

**CITY OF SACRAMENTO
DEVELOPMENT SERVICES DEPARTMENT
ZONING ADMINISTRATOR
915 I Street, Sacramento, CA 95814**

ACTION OF THE ZONING ADMINISTRATOR

On Thursday, February 9, 2006, the Zoning Administrator approved with conditions a tentative map and four subdivision modifications to create two parcels and a special permit to allow a lot to remain vacant after demolition of the existing duplex for the project known as Z05-201. Findings of Fact and conditions of approval for the project are listed on pages 2-6.

Project Information

- Request:
1. **Zoning Administrator Tentative Map** to subdivide one parcel into two parcels totaling 0.26 partially developed acres in the Single Family Residential (R-1).
 2. **Zoning Administrator Subdivision Modification** to create an interior lot less than 52 feet wide.
 3. **Zoning Administrator Subdivision Modification** to create a corner lot less than 62 feet wide.
 4. **Zoning Administrator Subdivision Modification** to create an interior lot less than 5,200 square feet in area.
 5. **Zoning Administrator Subdivision Modification** to create a corner lot less than 6,200 square feet in area.
 6. **Zoning Administrator Special Permit** to demolish a duplex structure and leave the site vacant.

Location: 5681 Belleview Ave (D6, Area 3)

Assessor's Parcel Number: 027-0053-007

Applicant: Hassan Pejuhesh (HP Engineering and Construction)
629 Commons Drive
Sacramento, CA 95825

Property Owner: Kantilal Madhavani
19144 Bainter Avenue
Sacramento, CA 95030

Project Planner: Sandra Yope

General Plan Designation: Low Density Residential (4-15 du/na)
South Sacramento
Community Plan Designation: Residential (4-8 du/na)
Existing Land Use of Site: Duplex
Existing Zoning of Site: Standard Single Family (R-1)

Surrounding Land Use and Zoning:

North: R-1; Single Family Residential
 South: R-1; Single Family Residential (under construction)
 East: R-1; Single Family Residential (under construction)
 West: R-1; Multi-Family Residential

Property Dimensions: Irregular
 Property Area: 0.26+ acres
 Topography: Flat
 Street Improvements: Existing
 Utilities: Existing

Project Plans: Exhibit A:

Previous Files: P03-155 (Subdivision that created the current corner parcel)

Additional Information: The applicant proposes to subdivide one parcel into two parcels for the purpose of future development. The parcel has an existing duplex in disrepair that will be demolished. The site is on the northeast corner of Belleview Avenue and Desi Way. The new western corner parcel will be 59.83 feet in width and only 6,033 square feet in area. The lot size is less than the required 62 feet in width and 6,200 square feet in area required by the Subdivision Code. The new eastern interior lot will be 50 feet wide and only 5,137 square feet in area. The Subdivision Code requires an interior lot to be 52 feet wide and 5,200 square feet in area. The applicant is requesting subdivision modifications to create the lots that do not meet the required width and area requirements. The proposed lots will meet all other lot size requirements of the Subdivision Code.

The applicant is requesting to demolish the existing duplex and leave the site vacant for a period of time. The Preservation Code requires that building plans must be submitted for a new residential structure prior to demolition of an existing residential structure or obtain a Zoning Administrator Special Permit to leave the site vacant. The applicant is requesting a special permit to allow the site to remain vacant for a period of time. The owner owns the land to the east and south of the site and has started construction of new houses on the lots. A new house will be submitted and constructed on the proposed lots as part of development of the surrounding area.

The project was noticed and staff received one call requesting additional information.

Subdivision Review Committee: The proposed map was heard at the Subdivision Review Committee on January 11, 2006. During the hearing, minor changes were effected on the proposed conditions of approval specific to the map which were accepted by the applicant and approved by the Committee. The conditions are listed under Conditions of Approval.

Agency Comments: The proposed project has been reviewed by the City Utilities Department, the Building Division, and the Development Engineering and Finance Division, Parks, SMUD, and other utilities. The comments received pertaining to the tentative map have been included as conditions.

