

CITY PLANNING DEPARTMENT 725 "J" STREET SACRAMENTO, CALIF, 95814

TELEPHONE (916) 449-5604

MARTY VAN DUYN PLANNING DIRECTOR

December 12, 1980

City Council Sacramento, California

Honorable Members in Session:

Subdivision Modification to create lots substandard 1. SUBJECT: in depth 2.

Tentative Map (P-9119)

Northeast corner of Lemon Hill and Belleview Avenues LOCATION:

SUMMARY

This item was previously considered and acted upon by the City Council at the November 12, 1980 meeting. The Council adopted Resolution No. 80-753, Exhibit A-2. The applicant was not at the hearing and requested the item be reheard by the Council. The item was subsequently scheduled for the December 16, 1980 Council meeting.

RECOMMENDATION

The Planning Commission recommends approval of the map as shown on Exhibit D. If the Council concurs with the Commission, the appropriate action would be to adopt the attached tentative map resolution identified as Exhibit A-1. If the Council concurs with staff's recommendation, the appropriate action would be to adopt the tentative map resolution as indicated on Exhibit A-2.

Respectfully submitted,

Van Duy rty Planning Difector

FOR CITY COUNCIL INFORMATION WALTER J. SLIPE CITY MANAGER

MVD:HY:jm Attachments P-9119

APPROVED BY THE CITY COUNCIL

DEC 1 6 1980

December 16, 1980 District No. 6

OFFICE OF THE CITY CLERK

RESOLUTION NO. 80-832

Adopted by The Sacramento City Council on date of

NOVEMBER 12, 1980

ADOPTING FINDINGS OF FACT, APPROVING A REQUEST FOR SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR CALE ESTATES (APN: 038-052-01) (P-9119)

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations concerning the request for a tentative map for Cale Estates, located at the northeast corner of Lemon Hill and Belleview Avenues (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 November 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 Colonial 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 County of Sacramento treatment plants have a design capacity for which the discharge from the proposed project will not create a condition exceeding the design capacity.

DEC 1 6 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 suddivision 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 the parcel configuration, it is impossible to create all lots standard in depth.
 - b. That cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification.
 - 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 or be injurious to other properties in the vicinity.
 - Fact: The project will not significantly alter 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 Ganeral Plan and with all other applicable Specific Plans of the City.

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 as indicated in Exhibit D, subject to the following conditions:
 - 1. The applicant shall provide standard subdivision improvements including a 12-foot lane on the west side of Belleview pursuant to Section 40.811 of the Subdivision Ordinance prior to filing the final map.
 - 2. The applicant shall prepare a sewer and drainage study for the review and approval of the City Engineer prior to filing the final map; may require off-site extension and oversizing to northeast for drainage.
 - 3. The applicant shall check with the County Sanitation District and meet all requirements.
 - 4. The applicant shall construct road to 50-foot right-of-way standard along Belleview Avenue and shall provide a right-ofway study for the review and approval of the City Engineer prior to filing the final map.
 - 5. The applicant shall dedicate an additional two feet on Lemon Hill Avenue to comply with the Bikeway Master Plan.
 - 6. The applicant shall align the proposed stub street to the east with the stub street as approved as part of Belleview Estates Tentative Subdivision Map.

Resolution No. 80-753 is hereby repealed.

MAYOR

ATTEST:

P-9119

CITY CLERK



P-9119

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RESOLUTION NO.

Adopted by The Sacramento City Council on date of

NOVEMBER 12, 1980

ADOPTING FINDINGS OF FACT, APPROVING A REQUEST FOR SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR CALE ESTATES (APN: 038-052-01) (P-9119)

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations concerning the request for a tentative map for Cale Estates, located at the northeast corner of Lemon Hill and Belleview Avenues (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 November 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 Colonial 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 County of Sacramento treatment plants have a design capacity for which 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 suddivision 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 dimensions of the parcel make it impossible to create standard sized 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: 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 or be injurious to other properties in the vicinity.
 - 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 Ganeral 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.

