

**CITY OF SACRAMENTO
DEPARTMENT OF DEVELOPMENT SERVICES
ZONING ADMINISTRATOR
1231 I Street, Sacramento, CA 95814**

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, March 30, 2005, the Zoning Administrator approved with conditions a tentative map to create three parcels for the project known as Z05-020. Findings of Fact and conditions of approval for the project are listed on pages 2-5.

Project Information

Request: **Zoning Administrator Tentative Map** to subdivide one parcel into three parcels totaling 0.43 partially developed acres in the Multi-Family (R-3) zone.

Location: 1100 Derick Way (D4, Area 2)

Assessor's Parcel Number: 016-0010-028

Applicant: Michael Breda
1399 Sacramento Ave. #136
West Sacramento, CA 95605

Property Owner: Melvin Fong
7569 River Ranch Way
Sacramento, CA 95831

Project Planner: Sandra Yope

General Plan Designation: Low Density Residential (4-15 du/na)
Existing Land Use of Site: Single Family Residence
Existing Zoning of Site: Multi-Family (R-3)

Surrounding Land Use and Zoning:

North: R-1; Single Family and Two Family Residential
South: R-3; Apartments
East: R-1; Single Family Residential
West: TC; Interstate 5

Property Dimensions: 109 feet x 174 feet
Property Area: 0.43_± acres
Topography: Flat
Street Improvements: Existing
Utilities: Existing

Project Plans: Exhibit A

Previous Files: None

Additional Information: The applicant proposes to subdivide one parcel into three parcels for the purpose of future development. The parcel has a single family house in the west corner of the lot. The site is on the southeast corner of Riverside Boulevard and Derick Way. The new lots will meet or exceed all lot size requirements of the Subdivision Code including width and area. **NOTE:** The parcel is zoned Multi-Family (R-3) and the subdivision of the property will not change the zoning. All three lots after the map is finalized will be zoned R-3.

The site is located within the Land Park Community Association area. The project plans were sent to the association and staff received no comments. The project was noticed and staff received one call in opposition to the project. The caller was concerned there would be too many units and about a loss of trees. The density of the site or the allowed number of units is not changed by the subdivision nor can it be limited with subdivision. The removal of trees will be at the developer's discretion unless they are Heritage trees.

Subdivision Review Committee: The proposed map was heard at the Subdivision Review Committee on March 15, 2005. 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).

Zoning Administrator Hearing: On March 30, 2005 the Zoning Administrator heard the proposed application. Several neighbors were in attendance and expressed their concerns about the lack of upkeep of the site by the previous owners and the future of the site. The applicant explained the current owner plans to construct single family homes on the site and the neighbors supported the proposal. The Zoning Administrator closed the hearing and approved the project with conditions based on the consistency of the proposal with the General Plan and all other Code requirements.

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 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 & Finance Division. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards.
5. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk along Riverside Boulevard fronting the property per City standards to the satisfaction of the Development Engineering and Finance Division.
6. Construct full frontage improvements on **Derick Way**. Frontage Improvements shall include construction of curb, gutter, and sidewalk to match existing improvements along Derick Way. All improvements shall be designed and constructed to City Standards to the satisfaction of the Department of Development Services.
7. Construct A.D.A. compliant ramps at the southeast and southwest corners of the intersection of Derick Way and Riverside Boulevard.

CITY UTILITIES:

8. Parcel 1 of the proposed tentative map is not contiguous to an existing public sewer main. The existing sewer service for the structure on Parcel 1 is in Parcel 2. The property owner/developer shall construct sewer main extensions and relocate the existing sewer service as determined by the Department of Utilities or enter into and record an **Agreement for Conveyance of Easements** with the City stating that a private sewer service easement shall be conveyed to and reserved from Parcel 2 to Parcel 1 as needed, at no cost, at the time of sale or other conveyance of either parcel. A note stating the following must be placed on the Final Map:

"THE PARCELS CREATED BY THIS MAP SHALL BE DEVELOPED IN ACCORDANCE WITH RECORDED AGREEMENT FOR CONVEYANCE OF EASEMENTS # (BOOK __, PAGE __)."

9. Show all existing easements on the final map.
10. Dedicate a five-foot wide utility easement adjacent to the rear (south) property line of Parcels 1, 2, and 3 to the City of Sacramento for the repair, maintenance, and construction of existing future storm drainage, sewer, and water mains.
11. Provide separate metered domestic water services to each parcel. Any excess services must be abandoned to the satisfaction of the Department of Utilities. Construction of new services to Parcels 2 and 3 may be deferred until the time of building permit.
12. Provide separate sanitary sewer services to each parcel to the satisfaction of the Department of Utilities. Construction of new services to Parcels 2 and 3 may be deferred until the time of building

permit.

PARKS:

13. 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 Resolution No. 2003-842.
14. 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 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, Program Specialist).

MISCELLANEOUS:

15. Any exist underground utilities (water, sewer, or electrical) that crosses the new parcel line shall be either removed or rerouted so they do not cross the parcel lines.
16. The shed must be removed from the proposed Parcel 3 prior to final recordation of the map.


