



CITY OF SACRAMENTO

28
27
36

CITY PLANNING DEPARTMENT

915 "I" STREET
CITY HALL - ROOM 308

SACRAMENTO, CALIF. 95814
TELEPHONE (916) 449-5804

Marty Van Duyen

PLANNING DIRECTOR

February 7, 1980

CITY MANAGER'S OFFICE
RECEIVED
FEB 8 1980

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Application for:

1. Rezone from A to R-1.
2. Subdivision Modification to the site to create 8 lots less than 100 feet deep
3. Tentative Map (P-8873)

LOCATION: 7452 Pocket Road

SUMMARY

The request involves the division of 3.45+ vacant acres into eight (8) single family lots and a Lot A to be dedicated to the City as a portion of the Sacramento River Parkway. The City Planning Commission recommended approval of the Tentative Map as illustrated on Exhibit A and subject to conditions.

BACKGROUND

The proposed site abuts the Sacramento River and is located in an area developing with single family residences.

Staff has several concerns regarding the proposed site design (Exhibit A) which was recommended by the Planning Commission. Among those concerns are the creation of eight lots that are substandard in depth by 17 feet and consideration for future development of the parcels to the north.

Staff has provided an alternate site design (Exhibit B) which provides for an equal number of lots (8), containing comparable square footage, with only one substandard lot (a deep lot). This design also provides for a stub street to the north and would allow the development of the adjacent parcel with a minimal amount of substandard lots as shown on Exhibit C. If Exhibit A is approved, it would encourage the development of the adjacent parcel to the north with a similar design with a cul-de-sac and substandard depth lots.

APPROVED
BY THE CITY COUNCIL

FEB 26 1980

OFFICE OF THE
CITY CLERK

FILED

Office of the City Clerk

Cont to
2-19-80

FEB 12 1980

FILED
BY THE CITY COUNCIL
CONT. TO 2-26-80
FEB 19 1980

OFFICE OF THE
CITY CLERK

VOTE OF COMMISSION

At their regular meeting of January 10, 1980, the Planning Commission recommended approval of the Tentative Map as proposed by the applicant by a vote of seven ayes, one no, one absent.

RECOMMENDATION

The staff recommends that the Tentative Map as shown on Exhibit B be approved subject to the conditions listed in the attached staff report and that a Subdivision Modification to create one deep lot be granted.

The City Planning Commission recommends approval of Exhibit A subject to the conditions listed on the attached Tentative Map Resolution. In addition, the Planning Commission recommends granting the Subdivision Modification to create lots substandard in depth.

Both staff and the Planning Commission recommend granting the request to rezone to single family residential.

If the City Council concurs with the Planning Commission, the proper action would be to adopt the attached Tentative Map Resolution for Exhibit A and the Rezoning Ordinance.


If the City Council concurs with staff's recommendation, the proper action would be to adopt the attached Tentative Map Resolution for Exhibit B and the Rezoning Ordinance.

FEB 11 1980

Respectfully submitted,


Marty Van Duyn
Planning Director

FOR TRANSMITTAL TO COUNCIL:

 for:
Walter J. Slipe, City Manager

MVD:DP:jm
Attachments
P-8873

February 12, 1980
District No. 8

P. 8073

JANUARY 10, 80

70

ITEM NO. 29

River



WHEELER
MILLOS

HY

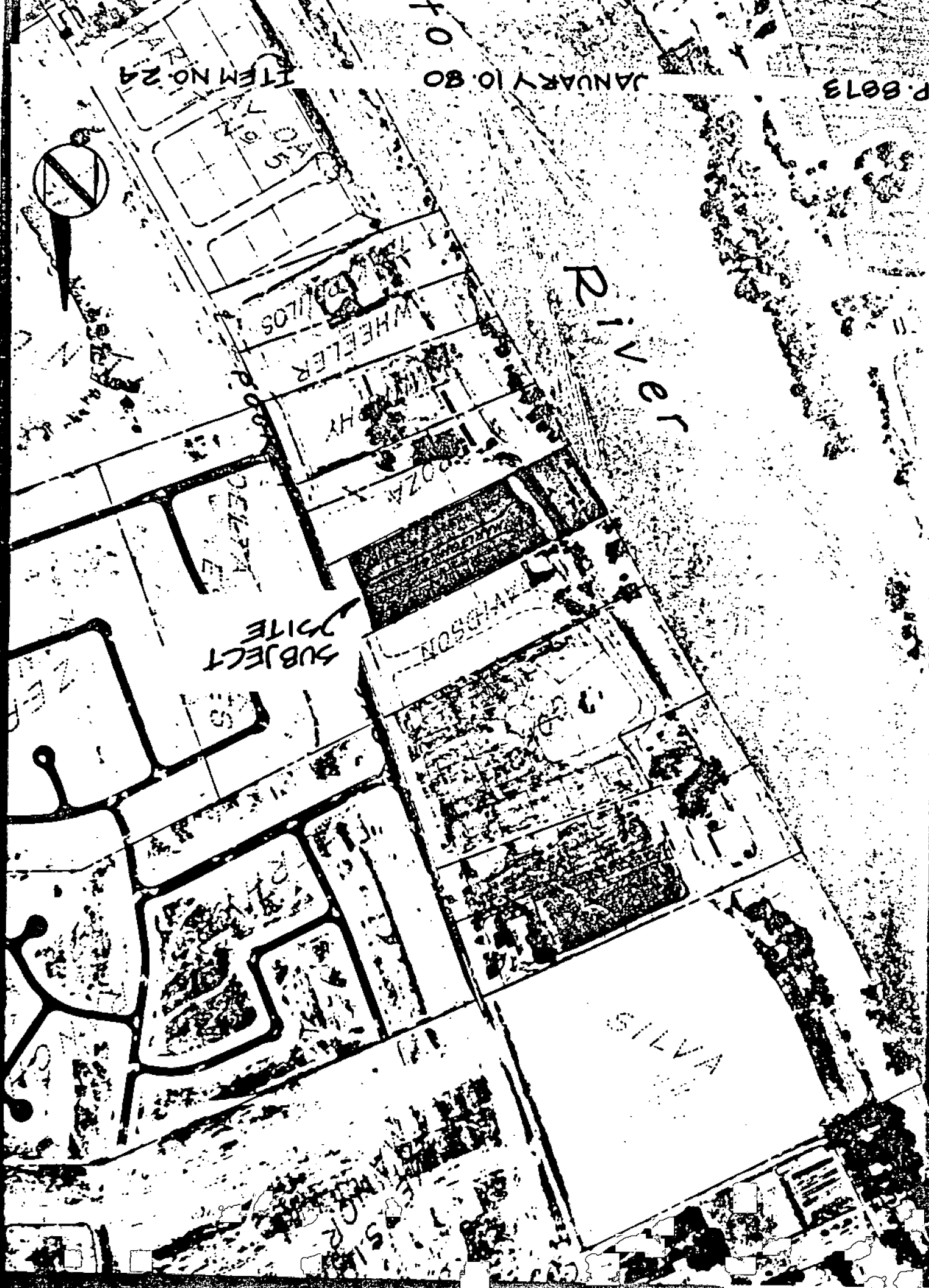
COZA

THOMPSON

SUBJECT
SITE

AKIS

SIA





CITY OF SACRAMENTO

LORRAINE MAGANA
CITY CLERK

OFFICE OF THE CITY CLERK

915 I STREET
CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-3426

January 22, 1980

Louie Fon Yuen
3112 O Street, Suite 10
Sacramento, CA 95816

Dear Mr. Yuen:

Notice is hereby given that a hearing date of February 12, 1980 has been set in the matter of REZONE from A to R-1; TENTATIVE MAP to divide 3 acres into 8 single family lots; and SUBDIVISION MODIFICATION to create lots less than 100 feet deep, requests for property located at 7452 Pocket Road. (P-8873)

The hearing will be held at 7:30 p.m., Council Chamber, second floor, 915 I Street, Sacramento, CA.

Pursuant to Council Rules of Procedure 4.5, continuance of the above matter may be obtained only if a written request is delivered to this office no later than 12:00 Noon the Monday before the meeting when the hearing is scheduled. If written request is not delivered to this office as specified herein, you may obtain continuance only by appearing before the City Council at the time the hearing is scheduled and requesting the continuance.

Sincerely,


Lorraine Magana
City Clerk

LM:HO'

cc: The Spink Corporation (L. Ong)
Robert Davidson
Planning Department
P-8873 Mailing List (5)

STAFF REPORT AMENDED 1-10-80
CITY PLANNING COMMISSION
915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Spink Corp., P.O. Box 2511	Sacramento, CA	95811
OWNER	Louie Fon Yeun, 3112 O Street, Suite 10,	Sacramento, CA	95816
PLANS BY	Spink Corp., P.O. Box 2511	Sacramento, CA	95811
FILING DATE	11-20-79	60 DAY CPC ACTION DATE	2-21-80
		REPORT BY:	DP:lc
NEGATIVE DEC.	12-31-79	EIR	ASSESSOR'S PCL NO. 031-020-21

- APPLICATION:
1. Environmental Determination
 2. Rezone from Agriculture (A) to Single-family (R-1)
 3. Variance/Subdivision Modification to create lots less than 100' deep
 4. Tentative Map (P-8873)

LOCATION: 7452 Pocket Road

PROPOSAL: The applicant is requesting the necessary entitlements to divide 3.45+ acres into eight (8) single-family lots and Lot A to be dedicated to the City.

PROJECT INFORMATION

General Plan Designation:	Residential; Major Recreational or Open Space
South Pocket Community Plan Designation:	Low density residential; Park-Open Space
Existing Zoning of Site:	Agriculture (A)
Existing Land Use of Site:	Vacant

Surrounding Land Use and Zoning:

North:	Agricultural/Residential; and A
South:	Agricultural/Residential; and A
East:	Residential; and R-1
West:	Sacramento River

Property Dimensions:	3.45+ acres	
Density of Development:	3 du/ac	
North/South Orientation:	6 to 8	
Topography:	Flat	Street Improvements: To be provided
Utilities:	Available to site	
School District:	Sacramento City Unified School District	

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION:

On December 20, 1979, by a vote of 8 ayes, 1 abstention, the Subdivision Review Committee recommended approval of the subdivision modification to allow lots less than 100 feet in depth and of the tentative map subject to the following conditions:

1. The applicant shall dedicate proposed Lot A to the City.

2. The applicant shall dedicate a 10' wide easement from the levee eastward to the State Reclamation Board.
3. The applicant shall name the Cul de Sac a "Court".
4. The applicant shall prepare a sewer and drainage study for the review and approval of the City Engineer.
5. The applicant shall provide standard subdivision improvements, including street lights, pursuant to Section 40.811 of the Subdivision Ordinance.
6. The applicant shall provide an off-site right-of-way for the transition along Pocket Road.
7. The applicant shall file the necessary segregation request and fee on existing assessments.
8. The Cul de Sac shall not intrude more than 20' into the Parkway pursuant to Resolution 77-165.

STAFF EVALUATION:

The subject site is located in an area developing with single-family residences. In accordance with the residential designation of the 1974 General Plan and the South Pocket Community Plan, staff recommends the request to rezone from Agriculture (A) to Single-family Residential (R-1) be granted.

Staff has several concerns regarding the site design. Foremost among our concerns are the substandard in depth lots (8) that are proposed and considered for future development of the parcels to the north and the south. As an alternative to the applicant's proposal, staff recommends the site design shown on Exhibit "B" for the following reasons:

1. The design provides for 8 lots, only one of which is substandard.
2. The design allows for the parcel to the north to be designed with a minimum of substandard lots (see Exhibit "C").
3. The design allows for more variety in housing types by increasing the number of corner lots.

In light of the alternative lot design, staff finds it difficult to find hardship to recommend the granting of a variance to create eight lots substandard in depth. Staff recommends that instead, one variance to create a deep lot (lot 3) be granted.

The Sacramento City Unified School District has reviewed the proposed projects and anticipates a maximum yield of three (3) elementary, one (1) junior high, and two (2) senior high school students. The District has indicated that additional portable classrooms will be provided should enrollment increase beyond current physical capacity.

As a point of information, Regional Transit has indicated that an on-street bus stop by lot 8 may be installed in the future depending upon stop spacing along the extent of the route.