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 as indicated in Exhibit A, subject to the following conditions:
 - 1. The applicant shall provide standard subdivision improvements including a 12-foot lane on the west side of Belleview pursuant to Section 40.811 of the Subdivision Ordinance prior to filing the final map.
 - 2. The applicant shall prepare a sewer and drainage study for the review and approval of the City Engineer prior to filing the final map; may require off-site extension and oversizing to northeast for drainage.
 - 3. The applicant shall check with the County Sanitation District and meet all requirements.
 - 4. The applicant shall construct road to 50-foot right-of-way standard along Belleview Avenue and shall provide a right-ofway study for the review and approval of the City Engineer prior to filing the final map.
 - 5. The applicant shall dedicate an additional two feet on Lemon Hill Avenue to comply with the Bikeway Master Plan.
 - 6. The applicant shall align the proposed stub street to the east with the stub street as approved as part of Belleview Estates Tentative Subdivision Map.

MAYOR

ATTEST:

CITY CLERK

P-9119





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CITY PLANNING DEPARTMENT 725 "J" STREET SACRAMENTO, CALIF. 95814

TELEPHONE (916) 449-5604

MARTY VAN DUYN PLANNING DIRECTOR

November 5, 1980

City Council Sacramento, California

Honorable Members in Session:

SUBJECT: 1. Subdivision Modification to create lots substandard in depth

2. Tentative Map (P-9119)

LOCATION: Northeast corner of Lemon Hill and Belleview Avenues

SUMMARY

The applicant is requesting the necessary entitlements to divide 8.9+ acres into seven single family lots. The Planning Commission recommended approval of the tentative map as shown on Exhibit "D" and the Subdivision Modification. A Variance to create six lots substandard in depth was also approved.

BACKGROUND INFORMATION

The applicant's original proposal (Exhibit A-A) contains seven lots, six of which are substandard in depth and area. Staff expressed concern regarding the original proposal and the applicant subsequently submitted two revised alternate plans which are illustrated on Exhibits "B" and "D." The revised plans included lots that meet the minimum area requirements; however, both revised plans contained six lots that are substandard in depth. Exhibit "B" contains lots with a depth of 84 feet, and Exhibit "D" contains lots with a depth of 79 feet.

Staff, however, suggested that the applicant revise the first design as shown on Exhibit "A." This proposal contains only six lots, however, there are only three lots that are substandard in depth. Staff believes that this design is more consistent with the standards set forth in the subdivision ordinance and it would allow more design flexibility for each single family dwelling.

The City Planning Commission recommended approval of the applicant's revised plan as shown on Exhibit "D." This includes seven lots, six of which are substandard in depth (79 feet).

City Council

VOTE OF COMMISSION

On October 9, 1980, by a vote of seven ayes, one absent, one vacancy, the Planning Commission recommended approval of the tentative map as shown on Exhibit "D" and the subdivision modification to create six lots substandard in depth.

RECOMMENDATION

The Planning Commission recommends approval of the map as shown on Exhibit "D." If the Council concurs with the Commission, the appropriate action would be to adopt the attached tentative map resolution identified as Exhibit "A-1." If the Council concurs with staff's recommendation, the appropriate action would be to adopt the tentative map resolution as indicated on Exhibit "A-2."

Respectfully submitted,

northerest Marty Van Duy

Planning Director

FOR CITY COUNCIL INFORMATION WALTER J. SLIPE CITY MANAGER

MVD:DP:bw Attachments P-9119 November 12, 1980 District No. 6

SACRAMEN	TO CITY PLANNING COMMISSION
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HOTION NO.	MOTION:
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STAFF REPORT AMENDED 10-9-80 REVISED STAFF REPORT 10/2/80

CITY PLANNING COMMISSION

915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

915 "I" STREET - SACKA	MENIO, CALIFORNIA 93814	
APPLICANT JTS Engineering, 811 "J" StrOWNERGeorge G. Cale, 2711 14th StPLANS BYJTS Engineering, 811 "J" StrFILING DATE7-11-8050 DAY CPC ACTINEGATIVE DEC8-4-80EIR	reet, Sacramento, CA 95818 eet, Sacramento, CA 95814 ON DATEREPORT BYSD:10	
in the R-1 zone,	divide 1+ acres into seven parcels to be known as Cale Estates ion Modification creating lots	
LOCATION: Northeast corner of L	emon Hill and Bellview Avenues	
PROJECT INFORMATION:	· · · · · ·	
<pre>1965 Colonial Community Plan Designation: Existing Zoning: Existing Land Use: Dimensions of Site: Surrounding Land Use and Zoning: North: Residential; R-1 South: Residential; R-1 East: Residential; R-1 East: Residential and vacan West: Residential and vacan Density of Development: Topography:</pre>		
Utilities:	Available to Site Sacramento City Unified	
SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On September 24, 1980 the Subdivision Review Committee by a vote of 5 ayes, 1 no, 2 absent and 1 abstention recommended approval of the tentative map subject to the following conditions:		
 The applicant shall provide standard subdivision improvements, including a 12-foot lane on the west side of Bellview pursuant to Section 40.811 of the Subdivision Ordinance prior to filing the final map; 		
2. The applicant shall prepare a sewer and drainage study for the review and approval of the City Engineer prior to filing the final map; may require offsite extension and oversizing to northeast for		

