



# CITY OF SACRAMENTO

25

## CITY PLANNING DEPARTMENT

725 "J" STREET

SACRAMENTO, CALIF. 95814

TELEPHONE (916) 449-5604

MARTY VAN DUYN

PLANNING DIRECTOR

April 23, 1980

City Council  
Sacramento, California

Honorable Members in Session:

- SUBJECT: 1. Subdivision Modification to create lots sub-standard in width, depth, and size and to waive service connections to Parcel B.
2. Tentative Map (P-8891)

LOCATION: 1463 52nd Street

### SUMMARY

The applicant is requesting the necessary entitlements to divide a 0.2 acre through lot into two single family lots. The site contains a residence and a garage. Both staff and the Planning Commission recommend approval of the requests.

### BACKGROUND

The subject site is located in a developed residential neighborhood and has frontages on both 52nd Street and Rodeo Way. The proposed lot fronting 52nd Street contains a dwelling unit and a parking area to serve the residence. The proposed lot fronting Rodeo Way contains a garage which the applicant has indicated will be removed.

The City Water and Sewer Department recommended a waiver of the water and sewer service connections to the proposed lot fronting Rodeo Way to avoid inactive service lines and because the street improvements are existing.

**APPROVED**  
BY THE CITY COUNCIL

APR 29 1980

OFFICE OF THE  
CITY CLERK

Staff has no objection to the proposed division. There are other parcels throughout the neighborhood that were divided in a similar fashion.

VOTE OF COMMISSION

On March 27, 1980, the City Planning Commission by a vote of seven ayes and two absent recommended approval of the project subject to conditions.

RECOMMENDATION

The staff and the Planning Commission recommend that the City Council approve the tentative map and subdivision modification and adopt the attached resolution.

Respectfully submitted,



Marty Van Duyn  
Planning Director

FOR CITY COUNCIL INFORMATION  
WALTER J. SLIPE  
CITY MANAGER

MVD:DP:lrl  
Attachments  
P-8891

April 29, 1980  
District 3

SACRAMENTO CITY PLANNING COMMISSION

...ING DATE March 27, 1980  
 AM NO. 206 FILE NO. P- 8891  
 M- \_\_\_\_\_

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

Recommendation:

- Favorable      LOCATION: 1163 52nd Street  
 Unfavorable     Petition     Correspondence

PROPOSERS		
NAME	ADDRESS	

OPPOSERS		
NAME	ADDRESS	

MOTION NO. \_\_\_\_\_

	YES	NO	MOTION	2ND
Augusta	✓			
Flores	✓			✓
Goodin	<i>initials</i>			
Hunter	<i>initials</i>			
Larson	✓			
Muraki	✓		✓	
Simpson	✓			
Silva	✓			
Fong	✓			

