

CITY PLANNING COMMISSION
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT	Charles Johnson & Associates 926 J Street Ste #1208 Sacramento CA 95814				
OWNER	Taylor Murphy P.O. Box 630 Sloughhouse CA 95683				
PLANS BY	Charles Johnson & Associates 926 J Street Ste #1208 Sacramento CA 95814				
FILING DATE	07/03/91	ENVIR DET	Exempt 15061(b)(3)	REPORT BY	D. Holm
ASSESSOR'S PCL. NO.	015-0201-006-0000				

- APPLICATION:**
- A. Tentative Map to subdivide .15± partially developed acres into two parcels in the Standard Single Family (R-1) zone.
 - B. Variance to establish two lots less than 100 feet deep.
 - C. Variance to establish a lot less than 52 feet wide.
 - D. Variance to establish two lots with less than 5,200± square feet of property area.
 - E. Variance to waive the garage requirement for the existing single family residence located on Parcel 1.
 - F. Subdivision Modification to establish two lots less than 100 feet deep.
 - H. Subdivision Modification to establish a lot less than 52 feet wide.
 - I. Subdivision Modification to establish two lots with less than 5,200± square feet of property area.

LOCATION: 5350 10th Avenue

PROPOSAL: The applicant is requesting the necessary entitlements to subdivide an existing through lot into two parcels in order to allow for the construction and sale of a single family residence on the rear of the existing through lot.

PROJECT INFORMATION:

General Plan Designation:	Low Density Residential (4-15 du/na)
Existing Zoning of Site:	Standard Single Family (R-1)
Existing Land Use of Site:	Single Family Residence & Detached Garage

Surrounding Land Use and Zoning:

North: Single Family; R-1
 South: Single Family; R-1
 East: Single Family; R-1
 West: Single Family; R-1

Property Dimensions:	40' x 163.4'
Proposed Property Dimensions Parcel 1:	40' x 88'
Proposed Property Dimensions Parcel 2:	40' x 75.4'
Property Area Parcel 1:	3,520 \pm square feet
Property Area Parcel 2:	3,016 \pm square feet
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On October 2, 1991, by a vote of 6 ayes and 3 absent, the Subdivision Review Committee voted to recommend approval of the Tentative Parcel Map and Subdivision Modification subject to conditions.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of .15 \pm partially developed acre in the Standard Single Family (R-1) zone. The subject lot is considered to be a through lot as it is over 125 feet in depth and has public street frontage on both 10th Avenue and 11th Avenue. The General Plan designates the site for Low Density Residential (4-15 du/na). Surrounding land uses and zoning include single family residences, zoned standard single family (R-1) to the north, south, east and west.

B. Applicant's Proposal

The applicant is proposing to divide an existing 40 foot wide by 163.4 feet deep through lot into two single family lots. Proposed parcel one, which is off of 10th Avenue, is developed with a single family residence and proposed parcel two, which is off of 11th Avenue, is currently developed with a detached garage. The applicant is proposing to demolish the existing detached garage and subdivide the existing parcel into two single family lots in order to construct a single family residence on the rear of the existing through lot.

C. Plan Consistency

The proposed project supports General Plan Policy 3, Section 2 which suggests modifying the Subdivision Ordinance to accommodate smaller lot sizes for single family developments. The project as proposed is consistent with surrounding development with lots sizes that vary from current standards.

design review staff for review and approval of the proposed single family residence. The applicant should incorporate the following design conditions into the design of the proposed residence:

- a. a minimum six panel solid wood or metal door should be used for the front entrance door;
- b. the garage door should be a metal roll up door with a raised panel design;
and
- c. a minimum 25 year laminated dimensional shingle should be used on the roof of the proposed unit (tile or wood shake shingles can also be used).

