

**CITY OF SACRAMENTO
DEPARTMENT OF PLANNING & BUILDING
ZONING ADMINISTRATOR
1231 I Street, Sacramento, CA 95814**

ACTION OF THE ZONING ADMINISTRATOR

On Thursday, October 21, 2004, the Zoning Administrator approved with conditions a time extension on a previously approved tentative map to subdivide one parcel into five lots for single-family residential development in the Standard Single Family Residential (R-1) zone for the project known as (File Z04-274). Findings of Fact and conditions of approval for the project are listed on pages 2-7.

Project Information

Request: Zoning Administrator Tentative Map Time Extension for three (3) years to subdivide one parcel into five (5) lots totaling 1.43± partially developed acres in the Standard Single-Family Residential (R-1) zone; Zoning Administrator Subdivision Modification to allow three (3) lots without the required public street frontage.

Location: 240 Haggin Avenue (D1, Area 4)

Assessor's Parcel Number: 262-0182-010

Applicant: JTS Engineering (contact: Javed Siddiqui)
1808 'J' Street
Sacramento, CA 95814

Property Owner: Peter & Lidia Cata
240 Haggin Avenue
Sacramento, CA 95833

Project Planner: Philip Reed

General Plan Designation: Low Density Residential 4-15 du/na
Community Plan Designation: Residential 4-8 du/na
Community Plan: South Natomas
Existing Zoning of Site: Standard Single-Family Residential (R-1)
Existing Land Use: One single-family residence

Surrounding Land Use and Zoning:

North: R-1; Residential, Single Family
South: R-1; Residential, Single Family and vacant
East: R-1; Natomas East Main Drainage Canal (NEMDC)
West: R-1; Residential, Single Family

Existing Land Use of Site: Vacant

Topography: Flat
Property Area: 1.43± acres
Property Dimensions: approx 213± feet x 310± feet
Street Improvements: Existing (except cul-de-sac)
Utilities: Existing

Previous Files: P00-057

Project Plans: See Exhibit A

Additional Information: The applicant is requesting a time extension on the previous tentative map approval by Planning Commission. The standard term for a tentative map approval is two (2) years, after which time it expires unless application for a time extension is submitted prior to the expiration date. The Zoning Administrator has the authority to grant such time extension for up to a maximum additional period of three (3) years. The previous approval included a provision for reimbursement of part of the costs of constructing the required cul-de-sac. This provision has been modified in the conditions on this time extension to allow only one (1) year more to final the map before the funding available for this reimbursement will become unavailable. In other respects, though, the map may be extended for the requested three (3) years. The site was noticed and the application was sent to property owners within 100 feet of the property. Staff did not receive any calls regarding this request.

Subdivision Review Committee: The proposed map was heard at the Subdivision Review Committee (SRC) on October 6, 2004. There were some differences in the conditions presented for the time extension compared to the original approval of the tentative map at Planning Commission; however, there were no changes made at SRC to these proposed conditions of approval, which were accepted as presented by both the applicant and Committee. The Committee recommended that the project be approved by the Zoning Administrator subject to these conditions, which are listed below under the heading Conditions of Approval.

Agency Comments: The proposed project has been reviewed by the City's Utilities, Parks, and Fire Departments, and the Building Division and Development Engineering and Finance (Public Works) Division of the City's Development Services Department, as well as SMUD and other utilities. The comments received pertaining to the subdivision have been included as conditions of approval.

Environmental Determination: This project will not have a significant effect on the environment and is exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15315, Minor Land Divisions.

Conditions of Approval (Tentative Map):

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (Z04-274). The design of any improvement not covered by these conditions shall be to City standard.

The applicant shall satisfy each of the following conditions prior to filing the Final Map unless a different time for compliance is specifically stated in these conditions:

GENERAL: All Projects

1. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Development Engineering and Finance Division. Improvements required for each phase shall be determined by the City prior to recording that phase. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards;
2. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;

3. Pursuant to City Code Section 16.40.190, indicate easements on the Final Map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the Development engineering and Finance Division after consultation with the U.S. Postal Service;
4. Private reciprocal ingress, egress, maneuvering and parking easements are required for future development of the area covered by this Tentative Map. The applicant shall enter into and record an Agreement For Conveyance of Easements with the City stating that a private reciprocal ingress/egress, maneuvering, and parking easement shall be conveyed to and reserved from Parcels 1, 2, 3, 4 and 5, at no cost, at the time of sale or other conveyance of either parcel;
5. Show all continuing and proposed/required easements on the Final Map;
6. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition;

