. Within the X zone, there are no requirements

to elevate or flood proof;

39. CSD-1- Gravity sewer service may not be available to the entire project area. Lots toward the end of the cul-de-sac may be too low to connect to the 6-inch sewer line on Fowler Avenue without importing a substantial amount of fill material;
  40. Developing this property will require the payment of sewer impact fees. Impact fees for CSD-1 shall be paid prior to filing and recording the Final Map or issuance of Building Permits, whichever is first. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information;
  41. As per City Code, the applicant will be responsible to meet his/her obligations regarding:
    - a. Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to approval of the final map. The Quimby fee due for this project is estimated at \$44,700. This is based on 25 single family residential units and an average land value of \$100,000 per acre for the South Sacramento Planning Area, plus an additional 20% for off-site park infrastructure improvements, less 0 acres in land dedication. 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, 18.44 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 \$50,850. This is based on 25 single family units at \$2,034 each. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.
  42. Gas service may be available to this project if desired. The developer should contact PG&E's Service Planning Department at 916-386-5112 as soon as possible to coordinate construction so as to not delay the project.
- C. The **Special Permit** to develop 25 alternative style (zero lot line) single-family residences in the Multi-family Review (R-2A-R) zone is hereby approved subject to the following conditions:
- C1. **General Planning Conditions**
- a. The applicant shall obtain all necessary building permits prior to commencing construction;
  - b. The project shall substantially conform to the approved plans as shown on the attached exhibits and as conditioned to revise. 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.

- c. Prior to the issuance of any building permits, the applicant shall provide the City with a copy of the certificate of payment of school fees for the applicable school district(s).
- d. **All house plans shall include and construct enhanced front, side, street side and rear elevations.** The enhanced elevations shall include at a minimum enhanced trim around the windows and doors with shutter treatments (as applicable). On all the enhanced elevations the window treatments (including pane pattern(s) as shown on the front elevations), rooflines, and materials should match the front façade in appearance and quality. Enhanced elevations shall be shown for each of the house plan's elevations. In addition, the homes placed on the corner lots shall have veneer materials continued from the front elevation along the entirety of the street side elevation(s).
- e. The applicant shall paint electrical meters/cabinets, telephone connection boxes, and other utility appurtenances to match the house to which they are attached;
- f. Prior to the issuance of building permits, for the non-model homes, the developer shall submit plans for a 6' tall enhanced "good neighbor" wooden fence with wood clad metal posts to the planning director for review and approval. Both sides of the fence as well as the top shall be enclosed with wooden boards. Said fence shall then be installed along the west, south and east boundaries of the subdivision as well as the division between the individual yards.
- g. Prior to final building permits for the non-model homes, the automatic irrigation systems and landscaping for all landscape areas along the Fowler Avenue frontage and street planters shall be installed.
- h. Automatic front yard sprinklers and landscaping with a minimum of one 24" box medium to deep root shade tree, as appropriate given the yard area, from the City's approved tree list, shall be installed in the yard of each residence, as shown on the Landscape Plan. **No Final Building Permit for the residence may be issued prior to the installation of the approved landscaping and irrigation;**
- i. Provide seamless gutters along all appropriate rooflines with down spouts where applicable. Gutters and downspouts shall also be provided on the zero-lot line side of the roof.
- j. To the extent it complies with the Department of Real Estate (DRE) the owner/applicant /developer shall include an "anti-speculation and use as principle residence" provision in the Agreement of Sale for the homes. The provision will require the initial sale of the home(s) be owner occupied for a minimum of 18 to 24 months. The purpose of the provision is to discourage speculation and to

provide a stabilized community of owner-occupied homes.

