



10.10

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
SACRAMENTO, CA

City Council
Sacramento, California

July 23, 1991

APPROVED
BY THE CITY COUNCIL

ADMINISTRATION
ROOM 300
95814-2987
916-449-5571

Honorable Members In Session:

JUL 23 1991

ECONOMIC DEVELOPMENT
ROOM 300
95814-2987
916-449-1223

SUBJECT: 1. NEGATIVE DECLARATION

OFFICE OF THE
CITY CLERK

NUISANCE ABATEMENT
ROOM 301
95814-3982
916-449-5948

2. TENTATIVE MAP TO SUBDIVIDE 7.93± ACRES
INTO 13 LOTS (9 SINGLE FAMILY AND 4 HALFPLEX,
AND ONE 6.64± ACRES REMAINDER LOT) IN THE
R-1 ZONE (P91-070)

3. SUBDIVISION MODIFICATION TO CREATE A LOT LESS THAN 100
FT. DEEP

LOCATION: Strawberry Lane South of John Muir School
Owner: Sacramento City Unified School District
Applicant: Harry Feiler, 7961 La Riviera Drive, Sacramento, CA 95826

SUMMARY

This is a request for a Tentative Map to subdivide 7.93 vacant acres into 13 lots (9 single family and 4 halfplex lots) and one remainder lot (6.43± acres) for the continued use of John Muir Elementary School. The proposal also includes a Subdivision Modification to allow one lot less than 100 feet in depth. The Planning Commission and Planning Staff recommend approval of the requests.

BACKGROUND

The General Plan designates the subject site as Low Density Residential (4-15 du/na). The project proposes 8.7 dwelling units per net acre.

The request is for a Tentative Map to subdivide 7.93± acres into nine standard single family lots, four halfplex lots (1.5± acres) and one remainder lot (6.43± acres) for the continued use of John Muir Elementary School. The proposed residential portion of this property consists of 1.5± acres and is surplus Sacramento City Unified School District property. The request also includes a Subdivision Modification to allow one lot less than 100 feet deep. Because of the surrounding development (school and freeway on-ramps) and street alignment, this modification is necessary.

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City Council
Strawberry Lane South of John Muir School (P91-070)
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The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact on the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070(B) of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified effects or to mitigate such effects to a point where clearly no significant effects would occur.

VOTE OF THE PLANNING COMMISSION

On June 13, 1991, the Planning Commission voted seven ayes, two absent, to recommend approval of the request.

FINANCIAL DATA

Not applicable.

POLICY CONSIDERATION

The project is consistent with the General Plan and is designated an infill area.

MBE/WBE EFFORTS

Not applicable.

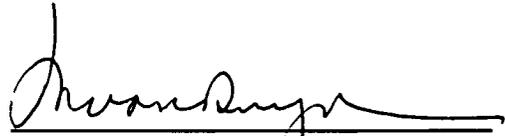
City Council
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RECOMMENDATION

The Planning Commission and Planning staff recommend the City Council take the following actions:

1. Ratify the Negative Declaration;
2. Adopt the attached resolution which approves the Tentative Map and Subdivision Modification.

Respectfully submitted,


MARTY VAN DUYN
Planning Director

FOR CITY COUNCIL INFORMATION:
WALTER J. SLIPE
CITY MANAGER

Approved:


ROBERT P. THOMAS
Acting Director, Planning & Development

Contact Person:
Will Weitman, Principal Planner
(916) 449-5604

RPT:MVD:WW:vr
P91-070.cc

July 23, 1991
District No. 5

Attachment

(3)

10.10

AMENDED 7/23/91

RESOLUTION NO. 91-592

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

APPROVED
BY THE CITY COUNCIL

JUL 23 1991

OFFICE OF THE
CITY CLERK

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR PROPERTY LOCATED AT STRAWBERRY LANE SOUTH OF JOHN MUIR SCHOOL

(P91-070) (APN: 022-0290-017)

WHEREAS, the City Council on _____, held a public hearing on the request for approval of a subdivision modification and tentative map for property located at the above described location;

WHEREAS, all governmental and utility agencies affected by the development of the proposed subdivision have been notified and given the opportunity to respond;

WHEREAS, the City Environmental Coordinator has determined that the proposed project will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration;

WHEREAS, the City Planning Commission has submitted to the City Council its report and recommendations on the proposed subdivision;

WHEREAS, the City Council has considered the design of the proposed subdivision in relation to feasible future passive or natural heating and cooling opportunities; and

WHEREAS, the City Council has considered the effects that approval of the proposed subdivision would have on the housing needs of the Sacramento Metropolitan area and balances these needs against the public service needs of City residents and available fiscal and environmental resources.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

1. The Negative Declaration has been prepared in compliance with CEQA, State and City Guidelines, and the Council has reviewed and considered the information contained herein, as follows:
 - A. An Initial Study was conducted by the Environmental Coordinator in order to evaluate the potential for adverse environmental impact;
 - B. There is no evidence before the City to indicate that the proposed project will have any potential for adverse effect on wildlife resources.
2. None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision.
3. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 40 of the City Code, which is a Specific Plan of the City. The City General Plan designates the subject site for residential and infill use(s).
4. 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.
5. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
6. In the matter of the hereby approved requested subdivision modification to create a lot less than 100 feet deep:
 - a. The City Council determines that it is impossible, impracticable and undesirable in this particular case to conform to the strict application of City Code Chapter 40 in that because of the existing lot pattern it is not possible to provide 100 feet in depth for Lot 9.
 - b. The cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification.
 - c. The modification will not be detrimental to the public health, safety, or welfare, or be injurious to other properties in the vicinity in that the property can be developed with a standard single family residence without setback variances.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

