



# CITY OF SACRAMENTO

RECEIVED  
CITY CLERKS OFFICE  
CITY OF SACRAMENTO

JUL 18 11 17 AM '85

## DEPARTMENT OF PLANNING AND DEVELOPMENT

1231 "I" Street

Sacramento, Ca. 95814

Administration  
Room 300 449-5571  
Building Inspections  
Room 200 449-5716  
Planning  
Room 200 449-5604

July 17, 1985

**APPROVED**  
BY THE CITY COUNCIL

JUL 23 1985

City Council  
Sacramento, California

OFFICE OF THE  
CITY CLERK

Honorable Members in Session:

SUBJECT: 1. Environmental Determination  
2. Tentative Map (P85-209)  
3. Subdivision Modification to create a lot less than 52 feet in width and more than 160 feet in depth

LOCATION: 4040 73rd Street

### SUMMARY

The Tentative Map proposes to divide a 1+ acre site into three parcels. A Subdivision Modification is also being requested for one parcel which has a lot width of less than 52 feet and a depth which exceeds 160 feet. The Planning Commission and staff recommend approval of the request with conditions.

### BACKGROUND INFORMATION

The subject 1+ acre site is zoned R-1 and presently occupied by a single family house. The site is located in an area characterized by deep lots. As a condition for approval, the applicant is to provide a 22 foot wide irrevocable offer of dedication (IOD) along the north and west property lines. The IOD will allow for a future street to be extended to provide access to the rear portions of the deep lots as illustrated by Exhibit C in the Planning Commission staff report.

### VOTE OF THE PLANNING COMMISSION

On June 13, 1985, the Commission voted five ayes, four absent, to recommend approval of the project.

City Council

-2-

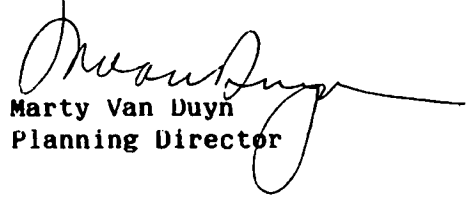
July 17, 1985

RECOMMENDATION

The Planning Commission and staff recommend the City Council take the following action:

1. Ratify the Negative Declaration;
2. Adopt the attached Resolution adopting Findings of Fact and approving the Tentative Map and Subdivision Modification.

Respectfully submitted,



Marty Van Duyn  
Planning Director

FOR CITY COUNCIL INFORMATION  
WALTER J. SLIPE  
CITY MANAGER

AG:pkb  
attachments  
P85-209

July 23, 1985  
District No. 6

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE June 13, 1985  
 ITEM NO. 178 FILE P 85-209  
 M \_\_\_\_\_

- |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| GENERAL PLAN AMENDMENT   | <input type="checkbox"/> | TENTATIVE MAP            | <input checked="" 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 _____              |                                     |

19

Location: 4040 73rd Street

Recommendation:

- Favorable *w/conds.*  
 Unfavorable  Petition  Correspondence

<u>PROPOSERS</u>		
<u>NAME</u>		<u>ADDRESS</u>

<u>OPPOSITORS</u>		
<u>NAME</u>		<u>ADDRESS</u>

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

	YES	NO	MOTION	SECOND
Ferris	✓			
Fong	absent			
Goodin	✓			
Holloway	absent			
Hunter	absent			
Ishmael	✓		✓	
Ramirez	✓			✓
Simpson	absent			
Augusta	✓			

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

3

# RESOLUTION No.

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 4040 73RD STREET

(P85-209 ) (APN: 021-091-04)

WHEREAS, the City Council, on July 23, 1985, held a public hearing on the request for approval of a subdivision modification and tentative map for property located at 4040 73rd Street

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 will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration;

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 therein.
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 1965 Colonial Community Plan designate the subject site for light density 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 52' in width and more than 160' in depth:
  - a. The City Council determines  
that it is impracticable and undesirable in this particular  
case to conform to the strict application of City Code Chapter 40 in  
that the lot configuration is to provide the potential for a future  
street
  - 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 lot configuration and access limitation does not permit standard  
parcel size at this time
  - 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  
many lots in the area are also in excess of 160' in depth
  - 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 Light Density Residential use(s)
7. The tentative map for the proposed subdivision is hereby approved, subject to the following conditions which must be satisfied prior to the filing of the final map unless a different time for compliance is specifically noted:
  - a. Provide street lights pursuant to Section 40.811 of the City Code;
  - b. Place the following note on the final map: "Water and sewer services for Parcels B and C must be paid for and installed at the time of obtaining building permits";

- 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. Locate existing sewer and water services;
- e. Provide or relocate sewer and water services for Parcel A to the satisfaction of the Public Works Director;
- f. Grade lots B and C to drain to street; and
- g. Increase the access to Parcel A to 22' in width.