- k. Any modification to the Special Permit, as approved, shall require the approval of a Special Permit Modification.
- l. Garages must be used for parking. Storage within the garage area shall be limited so as not to interfere with the parking of a vehicle in each garage.
- m. Development lighting shall be coordinated with the landscaping plan so there is minimal interference between the light standards and the required illumination, the trees, and the required shading. All light fixtures shall be vandal-resistant, ornamental and shall be no taller than 16' in height.
- n. All roofing material shall be light-weight concrete tile.
- o. All siding shall be similar to Hardi-plank in fabrication, quality and durability.
- p. The covered front porch of each plan, the 1708 and the 1792, shall have an interior width/depth of at least 5' and a length of at least 8'.
- q. The exterior stone wainscot shall wrap around the front of the home to at least 7' on the side of the home without the zero lot line. For lots 1, 13 and 25, which do not have zero lot lines, the wainscot shall wrap to 7' along both sides of the homes.
- r. There is an existing block wall substantially encroaching on the west side of parcels 5, 6, 7, 8, 9, and 10. Prior to the issuance of any building permit, the wall shall be removed and a new 8' split face masonry block wall with decorative concrete cap and pilasters placed constructed along the west property line of each lot. Should the wall encroach into other lots, the same treatment applies insofar as prior to the issuance of any building permit, the wall shall be removed and a new 8' split face masonry block wall constructed along the west property line of each lot.
- s. Corner lots, lots 2, 17, and 25 shall install enhanced street side yard fencing. The enhanced fencing shall be constructed with decorative trim caps on metal posts covered w/4" x 4" posts with overlapping board construction and stained a neutral shade.
- t. Identical plans with identical elevations shall not be permitted side-by-side or directly across the street.
- u. No more than 5 units of a particular elevation may be constructed in the 25 lot subdivision.
- v. Garage doors shall be metal sectional with raised panels and shall have a windowed section, with the window shape echoing the curvilinear or angular style

of the facade. An automatic garage door opener shall also be included and installed with each garage door;

- w. ***The applicant shall create a common space Lot A, incorporating areas from lots 10 and 11 to the satisfaction of the Development Services Department, and as shown on the Tentative Map.***
- x. ***Lot A shall be developed as a mini-park with amenities for children such as a climbing/play structure, as well as for adults such as benches, barbeque area. The park area shall be landscaped around the perimeter to define the park area with shrubbery, trees, etcetera. Prior to the issuance of any building permits the developer shall submit to the Development Services department, for review and approval, the landscape plan incorporating the proposed amenities and landscaping.***
- y. ***The landscaped area(s) of Lot A shall have automatic irrigation and landscaping installed prior to 12 of the homes receiving final permits.***

**C2. Landscaping:**

- a. Automatic front yard sprinklers and landscaping with a minimum of one 24" box tree from the City's approved list of 25'-35' diameter shade trees shall be installed in the front yard of each residence at the time of construction. No Final Building Permit for the residence may be issued prior to the installation of the approved landscaping and irrigation
- b. Landscaping plans shall be submitted to the Building Division - Site Conditions Unit for review and approval by the Site Conditions Unit and the Landscape Architecture Section. The scope of the review shall include plant species selection, landscape materials, and irrigation system.
- c. Landscaping shall be provided to screen ground-mounted mechanical equipment, backflow preventers, transformers, and other similar appurtenances to the satisfaction of the Planning Director.
- d. Prior to issuance of any building permits, submit to Planning-Site Design group for review and approval, landscape plans. The plans should indicate a mix of trees selected from the approved City Arborist's street tree list at approximately 35' on center within the Fowler Avenue planters. Some of the approved trees are as follows: Chinese Pistache-Pistacia chinensis; Ginko-Ginko Biloba; Little Leaf Linden-Tilia cordata; Hedge Maple- Acer Campestre; Trident Maple-Acer buergeranum; Mayten Tree-Maytenus boaria; Evergreen Pear-Pyrus kawakamii. All street trees shall have medium to deep roots and be medium to slow growing.

- e. Fifty percent of the street trees shall be a minimum 24" box size; the remaining trees shall be a minimum 15 gal. container size. Installation of the street planter automatic irrigation and landscaping shall occur after the separated sidewalk along the street is constructed and prior to 25 percent of the homes being constructed, weather permitting. **The final certificate of occupancy/final building permit shall not be issued until the landscaping and irrigation for that portion of the planter adjacent to the home(s) is installed and operating.** The planter strip landscaping shall be maintained in healthy condition by the homeowner who's property lies "behind" the planter strip.
- f. Adequate spacing will be provided between the trees to allow the trees to obtain full maturity growth potential. All landscaped area soil surfaces shall be covered with living groundcover within two years of installation. If groundcover is contraindicated beneath the trees a covering 6" deep with mulch shall be applied and maintained in perpetuity beneath and around the trees to a diameter of six feet around the base of each tree.
- g. Prior to the issuance of **any** building permit, the applicant/developer/owner shall engage a licensed arborist to examine the 30' diameter Elm, as shown on the Tentative Map located in the northeast portion of the parcel near Fowler Avenue. Prior to the removal of the tree, the City Arborist must concur with the findings of the privately contracted arborist with regard to the advisability of removing the tree. Should the tree be approved for removal, the City Arborist shall determine the appropriate mitigation the developer will be subject to with the removal of the tree. Said mitigation shall be agreed to by the developer and signed off by the City Arborist prior to the issuance of any building permits.

