



CITY OF SACRAMENTO

21

CITY PLANNING DEPARTMENT

927 TENTH STREET SACRAMENTO, CA 95814
SUITE 300 TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

November 30, 1983

City Council
Sacramento, California

APPROVED
BY THE CITY COUNCIL

DEC 20 1983

OFFICE OF THE
CITY CLERK

- SUBJECT:
1. Environmental Determination
 2. Rezoning from R-1 to R-1A
 3. Subdivision Modification to allow lots less than 100 feet in depth
 4. Tentative Map (P83-301)

LOCATION: East and West sides of Rush River Drive; approximately 100± feet south of Spinnaker Way

SUMMARY

This is a request to develop a 52± acre vacant site into 197 single family lots and 94 halfplex units. The staff and the Planning Commission recommends approval of the project subject to conditions. The Commission also approved a Special Permit to allow the halfplex units.

BACKGROUND INFORMATION

The subject site is located in an area that is being developed with single family dwellings with duplex and halfplexes on corner lots. The applicant's proposal for single family and halfplex units is compatible with surrounding land uses. Also, the project is consistent with the South Pocket Specific Plan.

The applicant is also requesting a Subdivision Modification to allow 46 lots (Lots 199 through 244) that will have a depth of less than 100 feet. The lots will be no less than 97 feet in depth. Staff has no objection to this request because the existing stub streets surrounding the site make it difficult to meet minimum lot depths in all cases. Also, the proposed substandard depth lots are wider than the minimum width of 52 feet and large enough to accommodate a dwelling unit.

VOTE OF THE PLANNING COMMISSION

On October 27, 1983, the Planning Commission by a vote of six ayes, one abstention, two absent, recommended approval of this project.

FILED

By the City Council
Office of the City Clerk

Cont. to
12-20-83

DEC 6 1983

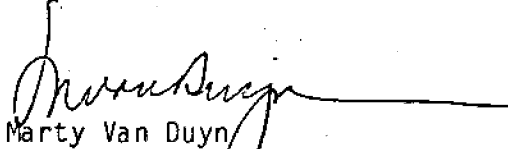
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RECOMMENDATION

The staff and Planning Commission recommend that the City Council approve the project by:

1. Ratifying the Negative Declaration;
2. Adopting the attached Rezoning Ordinance;
3. Adopting the attached Resolution adopting Findings of Fact and approving the Tentative Map and Subdivision Modification with Conditions.

Respectfully submitted,


Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

HY:lao
Attachment
P83-301
wp 1A

December 6, 1983
District No. 8

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE October 27, 1983
 ITEM NO. 110 FILE NO. P-83-301
 M- _____

- GENERAL PLAN AMENDMENT TENTATIVE MAP
- COMMUNITY PLAN AMENDMENT SUBDIVISION MODIFICATION
- REZONING ENVIRONMENTAL DET.
- SPECIAL PERMIT OTHER _____
- VARIANCE _____

Recommendation LOCATION: East & West sides of Rush River Drive,

- Favorable 100' S of Spinnaker Way
- Unfavorable Petition Correspondence

| NAME | PROPOSERS | ADDRESS |
|------|----------------------|---|
| | <u>Bill Parker -</u> | <u>6355 Riverside Boulevard, Sacramento, CA 95831</u> |
| | <u>Bob House -</u> | <u>6355 Riverside Boulevard, Sacramento, CA 95831</u> |
| | | |
| | | |

| NAME | OPPONENTS | ADDRESS |
|------|-----------|---------|
| | | |
| | | |
| | | |
| | | |

MOTION NO. _____

MOTION:

| | YES | NO | MOTION | 2ND |
|----------|-------------------------------------|----|-------------------------------------|-------------------------------------|
| Augusta | <input checked="" type="checkbox"/> | | | |
| Fong | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> |
| Holloway | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | |
| Hunter | <input checked="" type="checkbox"/> | | | |
| Ishmael | <input checked="" type="checkbox"/> | | | |
| Larson | <input checked="" type="checkbox"/> | | | |
| Silva | <u>absent</u> | | | |
| Simpson | <u>absent</u> | | | |
| Goodin | <u>absent</u> | | | |

- TO APPROVE
- TO DENY
- TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- TO DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
- INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FINDINGS 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 _____

21

ORDINANCE NO. 83-154

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT THE EAST AND WEST SIDES OF RUSH RIVER DRIVE, 100+' SOUTH OF SPINNAKER WAY FROM THE RESIDENTIAL, R-1 ZONE(S) AND PLACING SAME IN THE TOWNHOUSE, R-1A ZONE(S) (FILE NO. P- 83-301)(APN: 031-002-63)

APPROVED BY THE CITY COUNCIL

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO: DEC 21 1983

SECTION 1.

OFFICE OF THE CITY CLERK

The territory described in the attached exhibit(s) which is in the Residential, R-1 zone(s), established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the Townhouse, R-1A zone(s).

This action rezoning the property described in the attached exhibit(s) is adopted subject to the following conditions and stipulations:

- a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.
- b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission October 27, 1983, on file in the office of the Planning Department, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Director shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

SECTION 2.

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this ordinance.

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SECTION 3.

Rezoning of the property described in the attached exhibit(s) by the adoption of this ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550, Fourth Series, as said procedures have been affected by recent court decisions.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

P83-301

8 R3-341

14-27-82

Ms. 11

TENTATIVE MAP OF GREENHAVEN UNIT NO. 18, 19 & 20

CITY OF SACRAMENTO CALIFORNIA

SEPTEMBER 1982



VICINITY MAP

□ LOTS TO BE REZONED TO R-1A

NOTES:

INTERIOR HALF FLEX LOTS

EXACT LOT LINES TO BE ESTABLISHED AT THE TIME OF THE SPECIAL PERMIT APPROVAL.