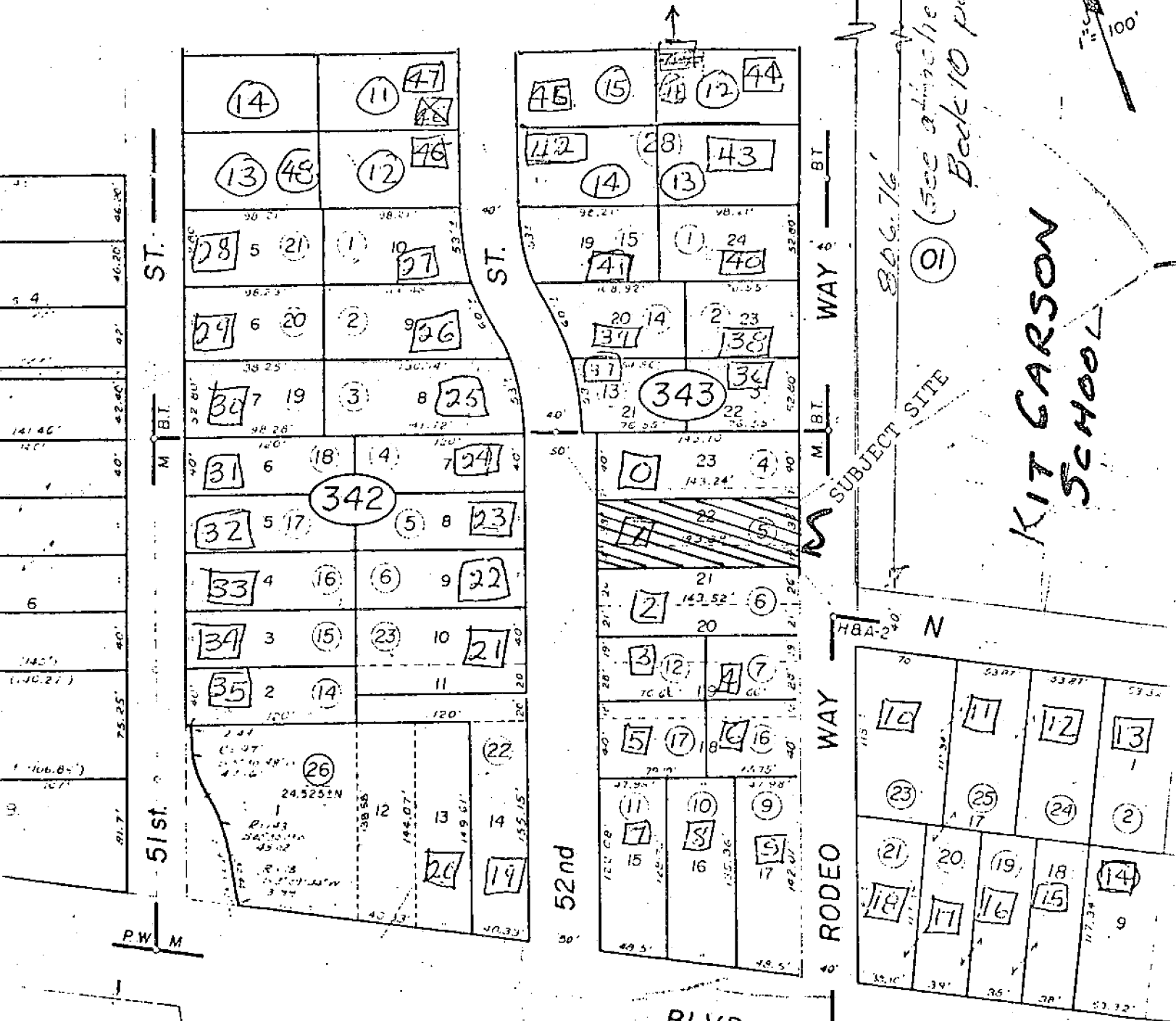
MOTION:

- TO APPROVE  
 TO DENY  
 TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT  
 INTENT TO APPROVE SUBJ. TO COND. & BASED ON FINDINGS OF FACT DUE \_\_\_\_\_  
 TO RECOMMEND APPROVAL subject to conditions & FORWARD TO CITY COUNCIL  
 TO RATIFY NEGATIVE DECLARATION  
 TO CONTINUE TO \_\_\_\_\_ MEETING  
 OTHER \_\_\_\_\_

- EXHIBITS: A. Site Plan   
 B. Floor Plan   
 C. Elevation   
 D. Landscaping

283

284



KIT CARSON  
SCHOOL

P-8891

NOTE--Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.

CITY OF SACRAMENTO  
Assessor's Map Bk. 8 -Pg. 34  
County of Sacramento, Calif.



# CITY PLANNING COMMISSION

915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT	R.E. & B.E. Bennion - 2737 63rd Street, Sacramento, CA 95817				
OWNER	R.E. & B.E. Bennion - 2737 63rd Street, Sacramento, CA 95817				
PLANS BY	Lauer L. Roper & Associates				
FILING DATE	12-10-79	50 DAY CPC ACTION DATE		REPORT BY	DP:sg
NEGATIVE DEC.	2-4-80	EIR		ASSESSOR'S PCL. NO.	008-343-05

- APPLICATION:
1. Negative Declaration
  2. Variance to create lots substandard in width, depth and size.
  3. Subdivision Modification to create lots substandard in width, depth and size and to waive providing service connections to one proposed lot for all underground utilities (Section 40.811f).

LOCATION: 1463 52nd Street

PROPOSAL: The applicant is requesting the necessary entitlements to divide a 6,734 square foot parcel into two single family lots.

