

CITY OF SACRAMENTO

23

CITY PLANNING DEPARTMENT

725 "J" STREET

SACRAMENTO, CALIF. 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

July 29, 1981

City Council
Sacramento, California

Honorable Members in Session:

- SUBJECT:
1. Environmental Determination
 2. Rezone from R-1 to C-2
 3. Subdivision Modification to waive sewer and water services
 4. Tentative Map (P-9414)

LOCATION: Northeast corner of 58th Street and Folsom Boulevard

SUMMARY

The applicant is requesting the necessary entitlements to create four residential lots and a commercial site. A savings and loan institution is proposed for the commercial site. The Planning Commission in concurrence with staff recommended approval of the request subject to conditions.

BACKGROUND INFORMATION

The subject site consists of five existing parcels zoned C-2 and R-1. The surrounding uses consist of commercial and residential land uses. The applicant proposes to resubdivide the site and rezone a portion of the R-1 property to C-2 in order to develop a savings and loan institution. Staff has no objection to the proposal. This will allow for the creation of four standard-sized single-family residential parcels which front on 58th Street. The proposal is also a logical extension of the present C-2 boundary.

The City Water and Sewer Department recommends waiver of the water and sewer service connections between the main line and parcels 3 and 4 until such time as the building permit is obtained. The department recommends the waiver as it prefers not to have inactive service lines to avoid deterioration of unused connections.

Office of the City Clerk

Cont 40
8-11-81

Page 1

AUG 4 1981

This project is subject to the Parkland Dedication Ordinance. The Planning and Community Services Department has determined that fees are to be charged in lieu of the required parkland dedication. In addition, the Environmental Coordinator has determined that the proposed project will not have a significant adverse impact on the environment and has filed a negative declaration.

VOTE OF COMMISSION

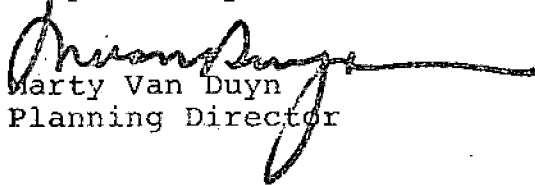
On June 25, 1981, by a unanimous vote, the Planning Commission recommended approval of the project subject to conditions.

RECOMMENDATION

The staff and Planning Commission recommend that the City Council approve the project by:

1. Ratifying the Negative Declaration;
2. Adopting the attached Rezoning Ordinance;
3. Adopting the attached Resolution adopting Findings of Fact, approving the Subdivision Modification and Tentative Map with conditions.

Respectfully submitted,



Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:WW:bw
Attachments
P-9414

August 4, 1981
District No. 3

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AUGUST 4, 1981

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT THE NORTHEAST CORNER OF 58TH STREET AND FOLSOM BOULEVARD FROM THE R-1 SINGLE FAMILY RESIDENTIAL ZONE AND PLACING SAME IN THE C-2R GENERAL COMMERCIAL REVIEW ZONE (FILE NO. P-9414) (APN: 008-363-12, 13, 18, 19, 20)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

The territory described in the attached exhibit(s) which is in the R-1 Single Family Residential _____ zone(s), established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the C-2R General Commercial Review _____ zone(s).

This action rezoning the property described in the attached exhibit(s) is adopted subject to the following conditions and stipulations:

a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.

b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission June 25, 1981, on file in the office of the Planning Department, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Director shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

SECTION 2.

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this ordinance.

SECTION 3.

Rezoning of the property described in the attached exhibit(s) by the adoption of this ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550, Fourth Series, as said procedures have been affected by recent court decisions.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

P-9414

LEGAL DESCRIPTION FOR REZONE FROM R-1 to C-2

SOUTHERLY 64 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

Lots 58 and 59 of Smith Tract No. 3, according to the official plat thereof, filed in the Sacramento County Recorder's Office on December 23, 1903 in Book 5 of Maps, Map No. 29.