CORNER HALF FLEX LOTS

LOT LINES TO BE ESTABLISHED UPON STAFF REVIEW OF THE BUILDING PLANS.

SECOND CHUTE & SUBDIVIDES
L & S LAND AND DEVELOPMENT, INC.
8335 EMPEROR ROAD (Hwy. 99) S. C.
SACRAMENTO, CA 95821

AND A MAJOR SUBDIVISION
THE CITY OF SACRAMENTO
PLANNING DEPARTMENT

EXISTING USE
RESIDENTIAL

PROPOSED USE
77 SINGLE FAMILY RESIDENTIAL LOTS

44 1/2-ACRE LOTS (10 DONATED 1/2-ACRE LOTS)

141 TOTAL LOTS

EXISTING ZONE
R-1

PROPOSED ZONE
R-1A

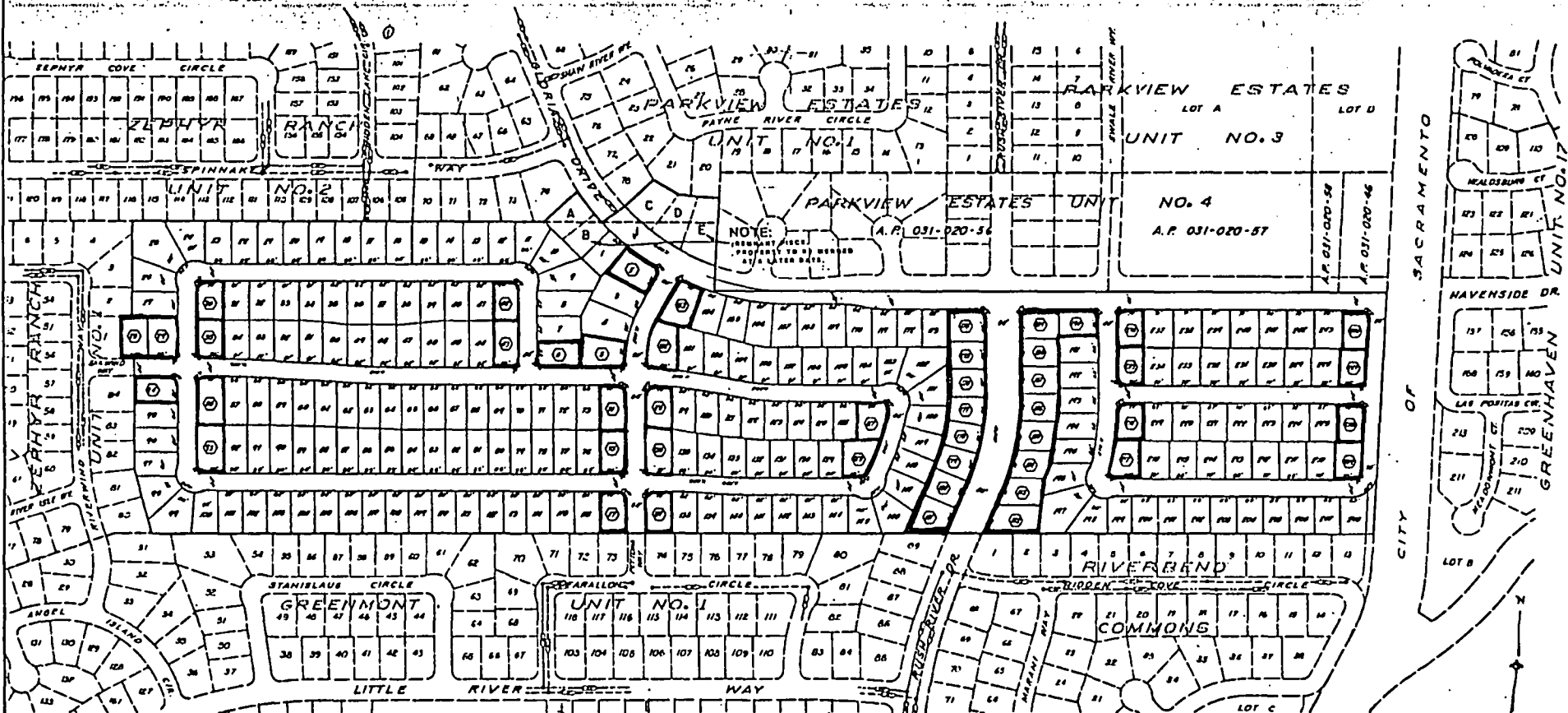
WATER SUPPLY
PUBLIC UTILITIES

SEWER DISPOSAL
PUBLIC UTILITIES

PROPOSED IMPROVEMENTS
SACRAMENTO CITY STANDARDS

ACREAGE
34 ACRES ± APPROX

CREATED BY
8/11/82-8/11/82



NOTE: (REMARK: 1/2 ACRES) PROPERTY TO BE REZONED AT A LATER DATE.

BUILDING PLACEMENT SHALL BE VARIED FROM 16 FT TO 20 FT, AT THE SETBACK LINE TO PROVIDE A VISUAL MIX OF FRONTAGES ALONG ALL STREETS.

