

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

January 19, 1988

City Council  
Sacramento, California

**APPROVED**  
BY THE CITY COUNCIL

JAN 26 1988

OFFICE OF THE  
CITY CLERK

Honorable Members in Session:

- SUBJECT:
1. Tentative Map (P87-444)
  2. Subdivision Modification to Create a Lot Less Than 100 Feet in Depth
  3. Subdivision Modification to Create Lots in Excess of 160 Feet in Depth

LOCATION: 5295 63rd Avenue

SUMMARY

The application is for a Tentative Map to subdivide a one acre site into four lots for single family homes. Due to the irregular shape of the site, standard size lots are not possible and subdivision modifications are necessary. The Planning Commission and staff recommend approval of the request.

BACKGROUND

The one acre site is zoned Single Family (R-1) and is triangular in shape. The application is to subdivide the site into four lots. Due to the shape of the site, two lots will exceed the maximum lot depth of 160 feet and one lot will have a depth of less than the minimum 100 feet (Lot 4). Lot 4 will have more than the minimum lot area so that development of the site will not be a problem.

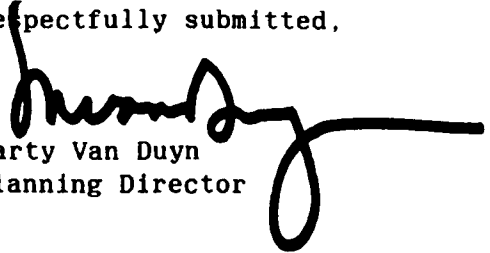
VOTE OF THE PLANNING COMMISSION

On December 3, 1987, the Commission voted seven ayes (one absent, one vacant seat) to recommend approval of the request.

RECOMMENDATION

The Commission and staff recommend the City Council adopt the attached Resolution which adopts Findings of Fact and approves the Tentative Map and Subdivision Modifications.

Respectfully submitted,

  
Marty Van Duyn  
Planning Director

FOR CITY COUNCIL INFORMATION  
WALTER J. SLIPE  
CITY MANAGER

MVD:AG:rt  
attachments

District No. 6  
January 26, 1988

**P87-444**

# RESOLUTION No. 88-081

**Adopted by The Sacramento City Council on date of**

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR PROPERTY LOCATED AT 5295 63rd AVENUE

(P87-444) (APN: 038-0201-007)

**APPROVED**  
BY THE CITY COUNCIL

JAN 26 1988

OFFICE OF THE  
CITY CLERK

WHEREAS, the City Council on January 26, 1988, held a public hearing on the request for approval of a subdivision modification and tentative map for property located at 5295 63rd Avenue;

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 is exempt from Environmental Review;

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 the City General Plan, and Chapter 40 of the City Code, which is a Specific Plan of the City. Both the City General Plan and the South Sacramento Community Plan designate the subject site for Residential use(s).

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 create a lot with less than standard lot depth and lots more than the maximum lot depth;
  - a. the City Council determines that it is impossible, impracticable and undesirable in this particular case to conform to the strict application of City Code Chapter 40 in that the standards cannot be met due to the irregular shape of the site.
  - 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 the cause is the shape of the site.
  - 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 all lots will meet minimum lot 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 in that the site is designated for residential use.
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. Prepare a drainage study for the review and approval of the City Engineer; (may require off-site extensions and outfall structure to Morrison Creek).
  - b. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.
  - c. Pursuant to City Code Section 40.1302 (Parkland Dedication), the applicant shall submit to the City an appraisal of the property to be subdivided and pay the required Parkland Dedication in-lieu fees. The appraisal shall be dated not more than 90 days prior to the filing of the final map.
  - d. Meet all County Sanitation District Requirements.