EXCEPTING THEREFROM the following tree (3) parcels:

- (1) The Southwesterly 125 feet of said Lots 59 and 58
- (2) All that portion of said Lots 59 and 58 lying Northeasterly of the Southwesterly line of "O" Street, as said street is shown on the plat of Arnold Tract No. 2, filed in Book 24 of Maps, Map No. 43.
- (3) All that portion of said Lots 58 and 59 described in that certain deed from Akira Miyai, also known as Arthur Miyai, also known as Arthur A. Miyai, and Amy Miyai, his wife, recorded September 17, 1968, in Book 680917, Official Records, page 14, and described as follows

All that portion of Lot 58 and 59 of "Smith Tract No. 3", according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on December 23, 1903, in Book 5 of Maps, Map No. 29, described as follows:

Beginning at a point in said Lots 58, said point also being on the Southerly line of "O" Street as shown on the "Plat of Arnold Tract No. 2", according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on November 18, 1946, in Book 24 of Maps, Map No. 43, located the following two (2) courses and distances from the most Northerly corner of said Lot 58, South 24° 57' West 371.0 feet, and South 63° 41' East 72.0 feet; THENCE FROM SAID POINT OF BEGINNING, along said Southerly line of "O" Street and the Southerly line of said Arnold Tract No. 2, South 63° 41' East 76.00 feet to a point in said Lot 59; thence South 24° 57' West 102.0 feet; thence parallel with the Southerly line of said "O" Steet and the Southerly line of said Arnold Tract No. 2, North 63° 41' West 76.0 feet; thence North 24° 57' East 102.0 feet to the point of beginning.

P 9414

RESOLUTION No.

Adopted by The Sacramento City Council on date of

AUGUST 4, 1981

A RESOLUTION ADOPTING FINDINGS OF FACT,
APPROVING A REQUEST FOR SUBDIVISION
MODIFICATION AND TENTATIVE MAP FOR 58TH
STREET AND FOLSOM BOULEVARD (P-9414)
(APN: 008-363-12, 13, 18, 19, 20)

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations concerning the request for Subdivision Modification and Tentative Map for property located at the north-east corner of 58th Street and Folsom Boulevard (hereinafter referred to as the proposed subdivision).

WHEREAS, the Council of the City of Sacramento, based on testimony submitted at public hearing(s) conducted on August 4, 1981, hereby finds and determines as follows:

- A. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan and the East Sacramento Community Plan in that both plans designate the subject site for residential/commercial uses. Also, any required improvements are to be designed and constructed within the provisions of the Subdivision Regulations which, by Section 40.102 of said regulations, is designated as a Specific Plan of the City of Sacramento.
- B. The site is physically suitable for the type and proposed density of development in that the subject site is flat with no significant erosional, soil expansion or other similar problems.
- C. The design of the subdivision or proposed improvements are not likely to cause substantial environmental damage, and will not substantially and avoidably injure fish or wildlife or their habitat. The proposed project has been reviewed and assessed by the Environmental Coordinator who has filed a Negative Declaration with the City Clerk. By virtue of the Negative Declaration, the proposed project will not cause individual or cumulative adverse effects on the natural and social-physical environment nor substantially and avoidably injure fish, wildlife, or their habitat.
- D. The design of the subdivision or the type of improvements are not likely to cause serious public health problems in that community water and sewer systems exist at the site. The site is not within an established floodplain or over a known seismic fault.

- E. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public for access through, or use of, the property within the proposed subdivision in that there are no access easements for use by the public at large on the subject site.
- F. The discharge of waste from the proposed subdivision into the community sewer system servicing the proposed subdivision will not result in or add to a violation of the waste discharge requirements applicable to said sewer system which were prescribed by the California Regional Water Quality Control Board, Central Valley Region, in that the existing City of Sacramento treatment plants have a design capacity of 75 mgd and that actual treated discharge averages 56 mgd. The discharge from the proposed project will not create a condition exceeding the design capacity.
- G. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the proposed subdivision, taking into consideration the local climate, the contour and configuration of the parcel to be divided, and such other design and improvement requirements applicable to the proposed subdivision.
- H. In the matter of the requested Subdivision Modification, the Council determines as follows:

- a. That the property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impracticable or undesirable in the particular case to conform to the strict application of these regulations.

Fact: Given that the street improvements are already existing, it is impractical to provide the service connections at this time.

- b. That cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification.