PROJECT INFORMATION:

General Plan Designation: Residential  
East Sacramento Community  
Plan Designation: Light Density Residential  
Existing Zoning of Site: R-1  
Existing Land Use of Site: Residential  
Surrounding Land Use and Zoning:  
North: Residential; R-1  
South: Residential; R-1  
East: Residential; R-1  
West: Residential; R-1  
Property Dimensions: 6,734 Sq. Ft.  
Density of Development: 12 Du/Ac  
Significant Features of Site: Site Has Two Street Frontages  
Topography: Sloped  
Street Improvements: Existing  
Utilities: Existing & Available to Site  
School District: Sacramento City Unified

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On January 30, 1980 by a vote of seven ayes, one absent, and one abstention the Committee recommended granting the subdivision modification and approval of the tentative map.

STAFF EVALUATION: The subject site is located in a developed residential neighborhood and has frontages on both 52nd Street and Rodeo Way. The proposed lot fronting 52nd Street contains a dwelling unit and a parking area to serve the residence. The proposed lot fronting Rodeo Way contains a garage which the applicant has indicated will be removed.

Staff has no difficulty recommending granting of the variance to create lots substandard in width, depth, and size as the lot sizes are consistent with others in the area and the applicant has demonstrated that a dwelling unit of satisfactory size can be placed on the lots without a setback variance.

The City Water and Sewer Department initiated the request to waive the water and sewer service connection to the proposed lot that fronts on Rodeo Way for the following reasons:

1. The existing street improvements would have to be torn up and reconstructed.
2. The Water and Sewer Department prefers not to have inactive service lines in an effort to avoid unauthorized hookups and incorrect anticipation of the appropriate size of the connection for future development. In lieu of the waiver, staff recommends that a note be placed on the final map indicating that the services are to be provided at the time of obtaining a building permit.

The Sacramento City Unified School District has reviewed the proposed project and anticipates a yield of one elementary student. The District will provide additional portable classrooms if enrollment grows beyond current physical capacity.

Regional Transit has reviewed the project and has no comments or requirements.

STAFF RECOMMENDATION: Staff recommends that:

1. The negative declaration be ratified.
2. The variance to create lots substandard in width, depth, and size be granted.
3. The subdivision modification to create lots substandard in width, depth, and size, and to waive the requirement for service connections to the proposed lot along Rodeo Way for all underground utilities (Section 40.811F) be granted.
4. The tentative map be approved subject to the following conditions:
  - a. The applicant shall remove the garage located on the proposed lot fronting Rodeo Way prior to the filing of the final map.
  - b. The following note be placed on the final map: Water and sewer service connections do not exist between the main lines and Parcel B. These services must be paid for at the time of obtaining building permits.

Findings of Fact - Variance

- a. The granting of the variance will not constitute a special privilege in that the subject property is surrounded by lots of similar width, depth, and size.
- b. The variance will not be a use variance in that single family dwellings are permitted in the R-1 zone.
- c. 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.
- d. The variance is in harmony with the General Plan in that the area is designated for single family residences.

RESOLUTION NO. 80-260

Adopted by The Sacramento City Council on date of

APRIL 29, 1980

ADOPTING FINDINGS OF FACT, APPROVING A REQUEST  
FOR SUBDIVISION MODIFICATION AND TENTATIVE MAP  
FOR PROPERTY LOCATED AT 1463 52ND STREET (P-8891)  
(APN: 008-343-05)

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations concerning the request for a tentative map for property located at 1463 52nd Street  
(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 April 29, 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 East Sacramento 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.

APPROVED  
BY THE CITY COUNCIL

APR 29 1980

OFFICE OF THE  
CITY CLERK

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 from the proposed project will not create a condition exceeding the design capacity.

G. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the proposed subdivision, taking into consideration the local climate, the contour and configuration of the parcel to be divided, and such other design and improvement requirements applicable to the proposed subdivision.

H. In the matter of the requested subdivision modification, the Council determines as follows:

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

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

Fact: The dimensions of the lot make it impossible to create standard size single family lots.

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

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

Fact: There is no feasible way to divide the site and meet all requirements of the Subdivision Ordinance.

- c. That the modification will not be detrimental to the public health, safety or welfare nor be injurious to other properties in the vicinity.

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

Fact: The project will not significantly change the characteristics of the area.

- d. That granting the modification is in accord with the intent and purpose of these regulations and is consistent with the General Plan and with all other applicable Specific Plans of the City.