Variance to Waive the Garage on Parcel 1

The existing single family residence which fronts on 10th Avenue has a detached garage located off of 11th Avenue. There is currently a paved driveway for the existing single family residence off of 10th Avenue which provides a paved parking space for the residence (See Photos, Exhibit D). The existing garage which fronts on 11th Avenue detracts from the single family residences along 11th Avenue. The majority of the lots along 11th Avenue are developed with single family residences. In considering the requested variance and visiting the subject site planning staff has determined that it isn't possible to be able to construct a new garage on Parcel 1. In addition, the removal of the existing detached garage in order to provide a single family residence with an attached garage on Parcel 2 will be an improvement over the existing situation. As there is an existing on-site parking space for the existing single family residence on 10th Avenue, planning staff has no objections to the requested variance to waive the garage requirement for Parcel 1.

ENVIRONMENTAL DETERMINATION: The project is exempt from environmental review pursuant to State EIR Guidelines {CEQA Section 15061 (b)(3)}.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

- A. Recommend approval of the Tentative Map to subdivide .15± partially developed acres into 2 lots and forward to City Council;
- B. Approve the variance to establish 2 lots less than 100 feet deep subject to conditions and based upon findings of fact which follow;
- C. Approve the variance to establish a lot less than 52 feet wide subject to conditions and based upon findings of fact which follow;
- D. Approve the variance to establish 2 lots with less than 5,200± square feet of property area subject to conditions and based upon findings of fact which follow;

D. Staff Analysis

Tentative Map/Subdivision Modification/Variance

The subject lot is considered to be a through lot (a through lot is a lot with two public street frontages). The Zoning Ordinance states that a through lot with a depth of 125 feet or more, may be assumed to be two lots with the rear lines each approximately equal distance from the front of the lot lines, provided each such lot shall have an area of not less than 2,500 square feet; provided further that all yard requirements are complied with for the zone in which said through lot is located. The Zoning Ordinance allows the existing lot to be developed as two distinct lots, therefore, the applicant would be allowed to construct two units on each street frontage by right without the review of the Planning Commission.

The subject site is within a block bound by 53rd Street, 55th Street, 10th Avenue and 11th Avenue, where the average lot size is similar in size to that of the proposed lots (See Exhibit C). The existing lot configuration within this block is unusual in that the majority of the existing lots are substandard in width, depth and area. The existing single family lot is 40 feet wide by 163.4 feet deep, the proposed Parcel 1 will be 40 feet wide by 88 feet deep and Parcel 2 will be 40 feet wide by 75.4 feet deep. The proposed lots will be less than the required 100 feet in depth, less than the required 52 feet in width and less than the required 5,200 square feet in area. The tentative map will result in the creation of a 3,520 \pm square foot parcel (Parcel 1-existing development) and a 3,016 \pm square foot parcel (Parcel 2-proposed development).

Site Plan/Building Design

The applicant has indicated the proposed building pad on the tentative map. The surrounding area consists of several lots that are similar in lot size and area. The building pad which is shown on the tentative map indicates a twenty foot front yard setback. The Zoning Ordinance requires a twenty five foot front yard setback but also allows for the averaging of the adjacent structures in order to determine the front yard setback. In order to determine the front yard setback staff measured the setbacks on the adjacent residences and determined that the average setback for the proposed residence will be 17 feet 6 inches from behind the sidewalk. A garage will be required for the Single Family Residence on Parcel 2 when constructed and garages require a minimum twenty foot driveway. Staff recommends that the proposed residence be constructed to meet all of the required setbacks and lot coverage requirements in addition, staff recommends that the front yard setback be a minimum of 20 feet from behind the sidewalk.

The building pad which is indicated on the tentative map shows a 1,140 square foot building footprint which would meet all of the required setbacks and lot coverage requirements (provided that the front yard setback can be reduced to twenty feet with the averaging). The applicant has not submitted specific development plans at this time. In consideration of the fact that the lot is less than the required width, depth and lot area requirements planning staff recommends that prior to issuance of building permits the applicant should submit plans to the

- E. Approve the variance to waive the garage requirement for the existing single family residence located on Parcel 1 subject to conditions and based upon findings of fact which follow;
- F. Recommend Approval of the subdivision modification to establish 2 lots less than 100 feet deep and forward to City Council;
- G. Recommend Approval of the subdivision modification to establish a lot less than 52 feet wide and forward to City Council; and
- H. Recommend Approval of the subdivision modification to establish 2 lots with less than 5,200± square feet of property area and forward to City Council.

