(29)

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

BUILDING INSPECTIONS
916-449-5716

PLANNING
916-449-5604

APPROVED
BY THE CITY COUNCIL

JAN 5 1988

OFFICE OF THE
CITY CLERK

December 28, 1987

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Post Subdivision Modification to Waive Standard Street Improvements

LOCATION: Southeast Corner of Los Robles Boulevard and Pilgrim Court (P87-303)

SUMMARY

This is a request to waive standard street improvements for a seven lot residential subdivision. The City Planning Commission recommend approval.

BACKGROUND INFORMATION

On October 15, 1987, the City Council approved a tentative map to subdivide the subject site into 7 single family lots. A subdivision modification to waive standard street improvements, which was to accompany the tentative map, was inadvertently not advertised.

The original application was to subdivide the subject site into 9 lots. At the October 8, 1987 Planning Commission, neighbors objected to proposed lot sizes as being too small to be compatible with surrounding development. The applicant has agreed to increase lot sizes and decrease the lot yield.

The applicant has requested a waiver of standard street improvements. There are no curbs, gutters or sidewalks in the area. The area has a somewhat rural character with many residential lots substantially larger than minimum standard single family lots.

The Planning Commission voted to recommend approval of the waiver provided the applicant install street lights. The Commission found this waiver to be compatible with surrounding developments.

The Public Works Department does not support this request. Their position is that the proposed project is more urban in nature than surrounding development. In addition, the improvements provide for safer circulation and more efficient drainage and street maintenance. Standard street improvements are, therefore, appropriate. Staff has included a memo from Public Works outlining their concerns (see Exhibit A).

VOTE OF THE PLANNING COMMISSION

On October 8, 1987, the Planning Commission voted 6 ayes, 2 absent, 1 vacancy to approve the Subdivision Modification.

RECOMMENDATION

Should the Council concur with the Planning Commission, the City Council should:

> Approve the Post Subdivision Modification by adopting Resolution 1 which contains Findings of Fact and conditions worked out between the Public Works staff and the applicant.
>
> Should the City council concur with the Public Works, staff recommends the Council should adopt Resolution 2 which contains Findings of Fact and conditions reflecting standard street improvements, thereby denying the request.

Respectfully submitted,

Art Gee for
Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:SD:rt
attachments

District No. 2
January 5, 1987

P87-303

# RESOLUTION No.

## Adopted by The Sacramento City Council on date of

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A POST SUBDIVISION MODIFICATION FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF LOS ROBLES BOULEVARD AND PILGRIM COURT

**(P87-303)** (APN: 252-0310-021)

WHEREAS, the City Council on January 5, 1987, held a public hearing on the request for approval of a post subdivision modification for property located at the southeast corner of Los Robles Boulevard and Pilgrim Court;

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.

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 Chapter 40 of the City Code, which is a Specific Plan of the City. The proposed project is consistent with the City's Interim Discretionary Land Use Policy in that the site is designated for residential uses in the 1984 North Sacramento Community Plan and the proposed map conforms to the plan designation.

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 waive standard street improvements:

   a. that it is impossible, impracticable and undesirable in this particular case to conform to the strict application of City Code Chapter 40 in that there are no such improvements in the area;

   b. the cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification in that street lights and paving will be installed;

   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 it will not somewhat rural character of the area;

   d. that granting the modification is in accord with the intent and purpose of these regulations and is consistent with the Discretionary Interim Land Use of the City in that the site is designated for residential uses in the 1984 North Sacramento Community Plan and the project conforms with the plan.

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. Standard pavement width for the subject side of Los Robles and for the project cul-de-sac.

b. Elimination of roadside ditch and installation of drop inlets.

c. Installation of street lights.

MAYOR

ATTEST:

CITY CLERK

**P87-303**

# RESOLUTION No. 88-016

## Adopted by The Sacramento City Council on date of

JAN 5 1988

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A POST SUBDIVISION MODIFICATION FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF LOS ROBLES BOULEVARD AND PILGRIM COURT

**(P87-303)** (APN: 252-0310-021)

WHEREAS, the City Council on January 5, 1988, held a public hearing on the request for approval of a subdivision modification and tentative map for property located at the southeast corner of Los Robles Boulevard and Pilgrim Court;

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.

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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 Chapter 40 of the City Code, which is a Specific Plan of the City. The proposed project is consistent with the City's Interim Discretionary Land Use Policy in that the site is designated for residential uses in the 1984 North Sacramento Community Plan and the proposed map conforms to the plan designation.