- d. That granting the modification is in accord with the intent and purpose of these regulations and is consistent with the General Plan and with all other applicable Specific Plans of the City in that the 8.7 du/na density of the project conforms to the plan designation.
7. The tentative map for the proposed subdivision is hereby approved, subject to the following conditions which must be satisfied prior to filing of the final map unless a different time for compliance is specifically noted:
- A. Provide standard improvements pursuant to Section 40.811 of the City Code;
 - B. Prepare a sewer and drainage study for the review and approval of the Public Works Department. Extend off-site water line to provide a loop system for Strawberry Lane to Martin Luther King Jr. Boulevard. It may require off-site sewer and drain extension and oversizing;
 - C. Pursuant to City Code Section 40.1302 (Parkland Dedication), the applicant shall submit to the City an appraisal of the property to be subdivided and pay the required parkland dedication in-lieu fees. The appraisal shall be dated not more than 90 days prior to the filing of the final map;
 - D. Hidden Village Unit No. 1 shall have approved plans and Strawberry Lane shall be constructed prior to or concurrently with Hidden Village Unit No. 2;
 - E. Submit a soils test prepared by a registered engineer to be used in street design;
 - F. Dedicate a standard 12.5 foot public utility easement for underground public utility facilities and appurtenances adjacent to all public ways, public drives and/or irrevocable offers of dedication;
 - G. Place a note on the final map: The applicant shall comply with the mandatory mitigation measures of the Negative Declaration on file with the City Planning Division (P91-070);
 - H. Requires off-site dedication along the extension of Moonshadow Way. City will condemn at developer's expense, if necessary. Construct a minimum of 24 feet wide pavements to Martin Luther King Jr. Boulevard;
 - I. Construct both elbows of City standards with a 50 foot radius and 30 foot return radius (Note: This will create a fence/property line which is not straight on the southern boundary of the school remainder; and

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

- J. Abandon excess Strawberry Lane prior to filing final map.
- * K. Prior to recordation of the final map, applicant shall negotiate with the Sacramento City Unified School District a mutually agreeable and voluntary written agreement in satisfaction of the proposed subdivision's school facilities impacts on the District, and subject to ratification by the District's Board of Trustees.

MAYOR

ATTEST:

CITY CLERK

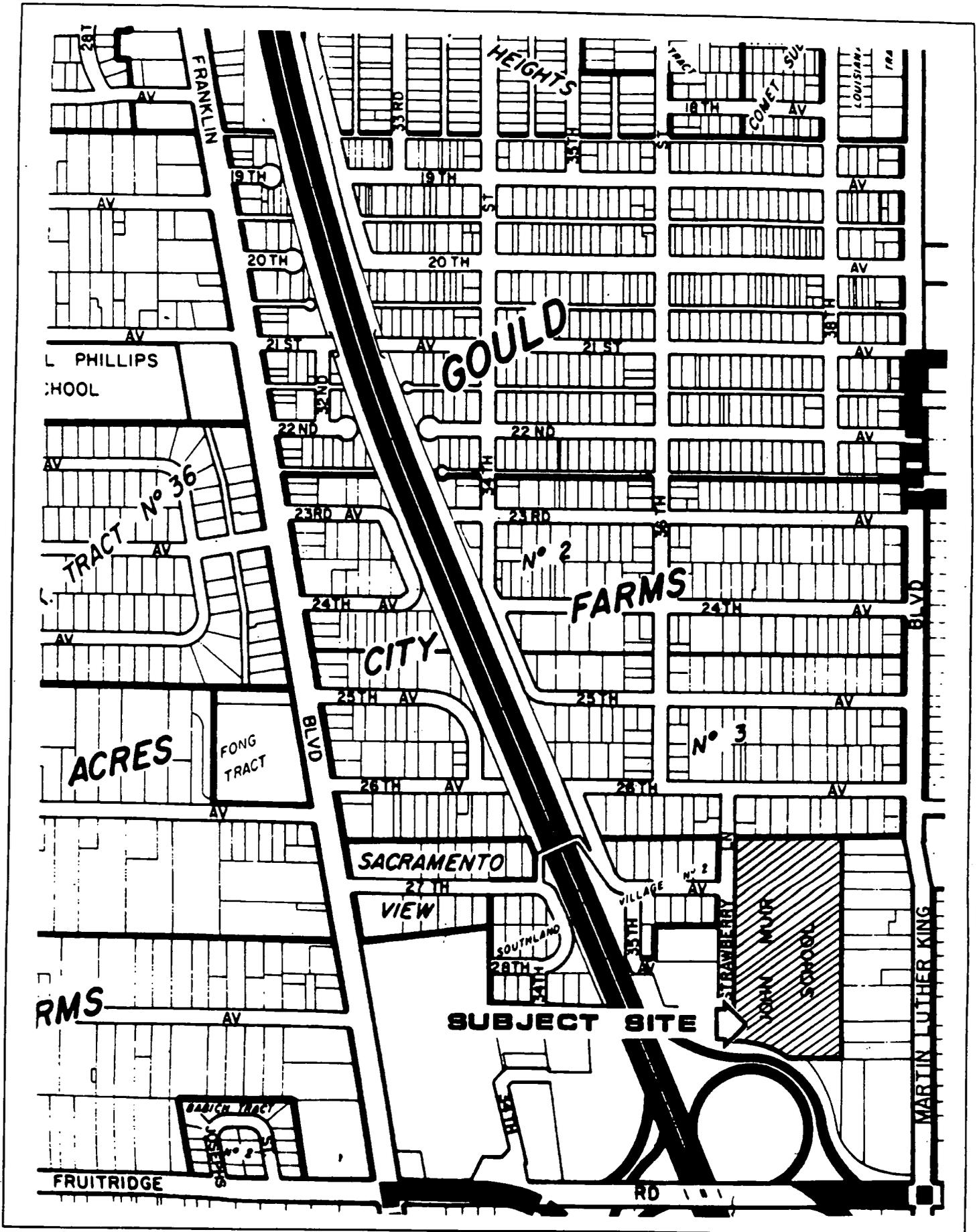
P91-070

* amended by staff 7/23/91

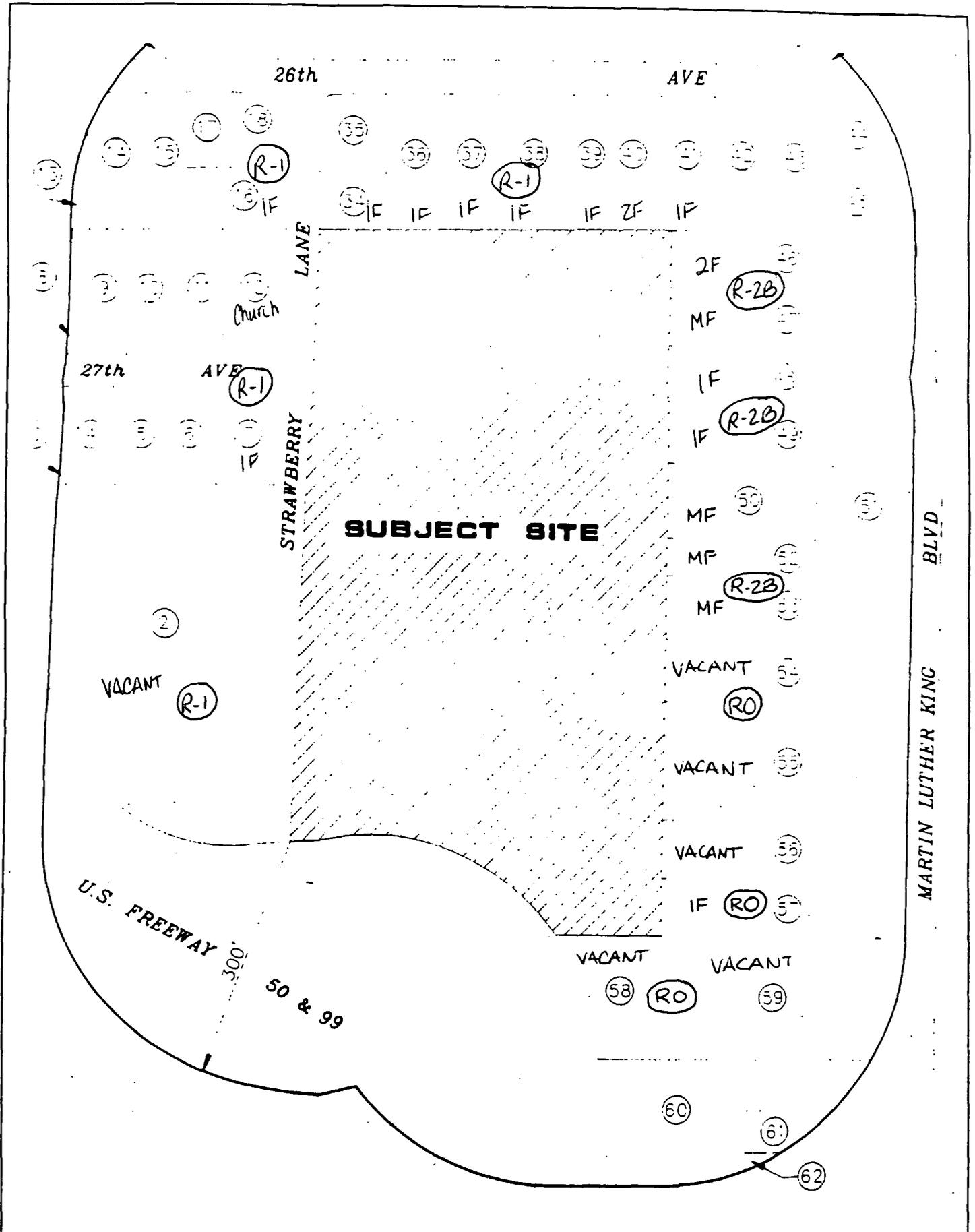
FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____



VICINITY MAP



LAND USE & ZONING MAP

CITY OF SACRAMENTO PLANNING COMMISSION
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT <u>Harry Feiler, 7961 LaBiviera Drive, Sacramento, California 95826</u>		
OWNER <u>Sacramento City Unified School District, 1619 N Street, Sacramento, California 95814</u>		
PLANS BY <u>Donald Celli & Associates, 9960 Business Park Drive, Suite 140, Sacramento, California 95827</u>		
FILING DATE <u>March 26, 1991</u>	ENVIR. DET. <u>Negative Declaration</u>	REPORT BY <u>CG</u>
ASSESSOR'S PCL. NO. <u>022-0290-017</u>		

- APPLICATION:**
- A. Negative Declaration.
 - B. Tentative Map to subdivide 7.93± vacant acres into 13 lots (9 single family and 4 half-plex) and one 6.43± acre remainder lot in the Standard Single Family (R-1) zone.
 - C. Variance to create a lot with less than 100 feet in depth.
 - D. Subdivision Modification to create a lot less than 100 feet in depth.