\_\_\_\_\_  
MAYOR

ATTEST:

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

P85-209

RESOLUTION AMENDED 7/23/85

**RESOLUTION No. 85-550**

**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 4040 73RD STREET**

(85-209 ) (APN: 021-091-04)

WHEREAS, the City Council, on July 23, 1985, held a public hearing on the request for approval of a subdivision modification and tentative map for property located at 4040 73rd Street

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 will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration;

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 therein.
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 1965 Colonial Community Plan designate the subject site for light density 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 52' in width and more than 160' in depth:
  - a. The City Council determines  
that it is impracticable and undesirable in this particular case to conform to the strict application of City Code Chapter 40 in that the lot configuration is to provide the potential for a future street
  - 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 lot configuration and access limitation does not permit standard parcel size at this time
  - 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 many lots in the area are also in excess of 160' in depth
  - 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 Light Density Residential use(s)
7. The tentative map for the proposed subdivision is hereby approved, subject to the following conditions which must be satisfied prior to the filing of the final map unless a different time for compliance is specifically noted:
  - a. Provide street lights pursuant to Section 40.811 of the City Code;
  - b. Place the following note on the final map: "Water and sewer services for Parcels B and C must be paid for and installed at the time of obtaining building permits";



- 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. Locate existing sewer and water services;
- e. Provide or relocate sewer and water services for Parcel A to the satisfaction of the Public Works Director;
- f. Grade lots B and C to drain to street; and
- g. Increase the access to Parcel A to 22' in width/*and provide an irrevocable offer of dedication for a standard residential street along the north and west property line.*

\_\_\_\_\_  
MAYOR

ATTEST:

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

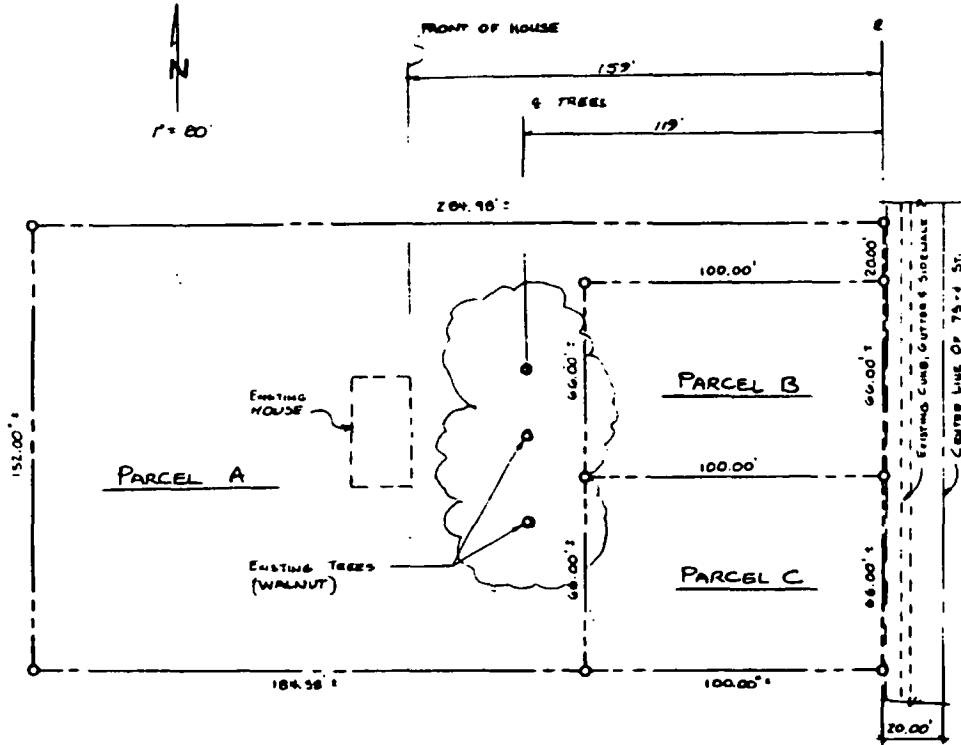
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Fig 5-209