- e. Submit a soils test prepared by a registered engineer to be used in street design.
- f. Remove all scrap lumber, concrete, asphalt, abandoned station wagon, truck and truck parts and debris to the satisfaction of the City/County Health Department and the Planning Director.
- g. Abandon well under permit from the City/County Health Department.
- h. Provide standard subdivision improvements pursuant to Section 40.811 of the City Code; full improvements are required adjacent to site including 1/2 of the cul-de-sac; curb and gutter required around remainder of cul-de-sac. Provide 15 feet of paving on opposite side of 63rd Street adjacent to the project.
- i. Dedicate 27 1/2 feet half-section for 63rd Street.
- j. Dedicate off-site right-of-way along cul-de-sac. City will condemn at the developer's expense if necessary.
- k. A portion or all of the map may lie in zone "X" of FEMA (FIRM) Flood Maps.
- l. Provide temporary off-site paving from site to existing improvements at Elder Creek Road. Width to be 26 feet consisting of 2 inch overlay over existing pavement and 2 inch asphalt concrete (A.C.).

\_\_\_\_\_  
MAYOR

ATTEST:

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

**P67-444**

**Sacramento City Planning Commission  
VOTING RECORD**

MEETING DATE <i>December 3, 1987</i>
ITEM NUMBER <i>15 A</i>
PERMIT NUMBER <i>P 87-444</i>

**ENTITLEMENTS**

- |   |   |
|---|---|
| <input type="checkbox"/> GENERAL PLAN AMENDMENT   | <input checked="" type="checkbox"/> TENTATIVE MAP |
| <input type="checkbox"/> COMMUNITY PLAN AMENDMENT | <input type="checkbox"/> SUBDIVISION MODIFICATION |
| <input type="checkbox"/> REZONING                 | <input type="checkbox"/> LOT LINE ADJUSTMENT      |
| <input type="checkbox"/> SPECIAL PERMIT           | <input type="checkbox"/> ENVIRONMENTAL DET.       |
| <input type="checkbox"/> VARIANCE                 | <input type="checkbox"/> OTHER _____              |

STAFF RECOMENDATION <input checked="" type="checkbox"/> Favorable <input type="checkbox"/> Unfavorable <i>Rec. Unfavorable</i>
<input type="checkbox"/> Correspondence
<input type="checkbox"/> Petition

LOCATION <i>5295 63<sup>rd</sup> Street</i>
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**P R O P O N E N T S**

NAME	ADDRESS

**O P P O N E N T S**

NAME	ADDRESS

MOTION #          Yes No Motion Second

CHINN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FERRIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HOLLICK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HOLLOWAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ISHMAEL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NOTESTINE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OTTO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WALTON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RAMIREZ	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PLANNING AND DEVELOPMENT

**MOTION**

- |  |  |
|--|--|
| <input type="checkbox"/> TO APPROVE  | <input type="checkbox"/> TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL                             |
| <input type="checkbox"/> TO DENY   | <input checked="" type="checkbox"/> TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL |
| <input type="checkbox"/> TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT | <input type="checkbox"/> TO RATIFY NEGATIVE DECLARATION  |
| <input type="checkbox"/> TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT               | <input type="checkbox"/> TO CONTINUE TO _____ MEETING  |
| <input type="checkbox"/> INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE    | <input type="checkbox"/> OTHER _____   |

# CITY PLANNING COMMISSION

20

1231 'I' STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT	Gentech, Inc.; 8763 Pacific Hills Way; Sac., CA 95828				
OWNER	Jim Grimes; 7558 Whisper Willow Dr.; Sac. CA 95828				
PLANS BY	Chris Olivera & Assoc.; 612 Natoma St.; Folsom, CA 95630				
FILING DATE	10/21/87	ENVIR. DET.	Ex 15315	REPORT BY	SD
ASSESSOR'S-PCL. NO.	038-0201-007				

- APPLICATION:
- A. Tentative Map (P87-444)
  - B. Variance to create a lot less than 100 ft. deep
  - C. Subdivision Modification to create a lot less than 100 ft. deep.
  - D. Subdivision Modification to create a lot in excess of 160 ft. deep.