Fact: The division of the property does not involve financial benefit through the waiver of service connections in that the connections will be provided when the site is built.

c. That the modification will not be detrimental to the public health, safety, or welfare, or be injurious to other properties in the vicinity.

Fact: Since the services will be obtained at the time of securing building permits, the modification does not constitute a hazard to public health, safety, or welfare.

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.

Fact: The site is intended for residential use, and the proposed parcel split is consistent with this designation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sacramento as follows:

- A. The Negative Declaration be ratified;
- B. The Tentative Map and Subdivision Modification be approved subject to the following conditions:
 - 1. The applicant shall provide standard subdivision improvements pursuant to Section 40.811 of the Subdivision Ordinance prior to filing the final map.
 - 2. The applicant shall place the following note on the final map: Water and sewer service connections do not exist between the main lines and Lots 3 and 4. These services must be paid for and installed at the time of obtaining the building permits.
 - 3. The applicant shall locate existing sewer and water for Lots 1, 2, and 5 prior to filing the final map. Reciprocal easements shall be placed on the final map or new services and hook-ups provided prior to filing the final map.

4. The applicant shall submit an appraisal of the residential land to be subdivided. The appraisal shall be submitted 90 days prior to the filing of the final map.

MAYOR

ATTEST:

CITY CLERK

P-9414

P.9414

-10-

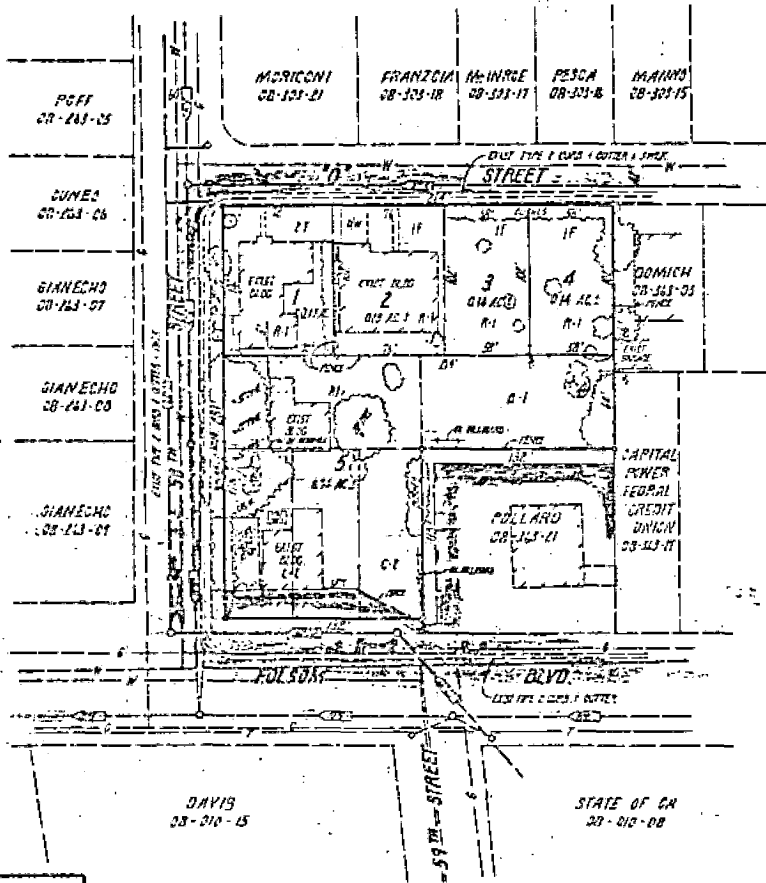
TENTATIVE PARCEL MAP

APN: 08-363-12, 13, 18, 17 & 20

CITY OF SACRAMENTO
MARCH, 1987

CALIFORNIA
SCALE 1"=40'

J.T.S. ENGINEERING
CONSULTANTS



OWNER/DEVELOPER

ALTA NATAL
3807 W STREET
SACRAMENTO, CA 95817

ENGINEER

J.T.S. ENGINEERING CONSULTANTS INC. FIRM 441-102
411 W STREET
SACRAMENTO, CA 95814

APN

08-363-12, 13, 18, 17 & 20

ACREAGE AND NO. OF PARCELS

1.8 ACRES ±

PRESENT AND PROPOSED USE

PRESENT - BUSINESS / RESIDENTIAL
PROPOSED - SAME

ZONING

R-11(C)

