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CITY CLERK'S OFFICE
CITY OF SACRAMENTO

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DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
SACRAMENTO, CA

June 4, 1991

APPROVED
BY THE CITY COUNCIL

ADMINISTRATION
ROOM 300
95814-2987
916-449-5571

JUN 4 1991

ECONOMIC DEVELOPMENT
ROOM 300
95814-2987
916-449-1223

City Council
Sacramento, California

OFFICE OF THE
CITY CLERK

NUISANCE ABATEMENT
ROOM 301
95814-3982
916-449-5948

Honorable Members in Session:

- SUBJECT:
1. ENVIRONMENTAL DETERMINATION
 2. TENTATIVE MAP (P90-209)
 3. SUBDIVISION MODIFICATION TO ALLOW A PARCEL WITH 44 FEET OF STREET FRONTAGE
 4. SUBDIVISION MODIFICATION TO CREATE A FLAG-SHAPED PARCEL
 5. SUBDIVISION MODIFICATION TO ALLOW A PARCEL DEEPER THAN 160 FEET

LOCATION: 3930 26th Avenue
OWNER: Som Sharma, et.al., 6212 25th Street, Sacramento, California 95822
APPLICANT: Train & Sening Surveying, Ltd., 2604 21st Street, Sacramento, California 95818

SUMMARY

This is a request for a Tentative Map to divide 1.58± partially developed acres into three single family lots in the Standard Single Family (R-1) zone. The Planning Commission, Planning Staff and the Subdivision Review Committee recommend approval of the request.

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City Council
3930 26th Avenue (P90-209)
June 4, 1991
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BACKGROUND

The subject site is located at 3930 26th Avenue. The site is zoned Standard Single Family Residential (R-1). The site is designated Low Density Residential (4-15 du/na) by the General Plan. The request is to divide 1.58± partially developed acres into three lots for single family development. The request is also for a subdivision modification to create one lot less than 52 feet wide, to create a flag shaped parcel, and to create a parcel greater than 160 feet deep. Due to the irregular configuration of the large parcel, a Subdivision Modification is necessary.

The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact on the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070(B) of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified effects or to mitigate such effects to a point where clearly no significant effects would occur.

VOTE OF THE PLANNING COMMISSION

On April 11, 1991, the Planning Commission voted seven ayes, two absent to recommend approval of the request.

FINANCIAL DATA

Not applicable.

POLICY CONSIDERATIONS

The project is consistent with the General Plan which designates the site Low Density Residential (4-15 du/na).

MBE/WBE EFFORTS

Not applicable.

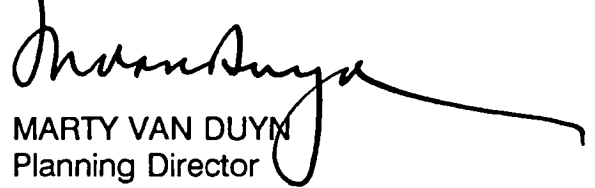
City Council
3930 26th Avenue (P90-209)
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RECOMMENDATION

The Planning Commission and Planning Staff recommend the following action by the City Council:

1. Ratify the Negative Declaration
2. Adopt the attached resolution which approves the Tentative Map and Subdivision Modifications.

Respectfully submitted,



MARTY VAN DUYN
Planning Director

Approved:



ROBERT THOMAS^{uk}
Acting Director of Planning and Development

FOR CITY COUNCIL INFORMATION:
WALTER J. SLIPE
CITY MANAGER

Contact Person:

Will Weitman, Principal Planner
(916) 449-5604

District No. 5
June 4, 1991

RT:MVD:WW:cg:vr
P90-209.CC

Attachments

RESOLUTION NO.