**C3. Exterior Lighting:**

- a. Lighting fixtures shall be of a high quality decorative design, having a color and style, which is compatible with the building architecture, as determined by the Planning Director.
- b. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists and building occupants, adjacent residents, or the general public.
- c. Each building address number shall be illuminated.

**C4. Signage:**

- a. All signage shall comply with the City of Sacramento's Sign Ordinance.

**C5. Department Of Utilities**

The following are conditions for the **Special Permit** that shall be approved by the Department of Utilities prior to issuance of a building permit:

- a. The Final Map shall be recorded.
- b. The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated July 6, 1998. Within the X zone, there are no requirements to elevate or flood proof.
- c. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
- d. Post construction, storm water quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Only source control measures are required. This will not affect site design. Refer to the "Guidance Manual for On-site Storm water Quality Control Measures," dated January 2000, for appropriate source control measures.
- e. 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 NOI may be obtained at [www.swrcb.ca.gov/stormwtr/construction.html](http://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 SWPPP, 6) signed certification page by property owner or authorized representative.

**C6. Building Division**

- a. Balconies and porches with roof covers that are less than three feet from the property line shall have a one-hour fire-rated wall per CBC Table 5-A and a parapet per CBC Section 709.4 or remove the balconies, porch, and roof cover so they are not in an area requiring fire protection.

**C7. Fire Department**

- a. 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.

- b. Provide a water flow test. (Make arrangements at the Downtown Permit Center or at the North Permit Center's walk-in counter: 2101 Arena Blvd., Suite 200, Sacramento, CA 95834). 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 with a minimum fire flow of 1000 gallons per minute. The average hydrant spacing shall not be greater than 500 feet.

**C8. Dept. of Transportation-Engineering Services Division**

- a. This project shall require street lighting. There is an existing street lighting system in the project area. Improvements of right-of-way may require modification to the existing system. Electrical equipment shall be protected and remain functional during construction.

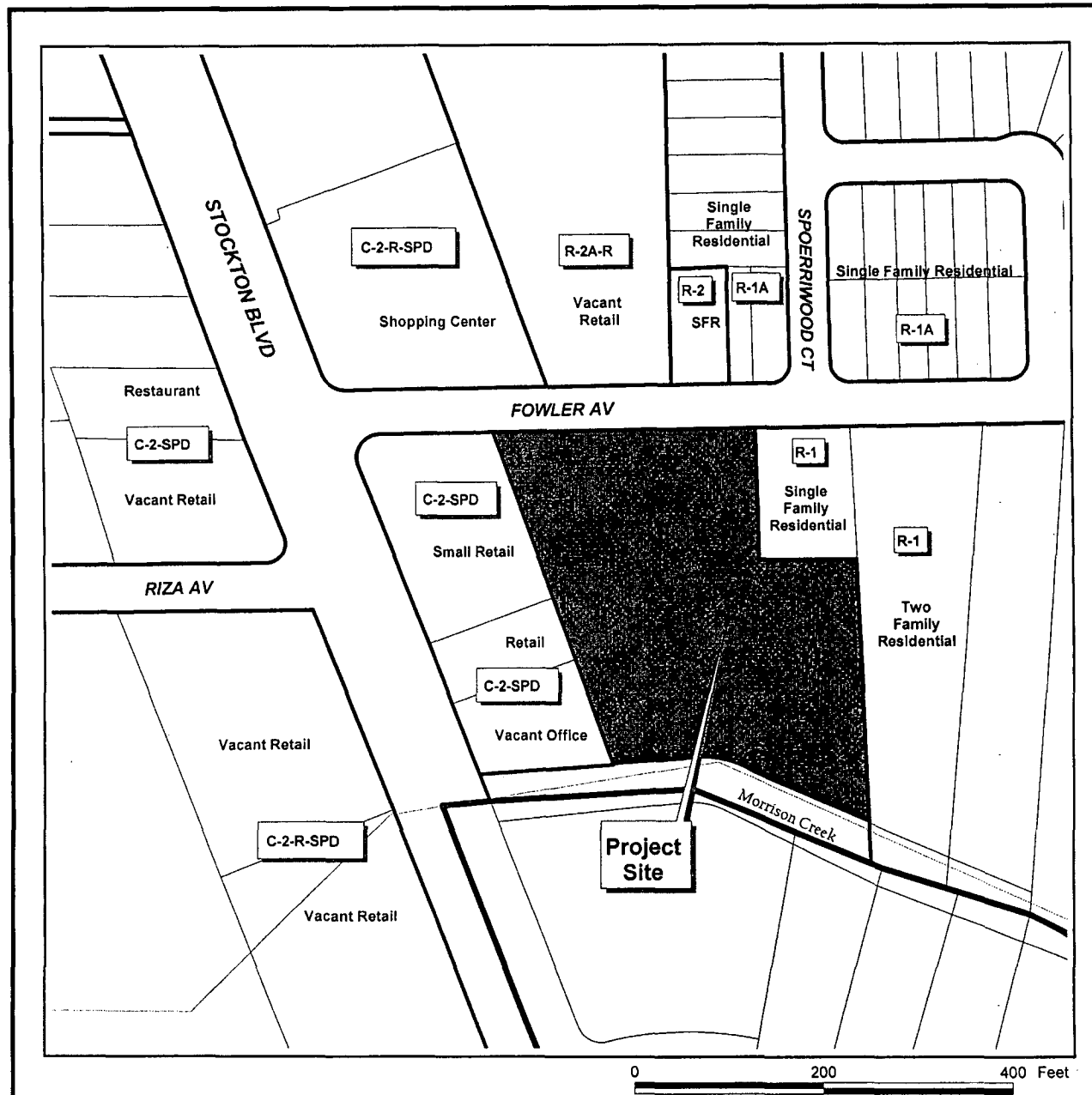
**C9. Dept. of Utilities- Solid Waste Division**