DEaF (PUBLIC WORKS): Streets

7. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk fronting the property on Haggin Avenue per City standards and to the satisfaction of the Development Engineering and Finance Division;
8. Submit a Geotechnical Analysis prepared by a registered engineer to be used in street design. The analysis shall identify and recommend solutions for groundwater related problems which may occur within both the subdivision lots and public right-of-way. Construct appropriate facilities to alleviate those problems. As a result of the analysis street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater conditions;
9. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code;
10. Dedicate sufficient right-of-way and construct a cul-de-sac at the end of Haggin Avenue fronting the property. The cul-de-sac shall be constructed with a 45 foot radius and to the satisfaction of the Development Engineering and finance Division. Partial costs of the Cul-de-sac construction may be subject to reimbursement by the City provided that the map is finalized and recorded within **1-year** from the approval of the time extension. Reimbursement of the Cul-de-sac construction shall be based on reasonable estimates of construction costs and project benefit. Three cost estimates from reputable contractors shall be provided by the applicant to the satisfaction of the Development Engineering and Finance Division. The amount of reimbursement shall be determined by the Development services Department and/or City manager's office;
11. There is an existing street lighting system in the area of the project. Improvements in the right-of-way may require modifications to the existing system;
12. Construct a standard driveway to serve the private drive off the proposed cul-de-sac on Haggin Avenue. The construction of the driveway shall be to the satisfaction of the Development Engineering and finance division;
13. The proposed private drive shall have "No Parking-Fire Lane" signage posted to the satisfaction of the Development engineering and Finance Division;

PUBLIC/PRIVATE UTILITIES

14. Dedicate a standard 12.5 foot public utility easement (PUE) for underground facilities and appurtenances adjacent to all public street right of ways;
15. Dedicate a 12.5 foot public Utility easement for underground facilities and appurtenances adjacent to the west side of the private drive as shown on the Tentative Map dated August 22, 2002;
16. Connection or reconnection to CSD-1's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement standards apply to any on and off-site sewer connection. Design of all CSD-1 sewer facilities shall be coordinated with and approved by CSD-1;
17. Sewer service shall continue to be provided by CSD-1 facilities. Required modifications, if any, shall be to the satisfaction of CSD-1;
18. Each lot shall have a separate connection to CSD-1 sewer system;
19. Sewer easements may be required. All sewer easements shall be dedicated to CSD-1 in a form approved by the district engineer. All CSD-1 sewer easements shall be at least 20-feet in width and ensure continuous access for installation and maintenance;
20. CSD-1 requires their sewers to be located 10-feet from other parallel utilities (water, drain, electrical, etc.). Prior to the recording of the Final Map, the applicant shall a utility plan that will demonstrate that this condition has been met;

CITY UTILITIES

21. Only one domestic water service is allowed per parcel. Excess domestic water services shall be abandoned to the satisfaction of the Department of Utilities.
22. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.
23. The proposed development is located within Reclamation District 1000 (RD 1000). The applicant shall comply with all RD 1000 requirements.
24. The proposed development is located within County sanitation District No.1 (CSD-1). The applicant shall comply with all CSD-1 requirements;
25. All existing easements shall be shown on the parcel map.
26. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. At a minimum, one foot off-site contours within 100' of the project boundary are required (per Plate 2, page 3-7 of the City Design and Procedures Manual). No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.
27. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
28. The lots must be graded so that drainage does not cross property lines or the applicant shall provide private drainage easements as noted in condition 27;

29. The applicant shall enter into and record an Agreement for Conveyance of Easements with the City, in a form acceptable to the City Attorney, stating that each parcel shall convey to the remaining parcels, as needed, private easements for access, storm drainage, water, and sanitary sewer at no cost at the time of sale or other conveyance of any parcel. A note stating the following shall be placed on the Final Map:

"THE PARCELS CREATED BY THIS MAP SHALL BE DEVELOPED IN ACCORDANCE WITH RECORDED AGREEMENT FOR CONVEYANCE OF EASEMENTS # (BOOK __, PAGE __)."