LOCATION: Strawberry Lane south of John Muir School

PROPOSAL: The applicant is requesting the necessary entitlements to subdivide 7.93± acres into 13 lots for single family residential development (1.5± acres) and one remainder lot (6.43± acres) for the continued use of John Muir Elementary School.

PROJECT INFORMATION:

General Plan Designation:	Low Density Residential (4-15 du/na)
Existing Zoning of Site:	R-1
Existing Land Use of Site:	Vacant

Surrounding Land Use and Zoning:

North:	John Muir School; R-1
South:	Fruitridge Road On-Ramp to Highway 99
East:	Vacant and Single Family; RO
West:	Vacant; R-1

Property Dimensions:	Irregular
Total Property Area:	7.93± gross acres (includes entire school site)
Net Property Area:	1.5± net acres
Density of Development:	8.7 du/na
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
School District:	Sacramento City Unified School District

SUBDIVISION REVIEW COMMITTEE: On May 15, 1991, the Subdivision Review Committee, by a vote of seven ayes, two absent, voted to recommend approval of the proposed tentative map subject to the conditions listed below.

APPLC. NO. P91-070

MEETING DATE June 13, 1991

ITEM NO. 17



PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of 7.93± gross acres in the Standard Single Family (R-1) zone. A 6.43± acre portion of the site is currently the location of John Muir Elementary School. The remainder is an unfenced, unused portion of the site owned by the Sacramento Unified School District. The remainder (1.5± net acres) is proposed to be subdivided for single family residential use. The General Plan designates the site Low Density Residential (4-15 du/na). The project is also located within the Oak Park Redevelopment Area. The surrounding land use and zoning includes John Muir School, zoned R-1, to the north; Fruitridge Road On-ramp for Highway 99, to the south; vacant land and single family residential, zoned RO, to the east; and vacant land, zoned R-1, to the west.

B. Applicant's Proposal

The applicant is proposing to subdivide 1.5± net acres of surplus Sacramento City Unified School District property for single family residential. The proposal includes 9 standard single family parcels, and four half-plex lots. The proposal ties into a previously approved Hidden Village Unit No. 1 subdivision on Strawberry Lane and a proposed subdivision to the east connecting to Martin Luther King Jr. Boulevard (see Exhibit B).

C. Staff Analysis

Staff has no objection to the tentative map proposal. The 8.7 dwelling unit per net acre density of this project conforms to the General Plan designation. All but one lot (Lot 9) meets the minimum requirements of the Subdivision Ordinance. This lot, however, is suitable for development of a standard single family residence without requesting any setback variances. The tentative map ties into Hidden Village Unit No. 1 and allows for future connection to Martin Luther King Jr. Boulevard.

The subject site is located within the Oak Park Redevelopment Area. Any development on the site will require review and approval by the Design Review/Preservation staff. The Sacramento Housing and Redevelopment Agency has indicated the proposal to be consistent with the Oak Park Redevelopment Plan.

ENVIRONMENTAL DETERMINATION: The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070 (B) 1 of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified effects or to mitigate such effects to a point where clearly no significant effects will occur. The mandatory mitigation measures are listed below.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

- A. Ratify the Negative Declaration.
- B. Recommend approval of the Tentative Map to subdivide 7.93± vacant acres into 13 lots (9 single family and 4 half-plex) and one remainder lot subject to conditions and forward to City Council.
- C. Approve the Variance to create a lot with less than 100 feet in depth based upon findings of fact which follow.
- D. Recommend approval of the Subdivision Modification to create a lot less than 100 feet in depth and forward to City Council.

Conditions - Tentative Map

- 1. Provide standard improvements pursuant to Section 40.811 of the City Code;

2. Prepare a sewer and drainage study for the review and approval of the Public Works Department. Extend off-site water line to provide a loop system for Strawberry Lane to Martin Luther King Jr. Boulevard. It may require off-site sewer and drain extension and oversizing;
3. Pursuant to City Code Section 40.1302 (Parkland Dedication), the applicant shall submit to the City an appraisal of the property to be subdivided and pay the required parkland dedication in-lieu fees. The appraisal shall be dated not more than 90 days prior to the filing of the final map;
4. Hidden Village Unit No. 1 shall have approved plans and Strawberry Lane shall be constructed prior to or concurrently with Hidden Village Unit No. 2;
5. Submit a soils test prepared by a registered engineer to be used in street design;
6. Dedicate a standard 12.5 foot public utility easement for underground public utility facilities and appurtenances adjacent to all public ways, public drives and/or irrevocable offers of dedication;
7. Place a note on the final map: The applicant shall comply with the mandatory mitigation measures of the Negative Declaration on file with the City Planning Division (P91-070);
8. Requires off-site dedication along the extension of Moonshadow Way. City will condemn at developer's expense, if necessary. Construct a minimum of 24 feet wide pavements to Martin Luther King Jr. Boulevard;
9. Construct both elbows to City standards with a 50 foot radius and 30 foot return radius (Note: This will create a fence/property line which is not straight on the southern boundary of the school remainder; and
10. Abandon excess Strawberry Lane prior to filing final map.
11. Prior to recordation of the final map, applicant shall negotiate with the Sacramento City Unified School District a written agreement in satisfaction of the proposed subdivision's school facilities impacts on the District, as mutually agreed to by the applicant and the District, substantially in the form of the attached agreement, subject to ratification by the District's Board of Trustees.