NOTE: IT IS THE INTENT OF THE SUBDIVIDER TO DEVELOP THE PROJECTS INCORPORATED IN THIS MAP IN NOT LESS THAN 3 PHASES. THE EXACT LOCATION OF THE LOTS FOR EACH PHASE WILL BE DETERMINED AT A FUTURE DATE. AS THE LOT LINES WILL BE DEPENDANT UPON POSSIBLE REQUIREMENTS FOR THE IMPROVEMENT OF MAJOR STREET IMPROVEMENTS, SUCH AS TRUCK BYPASS, CONDITIONED BY THE APPROVAL OF THIS MAP AND THE COOPERATION RECEIVED FROM ADJACENT PROPERTY OWNERS.

THE SPINK CORPORATION
ENVIRONMENTAL PLANNING, ENGINEERING
ARCHITECTURAL, SURVEYING, MAPPING, INTERIOR
DESIGN, LANDSCAPE ARCHITECTURE, AND OTHER SERVICES

SCALE: 1" = 100'
REVISED
DATE: OCT. 8, 1983

Handwritten initials and marks.

21

RESOLUTION No. 83-1005

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 ON THE EAST AND WEST SIDES OF RUSH RIVER DRIVE: APPROX. 100+ FEET SOUTH OF SPINNAKER WAY (P-83-301)(APN: 031-002-63)

WHEREAS, the City Council, on December 6, 1983, held a public hearing on the request for approval of a subdivision modification and tentative map for property located on the east and west sides of Rush River Drive; approximately 100+ feet south of Spinnaker Way

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 balanced 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.

APPROVED
BY THE CITY COUNCIL

DEC 20 1983

OFFICE OF THE
CITY CLERK

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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 1976 South Pocket Community Plan designate the subject site for low 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 Water 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 allow 46 lots that are less than 100 feet in depth:

a. There are circumstances in this case
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 existing stub streets surrounding the site dictate the lot layout.

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 subject lots are wider than minimum standards and large enough to accommodate a dwelling.

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 the granting of the modification will not 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 General Plan and with all other applicable Specific Plans of the City in that the site is designated for residential uses.

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:

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- a. Provide standard subdivision improvements, including 12 feet of pavement along the north side of the off-site portion of Gloria Drive, pursuant to Section 40.811 of the City Code;
- b. Prepare a sewer and drainage study for the review and approval of the Director of Public Works;
- c. Name the streets to the satisfaction of the Planning Director;
- d. Pay off existing fees or file the necessary segregation requests and fees to segregate existing assessments;
- e. 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;
- f. Pursuant to City Code Section 40.319-1, the applicant shall 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 City Engineer after consultation with the U.S. Postal Service;
- g. Off-site right-of-way dedication required for the north side of Gloria Drive, subject to review and approval of the Director of Public Works;
- h. Minimum lot pad elevation = +3.5 feet; minimum gutter grade = +2.0 feet;
- i. Pay Pocket Bridge fees;
- j. Any phasing shall be approved by the Director of Public works;
- k. Merge lots 175 through 181 into one parcel and lots 182 through 188 into one parcel;

MAYOR

ATTEST:

CITY CLERK

P83-301

83-301

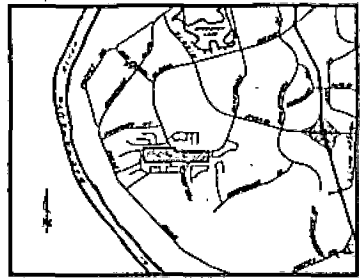
10-27-83

no. 11

TENTATIVE MAP OF GREENHAVEN UNIT NO. 18, 19 & 20

CITY OF SACRAMENTO CALIFORNIA

SEPTEMBER 1983



VICINITY MAP

RECORD OWNER & SUBDIVISOR
L. E. LIND AND DEVELOPER, INC.
6315 HUNTER BUCKLE ROAD, SUITE C
SACRAMENTO, CA 95821

WILL SUPPLY
PUBLIC UTILITIES

SCHOOL ZONING
PUBLIC SCHOOLS

PROPOSED IMPROVEMENTS
SACRAMENTO CITY STANDARDS

STREETS & ALLEYS

ASSESSORS MAPS, NO.
017-020-21, 22 & 23

NOTES:

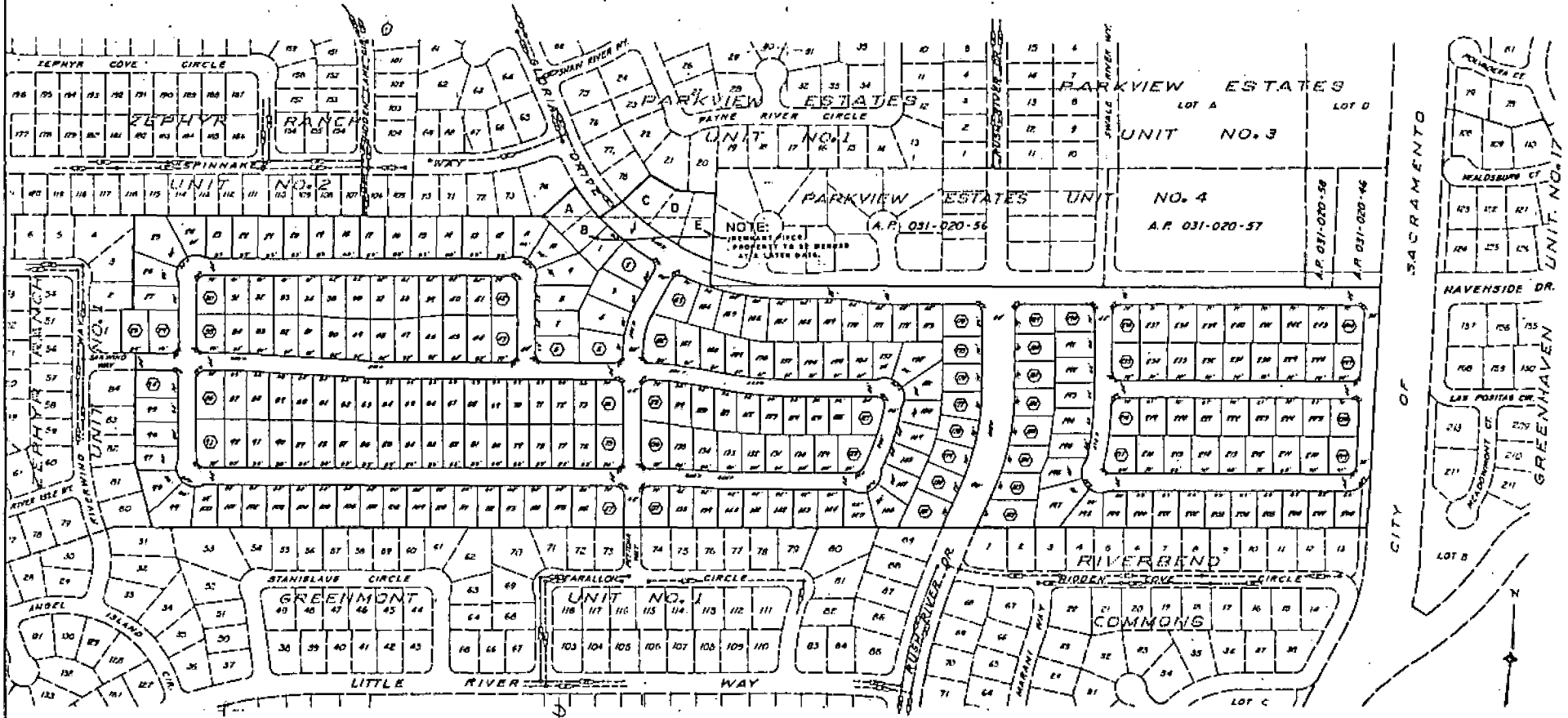
- INTERIOR HALF FLEX LOTS
EXACT LOT LINES TO BE ESTABLISHED AT THE TIME OF THE SPECIAL PERMIT APPROVAL.
- CORNER HALF FLEX LOTS
LOT LINES TO BE ESTABLISHED UPON STAFF REVIEW OF THE BUILDING PLANS.

EXISTING USE
RESIDENTIAL

PROPOSED USE
70 SINGLE FAMILY RESIDENTIAL LOTS
14 1/2 FLEX LOTS (5 CORNER 1/2-ACRE LOTS)
PM TOTAL LOTS

EXISTING ZONE
R-1

PROPOSED ZONE
RT 2 & 17.5



BUILDING PLACEMENT SHALL BE VARIED FROM 15 FT TO 30 FT, AT THE SETBACK LINE TO PROVIDE A VISUAL MIX OF FRONTAGES ALONG ALL STREETS.

NOTE: IT IS THE INTENT OF THE SUBDIVISOR TO DEVELOP THE PROJECTS INDICATED IN THIS MAP IN NOT LESS THAN 3 PHASES. THE EXACT LOCATION OF THE LOTS FOR EACH PHASE WILL BE DETERMINED AT A FUTURE DATE, AS THE LIMIT LINES WILL BE DEPENDANT UPON POSSIBLE REQUIREMENTS FOR THE IMPLEMENTATION OF MAJOR STREET IMPROVEMENTS SHOULD THEY BE CONSIDERED BY THE APPROVAL OF THIS MAP AND THE COOPERATION RECEIVED FROM AGENCY PROPERTY OWNERS.

THE SPINK CORPORATION
 ENVIRONMENTAL PLANNING, ENGINEERING
 ARCHITECTURE, SURVEYING, SURVEYING, SITE PLANNING

SCALE: 1" = 100'
REVISED DATE: OCT. 3, 1983

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CITY PLANNING COMMISSION

927 - 10th Street, Suite 300 - SACRAMENTO, CALIFORNIA 95814

| | | | |
|--------------|--|------------------------|--------------------------------|
| APPLICANT | L & P Land & Development, Inc., 6355 Riverside Blvd., Sacramento, CA 95831 | | |
| OWNER | L & P Land & Development, Inc., 6355 Riverside Blvd., Sacramento, CA 95831 | | |
| PLANS BY | Spink Corporation, 720 'F' Street, Sacramento, CA 95814 | | |
| FILING DATE | 9-8-83 | 50 DAY CPC ACTION DATE | REPORT BY: TM:bw |
| NEGATIVE DEC | 9-22-83 | EIR | ASSESSOR'S PCL. NO. 031-002-63 |

- APPLICATION:
1. Environmental Determination
 2. Rezone 16± vacant acres from Single Family (R-1) to Townhouse (R-1A) zone
 3. Tentative Map
 4. Special Permit to develop 94 halfplex units
 5. Variance to allow front yard setback less than 25 feet
 6. Variance/Subdivision Modification to allow lots of less than 100 feet in depth.

LOCATION: East and west sides of Rush River Drive, 100± feet south of Spinnaker Way

PROPOSAL: The applicant is requesting the necessary entitlements to develop 197 single family lots and 94 halfplex lots and units.