Conditions - Tentative Map/Subdivision Modification

1. 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 for Parcel 2. The appraisal shall be dated not more than 90 days prior to the filing of the Final Map;
2. Dedicate a 14.5 foot public utility easement for underground public utility facilities and appurtenances to 10th and 11th Avenue;
3. Show all existing easements;
4. Place note on Final Map: Separate sewer and water services to Parcel 2 shall be purchased and installed at time of obtaining building permits;
5. Locate existing sewer and water services to Parcel 1. Relocate services (if needed) to along either the east or west property line of Parcel 2;
6. Dedicate private sewer and water (service) easements for Parcel 1 across Parcel 2;
7. This project is located within an area of the City which is service by a combination sewer and drainage system. The applicant may be required to share in the costs for improvements needed to upgrade the combination system;
8. Provide a two foot Irrevocable Offer of Dedication along 10th and 11 Avenues;
9. A note shall be added to the Final Map requiring that an onsite grading and drainage plan shall be submitted for the review and approval by the Building Division to ensure compliance with City Standards. (Private drainage easements may be required between parcels.);
10. Applicant may file a Certificate of Compliance in lieu of a Final Map to record this lot split if no subdivision improvement agreement is required;

11. Remove existing garage on Parcel 2;
12. Provide a garage for proposed Parcel 1 or provide approval from the Planning Department to waive the garage;
13. Prior to recordation of the Final Map, applicant shall negotiate with the Sacramento Unified School District a written agreement in satisfaction of the proposed subdivision's school facilities impacts on the District, as mutually agreed to by the applicant and the District, subject to ratification by the District's Board of Trustees; and
14. Place the following note on the Final Map: The applicant shall submit a site plan, floor plans, and elevations for any proposed residence on proposed Parcel 2 to the Design Review Staff for review and approval prior to issuance of building permits.