LOCATION: 5295 63rd Avenue

PROPOSAL: The applicant is requesting the necessary entitlements to subdivide 1+ vacant acres into four single family lots.

PROJECT INFORMATION:

1974 General Plan Designation:	Residential
1986 South Sacramento Community Plan:	Residential (4-8 du.ac.)
Existing Zoning of Site:	R-1
Existing Land Use of Site:	Vacant

Surrounding Land Use and Zoning

North: Drainage canal; R-1  
South: Church; R-1  
East : Single family; R-1  
West : Mobile Home Park; R-1

Property Dimensions:	Irregular
Property Area:	1+ acre(s)
Density of Development:	5 d. u. per acre
Topography:	Flat
Street Improvements & Utilities:	To be provided

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On November 18, 1987, by a vote of 5 ayes, 4 absent, the Subdivision Review Committee voted to recommend approval of the tentative map and subdivision modification subject to the attached conditions.

PROJECT EVALUATION: Staff has made the following findings:

A. Land Use

The subject site is designated for residential uses in the 1974 General Plan. The site is zoned R-1. It is surrounded by residential uses on a variety of lot sizes to the north and east, a church to the south and a mobile home park to the west. The applicant proposes four single family residential lots.

B. Design

The subject site is an irregularly shaped parcel resulting from the channelization of Morrison Creek. It's irregular shape precludes creating lots of standard single family dimensions. Therefore, the applicant is proposing to create Lot 1, which exceeds 160 ft. in depth and Lot 4, which averages less than 100 ft. in depth. Given the irregular shape of the parcel and the location of the creek channel, staff has no objection to this proposal. Parcel 4 will exceed minimum area requirements. Staff cautions the applicant that no further height, area or setback variance requests will be supported on Parcel 4. In addition, this parcel cannot be further developed as a deep lot.

C. Street Improvements

63rd Street is not intended to cross Morrison Creek. The applicant will be required to construct street improvements and one-half of a cul-de-sac.

D. Parkland Dedication

Planning and Community Services Divisions have determined that Parkland Dedication in lieu fees are appropriate. Fees will be based upon .0596 acres of land multiplied by the per acre value established by the applicant's appraiser.

RECOMMENDATION: Staff recommends the following actions:

- A. Recommend approval of the Tentative Map subject to conditions which are attached.
- B. Approve the Variance to create a lot less than 100 ft. deep subject to conditions and based upon Findings of Fact which follow.
- C. Recommend approval of the Subdivision Modifications to create a lot less than 100 ft. in depth.
- D. Recommend approval of the Subdivision Modification to create a lot in excess of 160 ft. in depth.



Conditions - Variance

No further height, area or setback variances or deep lot special permits will be supported in order to develop Parcel 4.