ADVISORY NOTES:

17. This project does not require street lighting. There is an existing street lighting system in this project area. Improvements of right-of-way may require modification to the existing system. Electrical equipment shall be protected and remain functional during construction.
18. 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.
19. 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.
20. The recording of the final map does not change the underlying zoning of all three parcels.

Findings of Fact-Tentative Map:

1. The Tentative Subdivision Map is consistent with the General Plan which designates the subject site as Low Density Residential (4-15 du/na).

2. All existing streets and/or utility easements of record are reserved. The Tentative Subdivision Map will not result in the abandonment of any street or utility easement of record.
3. The Tentative Subdivision Map will not eliminate or reduce in size of the access way to any resulting parcel.
4. The resulting parcels from the Tentative Subdivision Map conform to the requirements of this Subdivision Code, Title 16 of the City Code, the City's General Plan, and the City's Comprehensive Zoning Code, Title 16 of the City Code.

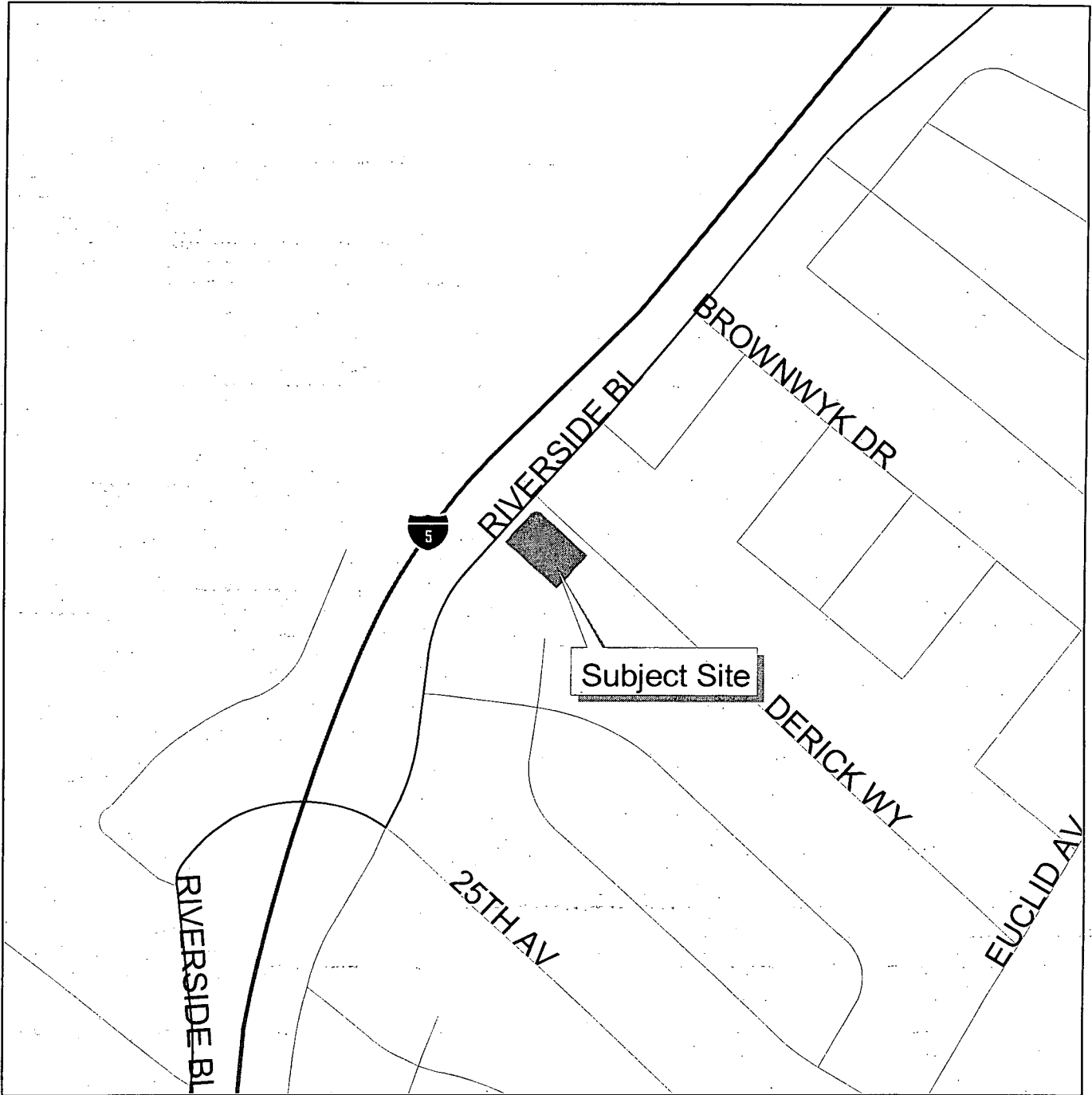


Joy D. Patterson
Zoning Administrator


The Tentative Map that is granted must be finalized within two 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. 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)