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. 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:

   Provide standard subdivision improvements pursuant to Section 40.811 of the City Code except sidewalks are not required.

MAYOR

ATTEST:

CITY CLERK

**P87-303**

# RESOLUTION No. 88-016

## Adopted by The Sacramento City Council on date of

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A POST SUBDIVISION MODIFICATION FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF LOS ROBLES BOULEVARD AND PILGRIM COURT

**(P87-303)** (APN: 252-0310-021)

WHEREAS, the City Council on January 5, 1988, held a public hearing on the request for approval of a subdivision modification and tentative map for property located at the southeast corner of Los Robles Boulevard and Pilgrim Court;

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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.

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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 Chapter 40 of the City Code which is a Specific Plan of the City. The proposed project is consistent with the City's Interim Discretionary Land Use Policy in that the site is designated for residential uses in the 1984 North Sacramento Community Plan and the proposed map conforms to the plan designation.

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. 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:

   Provide standard subdivision improvements pursuant to Section 40.811 of the City Code.

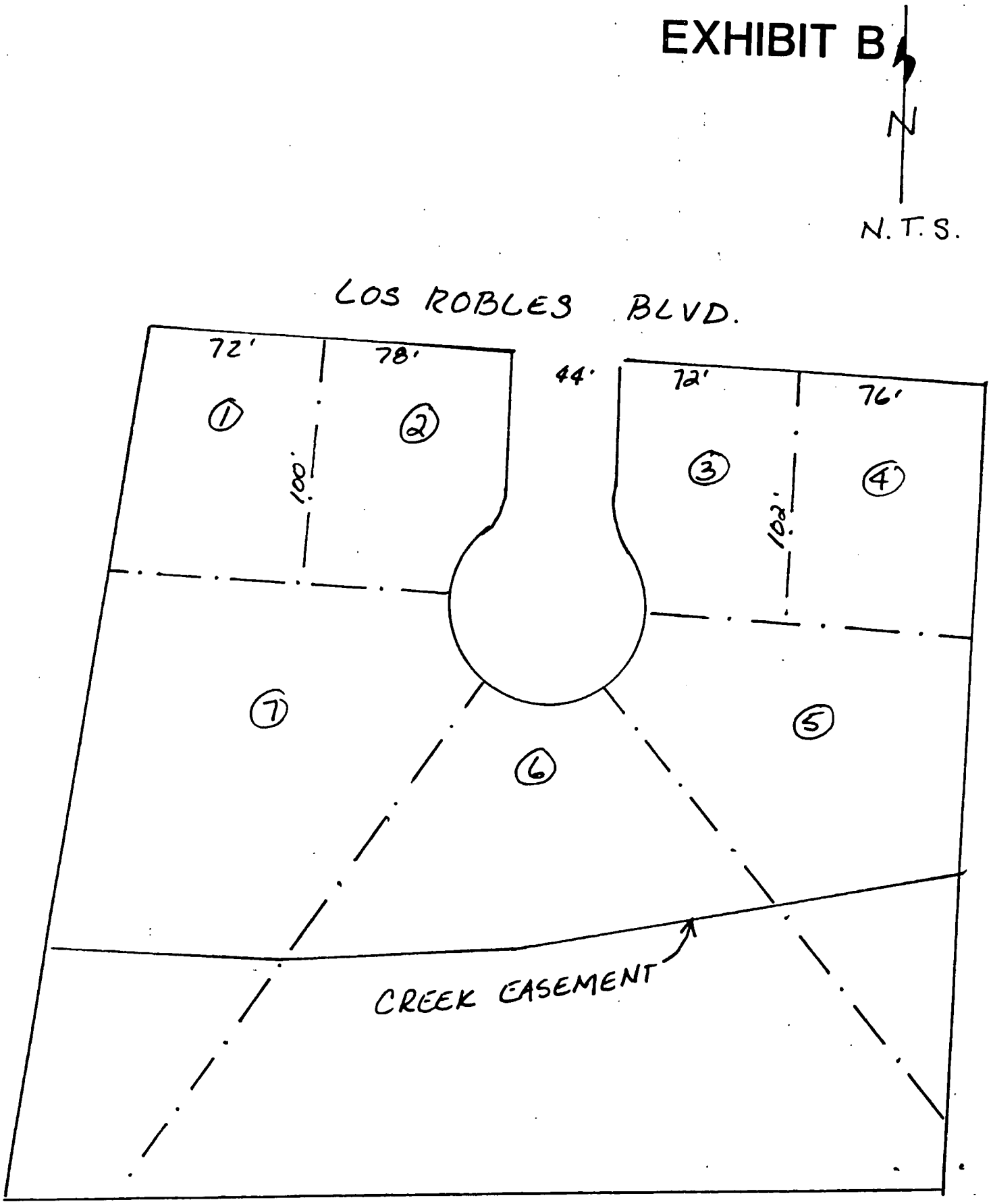
MAYOR

ATTEST:

CITY CLERK

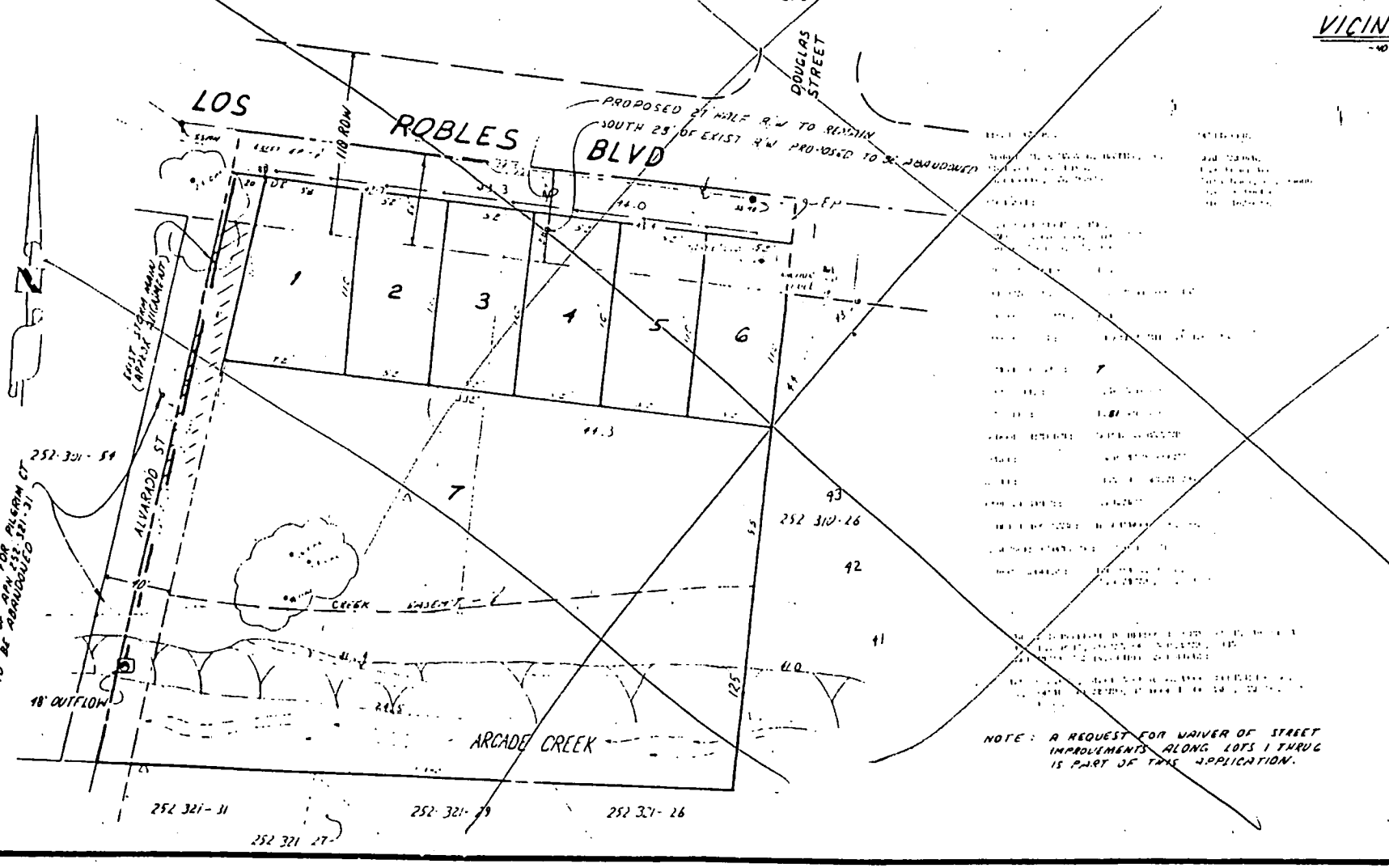
**P87-303**

# STAFF'S ALTERNATIVE EXHIBIT B



# TENTATIVE PARCEL MAP

LOTS 9 AND 10, BLOCK A OF HAGGINWOOD SUB NO. 5
NORTH SACRAMENTO, BOOK 11 OF MAPS, MAP NO. 36 AND 37
CITY OF SACRAMENTO STATE OF CALIFORNIA
SCALE - 1" = 40' SHEET 1 OF 1 JUNE 1987
TASK ENGINEERING INC