30. Properly abandon under permit, from the County Environmental Health Division, any well or septic system located on the property.
31. The on-site water, storm drain and sanitary sewer systems shall be private systems maintained by the property owner. These systems shall be located in private easements and not in public utility easements (PUE);
32. Paragraphs (a), (b), (c), (d), (f), (n) and (q) of Section 16.48.110 of the City Code shall be required for this development. Off-site water, sanitary sewer and drainage main extensions may be required.
33. Construct storm drain pipes and appurtenances, construct water pipes and appurtenances, and construct sanitary sewer pipes and appurtenances in Haggin Avenue to the satisfaction of the Department of Utilities.

PPDD: Parks

34. The Applicant shall comply with City Code 16.64 (Parkland Dedication) and dedicate a park site at a location deemed acceptable to the City's PPDD; **and/or**, as determined by PPDD, request the City have prepared, at the applicants expense, a fair market value appraisal of the property to be subdivided and pay the required parkland dedication in lieu fees or, as an alternative to the appraisal process, pay the required parkland dedication in lieu fees based on the Community Planning Area "fixed market value " per acre of land as adopted by Sacramento City Council;
35. The applicant must provide proof they have initiated and completed the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annexed the project to an existing parks maintenance district prior to recording a Final Map. The applicant shall pay all city fees for formation of or annexation to special districts. The purpose of the district is to equitably spread the cost of neighborhood park maintenance on the basis of special benefit, in the case of an assessment district. In the case of a special tax district, the cost will be spread based upon the hearing report, which specifies the tax rate and method of apportionment. (Contact Development Services Department, Special Districts, Project Manager)

MISCELLANEOUS

36. Title to any property required to be dedicated to the City in fee shall be conveyed free and clear of all rights, restrictions, easements, impediments, encumbrances, liens, taxes, assessments or other security interests of any kind (hereafter collectively referred to as "Encumbrances"), except as provided herein. The applicant shall take all actions necessary to remove any and all Encumbrances prior to approval of the Final Map and acceptance of the dedication by City, except that the applicant shall not be required to remove Encumbrances of record, including but not limited to easements or rights-of-way for public roads or public utilities, which, in the sole and exclusive judgment of the City, cannot be removed and/or would not interfere with the City's future use of the property. The applicant shall provide title insurance with the City as the named beneficiary assuring the conveyance of such title to City;

37. Dedicate a 10-foot easement to RD-1000 at the toe of the existing Levee to facilitate levee maintenance;
38. Dedicate a strip of land in fee title along the entire east side of the property to SAFCA for maintenance purposes associated with the improvements to the levee system located east of the property. SAFCA shall reimburse the property owner for the dedicated strip of land based on the fair market value of the land. The dimensions of the required strip of land are as follows and are approximate:
 - a. 7 feet in width at the northern property line
 - b. 6 feet in width at the lot line between parcels 4 and 5
 - c. 4 feet in width at the southern property line

Advisory Notes:

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

39. Participate in the Facilities Benefit Assessment (FBA) District. Fees shall be paid prior to issuance of a building permit;
40. The project shall divert construction waste. The project proponent should target cardboard, wood waste, scrap metal, and dry wall for recovery;
41. The director of the Department of Utilities may authorize water service for land locked parcels provided that the customer obtains recorded private easements from the affected owner(s) and all other applicable legal requirements are fulfilled;
42. Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information;
43. If CSD-1 sewer facilities are installed the Homeowners Association By-Laws of the subject project will be required to include a provision to repair and/or replace all non-asphalt and/or enhanced surface treatments of streets and driveways damaged by CSD-1 maintenance and repair operations;
44. Gravity sewer service may not be available to the entire project area;
45. Existing Sacramento Regional County Sanitation District (SRCSD) facilities serving this proposed project are capacity constrained. Ultimate capacity will be provided by construction of the Lower Northwest and Upper Northwest Interceptors, currently scheduled for completion in 2010. SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and County Sanitation District 1 (CSD-1) will issue sewer permits to connect to the system if it is determined that capacity is available and the property has met all other requirements for service. This process is "first come, first served". There is no guarantee that capacity will be available when actual requests for sewer service are made. Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate fees.