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

Fact: The site is designated 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 remove the garage located on the proposed lot fronting Rodeo Way prior to the filing of the final map.
  - 2. The following note shall be placed on the final map: Water and sewer service connections do not exist between the main lines and Parcel B. These services must be paid at the time of obtaining building permits.

.....  
\_\_\_\_\_  
MAYOR

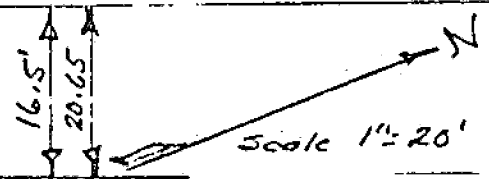
ATTEST:

.....  
\_\_\_\_\_  
CITY CLERK

P-8891

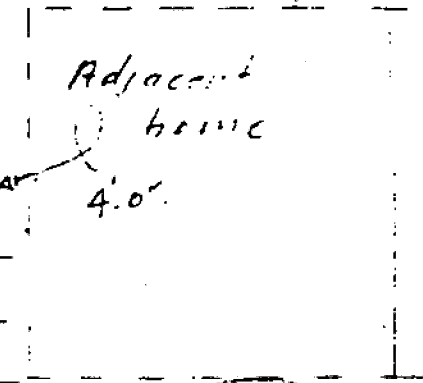
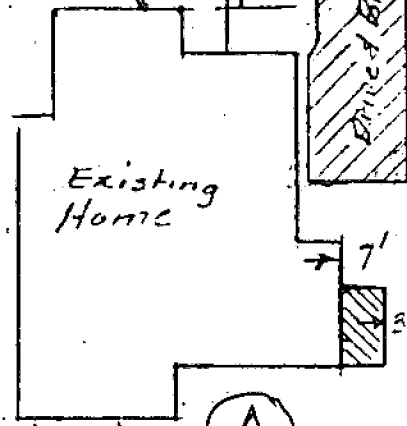
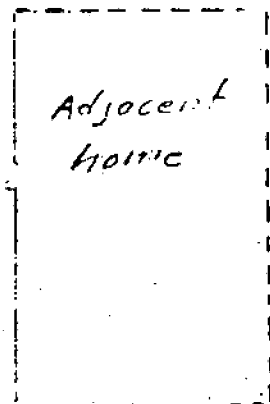
# REVISED TENTATIVE MAP

52nd St



Owner & Subdivider  
 Richard E & Barbara G Bennion  
 2737 G St  
 Sacramento 95817  
 456 9942

Front Property Line S-19037' W



Source Data

Lot boundaries  
 Martindale Subdivision map  
 Grant Deed.

Rodeo Way

Martindale Subdivision map - for total width -  
 Field measurements  
 and city maps for other data

52ND ST

Width measurements  
 in front of existing home  
 and note on map  
 in City Eng office

Area data

Total Lot = 6737 sq. ft.  
 Proposed West lot = 3447  
 East lot = 3290

143.429

5720.525'

39.3'

15'

4'

15'

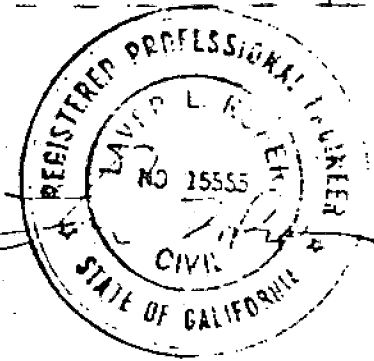
20'-0"

75'

47'

75'

143.265'



LAVEL L. ROPER & ASS.  
 7805 TRIBUTE RD  
 SACRAMENTO, CA  
 929-9267

Adjacent home  
 Exhibit "A"

N 17° 27' E

Sidewalk

REPRODUCTION COPY

10889

P-8891

RODEO WAY

007.0 EXHIBIT 3-27-80 08/15/11 METAS LTM 49.54

# SACRAMENTO CITY PLANNING COMMISSION

## APPLICATION INFORMATION

APPLICATION TAKEN BY: DP

- Gen. Plan Amend. (GPA)    Comm. Plan Amend. (CPA)    Rezone (RZ) from \_\_\_\_\_ to \_\_\_\_\_  
 Special Permit (SP)    Variance (V)    Tentative Map (TM)    Sbdvn. Modification (SM)

Other ED

Assessors Parcel No. 008 - 343 - 05 Address 1463 52nd St.