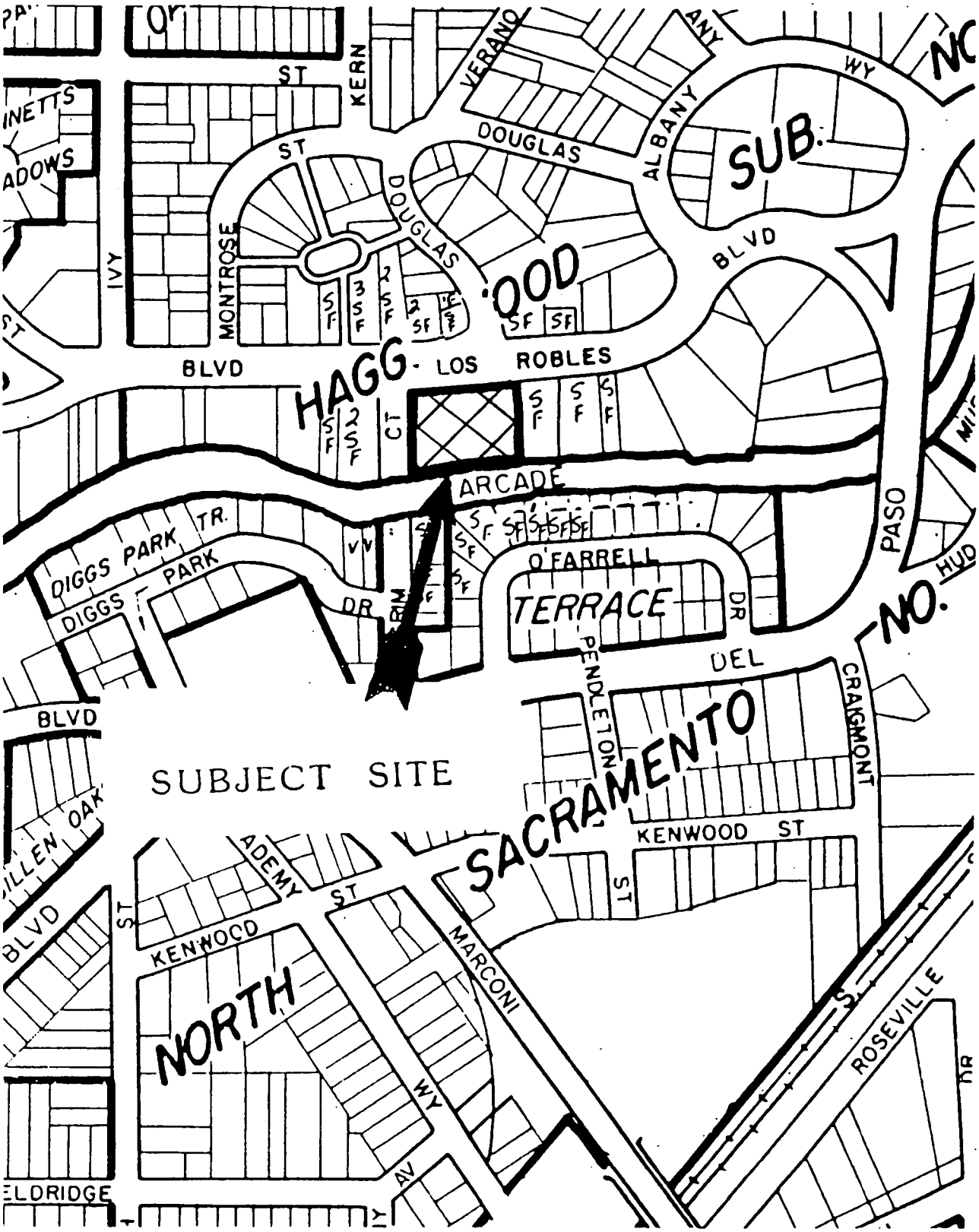
VICINITY MAP
-NO SCALE-

NOTE: A REQUEST FOR WAIVER OF STREET IMPROVEMENTS ALONG LOTS 1 THRU 6 IS PART OF THIS APPLICATION.