0 400 800 Feet



Development Services
Department


Geographic
Information
Systems

Vicinity Map





0 100 Feet



Development Services
Department

Geographic
Information
System

Land Use & Zoning

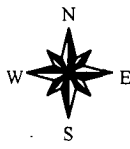
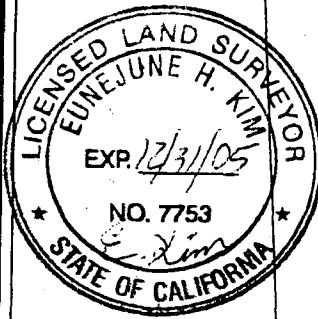
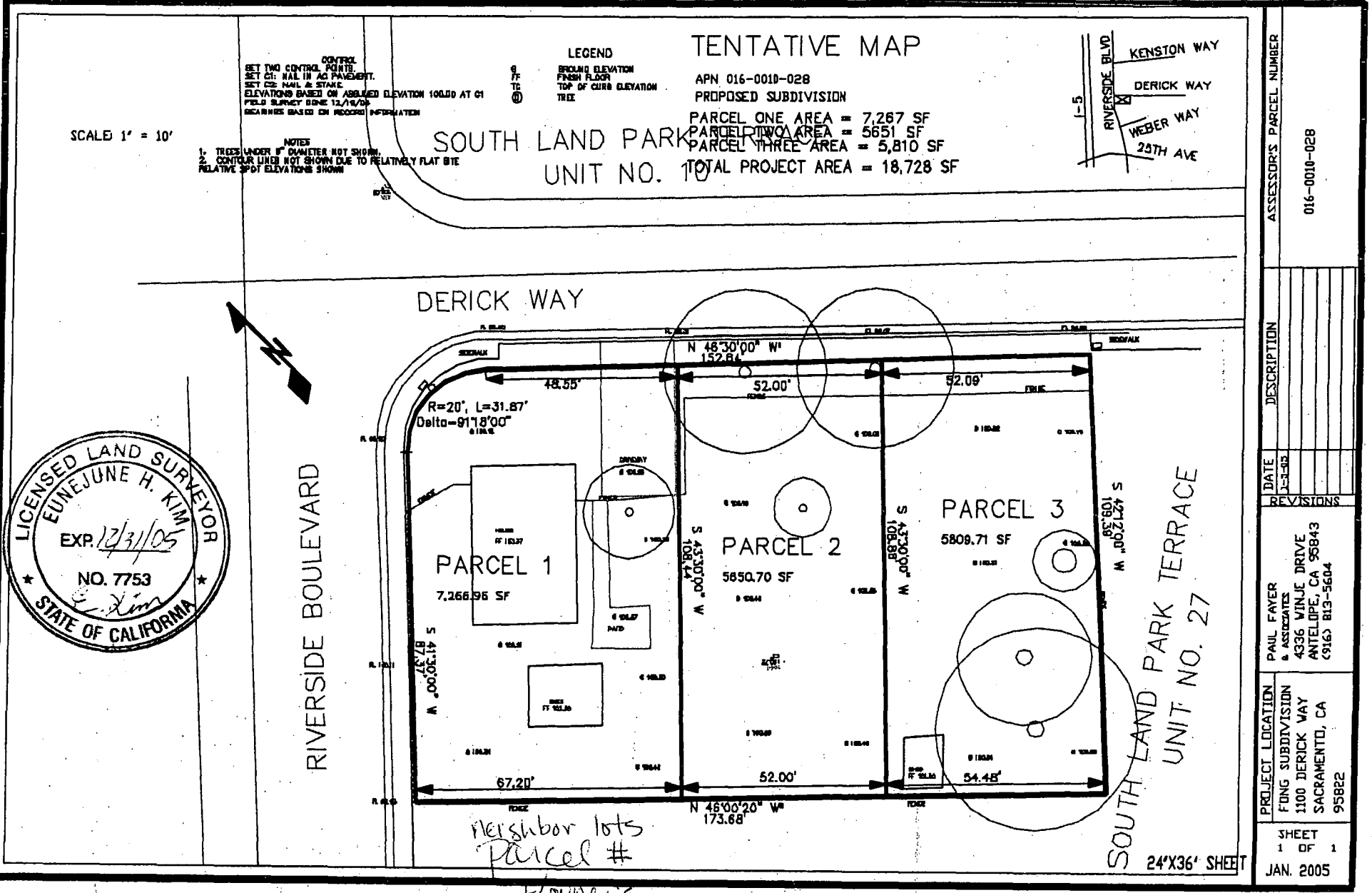


EXHIBIT A



ASSESSOR'S PARCEL NUMBER 016-0010-028	
DATE	DESCRIPTION
12-3-03	
REVISIONS	
PAUL FAYER & ASSOCIATES 4336 VINUE DRIVE ANTELOPE, CA 95843 (916) 813-5604	PROJECT LOCATION FUNG SUBDIVISION 1100 DERICK WAY SACRAMENTO, CA 95822
SHEET 1 OF 1 JAN. 2005	

March 30, 2005

Z05-020