STAFF RECOMMENDATION:

Staff recommends that:

1. The Negative Declaration be ratified.
2. The rezoning from Agriculture (A) to Single-family Residential (R-1) be approved.
3. The Variance to create lots substandard in depth be denied.
4. The Variance to create a deep lot be approved.
5. The tentative map as shown on Exhibit "B" be approved subject to the following conditions: *(CPC amended to...as shown on Exhibit A be...)*
 - a. The applicant shall dedicate proposed Lot A to the City.
 - b. The applicant shall dedicate a 10' wide easement from the levee eastward to the State Reclamation Board.
 - c. The applicant shall name the Cul de Sac a "Court".
 - d. The applicant shall prepare a sewer and drainage study for the review and approval of the City Engineer.
 - e. The applicant shall provide standard subdivision improvements, including street lights, pursuant to Section 40.811 of the Subdivision Ordinance.
 - f. The applicant shall provide an off-site right-of-way for the transition along Pocket Road.
 - g. The applicant shall file the necessary segregation request and fee on existing assessments.
 - h. The Cul de Sac shall not intrude more than 20' into the Parkway pursuant to Resolution 77-165.

Findings of Fact - Variance to create lots substandard in depth

1. The granting of the variance would constitute a special privilege since an alternative site design without lots substandard in depth is available.
2. While the use of the parcel for single-family residential lots is allowed under the General and Community Plan designations, creating substandard depth lots is not justifiable.

3. The project as proposed by the applicant is potentially injurious to public health, safety and welfare as the substandard depth lots allow for a minimum of open space in the side and rear yards.
4. The land use as proposed by the applicant is not consistent with the General Plan in that it does not offer the best design for present and future development.

Findings of Fact - Variance to create a deep lot

1. The granting of the variance will not constitute a special privilege in that the subject property is surrounded by deep lots.
2. The variance will not be a use variance in that single-family dwellings are permitted in the R-1 zone.
3. The project will not be injurious to public welfare or to property in the vicinity because it will not significantly alter the characteristics of the area.
4. The variance is in harmony with the General Plan in that the area is designated for single-family dwellings.

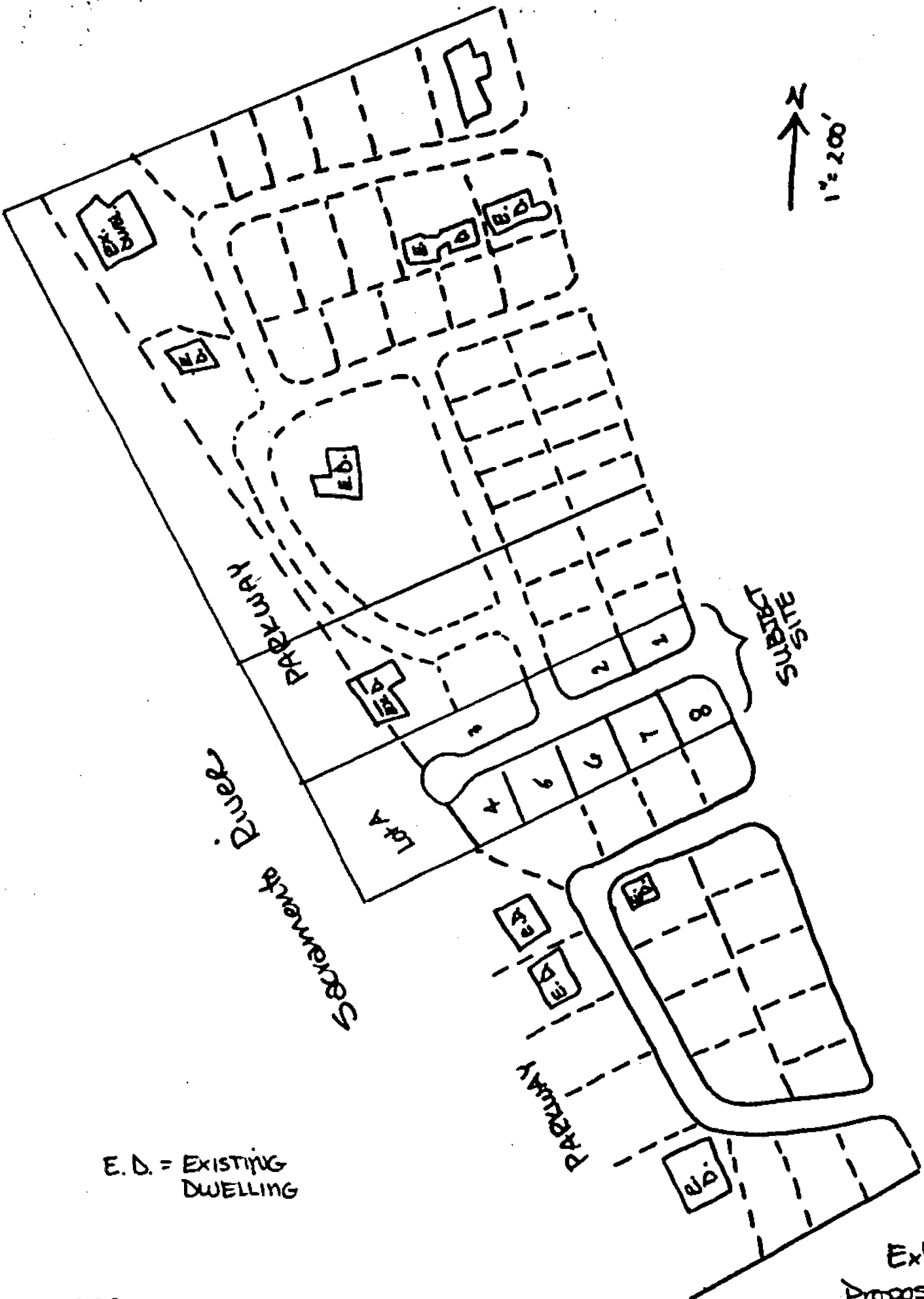


Exhibit "C"

E. D. = EXISTING DWELLING

In the matter of the decision of the)
Planning Commission on application)
P-8873 for a Variance to create lots)
less than 100' deep at 7452 Pocket Rd.)

FINDINGS OF FACT

On January 10, 1980 the City Planning Commission indicated an intent to approve the Variance subject to conditions in amended staff report and based on findings of fact due January 24, 1980.