IMPROVEMENTS

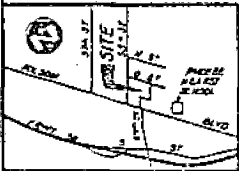
EXISTING ON FOLSOM BLVD. 33' WIDE 17' DEEP

UTILITIES

POWER	SHED
GAS	FC 12
TELEPHONE	PRIVATE TELEPHONE COMPANY
WATER	CITY OF SACRAMENTO
SEWER	CITY OF SACRAMENTO
DRAINAGE	CITY OF SACRAMENTO

LEGAL DESCRIPTION

SHOWN BY LOTS 18 AND 21 OF 'SEVEN' TRACT NO. 4,
FILED BY THE SACRAMENTO COUNTY RECORDERS OFFICE
IN BOOK 5 OF MAPS, PAGE 10 21



VICINITY MAP
AS SHOWN

BENCHMARK ELEVATION
N/A
FIELD BOOK NO. PG.

J.T.S. ENGINEERING CONSULTANTS, INC.
311 J. STREET
SACRAMENTO, CALIFORNIA 95814 (916) 441-4708

DESIGNED _____ SCALE 1"=40'
DRAWN J. J. JAMES
CHECKED _____
SUBMITTED _____ REC _____

NO.	DATE	REVISION	COUNTY APPROVAL	BY

TENTATIVE PARCEL MAP
5801 FOLSOM BLVD.
CITY OF SACRAMENTO APN: 08-363-12, 13, 18, 17 & 20 CALIFORNIA

DATE PREPARED
1/1
SHEET

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE 6-25-81
 ITEM NO. 16a FILE NO. P-9414
M-

- GENERAL PLAN AMENDMENT TENTATIVE MAP
 COMMUNITY PLAN AMENDMENT SUBDIVISION MODIFICATION
 REZONING EIR DETERMINATION
 SPECIAL PERMIT OTHER _____
 VARIANCE

Recommendation:

LOCATION: NE CORNER 58th & JOHNSON BLVD

- Favorable Unfavorable Petition Correspondence

PROPOSERS		
NAME	ADDRESS	
<u>Marvin Bogosian</u>	<u>2306 J street</u>	<u>Sacramento</u>

OPPOSERS		
NAME	ADDRESS	
<u>Cindy Pope</u>	<u>1332 40th ST.</u>	<u>Sacramento</u>

MOTION NO. _____

	YES	NO	MOTION	END
Augusta	✓			
Fong	✓			
Goodin	✓			
Holloway	✓			
Hunter	✓		✓	
Larson	✓			
Muraki	✓			
Silva	✓			✓
Simpson	✓			

- MOTION: Recommend Approval Withdrawn
to C2R
Henry Harrison
- TO APPROVE
 TO DENY
 TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
 INTENT TO APPROVE SUBJ. TO COND. & BASED ON FINDINGS OF FACT DUE _____
 TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
 TO RATIFY NEGATIVE DECLARATION
 TO CONTINUE TO _____ MEETING
 OTHER _____

CITY PLANNING COMMISSION

915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT	El Dorado Savings & Loan Association, P.O. Box 1208, Placerville, CA 95667		
OWNER	Akira Mujai, 5808 "O" Street, Sacto. 95819		
PLANS BY	JTS Engineering, 811 "J" Street, Sacto, CA. 95814		
FILING DATE	4/24/81	50 DAY CPC ACTION DATE	REPORT BY: SD:lh
NEGATIVE DEC	Exempt 15103c EIR	ASSESSOR'S PCL. NO.	008-363-12,13,18,19,20

- APPLICATION:
1. Environmental Determination
 2. Rezone 0.4 ± acres from Single-family (R-1) to General Commercial (C-2) for development of a branch savings and loan and accompanying parking.
 3. Variance to reduce the rear yard setback from 15 feet to 5 feet for an existing residential structure.
 4. Subdivision modification to waive sewer and water service for parcels 3 and 4.
 5. Tentative map to re-subdivide 1 ± acre into 4 residential lots and one commercial site.