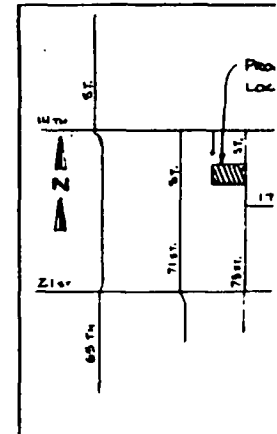
7

TENTATIVE PARCEL MAP

E 1/2 LOT 185 COLONIAL ACRES



1. RECORD OWNER: ROBERT A JONES  
4397 N. KELLY ROAD  
HILMAR, CA 95324
2. SUB-DIVIDER: DISCOVERY INVESTMENTS  
5534 ELVAS AVE  
SACRAMENTO, CA 95819
3. MAP PREPARED BY: PACIFIC CONSULTING ENGINEERS  
4020 EL CAMINO AVE #12  
SACRAMENTO, CA 95821 402-73-08
4. MAP PREPARED ON: APRIL 1985
5. NO. OF LOTS: 3
6. TOTAL AREA: 0.994 AC NET
7. PRESENT USE: RESIDENTIAL
8. PROPOSED USE: RESIDENTIAL
9. PRESENT ZONING: R-1
10. ASSESSOR'S PARCEL NUMBER: 021-091-04
11. IMPROVEMENTS: EXISTING - CG 15
12. UTILITIES: EXISTING - SAN SEWER, STORM SEWER  
WATER GAS ELECT
13. SCHOOL DIST: SACRAMENTO



TENTATIVE MAP

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# CITY PLANNING COMMISSION

927 10TH STREET, SUITE 300 - SACRAMENTO, CALIFORNIA 95814

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APPLICANT	Jerry D'Amico - 5534 Elvas Avenue, Sacramento, CA 95819		
OWNER	Robert A. Jones - 4394 N Kelly Road, Helmar, CA 95324		
PLANS BY	Pacific Consulting Engrs. - 4020 El Camino Avenue, A2, Sacramento 95821		
FILING DATE	5-10-85	50 DAY CPC ACTION DATE	REPORT BY: SD:sq
NEGATIVE DEC	6-3-85	EIR	ASSESSOR'S PCL NO. 021-091-04

- APPLICATION:
- A. Negative Declaration
  - B. Tentative Map (P85-209)
  - C. Variance to create a lot less than 52' wide (Section 3-E-19)
  - D. Subdivision Modification to create a lot less than 52' wide and in excess of 160' deep (Chapter 40.322)

LOCATION: 4040 73rd Street

PROPOSAL: The applicant is requesting the necessary entitlements to subdivide 1+ acre developed with a single family residence into three parcels.

PROJECT INFORMATION:

1974 General Plan Designation: Residential  
 1965 Colonial Community  
 Plan Designation: Light Density Residential  
 Existing Zoning of Site: R-1  
 Existing Land Use of Site: Single family residence

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Vacant: R-1	Front:	25'	40'
South: Single family; R-1	Side(Int):	5'	35'
East: Single family; R-1	Rear:	15'	70'
West: Single family; R-1			

Property Dimensions: 285' x 152'  
 Property Area: 1+ acres  
 Density of Development: 3 d.u. per acre  
 Topography: Flat  
 Street Improvements: Existing  
 Utilities: Existing

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On May 29, 1985, by a vote of five ayes, four absent, the Subdivision Review Committee voted to recommend approval of the Tentative Map and Subdivision Modification, subject to conditions.

PROJECT EVALUATION: Staff has made the following findings with regard to this project:

Land Use

1. The subject site is designated Residential in the 1974 General Plan. It is designated Light Density Residential in the 1965 Colonial Heights Community

Plan. The site is surrounded primarily by single family development on a variety of lot sizes. The site is zoned R-1. The requested map is compatible with applicable plans, surrounding land uses and current zoning.