Based on documentary and oral evidence submitted at the public hearing on January 10, 1980, the Planning Commission approved the variance with conditions and hereby finds:

1. The granting of the variance will not constitute a special privilege in that there are similar lots in the area.
2. The variance will not be a use variance in that single family dwellings are permitted in the R-1 zone.
3. The project will not be injurious to public welfare or to property in the vicinity because it will not significantly alter the characteristics of the area.
4. The varaince is in harmony with the General Plan in that the area is designated for single family dwellings.

Suzanne Elmstad

Approved by the Commission on
January 24, 1980 for the
January 10, 1980 Planning
Commission meeting.


Chairman,
City Planning Commission

1. ORDINANCE NO. **4315**, FOURTH SERIES

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT 7452 Pocket Road FROM THE A Agricultural ZONE AND PLACING SAME IN THE R-1 Single Family ZONE (FILE NO. P-8873 .) (APN: 031-020-21)

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 A Agricultural zone(s), established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone(s) and placed in the R-1 Single Family zone(s).

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-8873

APPROVED
BY THE CITY COUNCIL

FFB 20 1980

OFFICE OF THE
CITY CLERK

Order No. 407249

EXHIBIT "A"

All that portion of the following described property lying Southwesterly of the centerline of that certain County road, as said County road is shown and delineated on that certain plat of resurvey and subdivision of Swamp Land Survey 147, filed in the office of the County Recorder of Sacramento County on December 26, 1905, in Book 6 of Maps, Map No. 36, described as follows:

That portion of Swamp Land Survey No. 147, Sacramento County Surveys, described as follows:

Beginning at a point on the centerline of said Road 461.40 feet Northwesterly from the intersection of the centerline of said road and the South line of said Swamp Land Survey 147; thence along said centerline 210.70 feet to a point; thence South $60^{\circ} 32' 30''$ West 743.40 feet more or less to a point on the left or Easterly bank of the Sacramento River; thence downstream along said River bank South $32^{\circ} 45'$ East a distance of 204.28 feet more or less to a point in a line extended Southwesterly which bears South $60^{\circ} 59'$ West from the point of beginning; thence North $60^{\circ} 59'$ East 708.44 feet to the point of beginning.

RESOLUTION NO.

Adopted by The Sacramento City Council on date of

FEBRUARY 12, 1980

ADOPTING FINDINGS OF FACT, APPROVING A REQUEST
FOR SUBDIVISION MODIFICATION AND TENTATIVE MAP
FOR PARKSIDE ESTATES. (APN: 031-020-21) (P-8873)

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations concerning the request for a tentative map for Parkside Estates, located at 7452 Pocket Road (hereinafter referred to as the proposed subdivision).

WHEREAS, the Council of the City of Sacramento, based on testimony submitted at a public hearing conducted on February 12, 1980 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 South Pocket Community Plan in that both plans designate the subject site for residential 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: The site is a long and narrow strip of land which makes it difficult to meet all requirements of the Subdivision Ordinance.

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 design of the subdivision is subject to the physical constraints of the site.

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: The lots being created are typical to the area in size.

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 development is consistent with the South Pocket Community Plan and the General Plan which designate the site for residential uses.

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 as shown on Exhibit A and Subdivision Modification be approved subject to the following conditions:
 - 1. The applicant shall dedicate proposed Lot A to the City.
 - 2. The applicant shall dedicate a 10-foot wide easement from the levee eastward to the State Reclamation Board.
 - 3. The applicant shall name the cul-de-sac a "Court".
 - 4. The applicant shall prepare a sewer and drainage study for the review and approval of the City Engineer.
 - 5. The applicant shall provide standard subdivision improvements, including street lights, pursuant to Section 40.811 of the Subdivision Ordinance.
 - 6. The applicant shall provide an off-site right-of-way for the transition along Pocket Road.
 - 7. The applicant shall file the necessary segregation request and fee on existing assessments.
 - 8. The cul-de-sac shall not intrude more than 20 feet into the Parkway pursuant to Resolution 77-165.