Mandatory Mitigation Measures

The applicant has agreed to the following mitigation measures to reduce interior noise levels to less-than-significant:

General

1. No two-story homes should be permitted.
2. Bedrooms should be located as far from US 99 as possible. When this is not possible, bedrooms on lots closest to the roadway should be placed as close as possible to the rear of the house with no or small windows facing the roadway. For all other lots, it should be possible to locate bedrooms on the side of the house away from US 99.
3. All joints in exterior walls shall be grouted or caulked airtight.
4. All penetrations of exterior walls shall include a 1/2 inch airspace. This space shall be filled loosely with fiberglass insulation. The space shall then be sealed airtight on both sides of the wall with a resilient, non-hardening caulking or mastic.

5. Window or through-the-wall ventilation and air conditioning units shall not be permitted.
6. All sleeping spaces shall be provided with carpet and pad.
7. There shall be no through-the-door or through-the-wall mail or paper chutes.
8. Basic exterior wall construction shall include:
 - a. 2' x 4' wood studs
 - b. R-11 insulation in the cavities
 - c. 1/2" or 5/8" gypsum wallboard fastened to wood studs. Walls shall be fully taped and finished and also sealed around the perimeter with a resilient caulking.
 - d. The exterior shall be finished with a minimum 5/8" wood paneling or siding plus 1/2" insulation board or structural plywood.
9. Ceilings shall be finished with a minimum 1/2" gypsum board with minimum R-30 insulation in the ceiling.
10. The roof shall be finished with a minimum 5/8" particle board or plyboard of equivalent weight, 30 lb. paper and minimum 240 lb/square composition shingles or equivalent. Skylights shall not be used unless they have an STC rating of 30 or better.
11. Fireplaces are not recommended because the chimney serves as a conduit for the sound. However, they are much like operable windows. If the damper remains closed, the small areas of the chimney will permit a relatively small amount of sound to enter. Thus, if they are included in the design, they shall contain a fully operable damper. The damper shall permit less than 0.75 CFM/lin.ft. of air infiltration with a 25 MPH wind when completely closed.
12. Windows shall have a minimum STC rating of 28.
 - a. Windows must comprise less than 15 percent of the floor area.
 - b. Windows shall have an air infiltration rate of less than or equal to 0.0015 CFM/lin.ft. when tested with a 25 mile hour wind per ASTM standards.
 - c. The perimeter of window frames shall be sealed airtight to the exterior wall construction with a resilient, non-hardening caulking.
13. All hinged exterior doors shall have a minimum STC rating of 30.
 - a. Exterior doors shall include full perimeter seals as required to achieve the STC rating.
14. Sliding glass doors shall have a minimum STC rating of 32 if facing US 99.
15. A mechanical ventilation system shall be installed which will provide minimum air circulation and fresh air supply requirements. There shall be no need to open windows, doors or other exterior openings to provide adequate ventilation.
16. Gravity vent openings in attic space shall not exceed code minimum in size and number.
17. If a fan is used for forced ventilation, the attic inlet and discharge opening shall be fitted with a minimum 20 gauge sheet metal transfer ducts a minimum of 5 feet long.
 - a. The transfer ducts shall have a minimum 1" duct lining.
 - b. Each duct shall have a lined 90 degree bend in the duct such that there is not direct line of

sight from the exterior through the duct into the attic.

18. All exhaust fans connecting the interior to the exterior shall be connected with a minimum 10 foot duct.
 - a. The ducts shall have a minimum 1" duct lining.
 - b. Each duct shall have a lined 90 degree bend in the duct such that there is not direct line of sight from the interior to the exterior through the duct with the exception of the kitchen range exhaust.

Lots 1, 2, 3, 4, and 7; Bedrooms on US 99 side

1. Small bedrooms (approximately 100 sq. ft.)

- a. Windows with a full view of the roadway shall have a minimum STC rating of 44. An STC rating of 34 or better can be used to achieve an interior L_{dn} of 45 dB. In all cases, the window size must not exceed 12 percent of the floor area. If the window has only a 90 degree view of US 99, an STC rating of 34 or better can be used to reach a 43 dB, L_{dn} .
- b. The exterior wall must be constructed using either dense stucco or resilient channels beneath the interior gypsum board. The remainder of the exterior construction must meet the minimum standard.

2. Master bedrooms (approximately 155 sq. ft.)

- a. Windows with a full view of the roadway shall have a minimum STC rating of 34. An STC rating of 28 or better can be used to achieve an interior rating of 45. The window shall not exceed 13 percent of the floor area. If the window has only a 90 degree view of US 99, an STC rating of 28 or better can be used to reach a 43 dB, L_{dn} .
- b. The exterior wall must be constructed using either dense stucco or resilient channels beneath the interior gypsum board. The remainder of the exterior construction must meet the minimum standard.