Findings of Fact

1. The Tentative Subdivision Map is consistent with the General Plan and the South Sacramento Community Plan which designate the subject site as Low Density Residential 4-15 du/na and Residential 4-8 du/na respectively.
2. All existing streets and/or utility easements of record are reserved. The Tentative Subdivision Map will not result in the abandonment of any street or utility easement of record.
3. The Tentative Subdivision Map will not eliminate or reduce in size the access way to any resulting parcel.
4. The resulting parcels from the Tentative Subdivision Map conform to the requirements of the City's Subdivision Ordinance (Title 16 of City Code), the City's General Plan, and the City's Comprehensive Zoning Code.



Joy D. Patterson
Zoning Administrator

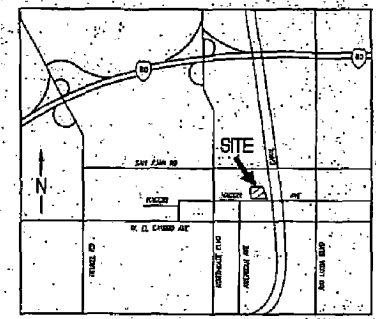
The Tentative Map that is granted must be finalized within two years after such tentative map is approved. If such map is not so finalized the Tentative Map shall be deemed to have expired and shall be null and void. The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

Note: The applicant will need to contact the Public Works Department (Jerry Lovato, 808-7918) after the appeal period is over to submit for a Final Map.

cc: File (original)
ZA Log Book
Applicant
Public Works (Jerry Lovato)

ORIGINAL FILE COPY

PROJECT NO.: P00-057
 ACCEPTED FOR HEARING
 CITY OF SACRAMENTO
 CIVIL SRC APPROVAL: [Signature] 8/12/02
 PC/ZA APPROVAL: [Signature] 8/12/02