Design

1. The subject site is surrounded by residential development often occurring along the street frontages. The subject site is developed with a single family residence located toward the middle of the parcel. The applicant is proposing to create two single family lots along 73rd Street. Access to the existing structure on Parcel A is provided with 20 feet of street frontage. The proposed lotting pattern requires a variance and subdivision modification to create a lot less than 52' wide and in excess of 160' deep. Existing development precludes a more traditional lotting pattern.
2. In order to provide for the future subdivision of the subject site and adjacent parcel to the north, staff requests that the street frontage for Parcel A be increased to 22 feet. In addition, the applicant shall dedicate an I.O.D. for a standard residential street along the north and west property line, per approval of the City Traffic Engineer (see staff's Exhibit B).

Policies

The Planning and Community Services Divisions have determined that parkland dedication in-lieu fees are appropriate. Fees will be based upon .045 acres of land multiplied by the per acre value established by the applicant's appraiser.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the project will not have a significant adverse impact. A negative declaration has been filed.

RECOMMENDATION: Staff recommends the following actions:

- A. Ratify the Negative Declaration;
- B. Approve the Tentative Map, subject to conditions;
- C. Approve the Variance, subject to conditions and based upon findings of fact which follow;
- D. Approve the Subdivision Modification to create a lot less than 52 feet wide and in excess of 160 feet deep.

Conditions - Tentative Map

The applicant shall satisfy each of the following conditions prior to filing the final map unless a different time for compliance is specifically noted:

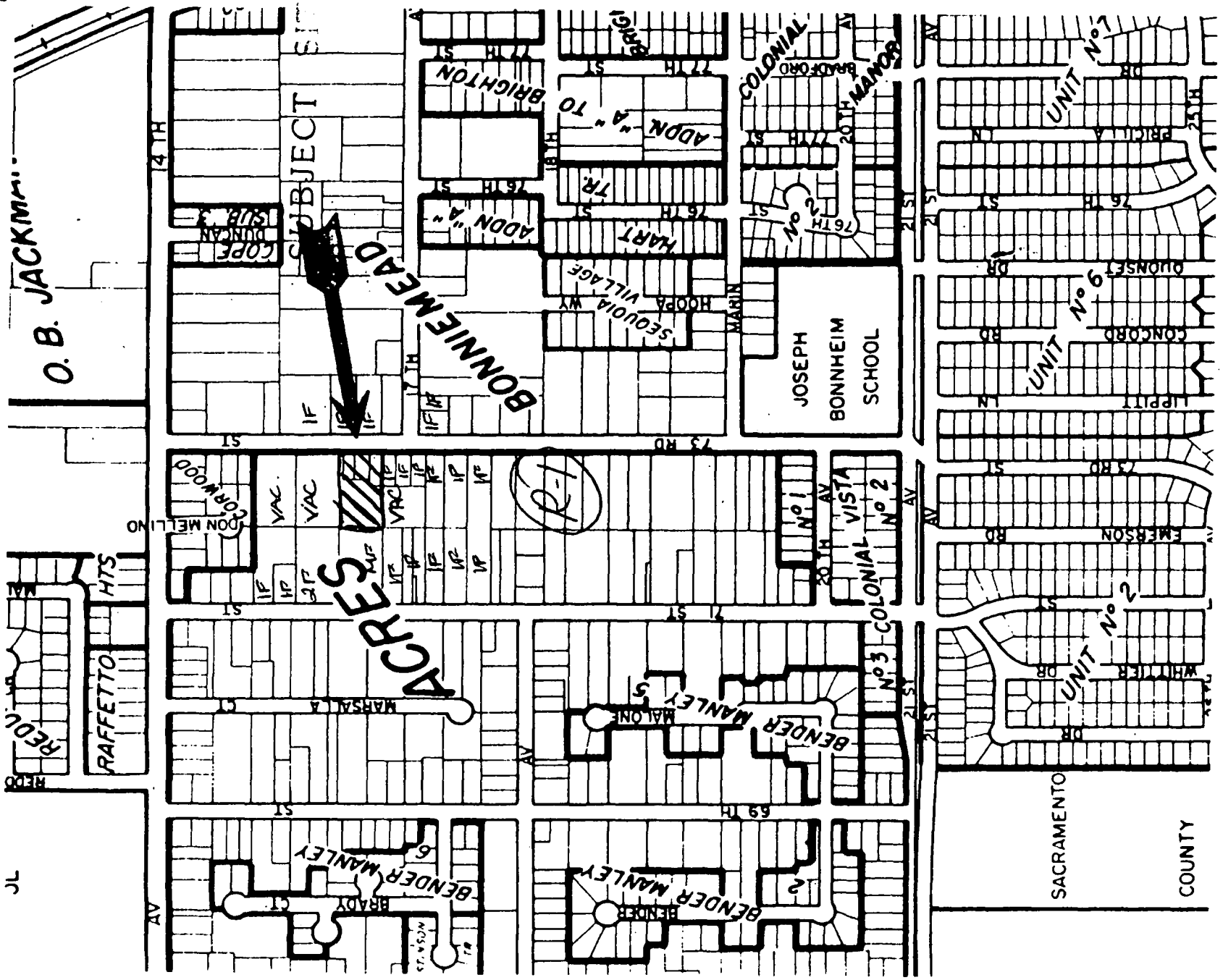
1. Provide street lights pursuant to Section 40.811 of the City Code.
2. Place the following note on the final map: Water and sewer services for Parcels B and C must be paid for and installed at the time of obtaining building permits.