3. Family Room/Dining Room

- a. If the window has a partial view of US 99, it must have a minimum STC rating of 34. For other cases, the window shall meet general requirements.

Lots 8 through 11B

1. Small Bedroom

- a. Windows must have a minimum STC rating of 38 to meet 43 dB, L_{dn} . Requirements of General Construction are all that is needed to meet 45 dB, L_{dn} .

or

- b. The exterior wall must be constructed using either dense stucco or resilient channels beneath the interior gypsum board. The remainder of the exterior construction must meet the minimum standard.

2. Master Bedroom

- a. Windows must have a minimum STC rating of 34 to meet 43 dB, L_{dn} .

Lots 5, 6A, and 6B; Yard on Moonshadow Way side

1. Family Room/Dining Room

- a. Windows with a full view of the roadway shall have a minimum STC rating of 34. An STC rating of 28 or better can be used to achieve an interior L_{dn} of 45 dB. The window size must not exceed 15 percent of the floor area. If the window has only a 90 degree view of US 99, an STC rating of 28 or better can be used to reach a 43 dB, L_{dn} .
- b. The exterior wall must be constructed using either dense stucco or resilient channels beneath the interior gypsum board. The remainder of the exterior construction must meet the minimum standard.

Lots 5, 6A, and 6B; Yard on US 99 side

1. Small Bedroom

- a. Windows with a full view of the roadway shall have a minimum STC rating of 34. An STC rating of 28 or better can be used to achieve an interior L_{dn} of 45 dB. In all cases, when the window has only a 90 degree view of US 99, an STC rating of 28 or better can be used to reach a 43 dB, L_{dn} .
- b. The exterior wall must be constructed using either dense stucco or resilient channels beneath the interior gypsum board. The remainder of the exterior construction must meet the minimum standard.

2. Master Bedroom

- a. Either windows must have a minimum STC rating of 44 to meet 43 dB, L_{dn} .
- or
- b. The exterior wall must be constructed using either dense stucco or resilient channels beneath the interior gypsum board. The remainder of the exterior construction must meet the minimum standard.

In addition, to reduce the maximum interior sound level in the small and master bedroom, more effort is required to meet the day-night average sound levels. The following are the requirements for each of these spaces. The applicant has agreed to the following mitigation measure to reduce the impact on the small and master bedrooms:

Small Bedrooms or Master Bedroom

- 1. Windows must have a minimum STC rating of 44.
- 2. The exterior wall must be constructed using dense stucco with resilient channels between the wood stud and the interior gypsum board. The remainder of the exterior construction must meet the minimum standard.

Alternatives

Alternative mitigation measures may be substituted for any of the above noise mitigation measures to achieve the required interior noise level. Utilization of alternatives shall be subject to approval by the Environmental

Coordinator.

Non-compliance with, or deletion of the above mitigation measure by any party will require the project to be processed for additional environmental review. If this review determines that there is the possibility for significant adverse environmental impact due to the development of the project, additional mitigation measures may be required, or the applicant may be requested to prepare an Environmental Impact Report if identified impacts cannot be reduced to less than significant level through mitigation.