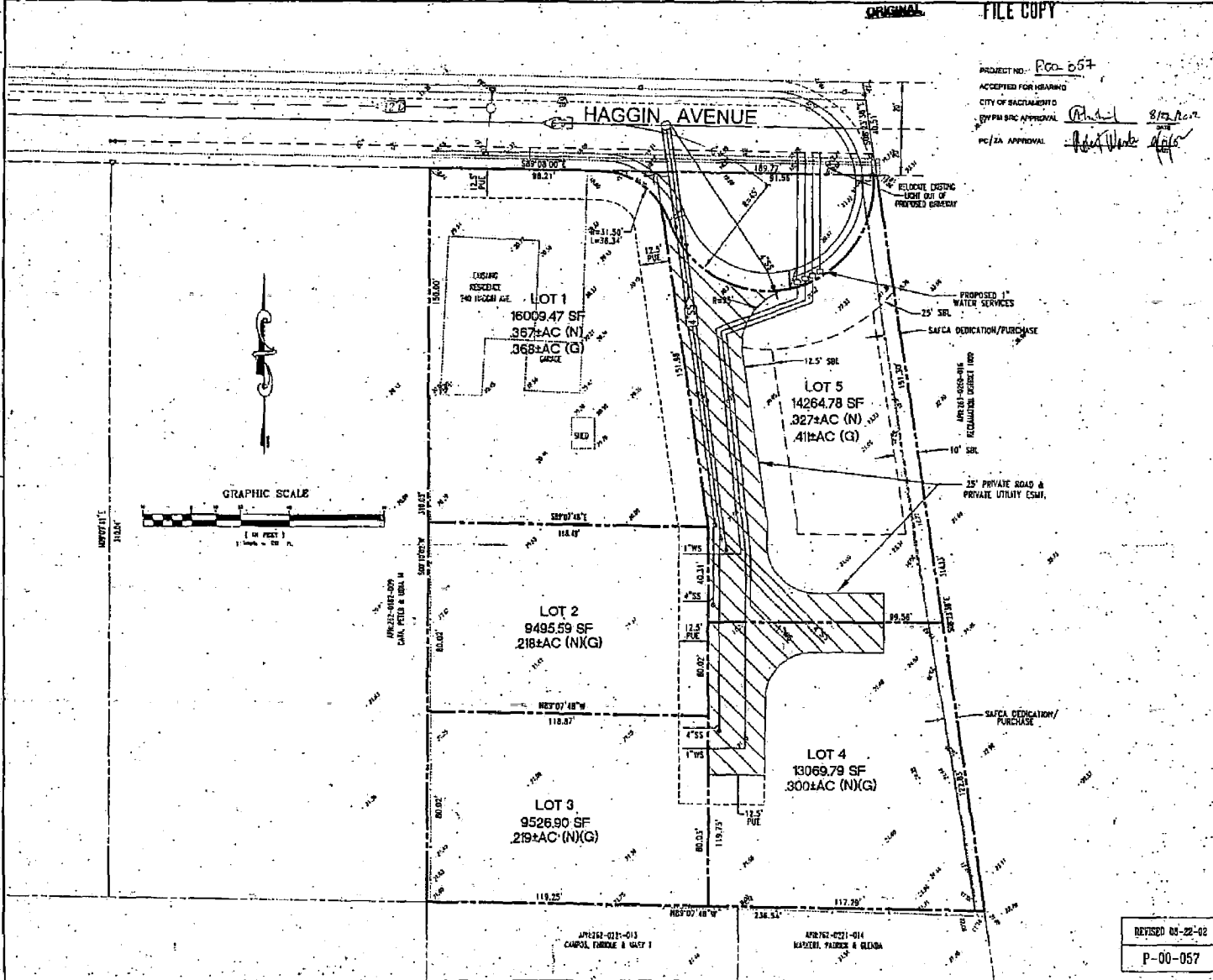
VICINITY MAP

EXISTING LEGAL DESCRIPTION:
 LOT 16, AS SHOWN ON THE "PLAN OF GARDENLAND NO. 2, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SACRAMENTO COUNTY, CALIFORNIA IN BOOK 18 OF MAPS, MAP NO. 70, APN: 262 0182 010"

| | |
|---------------------|---|
| SUBDIVISION | GARDENLAND 338 |
| OWNER | PETER & LINDA M. CATA 240 HAGGIN AVENUE SACRAMENTO, CA 95833 TEL: (916) 922-7827 FAX: (916) 922-0505 |
| DEVELOPER/APPLICANT | PETER & LINDA M. CATA 240 HAGGIN AVENUE SACRAMENTO, CA 95833 TEL: (916) 922-7827 FAX: (916) 922-0505 |
| ENGINEER | JTS ENGINEERING CONSULTANTS, INC. 1808 J STREET SACRAMENTO, CA 95814-3010 TEL: (916) 441-6708 FAX (916) 441-5336 |
| ASSESSOR'S PARCEL # | 262-0182-010 |
| PROJECT ADDRESS | 240 HAGGIN AVENUE |
| REQUEST | 1. TENTATIVE SUBDIVISION MAP TO SUBDIVIDE EXISTING PARCEL INTO FIVE LOTS 2. SUBDIVISION MODIFICATION TO CREATE 3 LOTS WITHOUT PUBLIC STREET FRONTAGE |
| ZONING | R-1 |
| AREA | 1.43AC (NET) 1.52AC (GROSS) |
| SCHOOL DISTRICT | GRANT JOINT UNION HIGH SCHOOL DISTRICT |

| UTILITY BLOCK | | |
|--------------------|-------------------------------------|----------------|
| TELEPHONE | PACIFIC BELL (JOHN BEVISO) | 453-7016 |
| GAS | PG&E (DIANE HOLLAND) | 386-5009 |
| ELECTRICITY | SKULLD. CL. WELKINS | 732-5776 |
| WATER | CITY OF SACRAMENTO (MARK DILLEY) | 264-7492 |
| SEWER | CITY OF SACRAMENTO (MARK DILLEY) | 264-7492 |
| CABLE | COMCAST COMMUNICATION (LAURA SWIFT) | 927-2225 |
| SEWER | CITY OF SACR (MARK DILLEY) | 264-7492 |
| FIRE | CITY OF SACRAMENTO (GORDON DUNCAN) | 264-9369 |
| TELEVISION SERVICE | CITY OF SACRAMENTO | (916) 927-2500 |

REVISED 08-22-02
 P-00-057



BENCHMARK ELEV. 19.192
 NEIT HALL LIGHT BASE N.E.C.
 CORNER BORTHGATE BLVD. &
 HAGGIN AVE.
 BENCHMARK # 277.F9F
 FIELD BOOK NO. PG.

