



**CITY OF SACRAMENTO PLANNING COMMISSION
RECORD OF DECISION**

New City Hall, 915 I Street, 3rd Floor, Sacramento, CA 95814

Project Name: Village Greens alley paving

Project Number: P07-041

Project Location: Southeast and Southwest of the intersection of Bayou and Callison Drive. APN's: 225-1740-003-0000 to 109; 225-1740-111-0000; 225-1740-113-0000; 225-1740-117-0000; 225-1750-049-0000 to 126; 225-1750-131-0000. District 1.

Assessor's Parcel No.:

Applicant: Don Barnett 1075 Creekside Ridge Drive, Suite 110, Roseville, Ca 95678

**PROJECT
DESCRIPTION:**

A request to allow the use of asphalt instead of concrete to pave the alleys of a previously approved single family residential development on approximately 25 acres in the R-1A PUD zone. The project requires a Post-Subdivision modification.

ACTION TAKEN: On July 26, 2007, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval:

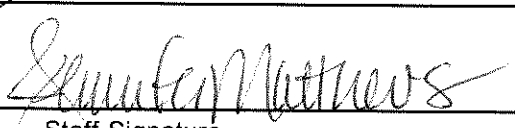
Requested Entitlement(s)	Action
Mitigated Negative Declaration	Approved
Mitigation Monitoring Plan	Adopted
Tentative Map-Post Subdivision Mod Post Sub-Mod to pave alleys with asphalt rather than concrete.	Approved

Action certified by:


David Kwong, Planning Manager

Sent to Applicant: 07/27/2007

By:


Staff Signature

NOTICE OF PROTEST RIGHTS

The above conditions include the imposition of fees, dedications, reservations, or other exactions. Pursuant to California Government Code section 66020, this Notice of Decision serves as written notice to the project applicant of (1) the amount of any fees and a description of any dedications, reservations, or exaction imposed, and (2) that the applicant may file a protest against the imposition of those fees, dedications, reservations, or other exceptions within 90 days of the date of this approval, which is deemed to be the date that the fees, dedications, reservations, or other exactions are imposed. If the payment of a fee is imposed as a condition of approval, but the amount of the fee is not stated in this Notice of Decision

and is not otherwise available to the applicant on a fee schedule or otherwise, the 90 days protest period will begin to run when the applicant is notified of the amount of the fee.

For purposes of this notice, the following fees are deemed to be imposed upon approval of the first discretionary entitlement for the subject development project and are subject to the protest procedures set forth in Title 18 of the Sacramento City Code as indicated: North Natomas Public Facilities Fee, Transit Fee, and Drainage Fee (SCC 18.24.160); North Natomas Land Acquisition Fee (SCC 18.24.340); North Natomas School Facilities Fee (SCC 18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC 18.28.150); Willow Creek Project Area Development Fee (SCC 18.32.150); Development Impact Fees for the Railyards, Richards Boulevard, and Downtown Areas (SCC 18.36.150); Habitat Conservation Fee for the North and South Natomas Community Plan Areas (18.40.090); and Park Development Impact Fee (SCC 18.44.140).

EXPIRATION

TENTATIVE MAP: Failure to record a final map within three years of the date of approval or conditional approval of a tentative map shall terminate all proceedings.

SPECIAL PERMIT: A use for which a Special Permit is granted must be established within three years after such permit is issued. If such use is not so established, the Special Permit shall be deemed to have expired.

VARIANCE: Any variance involving an action which requires a building permit shall expire at the end of three years unless a building permit is obtained within the variance term.

PLAN REVIEW: Any plan review shall expire at the end of three years unless a building permit is obtained within the plan review term.

NOTE: Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezoning, special permits and variances.

APPEALS

Appeals of the Planning Commission decision of this item must be filed at 915 I Street, New City Hall, 3rd Floor, within 10 calendar days of this meeting, on or before **08/06/2007**. If the 10th day falls on a Sunday or holiday, the appeal may be filed on the following business day.