- 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. Locate existing sewer and water services.
- 5. Provide or relocate sewer and water services for Parcel A to the satisfaction of the Public Works Director.
- 6. Grade lots B and C to drain to street.
- 7. Increase the access to Parcel A to 22' in width.

Findings of Fact - Variance

- 1. Granting the variance does not constitute a special privilege extended an individual applicant in that existing development precludes a more traditional lotting pattern.
- 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 would not be injurious to public welfare nor to property in the vicinity of the applicant in that provision is made for future standard subdivision and does not alter the residential character of the area.
- 4. Granting the variance is in harmony with the General Plan and the 1965 Colonial Community Plan which designate the site for residential purposes.

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O. B. JACKMAN

SUBJECT SITE

ACRES

JOSEPH BONNHEIM SCHOOL

# VICINITY - LAND USE - ZONING

7835-209

6-13-85

Sheet 17

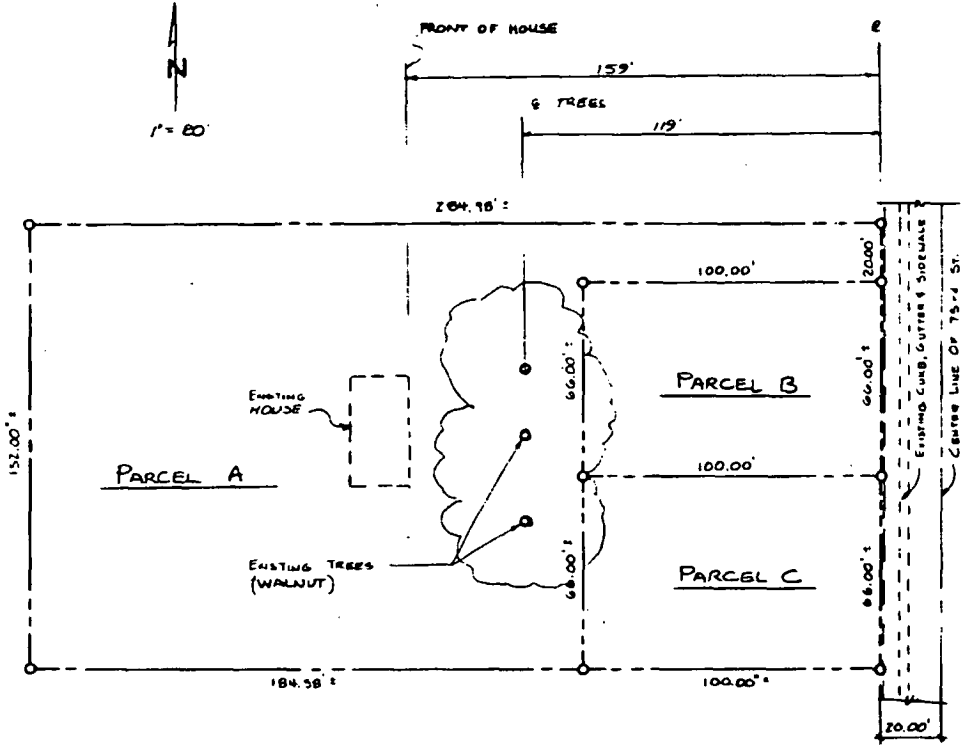
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6-13-85