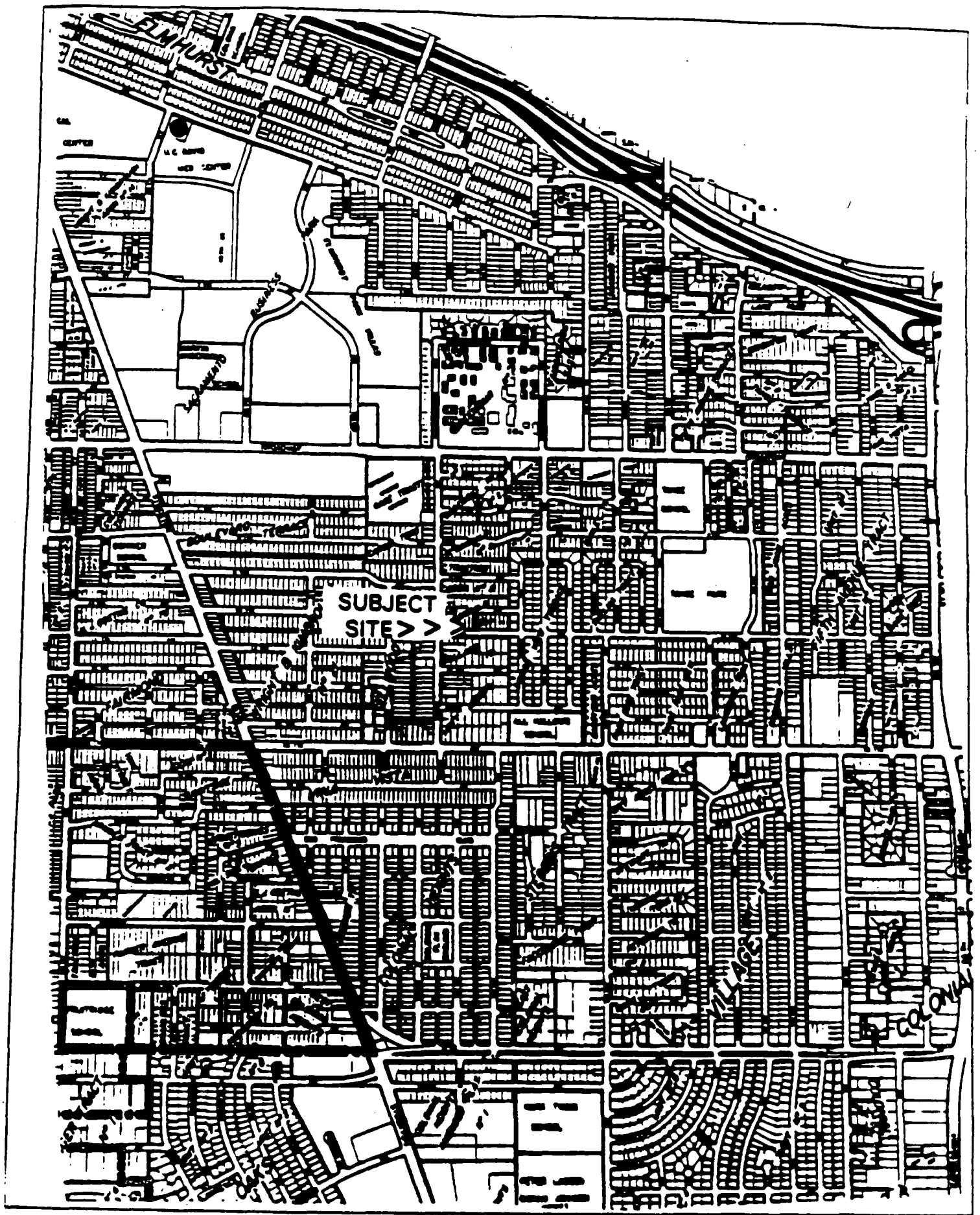
Conditions - Variance

1. The applicant shall obtain a demolition permit prior to removal of the existing detached garage on Parcel 2 and prior to the recordation of the final map;
2. The applicant shall submit a site plan, floor plans, and elevations for any proposed residence on proposed Parcel 2 to the Design Review Staff for review and approval prior to issuance of building permits.
3. The front yard of Parcel 2 shall be planted and an automatic irrigation system shall be installed prior to issuance of a final on the building permit; and
4. The applicant shall obtain all necessary building permits prior to construction of the proposed house on Parcel 2.
5. The requested variances will expire in one year from the date of approval of the tentative map unless the final map has been recorded. A one year time extension can be granted if an application requesting a time extension is submitted 30 days prior to the expiration of the variances.