- a. This project shall divert construction waste. The project proponent shall target cardboard, wood waste, scrap metal, brick, concrete, asphalt, and dry wall for recovery. The developer should submit the following information to the Solid Waste Division:
  - Method of recovery:
  - Hauler information
  - Disposal facility
  - Diversion percentage
  - Weigh tickets documenting disposal and diversion

**C10. Department of the Army-U.S. Army Corps of Engineers**

- a. Prior to the issuance of any building permits, the applicant shall prepare a wetlands delineation, in accordance with the "Minimum Standards for Acceptance of Preliminary Wetland Delineations" and submit it to the Army Corps of Engineers for verification. See attached letter for particulars.

### Land Use and Zoning Map



 Development Services  
Department  
Geographic  
Information  
Systems

### Fowler Avenue Subdivision Land Use and Zoning

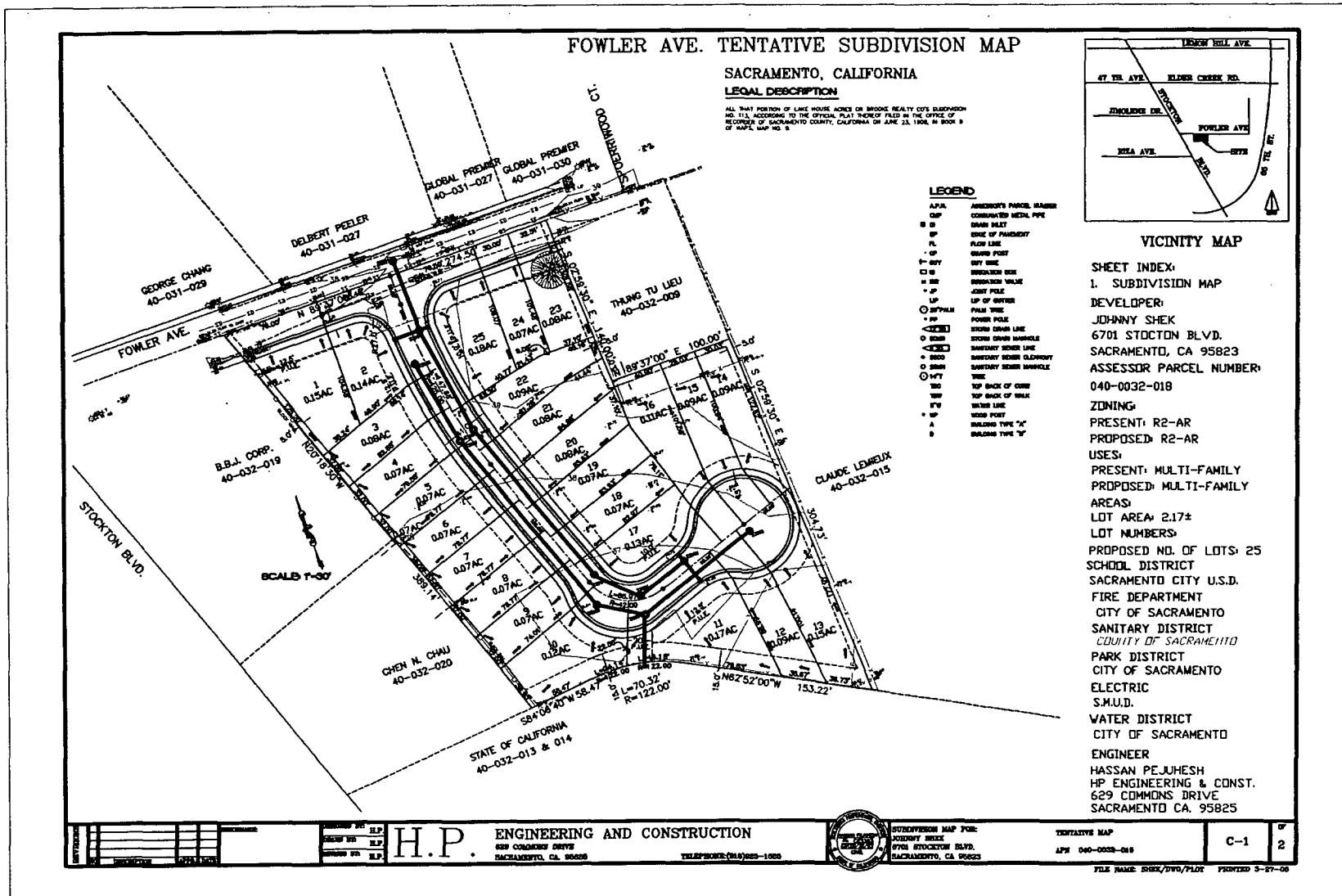


Nov. 21, 2005

April 27, 2006

# Tentative Map

Subject: Fowler Avenue Subdivision (P05-178)