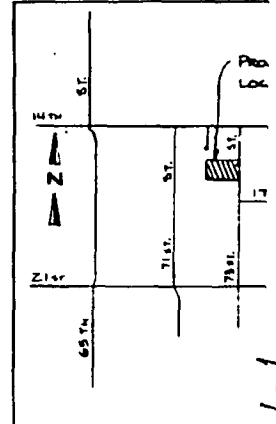
Sheet 17

# TENTATIVE PARCEL MAP

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HILMAR, CA 95324
- 2. SUB-DIVIDER: DISCOVERY INVESTMENTS  
5534 ELVAS AVE  
SACRAMENTO, CA 95819
- 3. MAP PREPARED BY: PACIFIC CONSULTING ENGINEERS  
4020 EL CAMINO AVE #12  
SACRAMENTO, CA 95821 402-7318
- 4. MAP PREPARED ON: APRIL 1985
- 5. NO. OF LOTS: 3
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- 7. PRESENT USE: RESIDENTIAL
- 8. PROPOSED USE: RESIDENTIAL
- 9. PRESENT ZONING: R-1
- 10. ASSESSOR'S PARCEL NUMBER: 021-031-04
- 11. IMPROVEMENTS: EXISTING - CG 1 S
- 12. UTILITIES: EXISTING - SAN SEWER, STORM SEWER  
WATER GAS ELEC
- 13. SCHOOL DIST: SACRAMENTO



**EXHIBIT A**  
**TENTATIVE MAP**

19

14th

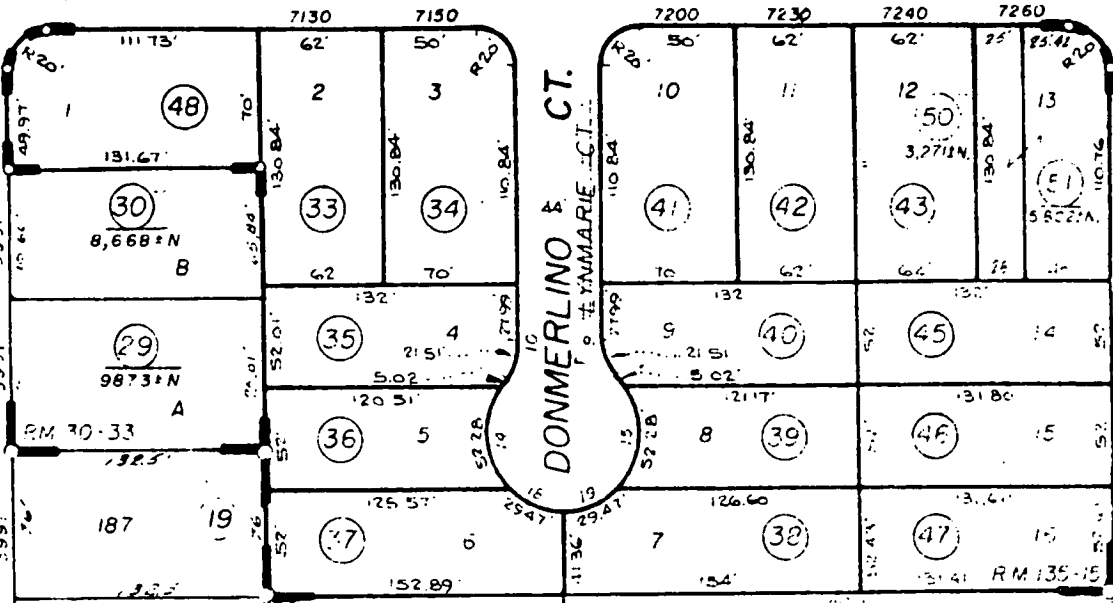
EXHIBIT B

19

C.A.

ST.

ST.



**SUBJECT SITE**



PARCEL A

PARCEL B

PARCEL C

091

08

17

71st

73rd

SW Cor  
Lot 184 C.A.