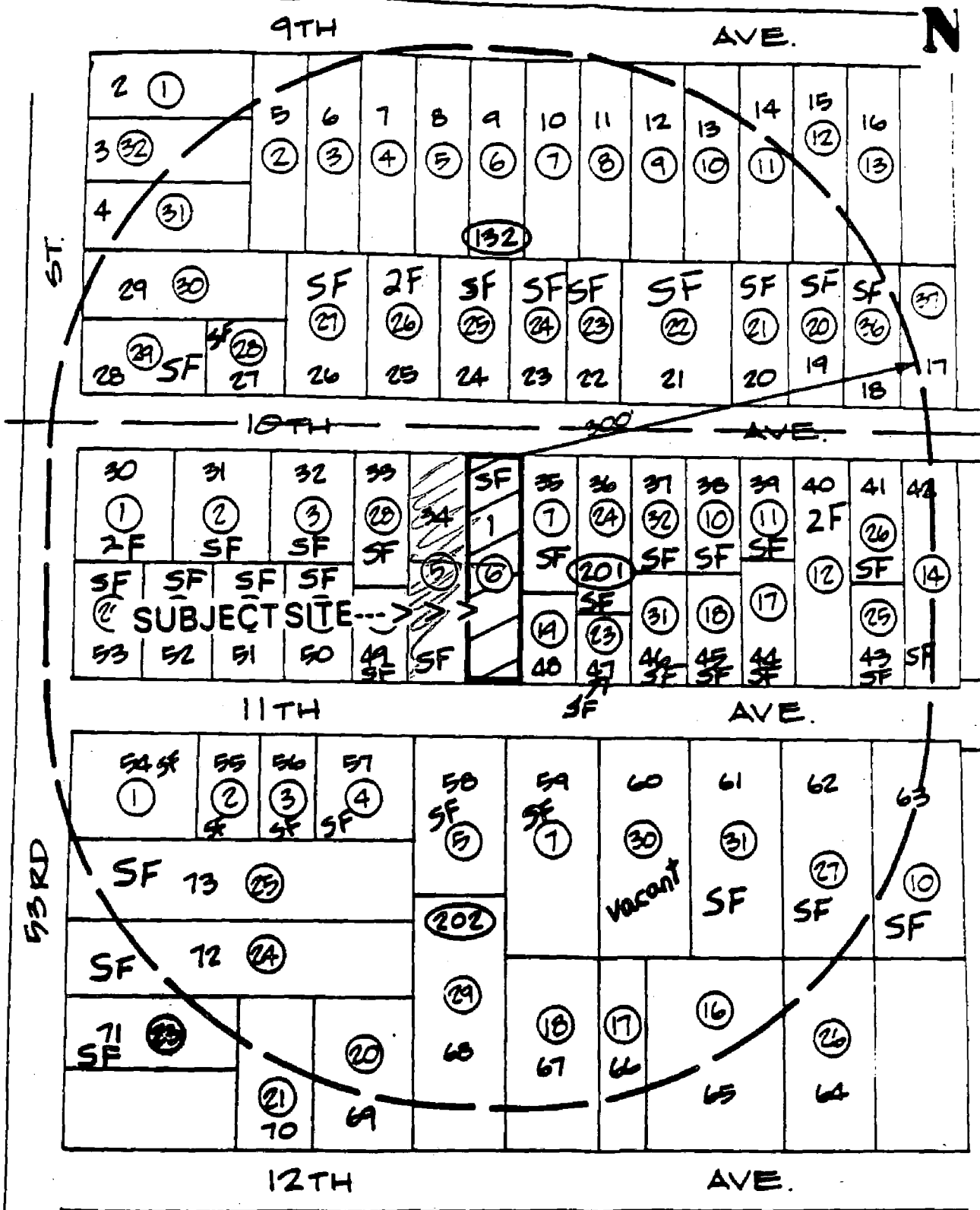
Findings of Fact - Variance

1. The project, as conditioned, is based upon sound principles of land use in that the proposed tentative map will result in single family lots that are similar in size to that of other single family lots in the surrounding area.
2. Granting the request will not be injurious to public welfare nor to property in the vicinity in that:
 - a. adequate setbacks and lot coverage will be provided, and

- b. off street parking will be provided for each unit.
- 3. Granting the variances does not constitute a special privilege extended to an individual applicant in that the subject site is located in an area with lots that are substandard in width, depth and area.
- 4. Granting the variances does not constitute a use variance in that lots for single family development are allowed in the Standard Single Family (R-1) zone.
- 5. The proposed project is consistent with the General Plan which designates the site as residential.