PROJECT INFORMATION:

1974 General Plan Designation: Residential
 1976 South Pocket Community
 Plan Designation: Low Density Residential
 Existing Zoning of Site: R-1
 Existing Land Use of Site: Vacant

Surrounding Land Use and Zoning:

North: Single Family; R-1
 South: Single Family & halfplexes; R-1 & R-1A
 East: Single Family & halfplexes; R-1 & R-1A
 West: Single Family; R-1

North/South Lot Orientation: 82%
 Property Dimensions: Irregular
 Property Area: 52± acres
 Density of Development: 5.6 units per gross acre
 Square Footage of Lot(s): 6,000 ± square feet average
 Topography: Flat to sloping
 Street Improvements: To be provided
 Utilities: Available to site

SUBDIVISION REVIEW COMMITTEE RECOMMENDATIONS: On October 12, 1983 the Subdivision Review Committee recommended approval of the tentative map, subject to conditions. 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 standard subdivision improvements, including 12 feet of pavement along the north side of the off-site portion of Gloria Drive, pursuant to Section 40.811 of the City Code;
2. Prepare a sewer and drainage study for the review and approval of the Director of Public Works;
3. Name the streets to the satisfaction of the Planning Director;
4. Pay off existing fees or file the necessary segregation requests and fees to segregate existing assessments;
5. 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;
6. Pursuant to City Code Section 40.319-1, the applicant shall 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 City Engineer after consultation with the U.S. Postal Service;
7. Off-site right-of-way dedication required for the north side of Gloria Drive, subject to review and approval of the Director of Public Works;
8. Minimum lot pad elevation = +3.5 feet; minimum gutter grade = +2.0 feet;
9. Pay Pocket Bridge fees;
10. Any phasing shall be approved by the Director of Public works;

BACKGROUND INFORMATION: On November 21st the Commission approved the necessary entitlements to allow the development of 203 single family lots on the subject site known as Zepher Ranch Estates (P-7988). The current project consists of a request to develop 197 single family lots and 94 halfplex lots.

STAFF EVALUATION: The staff has the following comments:

1. Staff has no objection to the proposed single family lotting pattern or the intended halfplex lots on the corner locations. The single family lots vary in size from an average 55' x 100' to 71' x 100'. The lotting pattern for the corner halfplex lots will be reviewed by staff at the time of building permit approval.

However, staff does have a concern relative to the interior halfplex lots along Rush River Drive. Interior halfplex units are more difficult to design, and staff finds that it is inappropriate to approve tentative lot widths at this time. Therefore, staff recommends that no lotting pattern be approved for lots 175 - 188. In addition, staff does not oppose the rezoning of any of the corner or interior halfplex sites at this time.
2. The applicant has requested that design review of the proposed halfplex lots be subject to staff review. This is to allow design flexibility and solar orientation of the proposed units.

Staff's primary concern is to insure that the proposed units will be compatible to the surrounding neighborhood. Staff therefore recommends certain design considerations relative to roof types, location of driveways, and exterior materials, be imposed as a condition of approval. Each plan shall be subject to staff review and approval prior to issuance of building permits. Staff notes that this review procedure has been utilized for approximately four such projects in the Pocket Area with success.

- 3. The Planning and Community Services Departments have determined that 4.0 acres of land are required for Parkland Dedication purposes and that fees are to be charged in lieu of the required dedication. The subdivider shall submit to the City an appraisal of the land to be subdivided. The appraisal shall be dated and submitted no more than 90 days prior to the filing of the final map.
- 4. The applicant has requested a variance to allow the front yard setback to be a minimum of 20 feet. Per the applicant's stated intent, the variance is to allow variation in front yard setback. Staff has no opposition to the concept of front yard setback variations; in fact, staff usually requires this variation in patio home and halfplex projects. However, the proper procedure to provide for this variation is through an amendment of the Zoning Ordinance. There is no hardship or difficulty to warrant the granting of a variance to reduce the front yard setback as requested.
- 5. Staff has no objection to the requested variance/subdivision modification to create lots of less than 100 feet in depth as the affected lots satisfy all other dimension requirements of both the Zoning and Subdivision Ordinances.
- 6. *Staff notes that a portion of the tentative map adjacent to the canal may need to be revised in accordance with the parkway provisions of the Pocket Community Plan. The tentative map has been conditioned to insure compliance. (deleted by staff)*

STAFF RECOMMENDATION: The staff recommends the following actions:

- 1. Ratification of the Negative Declaration;
- 2. Approval of the Rezone of 16± acres from Single Family (R-1) to Townhouse (R-1A);
- 3. Approval of the Tentative Map, subject to conditions which follow;
- 4. Approval of the Special Permit to develop 94 halfplex units, subject to conditions and based upon Findings of Fact which follow;
- 5. Denial of the Variance to allow front yard setbacks less than 25 feet, based upon Findings of Fact which follow; *(Withdrawn)*
- 6. Approval of the Variance/Subdivision Modification to allow lots of less than 100 feet in depth.