Request(s) 1.) Environmental Determination 2.) Tentative Map to divide .2 ac. into  
2 single family lots 3.) Variance/Subdivision Modification to create lots substandard  
in width, depth, & size

Owner(s) Richard & Barbara Bennion - 2737 63rd St., Sacto. 95817 Phone No. 456-9942

Applicant Richard & Barbara Bennion - 2737 63rd St., Sacto. 95817 Phone No. 456-9942

xSignature *Richard E. Bennion* Filing Fee \$75 + 180 + 180 + 30 = 465 Receipt No. 5019 D.P. 2/1/80

C.P.C. Meeting Date January Feb. 14, 1980

## ACTION ON ENTITLEMENT TO USE REQUEST WITHDRAWN

Planning Commission (Appeal Period is Ten (10) Consecutive Days From Date of Action).

Approved \_\_\_\_\_ Approved w/Conditions \_\_\_\_\_ Approved Based on Find. of Fact Denial Variance

Rec. Approval Sub. Modification Rec. Approval w/Conditions Tentative Map Denied \_\_\_\_\_

Findings of Fact Approved 3-27-80

Copy Sent to Applicant \_\_\_\_\_

Recommendations and Appeals are Forwarded to City Council for Final Action.

## COUNCIL ACTION: (Appeal Period is Thirty (30) Consecutive Days From Date of Action).

Plan Amendment \_\_\_\_\_ Rezoning \_\_\_\_\_ Tentative Map \_\_\_\_\_ Subd. Modification \_\_\_\_\_ Appeal \_\_\_\_\_

Approved \_\_\_\_\_ Approved w/Conditions \_\_\_\_\_ Denied \_\_\_\_\_ Return to Planning Commission \_\_\_\_\_

## ENTITLEMENT(S) TO USE: REQUEST WITHDRAWN is/are:

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Approved w/Conditions \_\_\_\_\_

By: \_\_\_\_\_

SEC. TO PLANNING COMMISSION

NOTE: Action authorized by this document shall not be conducted in such a manner as to constitute a public nuisance. Violation of any of the foregoing conditions will constitute ground for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezonings, special permits and variances.

Sent to Applicant: \_\_\_\_\_

DATE

P No 8891

SACRAMENTO CITY PLANNING COMMISSION

DATE March 27, 1980  
 EM NO. 206 FILE NO. P- 8891  
 M-

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

Recommendation:

LOCATION: 1463 52nd Street

- Favorable
- Unfavorable
- Petition
- Correspondence

<u>NAME</u>	<u>PROponents</u>	<u>ADDRESS</u>

<u>NAME</u>	<u>OPponents</u>	<u>ADDRESS</u>

MOTION NO. \_\_\_\_\_

	YES	NO	MOTION	2ND
Augusta	✓			
Flores	✓			✓
Goodin	<i>absent</i>			
Hunter	<i>absent</i>			
Larson	✓			
Muraki	✓		✓	
Simpson	✓			
Silva	✓			
Fong	✓			

MOTION:

- TO APPROVE
- TO DENY
- TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- INTENT TO APPROVE SUBJ. TO COND. & BASED ON FINDINGS OF FACT DUE \_\_\_\_\_
- TO RECOMMEND APPROVAL *subject to conditions* & FORWARD TO CITY COUNCIL
- TO RATIFY NEGATIVE DECLARATION
- TO CONTINUE TO \_\_\_\_\_ MEETING
- OTHER \_\_\_\_\_

- EXHIBITS:
- A. Site Plan
  - B. Floor Plan
  - C. Elevation
  - D. Landscaping



# CITY OF SACRAMENTO

## OFFICE OF THE CITY CLERK

915 I STREET

SACRAMENTO, CALIFORNIA 95814

CITY HALL ROOM 203

TELEPHONE (916) 449-5426

LORRAINE MAGANA  
CITY CLERK

April 30, 1980

R.E. & B.E. Bennion  
2737 63rd Street  
Sacramento, CA 95817

Gentlemen:

On April 29, 1980, the City Council adopted the enclosed certified resolution adopting Findings of Fact, approving a request for Subdivision Modification and Tentative Map for property located at 1463 52nd Street (P-8891).

Sincerely,

Lorraine Magana  
City Clerk

LM:sj

Encl.

Item No. 25