Attachment 1
City Planning Commission Record of Decision
Findings of Fact and Conditions of Approval
Village Greens – Asphalt Paving (P07-041)

Recommended Findings Of Fact

A&B. Environmental Determination: Previously Adopted Mitigated Negative Declaration and Mitigation Monitoring Program

1. The Planning Commission of the City of Sacramento finds as follows:

A Mitigated Negative Declaration for the Village Greens Project (P04-121) was completed, noticed and circulated in accordance with the requirements of the California Environmental Quality Act, the State CEQA Guidelines and the Sacramento Local Environmental Procedures. The Village Greens – Asphalt Paving Project (P07-041) is part of the Village Greens project. The Planning Commission has reviewed and considered the information contained in the previously adopted MND and all oral and documentary evidence received during the hearing on the project. The Planning Commission has determined that the previously adopted MND constitutes an adequate, accurate, objective, and complete review and finds that no additional environmental review is required based on the reasons set forth below:

a. No substantial changes are proposed by the Project Modification that will require major revisions of the previously adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

b. No substantial changes have occurred with respect to the circumstances under which the Project Modification will be undertaken which will require major revisions to the previously adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

c. No new information of substantial importance has been found that shows any of the following:

- i. The Project will have one or more significant effects not discussed in the previously adopted MND;
- ii. Significant effects previously examined will be substantially more severe than shown in the previously adopted MND;

- iii. Mitigation measures previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the Project Modification; or
- iv. Mitigation measures which are considerably different from those analyzed in the previously adopted MND would substantially reduce one or more significant effects on the environment.

2. Based on its review of the previously adopted MND for the Project and all oral and documentary evidence received during the hearing on the Project Modification, the Planning Commission finds that the MND reflects the Planning Commission's independent judgment and analysis and adopts the MND and the addendum for the Project Modification and readopts the findings of fact in support of the MND.

3. The previously adopted mitigation monitoring program is adopted for the project, and the mitigation measures shall be implemented and monitored as set forth in the program, based on the following findings of fact;

- a. The mitigation monitoring program has been adopted and implemented as part of the project;
- b. The mitigation monitoring plan meets the requirements of CEQA Section 21081.6 and CEQA Guidelines Section number 15074.

4. Upon approval of the Project, the City's Environmental Planning Services shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and the State EIR Guidelines adopted pursuant thereto.

5. The documents and other materials that constitute the record of proceedings upon which the Planning Commission has based its decision are located in the City of Sacramento Development Services Department, Environmental Planning Services, 2101 Arena Boulevard, Suite 200, Sacramento, CA 95834. The custodian of these documents and other materials is the Development Services Department, Environmental Planning Services.

C. Post Subdivision Modification: The Post Subdivision Modification to allow private alleys to be paved with asphalt instead of concrete is **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 modification will not be detrimental to the public health, safety, or welfare or be injurious to other properties in the vicinity; and
4. 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.

Recommended Conditions Of Approval

C. The Post Subdivision Modification to allow asphalt paving in the alleys instead of concrete is approved subject to the following conditions of approval.

GENERAL: All Projects

- C1. The applicant shall comply with all previous conditions of approval (P04-121) unless modified herein.
- C2. Comply with the requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning division Office (P04-121).
- C3. The applicant shall construct the alleys in conformance with the attached plans.

DE: Private Streets

- C4. The proposed asphalt alleys shall be maintained under an HOA and not by the City of Sacramento.

CSD-1

- C5. Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.
- C6. Each lot and each building with a sewage source shall have a separate connection to the CSD-1 sewer system.

- C7. Sewer easements will 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.
- C8. The Homeowners Association By-Laws of the subject project shall include a provision to repair and /or replace all non-asphalt and/or enhanced surface treatments of streets and driveways damaged by CSD-1 maintenance and repair operations.
- C9. The trunk and collector sewer system for the project will not be accepted for maintenance and building occupancy will not be granted until the downstream sewer system serving the project is also accepted for maintenance.

FIRE

- C10. Fire apparatus Roads used for Fire Department access that are less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; roads less than 36 feet in width shall be marked on one side.
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ADVISORY NOTES:

- 1. Changes in the lot configuration and /or street widths may require to facilitate CSD-1 conditions.
- 2. Existing Sacramento Regional County Sanitation District (SRCSD) facilities serving this proposed project are capacity constrained. Ultimate capacity will be provided by construction of the Lower Northwest and Upper Northwest Interceptors, currently scheduled for completion in 2010 . SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and County Sanitation District 1 (CSD-1) will issue sewer permits to connect to the system if it is determined that capacity is available and the property has met all other requirements for service. This process is "first come, fist served". There is no guarantee that capacity will be available when actual requests for sewer service are made. Once connected, the property has the entitlement to use the system.

However, its entitlement is limited to the capacity accounted for by the payment of the appropriate SRCSD fees.

3. Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.