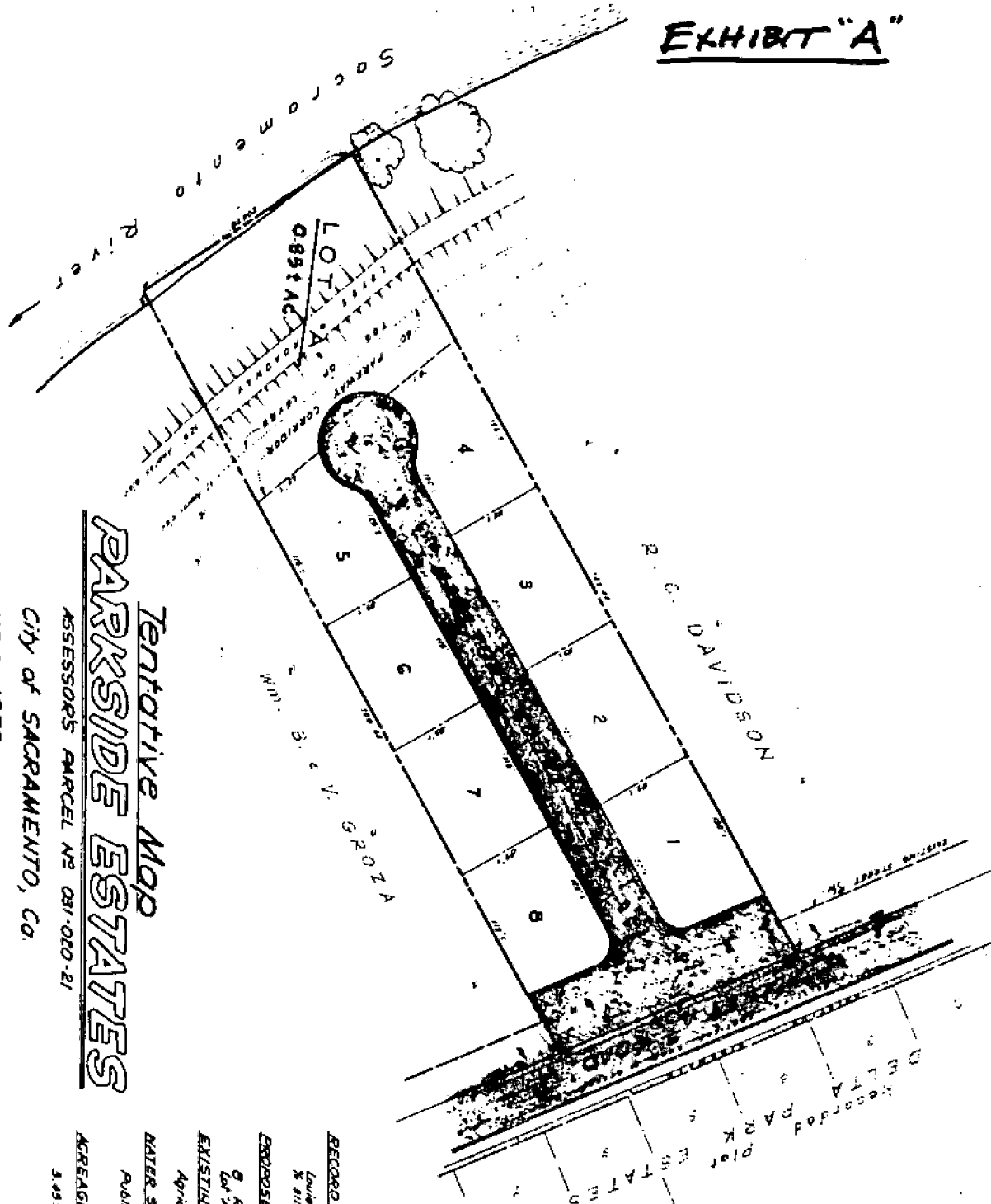
MAYOR

ATTEST:

CITY CLERK

P-8873

EXHIBIT "A"



PARKSIDE ESTATES

Tentative Map

ASSESSOR'S PARCEL NO 081-020-21

CITY OF SACRAMENTO, CA.

NOV, 1979

- RECORD OWNER & SUBDIVIDER:**
Lung Fong Yuen Suite 10, Sacro, Ca.
X 812 'O' St. Suite 10, Sacro, Ca.
- PROPOSED USE & ZONE:**
R Residential lots 'R-1'
Lot 'A' to be dedicated to City
- EXISTING USE & ZONE:**
Agricultural 'A'
- WATER SUPPLY & SEWAGE DISPOSAL:**
Public Utilities
- AREAGE:**
5.49 ± Ac.

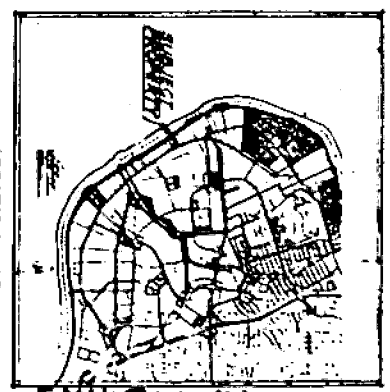


EXHIBIT "A"

NO.	DATE	DESCRIPTION	BY	APP.

APPROVALS

THE SPINK CORPORATION
 ENVIRONMENTAL PLANNING ENGINEERING
 ARCHITECTURAL SURVEYING MAPPING SYSTEMS
 117 STREET SACRAMENTO CALIFORNIA 95811

RESOLUTION NO. 0-110

Adopted by The Sacramento City Council on date of

FEBRUARY 12, 1980

ADOPTING FINDINGS OF FACT, APPROVING A REQUEST
FOR SUBDIVISION MODIFICATION AND TENTATIVE MAP
FOR PARKSIDE ESTATES. (APN: 031-020-21) (P-8873)

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations concerning the request for a tentative map for Parkside Estates, located at 7452 Pocket Road (hereinafter referred to as the proposed subdivision).

WHEREAS, the Council of the City of Sacramento, based on testimony submitted at a public hearing conducted on February 12, 1980 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 South Pocket Community Plan in that both plans designate the subject site for residential 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.

APPROVED
BY THE CITY COUNCIL

FEB 20 1980

OFFICE OF THE
CITY CLERK

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: The site is a long and narrow strip of land which makes it difficult to meet all requirements of the Subdivision Ordinance.

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 design of the subdivision is subject to the physical constraints of the site.

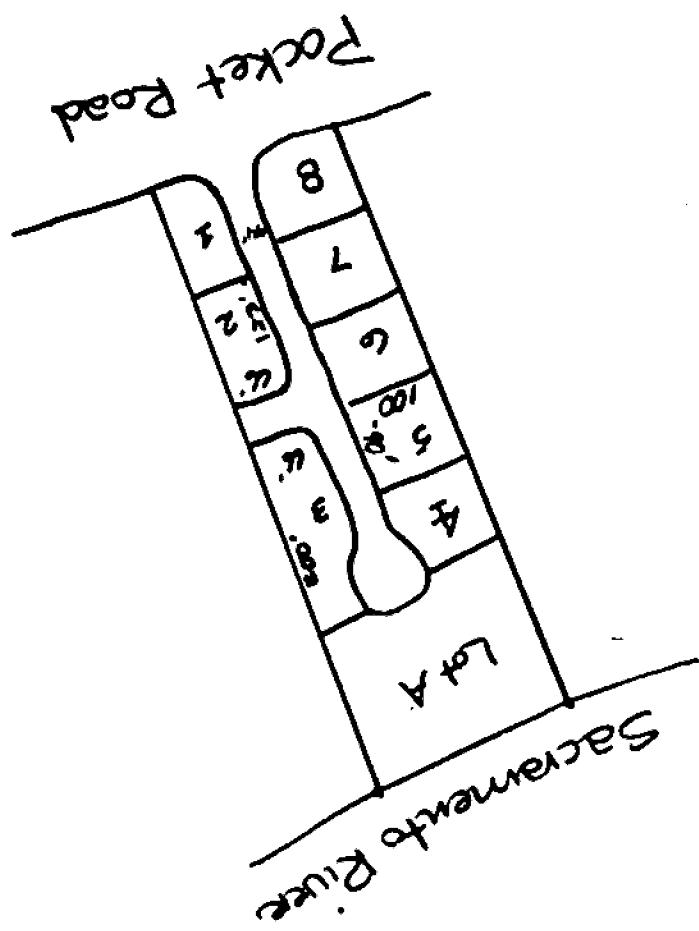
c. That the modification will not be detrimental to the public health, safety, or welfare or be injurious to other properties in the vicinity.