Findings of Fact - Variance

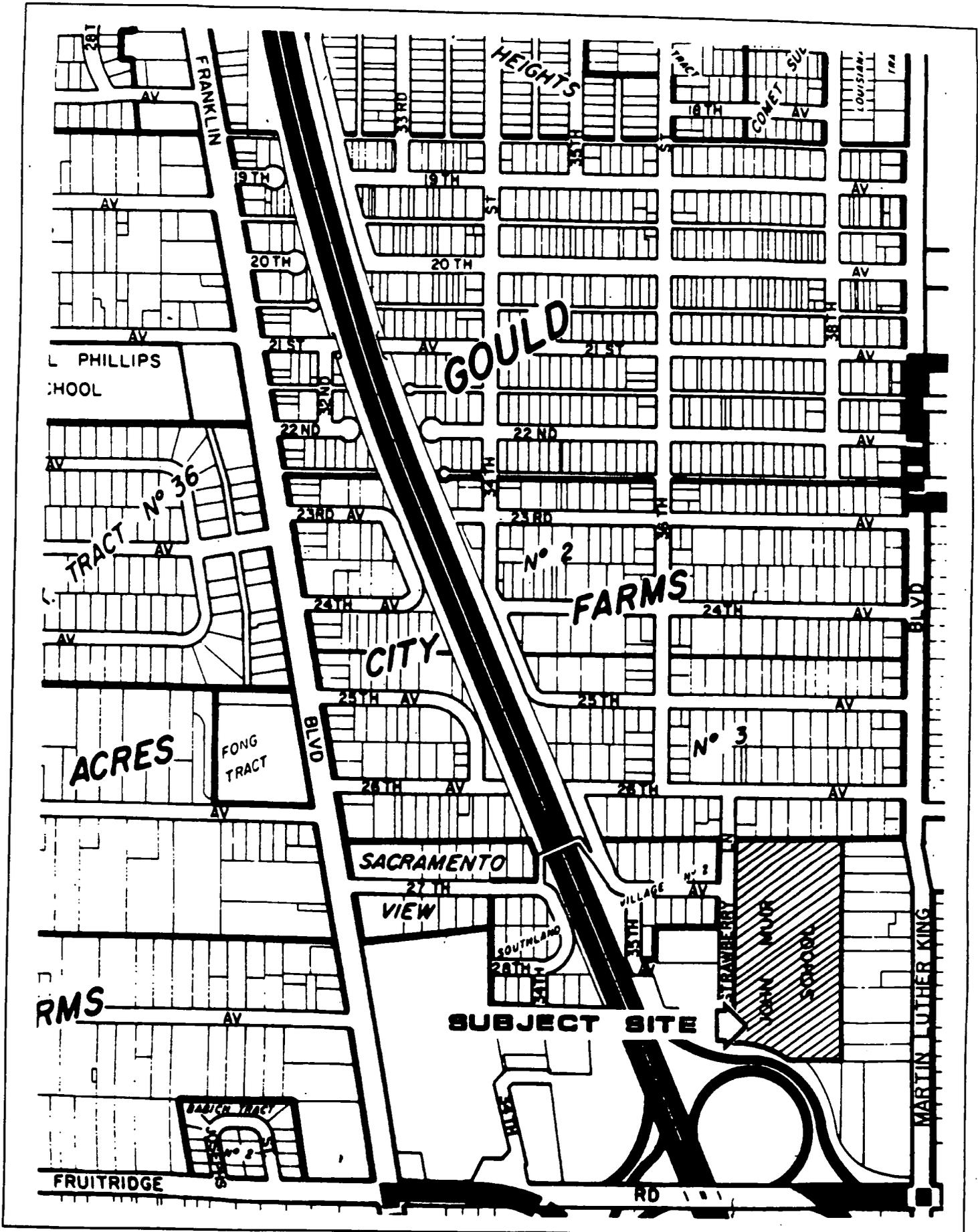
1. Granting the variance does not constitute a special privilege extended to one property owner in that variances would be granted to other property owners facing similar circumstances. It is because of the existing lot pattern that it was not possible to provide 100 feet in depth for lot 9.
2. Granting the variance does not constitute a use variance in that residential uses are allowed in the R-1 zone.
3. Granting the variance would not be injurious to the public safety of welfare, nor result in the creation of a public nuisance in that the property can be developed with a standard single family residence without setback variances.
4. The project is consistent with the General Plan which designates the site Low Density Residential (4-15 du/na). The 8.7 du/na density of the proposed project conforms to the plan designation.