Environmental Determination: This project will not have a significant effect on the environment and is exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15315 and 15305(a).

Conditions of Approval- Tentative Map:

The following conditions shall be satisfied prior to filing the Final Map unless a different time for compliance is

specifically stated in these conditions:

NOTE: The design of any improvement not covered by these conditions shall be to City standard.

GENERAL:

1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessment.
2. Show all continuing and proposed/required easements on the Parcel Map.
3. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition.

DEVELOPMENT SERVICES: Streets

4. 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. Improvements required shall be determined by the city. The City shall determine improvements required for each phase prior to recordation of each phase. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering and Finance Division.
5. 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:

6. Dedicate a 12.5-foot public utility easement for overhead and underground facilities and appurtenances adjacent to all public street rights of ways.
7. Connection to the public sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.
8. Sewer service shall continue to be provided by CSD-1 facilities to the existing sewer service laterals. Required modifications, if any, shall be to the satisfaction of CSD-1.
9. Each lot shall have a separate connection to the CSD-1 sewer system.
10. Sewer easements may be required. All sewer easements shall be dedicated to CSD-1, in a form approved by the District Engineer. All sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance.

CITY UTILITIES:

11. Belleview Estates, P03-155 shall be recorded prior to improvement plans for this project being approved.

Desi Way is dependent upon dedication by Belleview Estates.

12. Provide separate metered domestic water services to each parcel.
13. Provide separate sanitary sewer services to each parcel to the satisfaction of CSD-1.
14. 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. Lot pad elevations shall be a minimum of 1.2 feet above the highest adjoining back of sidewalk elevation and a minimum of 1.5 feet above the controlling overland release elevation. Finished lot pad elevations shall be accepted by the Department of Utilities.
15. 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.
16. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Only source control measures are required. This will not affect site design. Refer to the "Guidance Manual for On-Site Stormwater Quality Control Measures" dated January 2000 for appropriate source control measures.

PPDD: Parks these conditions apply to Parcel 3 only.

17. The Applicant shall comply with City Code 16.64 (Parkland Dedication) and dedicate a park site at a location deemed acceptable to the City's PPDD; and/or, as determined by PPDD, request the City have prepared, at the applicants expense, a fair market value appraisal of the property to be subdivided and pay the required parkland dedication in lieu fees or, as an alternative to the appraisal process, pay the required parkland dedication in lieu fees based on the Community Planning Area "fixed market value " per acre of land as adopted by Sacramento City Council.
18. The applicant must provide proof they have initiated and completed the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annexed the project to an existing parks maintenance district prior to recording a Final (Parcel) Map. The applicant shall pay all city fees for formation of or annexation to special districts. The purpose of the district is to equitably spread the cost of neighborhood park maintenance on the basis of special benefit, in the case of an assessment district. In the case of a special tax district, the cost will be spread based upon the hearing report, which specifies the tax rate and method of apportionment. (Contact Development Services Department, Special Districts, Project Manager).

ADVISORY NOTES:

19. 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) that have been revised by a Letter of Map Revision effective February 18, 2005. Within the X zone, there are no requirements to elevate or flood proof.
20. 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.

Planning:

21. The applicant shall provide acceptable duplex plans (for Lot 1) that do not require additional entitlements and meet all Zoning Code requirements prior to recordation of the final map or the property line of Lot 1 adjacent to Belleview Avenue shall be dedicated to the City as an exclusive no ingress/egress rights line to the satisfaction of Development Engineering.

Conditions of Approval- Special Permit:

1. There shall be no parking or storage of any materials, vehicles, etc. on the site.
2. The property owner shall make weekly visits to the site to inspect for debris, trash, etc dumped on the site and see that it is removed. The property owner shall also maintain a weed abatement program for the site with at a minimum a monthly maintenance visit to the site.
3. The applicant shall obtain all necessary building permits prior to commencing demolition. All buildings shall be demolished on the site.
4. Applicant is required to properly disconnect water and sewer from the subject premises before demolition commences.
5. The applicant shall maintain the grass on the site until a new residence is constructed if the site goes vacant beyond three months.