18

17th

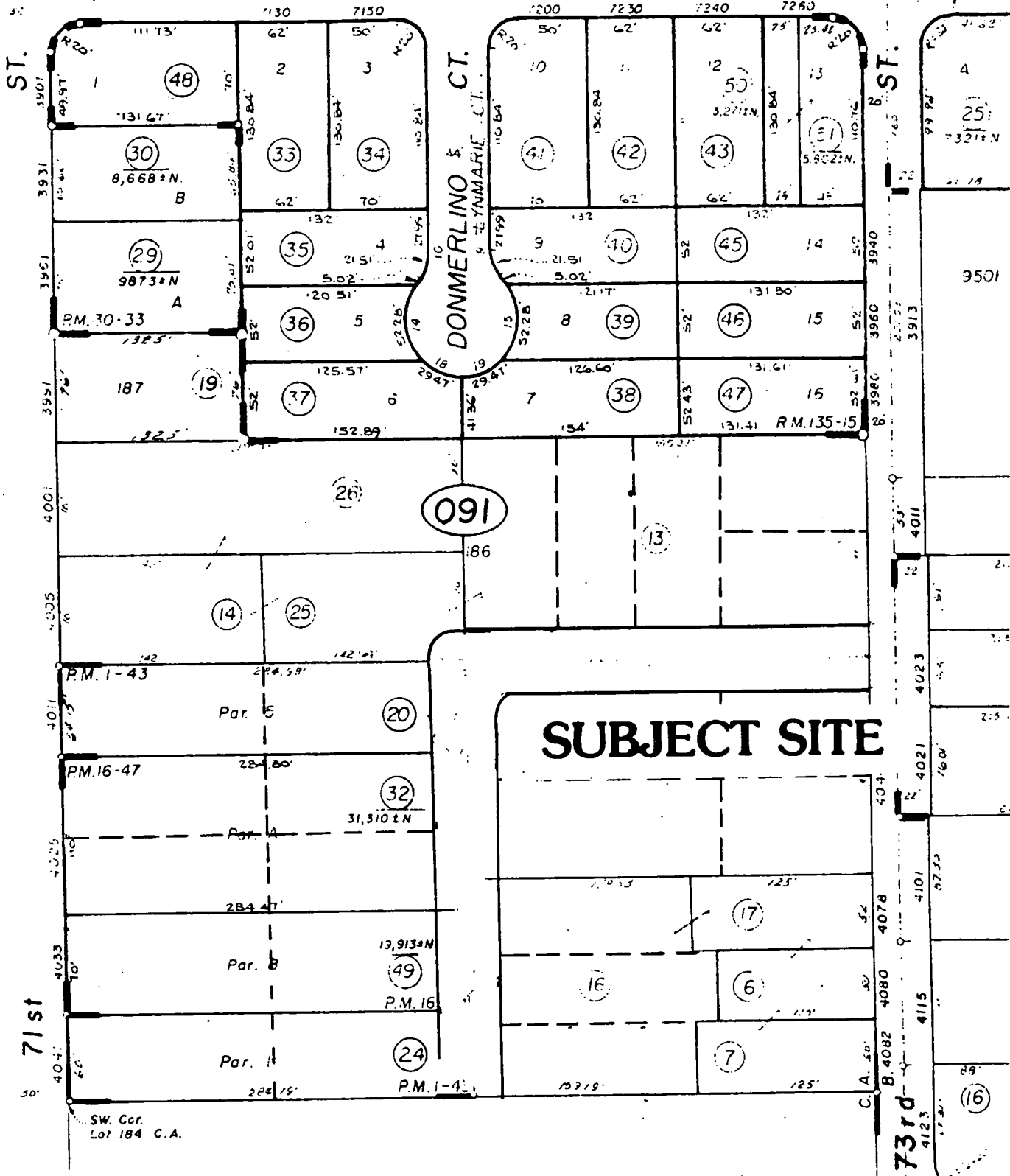


14th

C.A.

C.A. B.

19



**SUBJECT SITE**

July 26, 1985

Robert A. Jones  
4394 N. Kelly Road  
Helmar, CA 95324

Dear Mr. Jones:

On July 23, 1985, the Sacramento City Council took the following action(s) for property located at 4040 73rd Street:

Adopted a Resolution (amended) adopting Findings of Fact approving a Tentative Parcel Map to subdivide 1 $\frac{1}{2}$  acre into three lots in the Single Family zone, and Subdivision Modification to create a lot deeper than 160'; and less than 52' wide. (P-85209)

Enclosed, for your records, are fully certified copies of the above referenced documents.

Sincerely,

Connie R. Petersen  
Deputy City Clerk

CRP/dbp/19

Enclosure

cc: Planning Department

Jerry D'Amico  
5534 Elvas Avenue  
Sacramento, CA 95819