VICINITY MAP



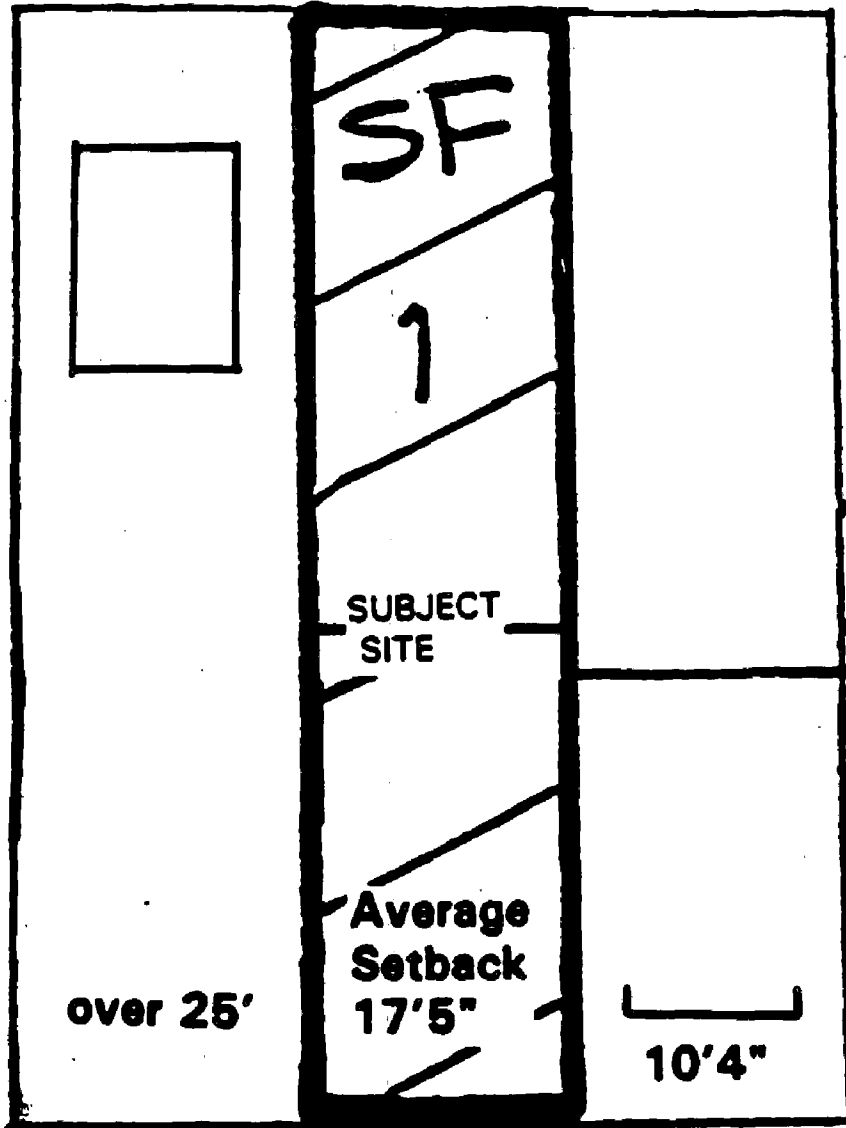
• THE ENTIRE PAGE IS ZONED R-1

LAND USE & ZONING MAP

EXHIBIT - B



10th Avenue

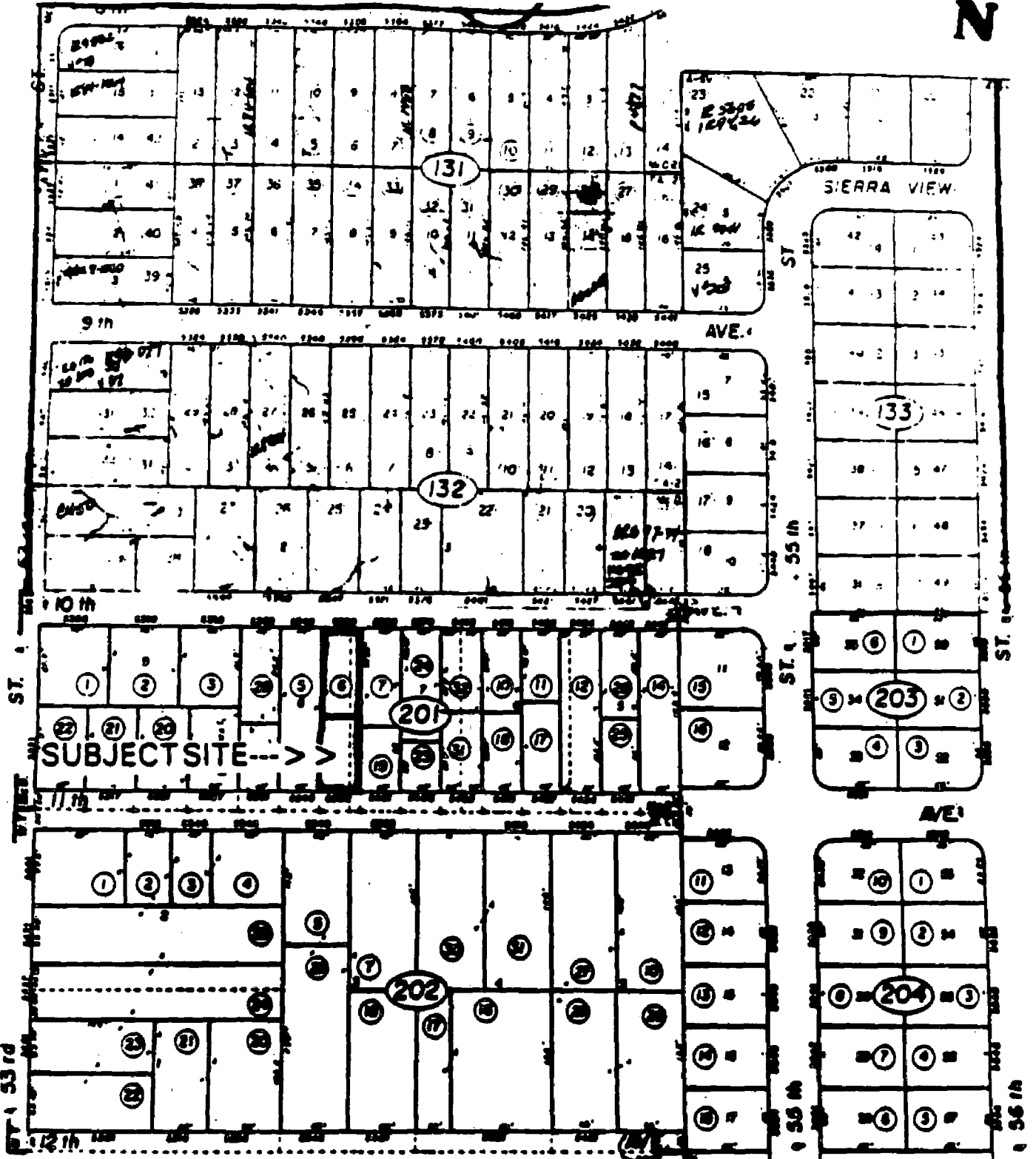


11th Avenue

000234