Fact: The lots being created are typical to the area in size.

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 development is consistent with the South Pocket Community Plan and the General Plan which designate the site for residential uses.

Exhibit "B"



1" = 200'

Alternative Design
by Staff
EXHIBIT "B"

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 as shown on Exhibit B and Subdivision Modification be approved subject to the following conditions:
 - 1. The applicant shall dedicate proposed Lot A to the City.
 - 2. The applicant shall dedicate a 10-foot wide easement from the levee eastward to the State Reclamation Board.
 - 3. The applicant shall prepare a sewer and drainage study for the review and approval of the City Engineer.
 - 4. The applicant shall provide standard subdivision improvements, including street lights, pursuant to Section 40.811 of the Subdivision Ordinance.
 - 5. The applicant shall provide an off-site right-of-way for the transition along Pocket Road.
 - 6. The applicant shall file the necessary segregation request and fee on existing assessments.
 - 7. The cul-de-sac shall not intrude more than 20 feet into the Parkway pursuant to Resolution 77-165.

MAYOR

ATTEST:

CITY CLERK

P-8873



CITY OF SACRAMENTO

CITY PLANNING DEPARTMENT

815 "I" STREET
CITY HALL - ROOM 308

SACRAMENTO, CALIF 95814
TELEPHONE (916) 449-5604

Marty Van Duyn
Planning Director

January 31, 1980

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Ordinance Amending the Districts Established by the Comprehensive Zoning Ordinance No. 2550, Fourth Series, as Amended, by Removing Property Located at 7452 Pocket Road from the A Agricultural Zone and Placing Same in the R-1 Single Family Zone. (P-8873) (APN: 031-020-21)

SUMMARY

This item is presented at this time for Council's approval of its publication for legal advertisement purposes. A location map is attached for the Council's information.

BACKGROUND INFORMATION

Prior to publication of an item in a local paper to meet legal advertising requirements, the City Council must first pass the item for publication. The City Clerk then transmits the title of the item to the paper for publication and for advertising the meeting date.

RECOMMENDATION

It is recommended the item be passed for publication.

Respectfully submitted,

Marty Van Duyn
Marty Van Duyn
Planning Director

FOR TRANSMITTAL TO CITY COUNCIL:

Walter J. Slise
Walter J. Slise, City Manager

APPROVED
BY THE CITY COUNCIL

FEB 5 1980

OFFICE OF THE
CITY CLERK

*PFP &
CONT. TO
2-12-80*

MVD: jm
Attachments
P-8873

February 5, 1980
District No. 8

JANUARY 10 80

ITEM NO. 24

RIVER

WHEELER

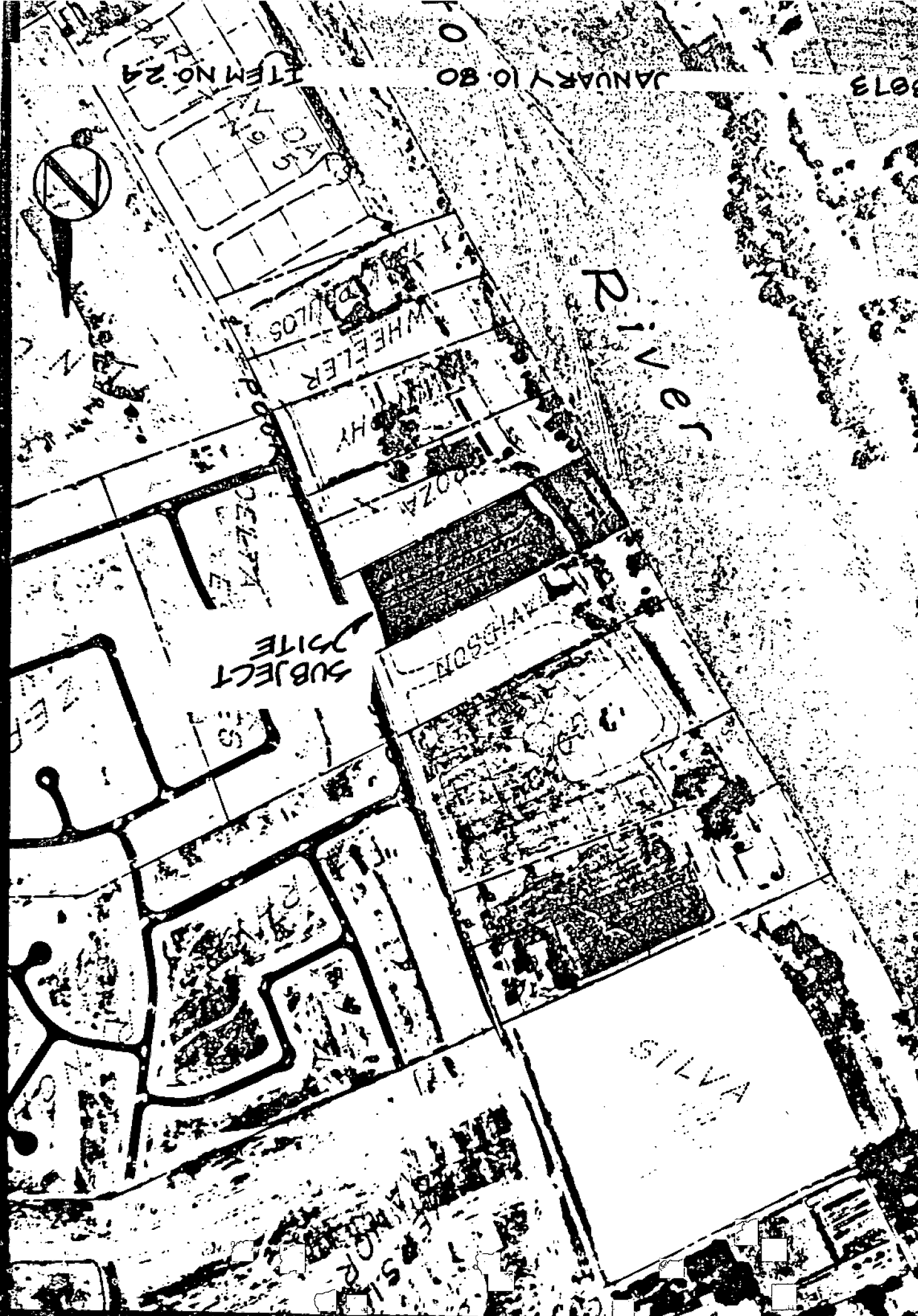
HY

COZAK

T. W. THOMPSON

SUBJECT

ANIS



1. ORDINANCE NO. , FOURTH SERIES

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT 7452 Pocket Road
FROM THE A Agricultural ZONE
AND PLACING SAME IN THE R-1 Single Family
ZONE (FILE NO. P-8873) (APN: 031-020-21)

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 A Agricultural zone(s), established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone(s) and placed in the R-1 Single Family zone(s).