LOCATION: Northeast corner of 58th and Folsom Blvd.

PROPOSAL: The applicant is requesting the necessary entitlements to create four residential lots and a commercial site. A savings and loan institution is proposed for the commercial site.

PROJECT INFORMATION:

1974 General Plan Designation:	Commercial and Office
1963 East Sacramento Community Plan Designation:	Lt. density Residential and shopping office-commercial
Existing Zoning of Site:	C-2 and R-1
Existing Land Use of Site:	3 existing residences, 1 commercial structure.
Surrounding Land Use and Zoning:	
North:	Residential, R-1
South:	Retail, C-2
East:	Residential and Commercial, R-1 and C-2
West:	Residential and Commercial, R-1 and C-2

Parking Required:	22 spaces
Parking ratio:	1:400 sq. ft.
Parking Provided:	36
Parking ratio:	1:247
Area:	1.4 ± ac
Density of Development:	5 du per ac.
Square Footage of Building:	8892 sq. ft. for bank flat
Topography:	

APPLIC. NO. P 9414

MEETING DATE 6-25-81

CPC ITEM NO. 16

Street Improvements:
Utilities:

existing
available

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On May 13, 1981, by a vote of 7 ayes , 1 no 1 abstention, the Subdivision Review Committee recommended approval of the tentative map, subject to the following conditions:

1. The applicant shall provide standard subdivision improvements pursuant to Section 40.811 of the Subdivision Ordinance prior to filing the final map.
2. The applicant shall place the following note on the final map: Water and sewer service connections do not exist between the main lines and lots 3 and 4. These services must be paid for and installed at the time of obtaining building permits.
3. The applicant shall locate existing sewer and water for lots 1,2, and 5 prior to filing the final map. Reciprocal easements shall be placed on the final map or new services and hook-ups provided prior to filing the final map.
- * 4. ~~The applicant shall remove the two existing billboards located on the site prior to filing the final map.~~

STAFF EVALUATION: Staff has the following concerns and comments with regard to this project.

1. The subject site consists of 5 existing parcels zoned C-2 and R-1. The C-2 portion, along Folsom Blvd. is developed with a florist shop and parking area. The R-1 portion has 3 residences located on it. The applicant proposes to resubdivide this site to create 4 standard single-family residential sites and a commercial site. One residential structure and the florist shop will be removed.
2. The applicant is requesting a variance to reduce the rear yard setback on Parcel 1 from 15 feet to 5 feet for the existing residence on that site. To retain this structure as a desirable residence and buffer it from adjacent commercial use, staff feels a 15 foot rear yard setback is necessary. In addition, the site is of sufficient size to provide the standard setback and staff could not justify the request.
3. Staff has no objection to the rezoning request. This will allow for the creation of 4 standard sized single-family residential parcels which front on 58th Street and it will further allow the utilization of what would otherwise be a deep residential lot which is difficult to develop. It is also a logical extension of the present C-2 boundary. The zoning line, however, should follow the lotting pattern which extends parcel 1, 15 feet south of the existing structure to create a standard rear yard setback.

4. Staff supports the tentative map proposal with the modification that parcel 1 be made long enough to provide a 15 foot rear yard setback to the structure (see staff's Exhibit "B").
5. The Planning and Community Services Departments have determined that fees are to be charged in lieu of the required parkland dedication. The subdivider shall submit to the City an appraisal of the residential land to be subdivided. Said appraisal shall be submitted and dated within 90 days of the filing of the final map with the City Council.
6. The East Sacramento Improvement Association had no objection to the project. Their comments are included in this staff report.
7. For the applicant's information, a Special Permit is required to locate a drive-up window in any zone. Review under that procedure will address such concerns as follows:
 - a. surface area shading.
 - b. adequate parking and maneuvering area.
 - c. Circulation pattern for the window.
8. The site plan submitted by the applicant indicates all of the landscaping along Folsom Blvd. to be located in the public right-of-way. The applicant will need to secure a revocable permit from the City Engineer to landscape in the City right-of-way. Four feet of landscaped planter area will be required on site adjacent to surface areas to comply with Sec. 6 C-5 of the Zoning Ordinance.