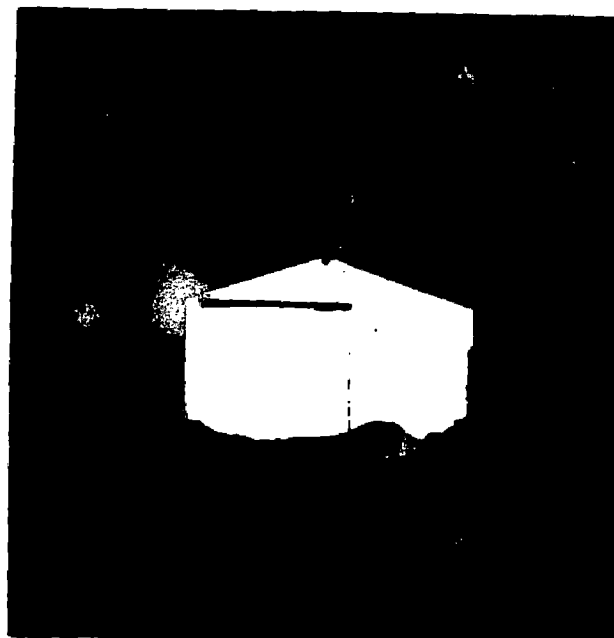
SETBACKS OF ADJACENT PROPERTIES

EXHIBIT - C



SURROUNDING AREA LOT SIZES

EXHIBIT - D



000236

EXISTING RESIDENCE & DETACHED GARAGE (GARAGE TO BE REMOVED)