JTS ENGINEERING CONSULTANTS, INC.
 1808 J STREET
 SACRAMENTO CALIFORNIA 95814 (916) 441-6708

DESIGNED: JTS
 DRAWN: JTS
 CHECKED: JTS
 SUBMITTED: [Signature]
 SCALE: 1"=20'
 DATE: 8/12/02


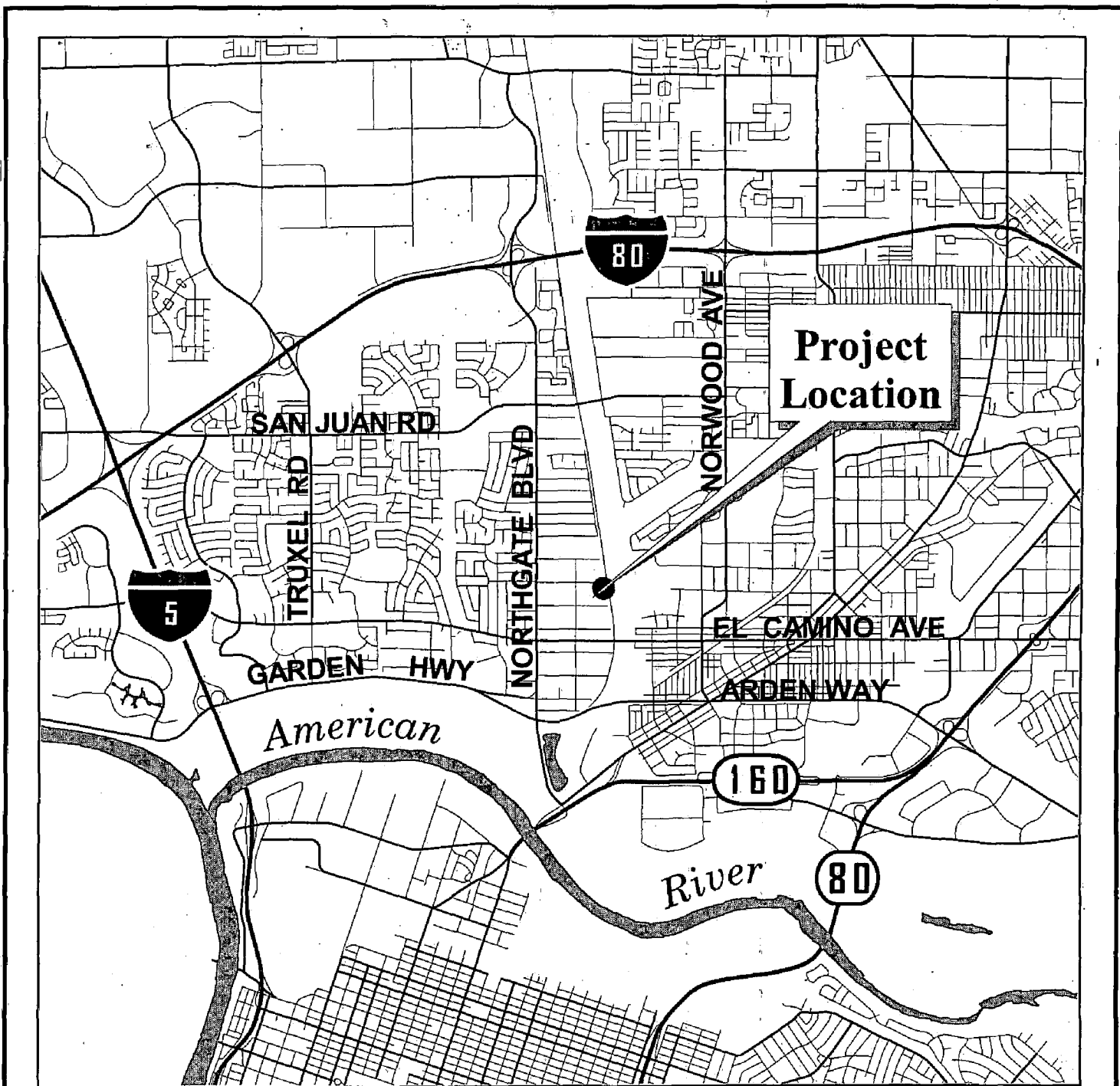


| NO. | REVISION | APPROVAL BY | DATE |
|-----|----------|-------------|------|
| | | | |

APPROVED: TENTATIVE SUBDIVISION MAP
240 HAGGIN AVENUE
 CITY OF SACRAMENTO
 LOT 16 18 EM 70
 APN: 262-0182-010
 DATE: 01-10-02
 SHEET 1 OF 1