APPLC. NO. P91-070

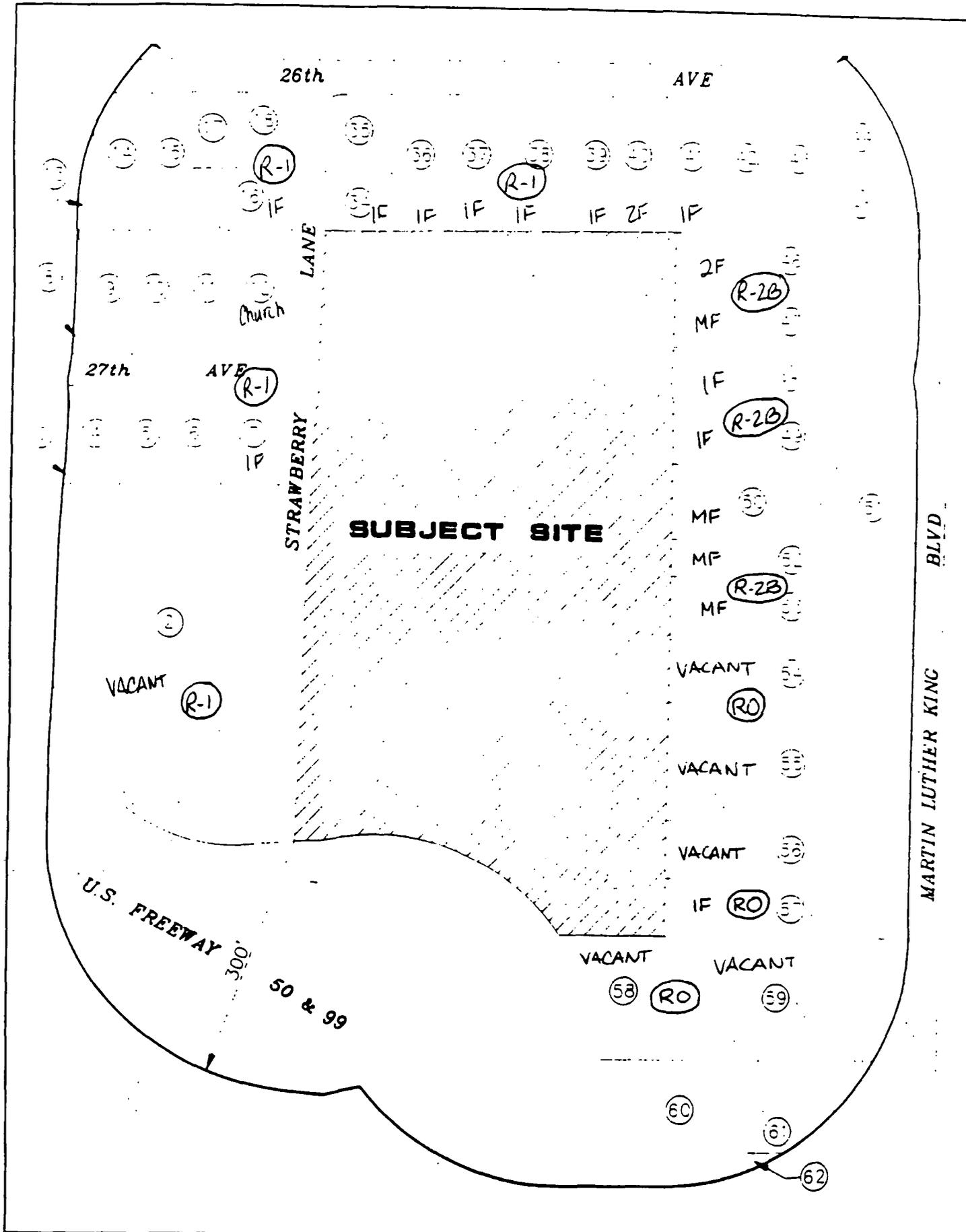
MEETING DATE June 13, 1991

ITEM NO. 17

19



VICINITY MAP



LAND USE & ZONING MAP

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR PROPERTY LOCATED AT STRAWBERRY LANE SOUTH OF JOHN MUIR SCHOOL

(P91-070) (APN: 022-0290-017)

WHEREAS, the City Council on _____ held a public hearing on the request for approval of a subdivision modification and tentative map for property located at the above described location;

WHEREAS, all governmental and utility agencies affected by the development of the proposed subdivision have been notified and given the opportunity to respond;

WHEREAS, the City Environmental Coordinator has determined that the proposed project will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration;

WHEREAS, the City Planning Commission has submitted to the City Council its report and recommendations on the proposed subdivision;

WHEREAS, the City Council has considered the design of the proposed subdivision in relation to feasible future passive or natural heating and cooling opportunities; and

WHEREAS, the City Council has considered the effects that approval of the proposed subdivision would have on the housing needs of the Sacramento Metropolitan area and balances these needs against the public service needs of City residents and available fiscal and environmental resources.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

1. The Negative Declaration has been prepared in compliance with CEQA, State and City Guidelines, and the Council has reviewed and considered the information contained herein, as follows:

RESOLUTION NO.: _____

DATE ADOPTED: _____

- A. An Initial Study was conducted by the Environmental Coordinator in order to evaluate the potential for adverse environmental impact;
 - B. There is no evidence before the City to indicate that the proposed project will have any potential for adverse effect on wildlife resources.
2. None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision.
 3. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 40 of the City Code, which is a Specific Plan of the City. The City General Plan designates the subject site for residential and infill use(s).
 4. 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.
 5. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
 6. In the matter of the hereby approved requested subdivision modification to create a lot less than 100 feet deep.
 - a. The City Council determines that it is impossible, impracticable and undesirable in this particular case to conform to the strict application of City Code Chapter 40 in that because of the existing lot pattern it is not possible to provide 100 feet in depth for Lot 9.
 - b. The cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification.
 - c. The modification will not be detrimental to the public health, safety, or welfare, or be injurious to other properties in the vicinity in that the property can be developed with a standard single family residence without setback variances.
 - d. That granting the modification is in accord with the intent and purpose of these regulations and is consistent with the General Plan and with all other applicable Specific Plans of the City in that the 8.7 du/na density of the project conforms to the plan designation.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

7. The tentative map for the proposed subdivision is hereby approved, subject to the following conditions which must be satisfied prior to filing of the final map unless a different time for compliance is specifically noted:

- A. Provide standard improvements pursuant to Section 40:811 of the City Code;
- B. Prepare a sewer and drainage study for the review and approval of the Public Works Department. Extend off-site water line to provide a loop system for Strawberry Lane to Martin Luther King Jr. Boulevard. It may require off-site sewer and drain extension and oversizing;
- C. Pursuant to City Code Section 40.1302 (Parkland Dedication), the applicant shall submit to the City an appraisal of the property to be subdivided and pay the required parkland dedication in-lieu fees. The appraisal shall be dated not more than 90 days prior to the filing of the final map;
- D. Hidden Village Unit No. 1 shall have approved plans and Strawberry Lane shall be constructed prior to or concurrently with Hidden Village Unit No. 2;
- E. Submit a soils test prepared by a registered engineer to be used in street design;
- F. Dedicate a standard 12.5 foot public utility easement for underground public utility facilities and appurtenances adjacent to all public ways, public drives and/or irrevocable offers of dedication;
- G. Place a note on the final map: The applicant shall comply with the mandatory mitigation measures of the Negative Declaration on file with the City Planning Division (P91-070);
- H. Requires off-site dedication along the extension of Moonshadow Way. City will condemn at developer's expense, if necessary. Construct a minimum of 24 feet wide pavements to Martin Luther King Jr. Boulevard;
- I. Construct both elbows of City standards with a 50 foot radius and 30 foot return radius (Note: This will create a fence/property line which is not straight on the southern boundary of the school remainder; and
- J. Abandon excess Strawberry Lane prior to filing final map.

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DATE ADOPTED: _____

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K. Prior to recordation of the final map, applicant shall negotiate with the Sacramento City Unified School District a written agreement in satisfaction of the proposed subdivision's school facilities impacts on the District, as mutually agreed to by the applicant and the District, substantially in the form of the attached agreement, subject to ratification by the District's Board of Trustees.

MAYOR

ATTEST:

CITY CLERK

P91-070

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DATE ADOPTED: _____

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