Tentative Map Conditions

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

- a. Provide standard subdivision improvements, including 12 feet of pavement along the north side of the off-site portion of Gloria Drive, pursuant to Section 40.811 of the City Code;
- b. Prepare a sewer and drainage study for the review and approval of the Director of Public Works;
- c. Name the streets to the satisfaction of the Planning Director;
- d. Pay off existing fees or file the necessary segregation requests and fees to segregate existing assessments;
- e. 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;
- f. Pursuant to City Code Section 40.319-1, the applicant shall 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 City Engineer after consultation with the U.S. Postal Service;
- g. Off-site right-of-way dedication required for the north side of Gloria Drive, subject to review and approval of the Director of Public Works;
- h. Minimum lot pad elevation = +3.5 feet; minimum gutter grade = +2.0 feet;
- i. Pay Pocket Bridge fees;
- j. Any phasing shall be approved by the Director of Public works;
- k. Merge lots 175 through 181 into one parcel and lots 182 through 188 into one parcel;
- l. ~~Redacted text~~ (deleted by staff)

Special Permit Conditions

The applicant shall submit site plans and elevations for each lot developed for halfplex use. The plans shall be reviewed and approved by the Planning Director prior to issuance of a building permit. These plans shall adhere to the following design criteria:

- a. The roofs shall consist of shake or similar material;
- b. The roofs shall be designed in a variety of styles;
- c. The exterior surface of these units shall vary in color and material;
- d. The halfplex structures on corner lots shall be designed with garages and driveways located on each street frontage;
- e. The landscaping shall be compatible to surrounding single family dwellings.

Findings of Fact - Special Permit

- a. The proposed halfplex development is based on sound principles of land use in that the corner units will have different street orientation similar to single family structures in the area, and duplex units are allowed on corner lots in the Single Family (R-1) zone;
- b. The proposed development, as conditioned, will not be detrimental to the public health, safety or welfare or result in the creation of a nuisance in that the design of the structures will be compatible with the surrounding single family residential development;
- c. The proposed project is consistent with the General Plan and the Pocket Community Plan which designate the site for residential uses.

Findings of Fact - Variance to reduce the front yard setback

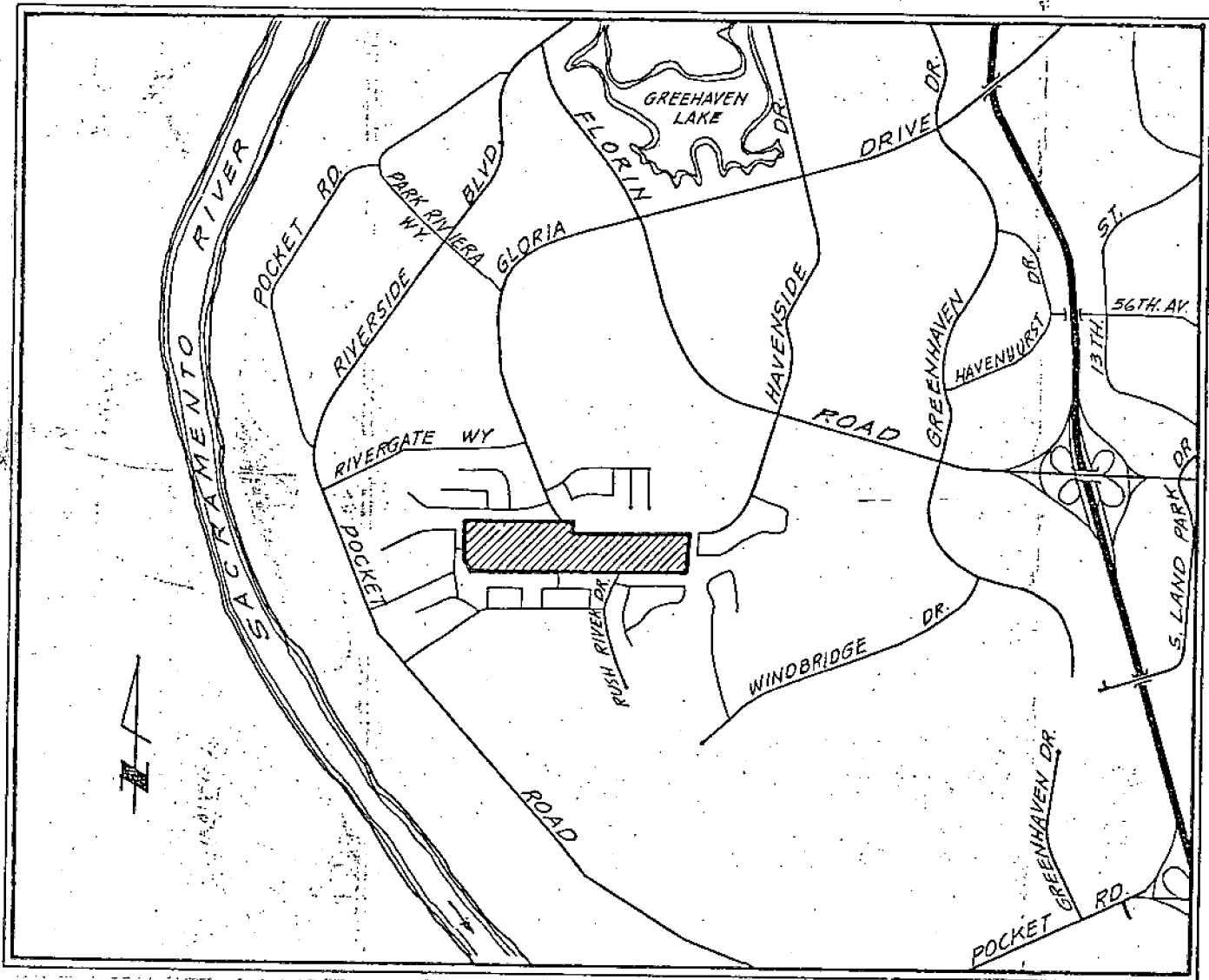
The variance, if granted, would constitute a special privilege extended to one property owner in that there is no practical difficulty or hardship which warrants the granting of the variance.