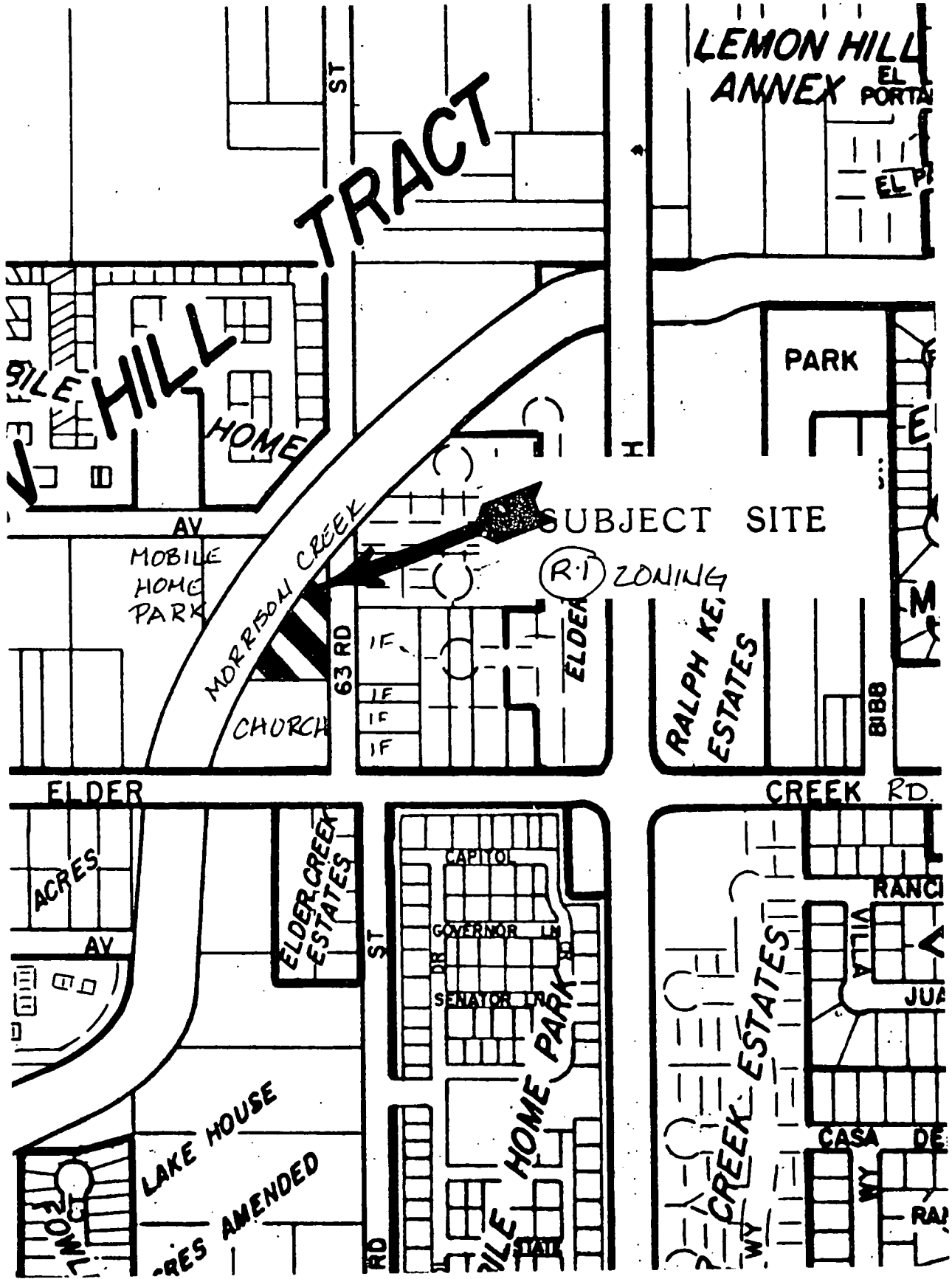
Findings of Fact - Variance

1. Granting the variance does not constitute a special privilege extended an individual applicant in that the lot is irregular in shape and standard subdivision is restricted by Morrison Creek drainage channel.
2. Granting the variance does not constitute a use variance in that residential uses are allowed in the R-1 zone.
3. Granting the variance will not be injurious to public welfare nor to property in the vicinity in that it is consistent with the variety of lot sizes in the area.
4. The proposed project is consistent with the City's Discretionary Interim Land Use Policy in that the site is designated for residential uses in the 1974 General Plan and the proposed map conforms with the land use designation.

Conditions - Tentative Map

1. Prepare a drainage study for the review and approval of the City Engineer; (May require off-site extensions and outfall structure to Morrison Creek.
2. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.
3. Pursuant to City Code Section 40.1302 (Parkland Dedication), the applicant shall submit to the City an appraisal of the property to be subdivided and pay the required Parkland Dedication in-lieu fees. The appraisal shall be dated not more than 90 days prior to the filing of the final map.
4. Meet all County Sanitation District Requirements.
5. Submit a soils test prepared by a registered engineer to be used in street design.
6. Remove all scrap lumber, concrete, asphalt, abandoned station wagon, truck and truck parts and debris to the satisfaction of the City/County Health Department and the Planning Director.
7. Abandon well under permit from the City/County Health Department.