STAFF RECOMMENDATION: Staff recommends the following actions:

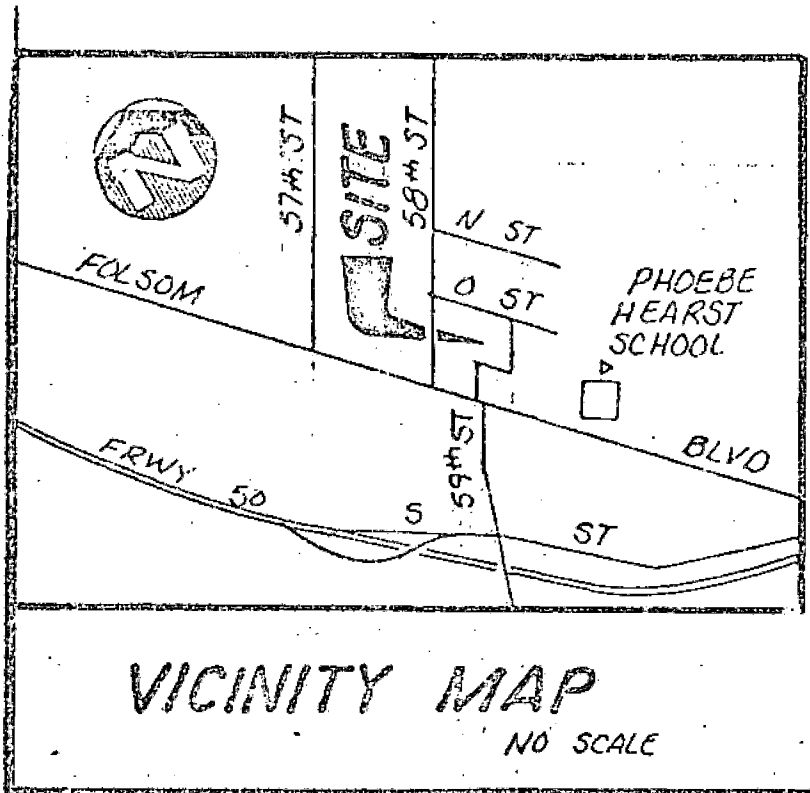
1. Ratification of the Negative Declaration.
2. Approval of the Rezoning from R-1 to C-2-R.
- ** 3. Denial of the Variance to reduce the rear yard setback from 15 feet to 5 feet for Parcel 1 based on findings of fact listed below.
4. Approval of the Tentative Map based on Exhibit "B" subject to the following conditions:
5. Approval of Subdivision Modification to waive sewer and water service for Parcel 3 and 4.
Conditions of Approval- Tentative Map
 - a. The applicant shall provide standard subdivision improvements pursuant to Section 40.811 of the Subdivision Ordinance prior to filing the final map.
 - b. The applicant shall place the following note on the final map: Water and sewer service connections do not exist between the main lines and lots 3 and 4. These services must be paid for and installed at the time of obtaining the building permits.

- c. The applicant shall locate existing sewer and water for lots 1,2, and 5 prior to filing the final map. Reciprocal easements shall be placed on the final map or new services and hook-ups provided prior to filing the final map.
- * d. ~~The applicant shall remove the two existing billboards located on the site prior to filing the final map.~~
- e. The applicant shall submit an appraisal of the residential land to be subdivided. The appraisal shall be submitted 90 days prior to the filing of the final map.