Exhibit A

Page 8

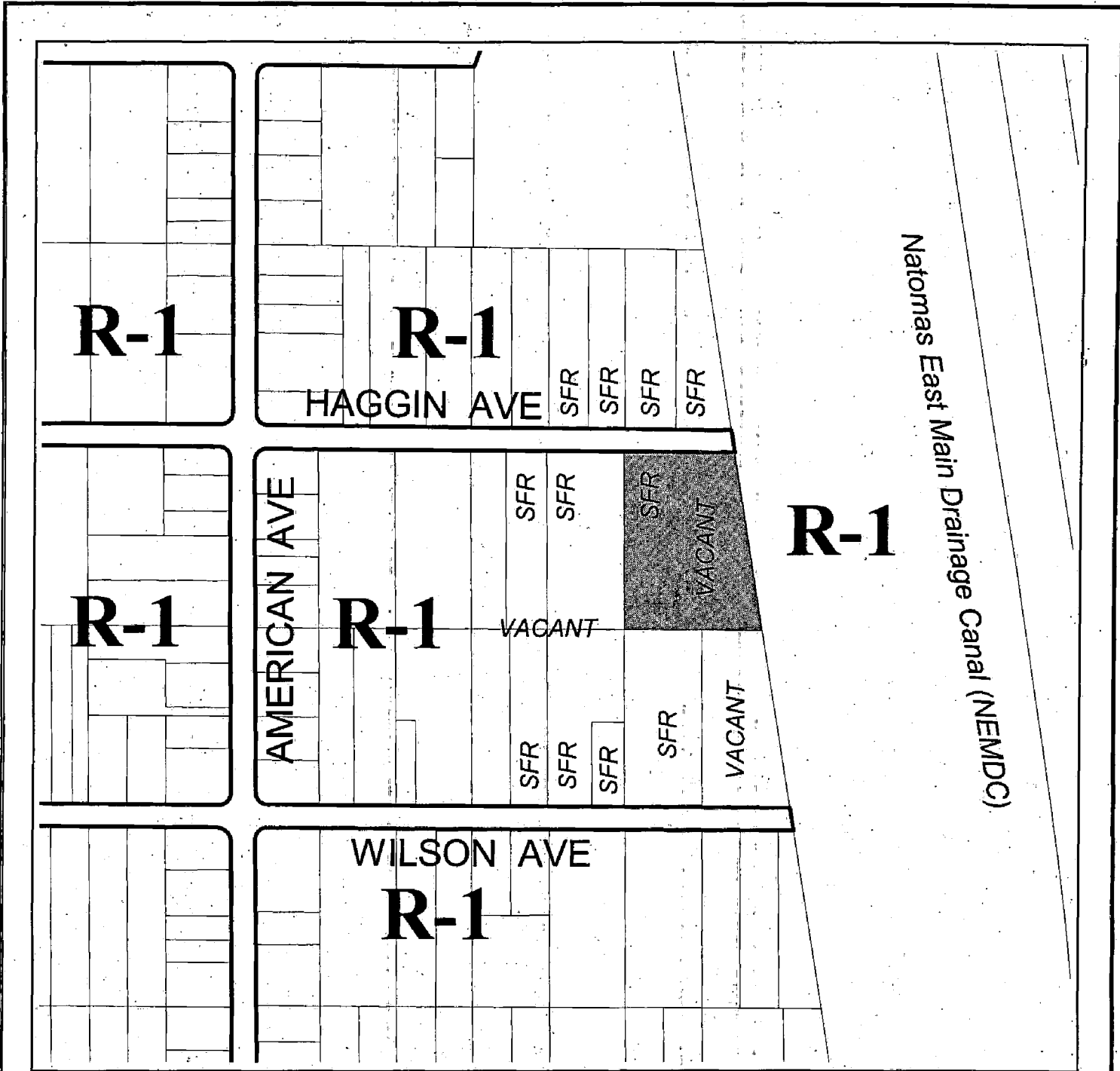



Development Services
Department

Geographic
Information
Systems

Vicinity Map



Development Services
Department

Geographic
Information
System

Land Use & Zoning