Findings of Fact - Variance to allow lots less than 100 feet in depth

- a. The variance does not constitute a special privilege extended to one property owner in that the granting of the variance is warranted given the existing parcel size and designated land use;
- b. The variance does not constitute a use variance in that single family uses are proposed and are permitted;
- c. The variance does not constitute a disservice to the public in that the applicant will maintain the required setbacks and lot coverage requirements.

SS

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VICINITY MAP

NO SCALE

P83-301

10-27-83



No. 10



CITY OF SACRAMENTO

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CITY PLANNING DEPARTMENT
927 TENTH STREET
SUITE 300
SACRAMENTO, CA 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

November 18, 1983

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Rezone 16+ acres from Residential, R-1 to Townhouse, R-1A.

LOCATION: East and West sides of Rush River Drive, 100+' south of Spinnaker Way.

SUMMARY

This item is presented at this time for approval of publication of title pursuant to City Charter, Section 38.

BACKGROUND

Prior to publication of an item in a local paper to meet legal advertising requirements, the City Council must first pass the item for publication. The City Clerk then transmits the title of the item to the paper for publication and for advertising the meeting date.

RECOMMENDATION

It is recommended that the item be passed for publication of title and continued to December 6, 1983.

Respectfully submitted,

Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION

WALTER J. SLIPE
CITY MANAGER

PASSED FOR
PUBLICATION
& CONTINUED
TO 12-6-83

MVD:lao
attachment
P83-301

November 29, 1983
District No. 8

4

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE
 COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES,
 AS AMENDED, BY REMOVING PROPERTY LOCATED AT THE EAST
 AND WEST SIDES OF RUSH RIVER DRIVE, 100+' SOUTH OF
SPINNAKER WAY FROM THE RESIDENTIAL, R-1 ZONE(S)
 AND PLACING SAME IN THE TOWNHOUSE, R-1A ZONE(S)
 (FILE NO. P- 83-301)(APN: 031-002-63)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

The territory described in the attached exhibit(s) which is in the Residential, R-1 zone(s),
 established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed
 from said zone and placed in the Townhouse, R-1A zone(s).

This action rezoning the property described in the attached exhibit(s) is adopted subject to the following conditions and stipulations:

- a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.
- b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission October 27, 1983, on file in the office of the Planning Department, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Director shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

SECTION 2.

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this ordinance.

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SECTION 3.

Rezoning of the property described in the attached exhibit(s) by the adoption of this ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550, Fourth Series, as said procedures have been affected by recent court decisions.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

.....
MAYOR

ATTEST:

.....
CITY CLERK

P83-301

A

LEGAL DESCRIPTION

All that portion of Tract 3, as shown on the "Plat of Swamp Land Survey No. 147", recorded in Book 6 of Maps, Map No. 36, records of said County, described as follows:

Beginning at the Southwest corner of Swamp Land Survey 147, the said point being located on the left or Easterly bank of the Sacramento River, and running thence along the South boundary of Survey 147, North 67 deg. 20' East 9.692 chains, North 67 deg. 11' East 19.424 chains, North 86 deg. 01' East 48.449 chains to the Southeast corner of said Survey 147; thence along the East boundary thereof, North 1 deg. 15' West 11.93 chains; thence along the division line common to Tracts 2 and 3 per plat hereinafter mentioned South 86 deg. 09' West 59.994 chains to a stake, South 60 deg. 05' West 24.914 chains to the aforesaid left or Easterly bank of the Sacramento River; thence with the meanderings of said river bank downstream South 32 deg. 45' East 12.079 chains to the place of beginning.

EXCEPT that portion of the above described property lying Southwesterly of the center line of that certain County Road, as said County Road is shown and delineated on that certain plat of survey and subdivision of Swamp Land Survey 147, recorded in Book 6 of Maps, Map No. 36, records of said County.

ALSO EXCEPTING THEREFROM all that portion described as follows:

Beginning at a point on the East line of said Swamp Land Survey 147, said point being located on the center line of a drainage canal and being the Northeast corner of the lands of Mrs. Maria N. Silva Life Estate and Joseph L. Silva and Isabel F. Silva, his wife, Estate in years, from which point the Southeast corner of said Swamp Land Survey 147 bears South 1 deg. 15' East 790.68 feet; and running from said point of beginning along the Northerly line of the lands of Mrs. Maria N. Silva Life Estate and Joseph L. Silva and Isabel M. Silva, his wife, Estate in years, South 86 deg. 09' West 1727.80 feet to a steel pin making 1742.30 feet in all; thence on a line parallel to the East line of said Swamp Land Survey 147, South 1 deg. 15' East 175.00 feet to a steel pin; thence on a line parallel to the Northerly line of the lands of Mrs. Maria N. Silva, Life Estate and Joseph L. Silva and Isabel M. Silva, his wife, Estate in years, North 86 deg. 09' East 1727.80 feet to a steel pin and continuing North 86 deg. 09' East 14.5 feet making 1742.30 feet in all to a point on the center line of said drainage canal and to the East line of said Swamp Land Survey 147; thence along the East line of said Swamp Land Survey 147, North 1 deg. 15' West 175.60 feet to the point of beginning.