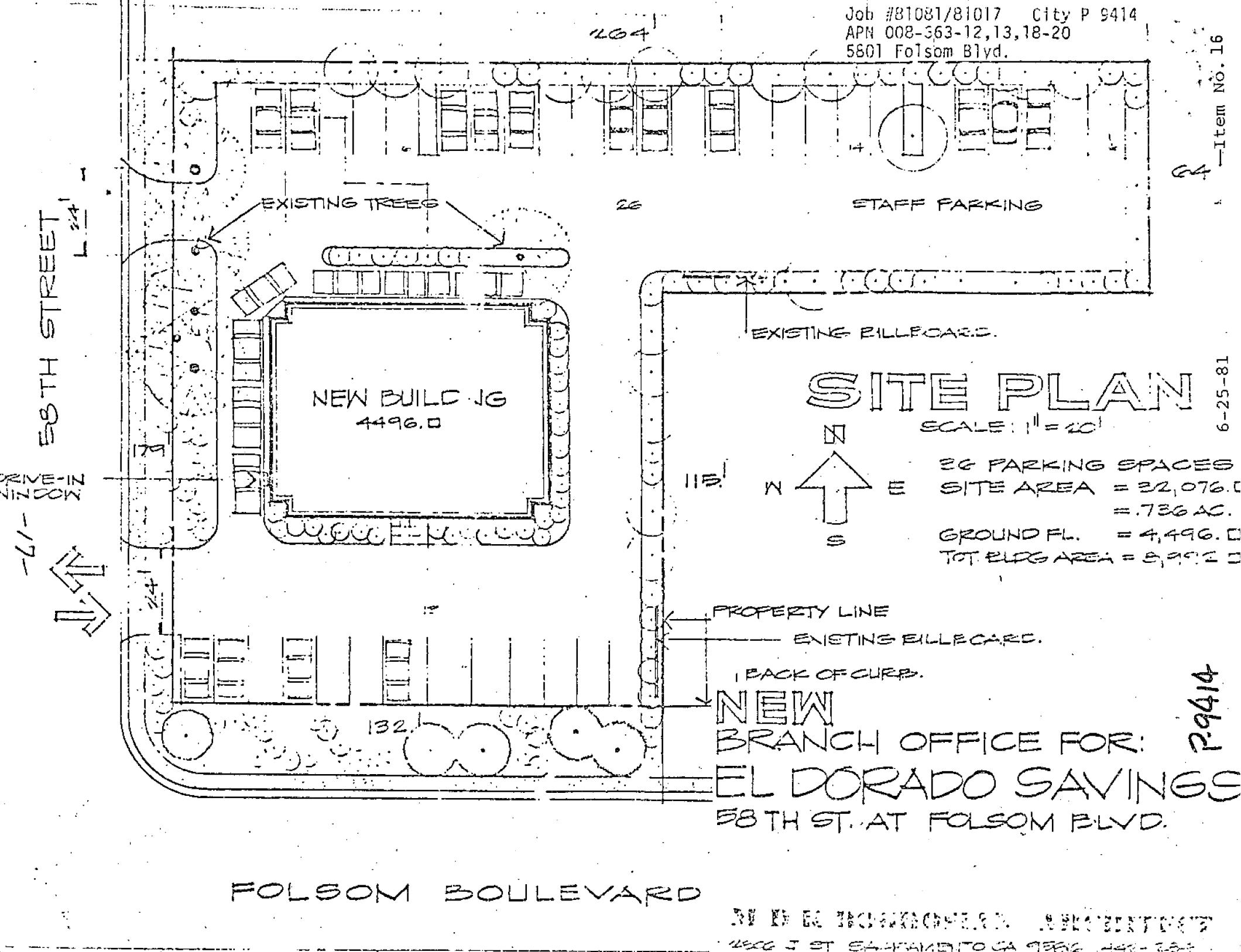
Findings of Fact- Denial of Variance

- a. The request is a special privilege extended to the applicant in that there is sufficient area to maintain standard 15 foot rear yard residential setback.
- b. The variance would be injurious to property in the vicinity in that sufficient buffering could not be provided between residential and commercial uses.

**Delete*



P-9414



58TH STREET

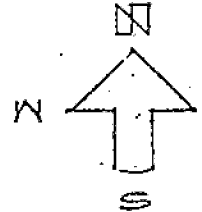
EXISTING TREES

STAFF PARKING

NEW BUILDING
4496.0

SITE PLAN

SCALE: 1" = 20'



26 PARKING SPACES
 SITE AREA = 22,076.0
 = .736 AC.
 GROUND FL. = 4,496.0
 TOT. BLDG AREA = 8,992.0

PROPERTY LINE

EXISTING BILLECARD.

BACK OF CURB.

NEW
 BRANCH OFFICE FOR:
 EL DORADO SAVINGS
 58TH ST. AT FOLSOM BLVD.

FOLSOM BOULEVARD