Findings of Fact-Tentative Map:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision.
2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, and Chapter 16 of the City Code, which is a Specific Plan of the City. The City's General Plan designates the site as Low Density Residential (4-15 du/na) and the South Sacramento Community plan designates the site as Residential (4-8 du/na).
3. The site is physically suitable for the type of development proposed and suited for the proposed density.
4. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife their habitat.
5. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.
6. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use, of, property within the proposed subdivision.

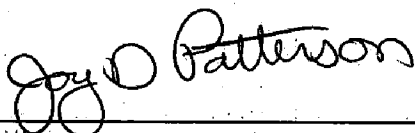
Findings of Fact-Subdivision Modification:

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.
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.

Findings of Fact-Special Permit:

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
 - a. Based upon sufficient evidence, the property retains no reasonable economic use;
 - b. The approval of the permit and subsequent demolition or removal of the residential structure will not cause further blight in the neighborhood or otherwise cause a decline in the nature and quality of the neighborhood; and
 - c. The benefits of demolition or removal of the residential structure outweigh any negative impacts or potential impacts associated with its demolition or removal.
2. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
 - a. The demolition will be undertaken safely with minimal noise and debris impacts to adjacent residences and structures; and
 - b. The vacant lot will have a fence around the perimeter and landscaping along the front setback.