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

Order No. 407249

EXHIBIT "A"

All that portion of the following described property lying Southwesterly of the centerline of that certain County road, as said County road is shown and delineated on that certain plat of resurvey and subdivision of Swamp Land Survey 147, filed in the office of the County Recorder of Sacramento County on December 26, 1905, in Book 6 of Maps, Map No. 36, described as follows:

That portion of Swamp Land Survey No. 147, Sacramento County Surveys, described as follows:

Beginning at a point on the centerline of said Road 461.40 feet Northwesterly from the intersection of the centerline of said road and the South line of said Swamp Land Survey 147; thence along said centerline 210.70 feet to a point; thence South 60° 32' 30" West 743.40 feet more or less to a point on the left or Easterly bank of the Sacramento River; thence downstream along said River bank South 32° 45' East a distance of 204.28 feet more or less to a point in a line extended Southwesterly which bears South 60° 59' West from the point of beginning; thence North 60° 59' East 708.44 feet to the point of beginning.

36

CHARLES R. GORDON, M.D.
Professional Corporation
7600 Timberlake Way, Suite H
Sacramento, California 95823
Phone (916) 391-2576

February 22, 1980

Dear Mr. Ong,

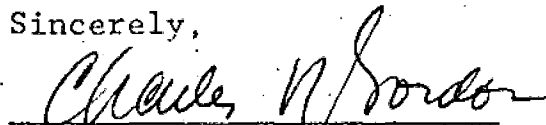
This letter is in answer to your inquiry of my intent with the seven acres I own at 7360 Pocket Road.

I purchased this piece of property in 1972 from my neighbor on the west, Tony Silva. At the time of purchase, the lot was split in a very irregular fashion on the northwest corner. Mr. Silva was advised to do this by the planning commission in the event that a road would some day come into his property, and would service another home which could be constructed on the south side of his property. At it stands now, the only access is through my property.

With this information, I placed my home so that the front of my house would be facing this proposed road. And, conversely, the back of my home, and the main outdoor living area would be on the southwest side. This is where an intended pool is to be placed.

As far as my intentions for subdividing the property, I have none. I purchased this property seven years ago because I thought I could live and raise my children in a country setting. Unfortunately, the Pocket area is now being subdivided, but this has not changed my original intentions. This home has represented a seven year project that was designed, built, and landscaped by my wife and me. The grounds have a complete irrigation system. There are over 400 trees, representing 30 different varieties. Shrubs have been selected to provide natural cover and feed for the birds in the area that are being desimated by development. In addition, there is an orchard, green house, fish pond, garden, barn, a 13' wide black top road, and an electrically operated gate. I mention these latter items only to impress upon you my committment is for the preservation of the piece of land, not for subdivision.

Sincerely,



Charles R. Gordon, M.D.