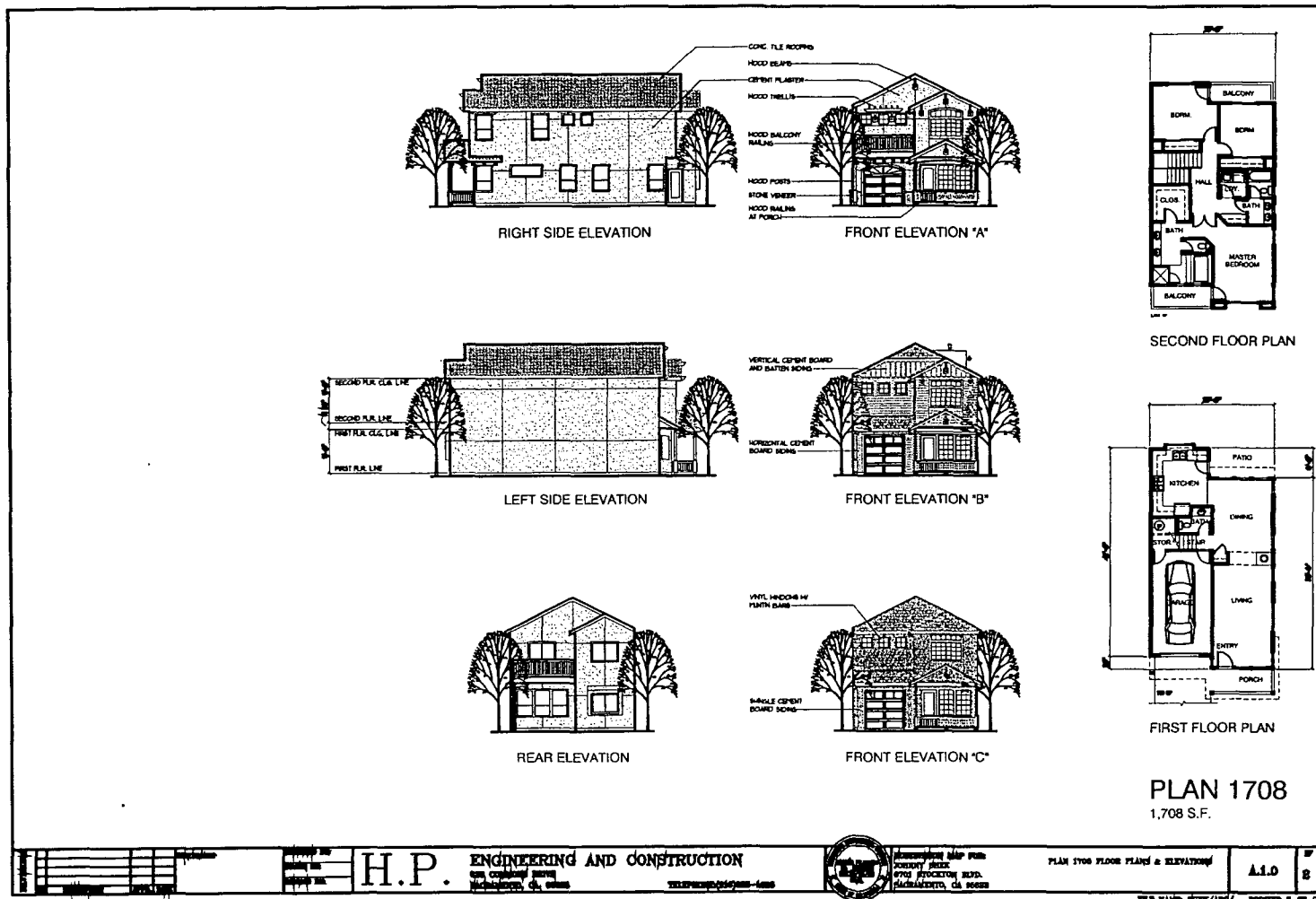




April 27, 2006

Subject: Fowler Avenue Subdivision (P05-178)

# Plan 1708 - Floor Plan and Building Elevations







## Army Corps of Engineers-Wetlands Delineation requirement letter



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO  
CORPS OF ENGINEERS  
1325 J STREET  
SACRAMENTO, CALIFORNIA 95814-2922

February 15, 2006

Regulatory Branch (200600123)

Kimberly Kaufmann-Brisby  
City of Sacramento  
915 I Street, Room 300  
Sacramento, California 95814

Dear Ms. Kaufmann-Brisby:

We are responding to your February 9, 2006 request for comments on the Fowler Avenue Subdivision project. This project is located at Latitude 038° 30' 19.9", Longitude 121° 25' 52.7", Section 33, Township 8 North, Range 5 East, near Florin, in Sacramento County, California. Your identification number is P05-178.

The Corps of Engineers' jurisdiction within the study area is under the authority of Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States. Waters of the United States include, but are not limited to, rivers, perennial or intermittent streams, lakes, ponds, wetlands, vernal pools, marshes, wet meadows, and seeps. Project features that result in the discharge of dredged or fill material into waters of the United States will require Department of the Army authorization prior to starting work.

To ascertain the extent of waters on the project site, the applicant should prepare a wetland delineation, in accordance with the "Minimum Standards for Acceptance of Preliminary Wetland Delineations", under "Jurisdiction" on our website at the address below, and submit it to this office for verification. A list of consultants that prepare wetland delineations and permit application documents is also available on our website at the same location.

The range of alternatives considered for this project should include alternatives that avoid impacts to wetlands or other waters of the United States. Every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for the unavoidable losses resulting from project implementation.

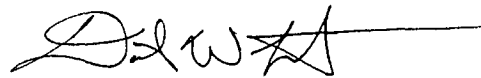
Subject: Fowler Avenue Subdivision (P05-178)

April 27, 2006

-2-

Please refer to identification number 200600123 in any correspondence concerning this project. If you have any questions, please contact Mr. David Leput at our Sacramento Office, 1325 J Street, Room 1480, Sacramento, California 95814-2922, email [david.w.leput@usace.army.mil](mailto:david.w.leput@usace.army.mil), or telephone 916-557-5327. You may also use our website: [www.spk.usace.army.mil/regulatory.html](http://www.spk.usace.army.mil/regulatory.html).

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Leput', with a long horizontal line extending to the right.

Mr. David Leput  
Project Manager