APPLICANT'S ORIGINAL PROPOSAL

NO. 87021

Item #




All adjacent lots zoned R-1

# VICINITY - LAND USE - ZONING

P87-303

DEPARTMENT OF
PUBLIC WORKS

ENGINEERING DIVISION

THOMAS M. FINLEY
ENGINEERING DIVISION MANAGER

CITY OF SACRAMENTO
CALIFORNIA

927 TENTH STREET
ROOM 200
SACRAMENTO, CA
95814-2705

916-449-8220

CONSTRUCTION SECTION
640 BERCUT DRIVE
SUITE B
SACRAMENTO, CA
95814-0131

916-449-5282

January 5, 1987

Planning and Development Department
Sacramento, California
Attn: Mr. Art Gee, Principal Planner

SUBJECT: Subdivision Modification to Waive Standard Street Improvements (P-87303)

LOCATION: Southeast Corner of Los Robles Boulevard and Pilgrim Court

SUMMARY

On October 22, 1987, the Planning Commission considered a request to subdivide 2.5± vacant acres subject to conditions recommended by the Subdivision Review Committee. The subdivider requested a subdivision modification to waive street improvements. Staff and the Subdivision Review Committee opposed this request. The Planning Commission recommended approval of the request, but required street lighting improvements be installed. Staff continues to believe normal public improvements are appropriate and recommends denial of the subdivision modification request.

BACKGROUND

A. Site

The proposed seven lot subdivision is located in an area with large lots varying in size, with some lots exceeding one acre. The proposed subdivision fronts Los Robles Boulevard, a two lane road, approximately 24 feet wide without curb, gutter and sidewalk. The lots proposed by the subdivider are smaller in size than the surrounding existing lots, averaging about 0.25 ac.

At the December 15, 1987, City Council meeting, the subdivision was approved, but decision on the subdivision modification was deferred until proper public notice was given. Staff advised the Council that Public Works' concerns would be presented at this meeting.

B. Agreed to Improvements

Meetings between the subdivider's engineer and City staff have resulted in an understanding that the following improvements will be constructed:

1. Standard pavement widening for the project side of Los Robles and for the project cul-de-sac.

2. Elimination of roadside ditch along Los Robles and installation of drop inlets.

3. Installation of street lights.

These were included in the proposed subdivision improvements.

C. Disputed Improvements

The subdivider desires to eliminate curb, gutter and sidewalk by a subdivision modification. Staff recommends that the curb, gutter and sidewalk be constructed.

D. Staff's Position

Curb and gutter improvements provide for proper street and property drainage to the storm drain drop inlets. Ditches are not needed in the front yards of the homes. Curbs also define and protect the edge of the traveled way, and help eliminate gravel and mud from being carried into the street. Concrete curb and gutter is less costly for City forces to maintain than are roadside ditches.

Sidewalk improvements provide a safe walking area, especially for children and the elderly, away from the traveled portion of the roadway. The estimated cost of curb, gutter and sidewalk for this project is about $11,000.

E. Conclusions

Staff is aware that some local residents have expressed a desire to retain the rural nature of the area; that is large lots with long driveways fronting paved streets without curb, gutter and sidewalks. However, the proposed subdivision is urban in nature with much smaller lots than currently exist, short driveways and houses built as close to the street as code allows. Staff recommends that the curb, gutter and sidewalks be required for this type of urban subdivision.

If the improvements are waived at this time, Block Grant funds, Assessment Districts, or other funding mechanisms may be required to construct the improvements in the future.

If the City Council expresses a desire to compromise in this matter, staff strongly recommends construction of at least the curb and gutter be required in order to control drainage and to minimize City maintenance costs. Sidewalks do improve public safety, but they do not affect long term City maintenance costs.

RECOMMENDATION

Staff recommends that the City Council take the following action:

1. Deny the subdivision modification and require street improvements as required by City Code.

Very truly yours,

THOMAS M. FINLEY
Engineering Division Manager

TMF:TWM:dk
D3-02.G.1
12.2387.G

January 8, 1988

Charlie M. and Mary B. Hammitt, Sr.
3464 Del Paso Boulevard
Sacramento CA 95838

Dear Mr. & Mrs. Hammitt:

On January 5, 1988, the Sacramento City Council took the following action(s) for property located on the southeast corner of Los Robles Boulevard and Pilgrim Court:

> Adopted Res. No. 88-016 as amended for Subdivision Modification to waive standard street improvements.

Enclosed, for your records, are fully certified copies of the above referenced documents.

Sincerely,

Lorraine Magana
City Clerk

LM/mls/29

Enclosure

cc: Art Gee, Planning Department
Task Engineering, Inc., 11292 Coloma Road Suite A., Rancho Cordova CA 95670