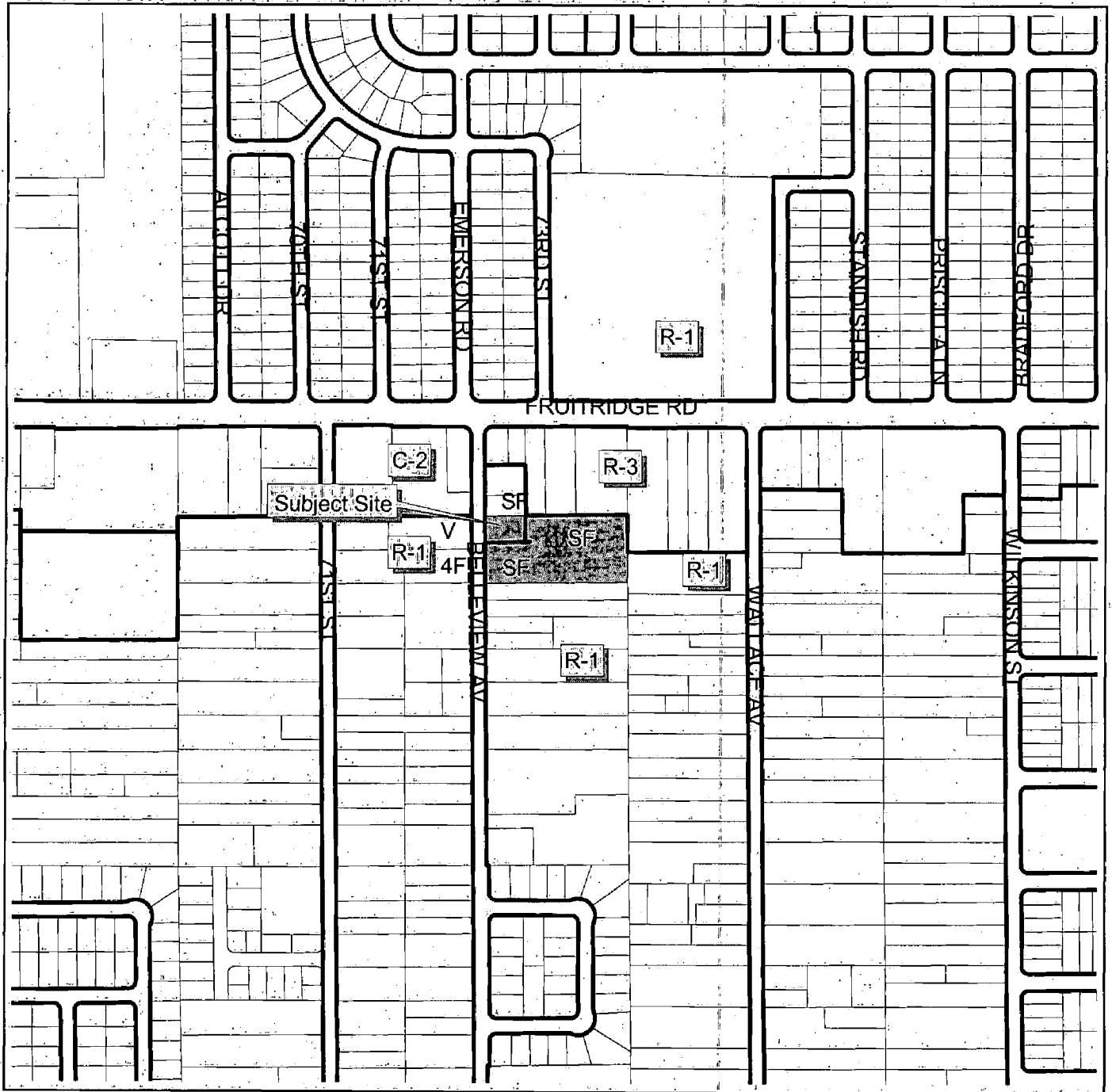


Joy D. Patterson
Zoning Administrator

The Tentative Map that is granted must be finalized within three years after such tentative map is approved. If such map is not so finalized the Tentative Map shall be deemed to have expired and shall be null and void. A use for which a Special Permit is granted must be established within three years after such permit is approved. If such use is not so established the Special Permit shall be deemed to have expired and shall be null and void. A Special Permit use which requires a Building Permit shall be deemed established when such Building Permit is secured and construction thereunder physically commenced. If no building permit is required the use shall be deemed established when the activity permitted has been commenced. The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

Note: The applicant will need to contact the Public Works Department (Jerry Lavoto, 808-7918) after the appeal period is over to submit for a Final Map.

cc: File (original) ZA Log Book Applicant Public Works (Jerry Lavoto)