- 9. Provide standard subdivision improvements pursuant to Section 40.811 of the City Code; full improvements are required adjacent to site including 1/2 of the cul-de-sac; curb and gutter required around remainder of cul-de-sac. Provide 15 ft. of paving on opposite side of 63rd Street adjacent to the project.
- 10. Dedicate 27-1/2 ft. halfsection for 63rd Street.
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# VICINITY - LAND USE - ZONING

PER 1111

12-3-87 11

# 15

DESCRIPTION OF LOCATION

A 3 inch brass disk, numbered Sacramento Co., Dept. of Public Works, B.M. 74-32, located in top of south end of 4th concrete filling of concrete bridge on 65th Street. Approximately across Morrison Creek approximately 0.20 mile north of Elder Creek Road.

REFERENCE ELEVATION (FT. MGDVD) MARK 37.10



VICINITY MAP NO. SCALE

**PROPOSED USE:**  
4-SINGLE FAMILY RESIDENCES.

**OWNERS & DEVELOPERS**  
GENTECH INC.  
8763 PACIFIC HILLS WY.  
SACRAMENTO CA, 95828  
PHONE 423-5522

**EXISTING & PROPOSED ZONING:**  
R-1  
**PRESENT USE:**  
VACANT

**TOTAL AREA:**  
32,350 SF ± 1.20 AC ± GROSS  
31,000 SF ± .89 AC ± NET

**WATER:**  
CITY OF SACRAMENTO  
**FIRE PROTECTION:**  
CITY OF SACRAMENTO  
**PARKS & RECREATION:**  
CITY OF SACRAMENTO  
**SCHOOLS:**  
CITY UNIFIED  
**SAN SEWER:**  
SACRAMENTO COUNTY

**PROPOSAL:**  
4 PARCELS AS SHOWN HEREON  
**STORM DRAINAGE & FLOOD CONTROL:**  
CITY OF SACRAMENTO  
NOTE: FEMA MAP/PANEL No. (City of Sacramento) 0019-2 REVISED SEPTEMBER 1982 INDICATES POTENTIAL FLOODING TO THIS PROJECT WITHIN THE 100 TO 500 YEAR RANGE. FLOOD ZONE DESIGNATION FOR THE PROJECT IS 'B' FOR MORRISON CREEK. IT IS A-3/9-15-78 BASE FLOOD ELEV. H. 29.5 (100YR.).

MORRISON CREEK

DRAINAGE CHANNEL

DIAS AVE.  
PATER STREET

**PARCEL 1**  
16,850 SF GROSS  
15,050 SF NET

**PARCEL 2**  
11,050 SF GROSS  
9,390 SF NET

**PARCEL 3**  
9,130 SF GROSS  
7,755 SF NET

**PARCEL 4**  
12,500 SF GROSS  
9,780 SF NET

REQUIRED PEDICTION TO THE CITY

SCALE: 1" = 20'

**TENTATIVE MAP FOR THE (MINOR) SUBDIVISION OF APN 036-0201-007 BEING A PORTION OF LOT 141 OF 'LEMON HILL TRACT' CITY OF SACRAMENTO.**

AUGUST 1987  
CHRIS OLIVEIRA & ASSOCIATES  
612 NATOMA ST., FOLSOM - 95630  
Phone 989-7242



NOTE: THE INFORMATION AND DRAWING'S HEREON CONSTITUTE THE ORIGINAL WORK OF THE SURVEYOR AND OR ENGINEER AND MAY NOT BE DUPLICATED, USED, OR DISCLOSED WITHOUT THE WRITTEN CONSENT OF CHRIS OLIVEIRA & ASSOC. - P.L.L.C.

REVISED OCT. 19, 87  
CUL-DE-SAC MOVED N.  
203