APPLC. NO. _______

drainage;

- 3. The applicant shall construct road to 50' right-of-way standard along Bellview Avenue, and shall provide a right-of-way study for review and approval of the City Engineer prior to filing the final map.
- 4. Applicant shall dedicate an additional two feet on Lemon Hill Avenue to comply with the Bikeway Master Plan;
- 5. Applicant shall align the proposed stub street to the east with the stub street as approved as part of Bellview Estates Tentative Subdivision Map.

PROJECT BACKGROUND: Cale Estates was reviewed and approved by the Subdivision Review Committee on July 30, 1980. The ensuing staff report recommended approval of the project with only six lots instead of the proposed seven lots. The project was reheard on September 24 by the Subdivision Review Committee at the request of the applicant.

STAFF EVALUATION: Staff has the following concerns and comments with regard to the project:

- This second request is, again, for a 7-lot subdivision. In order to create lots of sufficient area, the applicant is suggesting the centerline of Bellview Avenue be realigned 5' to the west. This will create interior lots of exactly 5,200 square feet according to the engineer's rough calculations prior to survey. (see Exhibit B)
- 2. Essential to this second application is the realignment of Bellview Avenue 5 feet to the west, as proposed by the applicant. Without the realignment, the 4 proposed interior lots would be substandard in area as well as depth. The applicant has not indicated any agreement with the property owner west of Bellview by which this realignment will take place.
- 3. The applicant has indicated to the staff that a similar curved street alignment was constructed with the development of a subdivision on Wilkinson Street and Lemon Hill Avenue. This subdivision is located two blocks to the east of the subject site. (see Exhibit C) The subdivider in this project however, developed both sides of Wilkinson Street therefore, assuring the construction of the curved street right-of-way. The curved alignment of Bellview Avenue however, is really not the issue. There will still be 6 substandard lots out of a 7-lot subdivision if the applicant's revised proposal is approved.
- 4. The applicant requests a variance to create 6 out of 7 lots of substandard depth. Given the configuration of the lot, staff can support a variance to create 3 substandard lots as shown on Exhibit A. This will relieve the applicant of hardship in developing the

October 9, 1980

Item 15

P-9119

site while creating as few substandard lots as possible. Corner lots will meet design criteria and not require a variance.

STAFF RECOMMENDATION: Staff recommends the following:

1. Ratification of the Negative Declaration;

- 2. Approval of the Variance/Subdivision Modification request to create lots less than 100 feet in depth (as indicated by Exhibit A); (CPC approved as per exhibit D.)
- 3. Approval of the Tentative Map as shown on Exhibit A, subject to the following conditions: (CPC approved as per exhibit D.)
 - a. the applicant shall provide standard subdivision improvements including a 12-foot lane on the west side of Bellview pursuant to Section 40.811 of the Subdivision Ordinance prior to filing the final map;
 - b. the applicant shall prepare a sewer and drainage study for the review and approval of the City Engineer prior to filing the final map; may require offsite extension and oversizing to northeast for drainage;
 - c. the applicant shall check with the County Sanitation District and meet all requirements;
 - d. the applicant shall construct road to 50' right-of-way standard along Bellview Avenue and shall provide a right-of-way study for the review and approval of the City Engineer prior to filing the final map.
 - e. the applicant shall dedicate an additional two feet on Lemon Hill Avenue to comply with the Bikeway Master Plan;
 - f. the applicant shall align the proposed stub street to the east with the stub street as approved as part of Bellview Estates Tentative Subdivision Map.