0 800 Feet

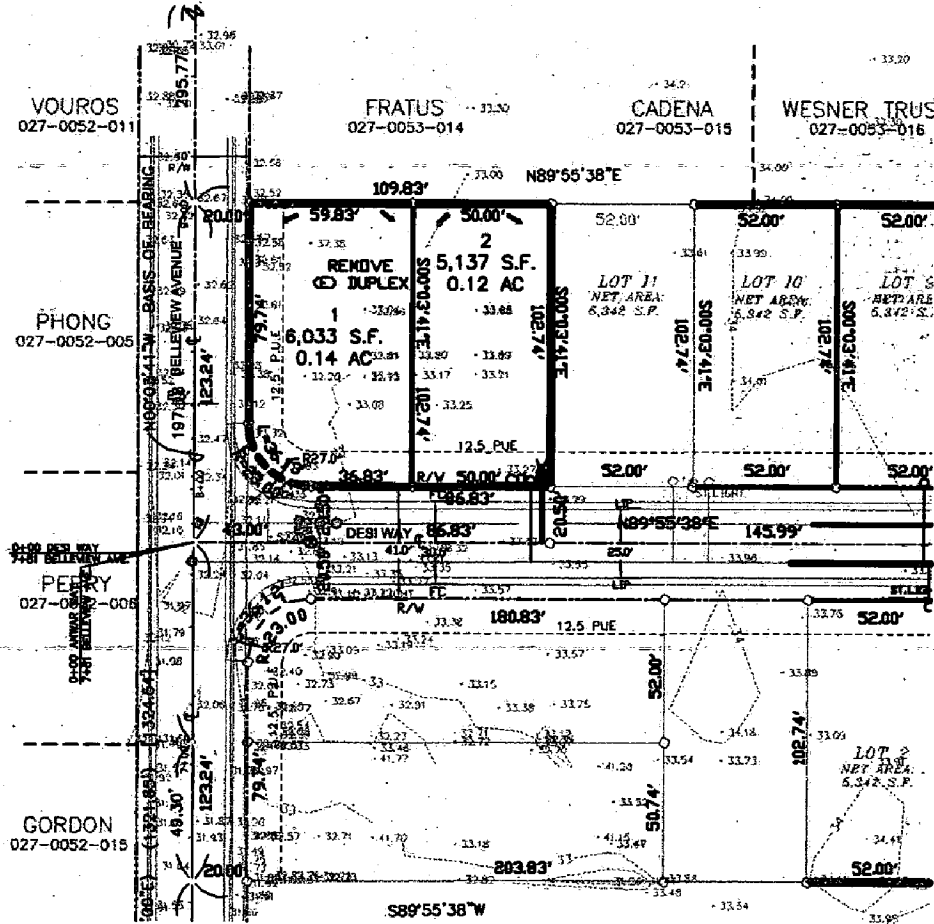
Development Services
Department

Geographic
Information
System

Land Use & Zoning

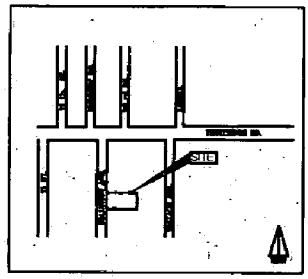


BELLEVUE PARCE MAP_3



1 SITE PLAN
SCALE: 1" = 20'

- LEGEND:**
- 34 --- EXISTING CONTOUR
 - PUBLIC UTILITY EASEMENT (P.U.E.)
 - PROPERTY LINE
 - EXISTING HOUSE
 - CENTER LINE
 - EXISTING POWER POLE
 - EXISTING STORM DRAIN MANHOLE
 - EXISTING STREET LIGHT
 - EXISTING SANITARY SEWER MANHOLE
 - EXISTING DRAIN GALET
 - EXISTING WATER LINE
 - EXISTING STORM DRAIN
 - EXISTING SANITARY SEWER
 - PROPOSED WATERLINE
 - PROPOSED STORM DRAIN
 - PROPOSED SANITARY SEWER
 - PROPOSED WATER STORAGE AND METER
 - PROPOSED STORM DRAIN MANHOLE
 - PROPOSED SANITARY SEWER MANHOLE
 - PROPOSED DRAIN SILET
 - PROPOSED FIRE HYDRANT
 - PROPOSED FLOW DIRECTION
 - PROPOSED CONCRETE CURB, GUTTER, SIDEWALK & DRIVEWAY
 - PROPOSED ASPHALT PAVEMENT
 - 34 --- PROPOSED ASPHALT PAVEMENT
 - EXISTING STREET LIGHT



VICINITY MAP

SHEET INDEX:
1. TENTATIVE PARCEL MAP

OWNER/ DEVELOPER:
KANTILAL MADHVANI
19144 BANTER AVE.
LOS GATOS, CA. 95030
TELEPHONE: (408) 394-5959

ASSESSOR'S PARCEL NUMBER:
A.P.N. PORTION OF 027-0053-007
MERGE LOT LINES

ZONING:
PRESENT: R-1
PROPOSED: R-1

USES:
PRESENT: RESIDENTIAL
PROPOSED: RESIDENTIAL

AREAS:
LOT AREA (027-053-08): 0.26 ACRE
PROPOSED NO. OF LOTS: 2

SCHOOL DISTRICT
SACRAMENTO UNIFIED SCHOOL DISTRICT

FIRE DEPARTMENT
SAC. METRO FIRE DISTRICT
3012 GOLD CANAL DR.
RANCHO CORDOVA CA. 95670

SANITARY DISTRICT
COUNTY OF SACRAMENTO
PARK DISTRICT
COUNTY OF SACRAMENTO

ELECTRIC
S.M.U.D.

WATER DISTRICT
CITY OF SACRAMENTO

ENGINEER
HP ENGINEERING & CONST.
629 COMMONS DRIVE
SACRAMENTO CA. 95825
(916) 925-4260

TENTATIVE PARCEL MAP FOR:

KANTILAL MADHVANI
6000 BELLEVUE AVE.
SACRAMENTO, CALIFORNIA