River

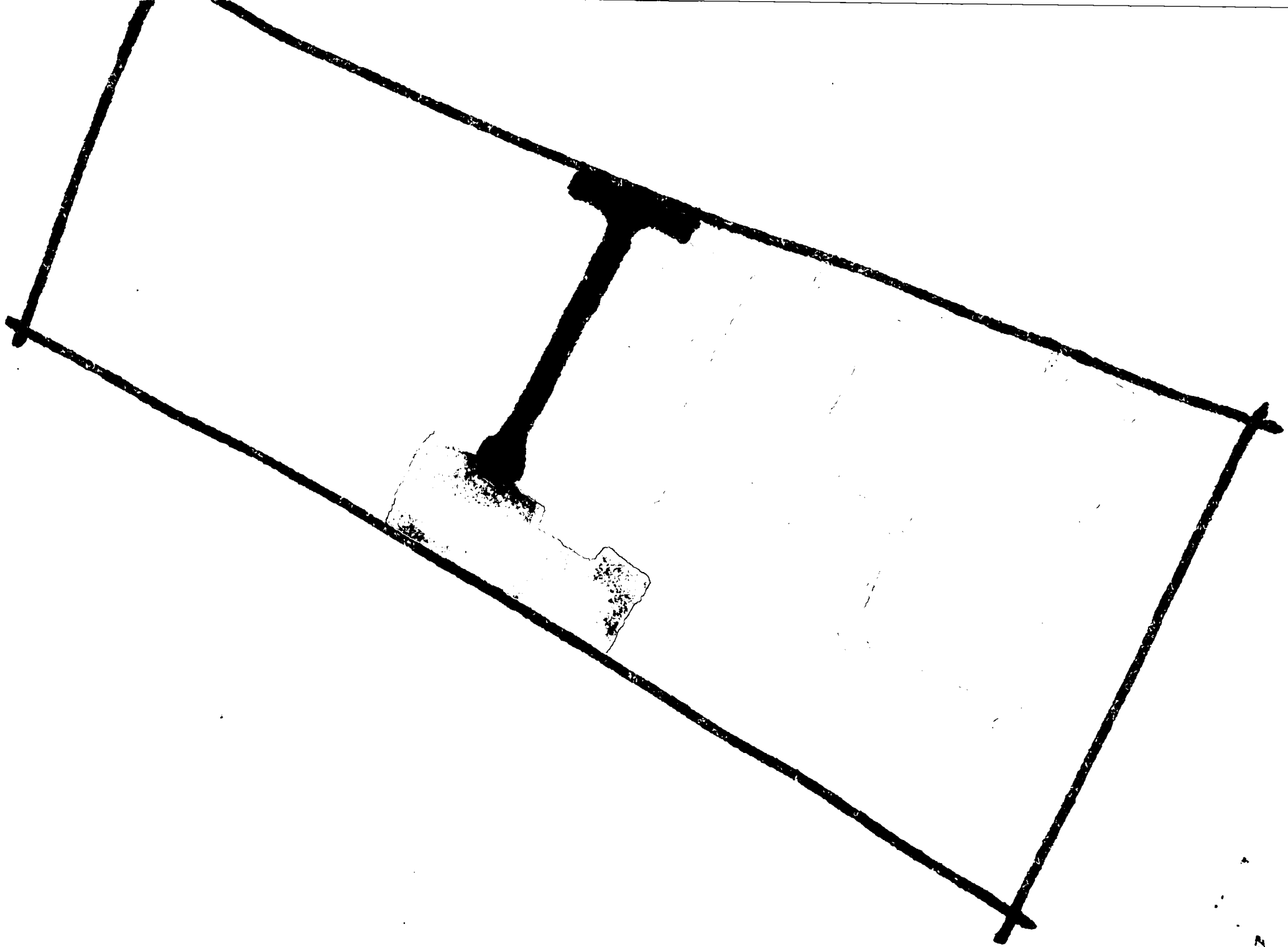
ST. A



SUBJECT SITE

POCAHONTAS

DELTA



RESOLUTION NO. 80-110

Adopted by The Sacramento City Council on date of
FEBRUARY 26, 1980

ADOPTING FINDINGS OF FACT, APPROVING A REQUEST
FOR SUBDIVISION MODIFICATION AND TENTATIVE MAP
FOR PARKSIDE ESTATES. (APN: 031-020-21) (P-8873)

OFFICE OF THE
CITY CLERK

FEB 26 1980

APPROVED
BY THE CITY COUNCIL

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations concerning the request for a tentative map for Parkside Estates, located at 7452 Pocket Road (hereinafter referred to as the proposed subdivision).

WHEREAS, the Council of the City of Sacramento, based on testimony submitted at a public hearing conducted on February 26, 1980 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 South Pocket Community Plan in that both plans designate the subject site for residential 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.

APPROVED
BY THE CITY COUNCIL

FEB 26 1980

OFFICE OF THE
CITY CLERK

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: The site is a long and narrow strip of land which makes it difficult to meet all requirements of the Subdivision Ordinance.

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 design of the subdivision is subject to the physical constraints of the site.

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: The lots being created are typical to the area in size.

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 development is consistent with the South Pocket Community Plan and the General Plan which designate the site for residential uses.

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 dedicate proposed Lot A to the City.
 - 2. The applicant shall dedicate a 10-foot wide easement from the levee eastward to the State Reclamation Board.
 - 3. The applicant shall prepare a sewer and drainage study for the review and approval of the City Engineer.
 - 4. The applicant shall provide standard subdivision improvements, including street lights, pursuant to Section 40.811 of the Subdivision Ordinance.
 - 5. The applicant shall provide an off-site right-of-way for the transition along Pocket Road.
 - 6. The applicant shall file the necessary segregation request and fee on existing assessments.
 - 7. The cul-de-sac shall not intrude more than 20 feet into the Parkway pursuant to Resolution 77-165.

MAYOR

ATTEST:

CITY CLERK ACTING

P-8873

Alternative Design
by Staff
EXHIBIT "B"

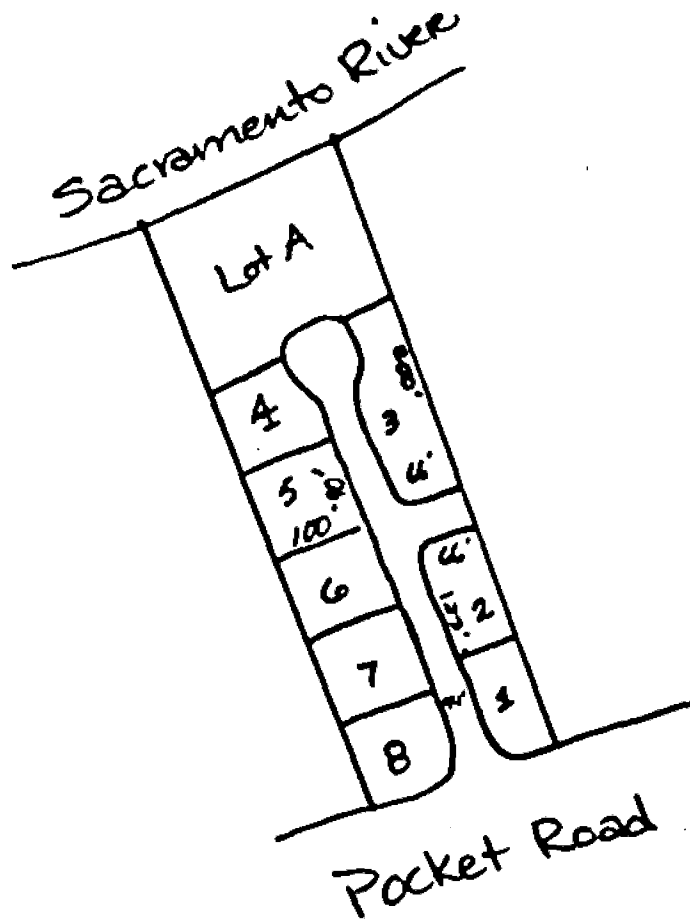


Exhibit "B"



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

915 I STREET

CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814

TELEPHONE (916) 449-5426

LORRAINE MAGANA
CITY CLERK

February 27, 1980

Louie Fon Yuen
3112 "O" Street, Suite 10
Sacramento, CA 95816

Dear Mr. Yuen:

On February 26, 1980, the City Council adopted the enclosed certified ordinance rezoning property located at 7452 Pocket Road from the "A" Agricultural zone to the "R-1" Single Family Residential zone. (P-8873) (APN: 031-020-21)

The Council also adopted the enclosed certified resolution adopting Findings of Fact, approving a request for subdivision modification and tentative map for Parkside Estates.

Sincerely,


Jaci Pappas
Acting City Clerk

JP:RO'

Encls.

cc: The Spink Corporation (L. Ong)
Planning Department

Item No. 36