ALSO EXCEPTING THEREFROM all that portion described as follows:

Beginning at the intersection of the Southerly line of said Tract 3 with the center line of Riverside Boulevard; thence from said point of beginning, along said center line, North 23 deg. 17' West 882.82 feet to a point in the Northerly line of said Tract 3; thence, along said Northerly line, North 60 deg. 03' East 480.58 feet; thence, parallel with the center line of said Riverside Boulevard, South 23 deg. 17' East 942.22 feet to a point in the Southerly line of said Tract 3; thence, along said Southerly line, South 67 deg.

LEGAL DESCRIPTION
Greenwich 18, 1942-0

P 83301

ALSO EXCEPTING THEREFROM all that portion described as follows:

Beginning at the Southeast corner of said Tract 3 and said Swamp Land Survey No. 147 from which the 1" axle shown on Record of Survey, "Portion of Swamp Land Survey NO. 160 Sacramento County Surveys", recorded in Book 25 of Surveys, page 1, records of said County, bears North 00 deg. 22' 14" West 2294.02 feet distant; thence, from said point of beginning, along the South line of said Tract 3 and said Swamp Land Survey NO. 147, South 86 deg. 22' 40" West 57.77 feet; thence North 00 deg. 19' 43" West 615.64 feet to a point in the North line of the lands of the Grantors herein; thence, along said North line, North 86 deg. 30' 40" East 57.31 feet to a point in the East line of said Tract 3 and said Swamp Land Survey No. 147; thence along said East line South 00 deg. 22' 14" East 615.68 feet to the point of beginning.

ALSO EXCEPTING THEREFROM all that portion described as follows:

All that certain real property lying within the boundaries of Zephyr Ranch Estates Unit No. 1, filed in the office of the County Recorder of Sacramento County, on September 6, 1979, in Book 134 of Maps, Map NO. 10.

ALSO EXCEPTING THEREFROM all oil, gas and other hydrocarbons and minerals now or at any time hereafter situate therein, as contained in Deed recorded October 17, 1973, in Book 78-10-17, page 1041, Official Records, lying below a depth of 500 feet, without however, the right of surface entry in and to said land.

OK Ed Flowers 9-6-83



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

915 I STREET
CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5428

LORRAINE MAGANA
CITY CLERK

L & P Land & Development Inc.
6355 Riverside Blvd Ste C
Sacramento CA 95831

November 21, 1983

On November 10, 1983, the following matter was filed with my office to set a hearing date before the City Council:

Various requests for property located on east and west sides of Rush River Drive, 100±' south of Spinnaker Way (D8) (P-83301) (APN: 031-002-63).

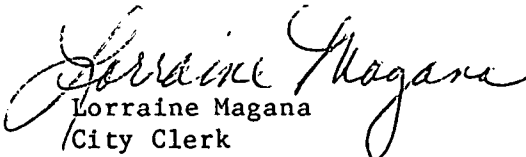
- A. Rezone 16± acres from R-1 to R-1A.
- B. Tentative Map to divide 52± acres into 197 single family and 94 halfplex lots.
- C. Subdivision Modification to allow lots of less than 100'deep.

This hearing has been set for December 6, 1983, 7:30 p.m., Council Chamber, Second Floor, City Hall, 915 "I" Street, Sacramento, California. Interested parties are invited to appear and speak at the hearing.

Pursuant to Council Rules of Procedure 4.5, continuance of the above matter may be obtained only by the property owner of the above property, applicant, or appellant, or their designee, by submitting a written request delivered to this office no later than 12:00 Noon the day prior to the scheduled hearing date. If written request is not delivered to this office as specified herein, a continuance may only be obtained by appearing before the City Council at the time of the hearing and submitting a verbal request to the Council.

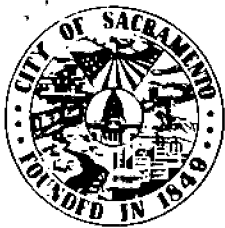
Any questions regarding this hearing should be directed to the **City Planning Department, 927 Tenth Street, Sacramento, California, phone 449-5604.**

Sincerely,


Lorraine Magana
City Clerk

LM/mlt

cc: P-83301 Mailing List (68)



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

915 I STREET
CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5426

LORRAINE MAGANA
CITY CLERK

December 6, 1983

L & P Land & Development Inc.
6355 Riverside Blvd Ste C
Sacramento Ca 95831

On December 6, 1983, the following matter was scheduled to be heard before the City Council:

Various requests for property located on east and west sides of Rush River Drive, 100±' south of Spinnaker Way. (D8) (P-83301) (APN: 031-002-63).

- A. Rezone 16± acres from R-1 to R-1A.
- B. Tentative map to divide 52± acres into 197 single family and 94 halfplex lots.
- C. Subdivision Modification to allow lots of less than 100' deep.

This hearing has been continued to December 20, 1983 at the hour of 7:30 p.m., in the City Council Chamber, Second Floor, City Hall, 915 "I" Street, Sacramento California. Interested parties may appear and speak at the hearing.

Pursuant to Council Rules of Procedure 4.5(3), "No person who has once obtained a continuance of a hearing, whether by notice to the City Clerk as provided in Section 4.5(1) or by personal appearance as provided in paragraph 4.5(2) shall be granted a further continuance except by personally appearing at the Council meeting at the time at which the hearing is scheduled and by satisfying the Council that extraordinary circumstances exist which would justify such a continuance." Continuances may be requested by the owner of the subject property, applicant, appellant, or a designee for same.

Any questions regarding this hearing should be referred to the City Planning Department, 927 Tenth Street, Sacramento California, phone (916) 449-5604.

Sincerely,

Anne Mason
Assistant City Clerk

AM/mlt P-83301 Mailing List (68)