Findings of Fact for approval of the Variance

- 1. The project, as shown on Exhibit A, is based on sound principles of land use planning in that the proposed subdivision is compatible in size and density with adjacent residential uses.
- 2. The project will not be injurious to surrounding public health, safety and welfare in that it will not pose a higher than standard density for single family residences.
- 3. The proposal is consistent with the 1965 Colonial Community Plan which designates the site Light Density Residential.

4. The Variance is not a special privilege granted to one property owner in that the lot is very narrow and it is not possible to meet the depth requirements set forth in the Subdivision Ordinance.

P-9119

October 9, 1980

Item 15







P-9119







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OFFICE OF THE CITY CLERK 915 I STREET SACRAMENTO, CALIFORNIA 95814 CITY HALL ROOM 308 TELEPHONE (916) 449-5426

November 13, 1980

George S. Cale 2711 - 14th Street Sacramento, CA 95814

Dear Mr. Cale:

On November 12, 1980, the City Council approved the following for property located at the northeast corner of Lemon Hill and Bellview Avenues (P-9119):

- A. Adopted Resolution adopting Findings of Fact approving a Tentative Map to divide $l \pm acre$ into 3 parcels.
- B. Adopted Resolution approving a Subdivision Modification to create lots substandard in depth.

For your records, we are enclosing one fully certified copy of said Resolution.

Sincerely,

Magana rraine City Clerk

LM/mm/31 Encl.

cc: Planning Department JTS Engineering LORRAINE MAGANA CITY CLERK

SACRANIENTO CITY PLANNING COMMISSION

APPLICATION INFORMATION	APPLICATION TAKEN BY:RL
Gen. Plan Amend. (GPA) Comm. Plan Amend. (C	PA) 🗌 Rezone (RZ) from to
Special Permit (SP)	Tentative Map (TM) 🛛 🖄 Sbdvn. Modification (SM)
Other	
Assessors Parcel No. 038 . 052 . 01 A	
Request(s) 1) Environmental Determination	
acres into 7 lots and 3) subdivision m	odification to create lots less
than 100' in depth.	
	······································
Owner(s) George G. Cale	Phone No.
Applicant JTS Engineering	$\frac{Phone No. 441-0700}{8200 + $36 = $611 + 725}$
Owner(s) <u>George G. Cale</u> Applicant <u>JTS Engineering</u> Signature	Filing Fee\$375 + Receipt No. 5316 12 State
C.P.C. Meeting Date 8/14/80(cont'd.to 8-28-80); con	nt'd.to 9-25
ACTION ON ENTITLEMENT TO USE	
Planning Commission (Appeal Period is Ten (10) Consec	utive Days From Date of Action).
Approved Approved w/Conditions	Approved Based on Find. of Fact Due <u>10-23-80</u>
Rec. Approval <u>TM & SM -subjectRec</u> . Approval w/Con to amended conds. & exhibit D Findings of Fact Approved	ditions Denied
Copy Sent to Applicant	
Recommendations and Appeals are Forwarded to City Co	ouncil for Final Action.
COUNCIL ACTION: (Appeal Period is Thirty (30) Consec	cutive Days From Date of Action).
Plan Amendment Rezoning Tentative Map	Subd. Modification Appeal
Approved Approved w/Conditions Den	ied Return to Planning Commission
ENTITLEMENT(S) TO USE:	is/are:
Approved Denied	Approved w/Conditions
	By:

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.

Nº

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Sent to Applicant: __

Recommendation: LOCATIO	REZONING I EIR DETERMINATION I SPECIAL PERMIT I OTHER VARIANCE I N: JE. COLOUCY of Some Thill Array Bellering Area
Unfavorable [] Petition []	COTTESPONDENCE
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OFFICE OF THE CITY CLERK 915 I STREET SACRAMENTO. CALIFORNIA 95814 CITY HALL ROOM 308 TELEPHONE (916) 449-5426

December 17, 1980

George C. Cale 2711 - 14th Street Sacramento, CA 95814

Dear Mr. Cale:

On December 16, 1980, the City Council approved the following for property located at the northeast corner of Lemon Hill and Belleview Avenue (P-9119):

Adopted a resolution adopting Findings of Fact, approving a Tentative Map to divide 1+ acre into seven parcels, and approving a Subdividion Modification to create lots substandard in depth.

Sincerely,

mana . City Clerk

LM/1g/23

Encl:

cc: JTS Engineering Planning Dept. LORRAINE MAGANA CITY CLERK