91-411

APPROVED
BY THE CITY COUNCIL

ADOPTED BY THE SACRAMENTO CITY COUNCIL

JUN 4 1991

ON DATE OF _____

OFFICE OF THE
CITY CLERK

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR PROPERTY LOCATED AT 3930 26TH AVENUE

(P90-209) (APN: 022-0300-024)

WHEREAS, the City Council on _____, held a public hearing on the request for approval of a tentative map for property located at the above described location;

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 Environmental Coordinator has determined that the proposed project will not have the potential to 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:

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

1. The Negative Declaration has been prepared in compliance with CEQA, State and City Guidelines, and the Council has reviewed and considered the information contained herein, as follows:
 - A. An Initial Study was conducted by the Environmental Coordinator in order to evaluate the potential for adverse environmental impact;
 - B. There is no evidence before the City to indicate that the proposed project will have any potential for adverse effect on wildlife resources.
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. The City General Plan designates the site Low Density Residential (4-15 du/na).
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 lots less than 52 feet wide, create a flag-shaped lot, and allow a parcel greater than 100 feet deep:
 - a. The City Council determines that it is impossible, impracticable and undesirable in this particular case to conform to the strict application of City Code Chapter 40 in that the lot depth is necessary to meet the required density.
 - b. The cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

- 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 size of the lots and the design of the residences will be compatible with the surrounding development.
 - d. That granting the modification is in accord with the intent and purpose of these regulation and is consistent with the General Plan and with all other applicable Specific Plans of the City in that a variety of housing types will be provided.
7. The tentative map for the proposed subdivision is hereby approved, subject to the following conditions which must be satisfied prior to filing of the final map unless a different time for compliance is specifically noted:
- a. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.
 - b. 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.
 - c. Dedicate a standard 12.5 foot Public Utility Easement for underground and overhead facilities adjacent to 26th Avenue and along the east side of Parcel B.
 - d. Provide a separate water and sewer service for each lot prior to filing final map.
 - e. Dedicate right-of-way along 26th Avenue to a 22 foot half street.
 - f. Provide a 20 foot radius irrevocable offer of dedication (I.O.D.) on the northwest corner of Parcel A.
 - g. Record on the map a 12.5 foot building setback along the east property line of Parcel B for future extension of Warwick Avenue.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

h. Place a note on the final map: The applicant shall comply with the mandatory mitigation measures of the Negative Declaration on file with the City Planning Department (P90-209) relating to preservation of trees. The following trees shall be saved:

- 1) Two 36" pines on Parcel 1;
- 2) 6" tree on Parcel 1;
- 3) 18" pine on Parcel A;
- 4) 14" honey locust on Parcel A; and
- 5) 14" pine on Parcel B.

MAYOR

ATTEST:

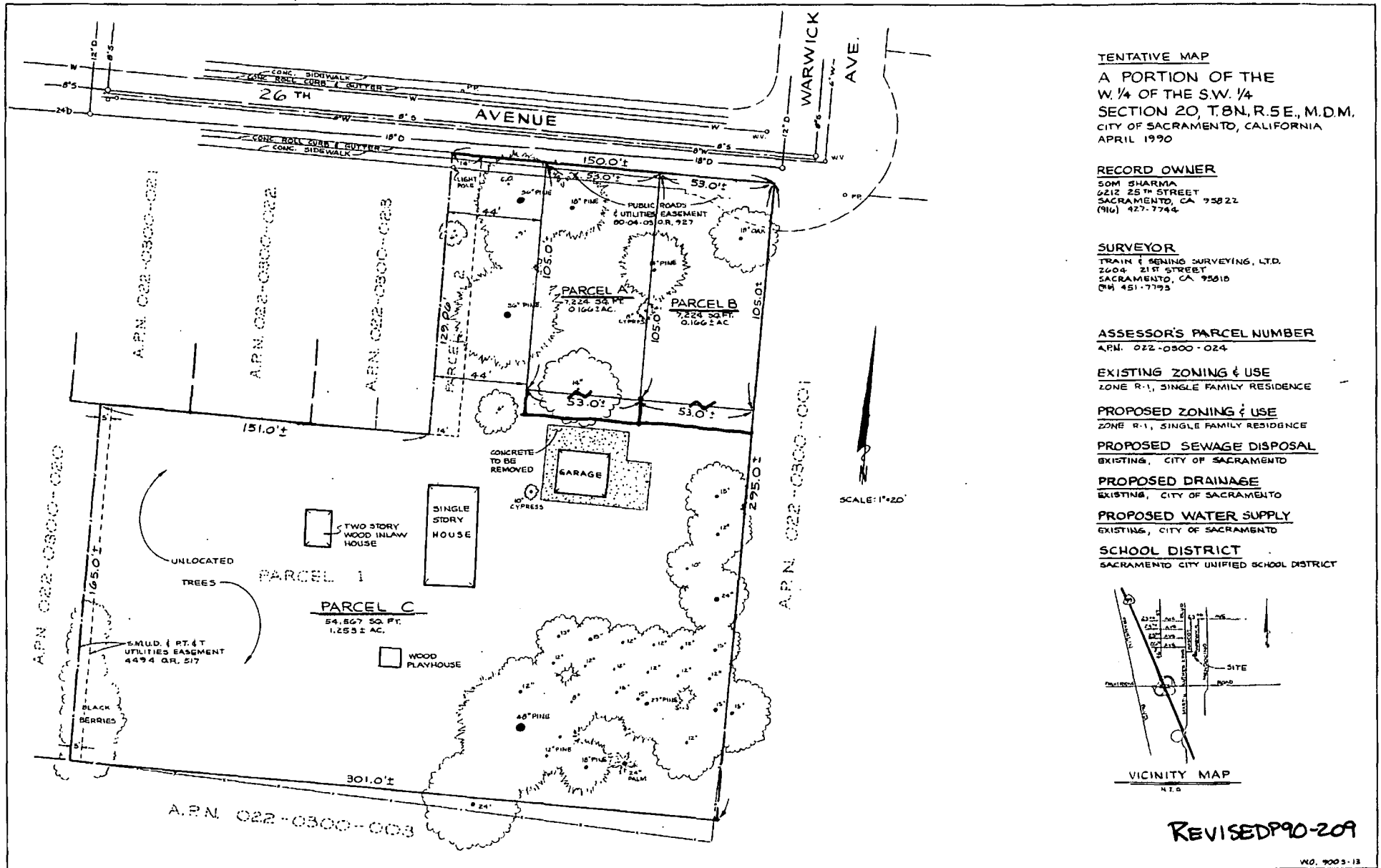
CITY CLERK

P90-209.CC

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____



TENTATIVE MAP
 A PORTION OF THE
 W. 1/4 OF THE S.W. 1/4
 SECTION 20, T.8N, R.5E., M.D.M.,
 CITY OF SACRAMENTO, CALIFORNIA
 APRIL 1990

RECORD OWNER
 SOM SHARMA
 2212 25 TH STREET
 SACRAMENTO, CA 95822
 (916) 427-7744

SURVEYOR
 TRAIN & BENING SURVEYING, LTD.
 2604 21 ST STREET
 SACRAMENTO, CA 95818
 (916) 451-7793

ASSESSOR'S PARCEL NUMBER
 APN: 022-0300-024

EXISTING ZONING & USE
 ZONE R-1, SINGLE FAMILY RESIDENCE

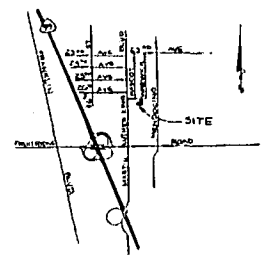
PROPOSED ZONING & USE
 ZONE R-1, SINGLE FAMILY RESIDENCE

PROPOSED SEWAGE DISPOSAL
 EXISTING, CITY OF SACRAMENTO

PROPOSED DRAINAGE
 EXISTING, CITY OF SACRAMENTO

PROPOSED WATER SUPPLY
 EXISTING, CITY OF SACRAMENTO

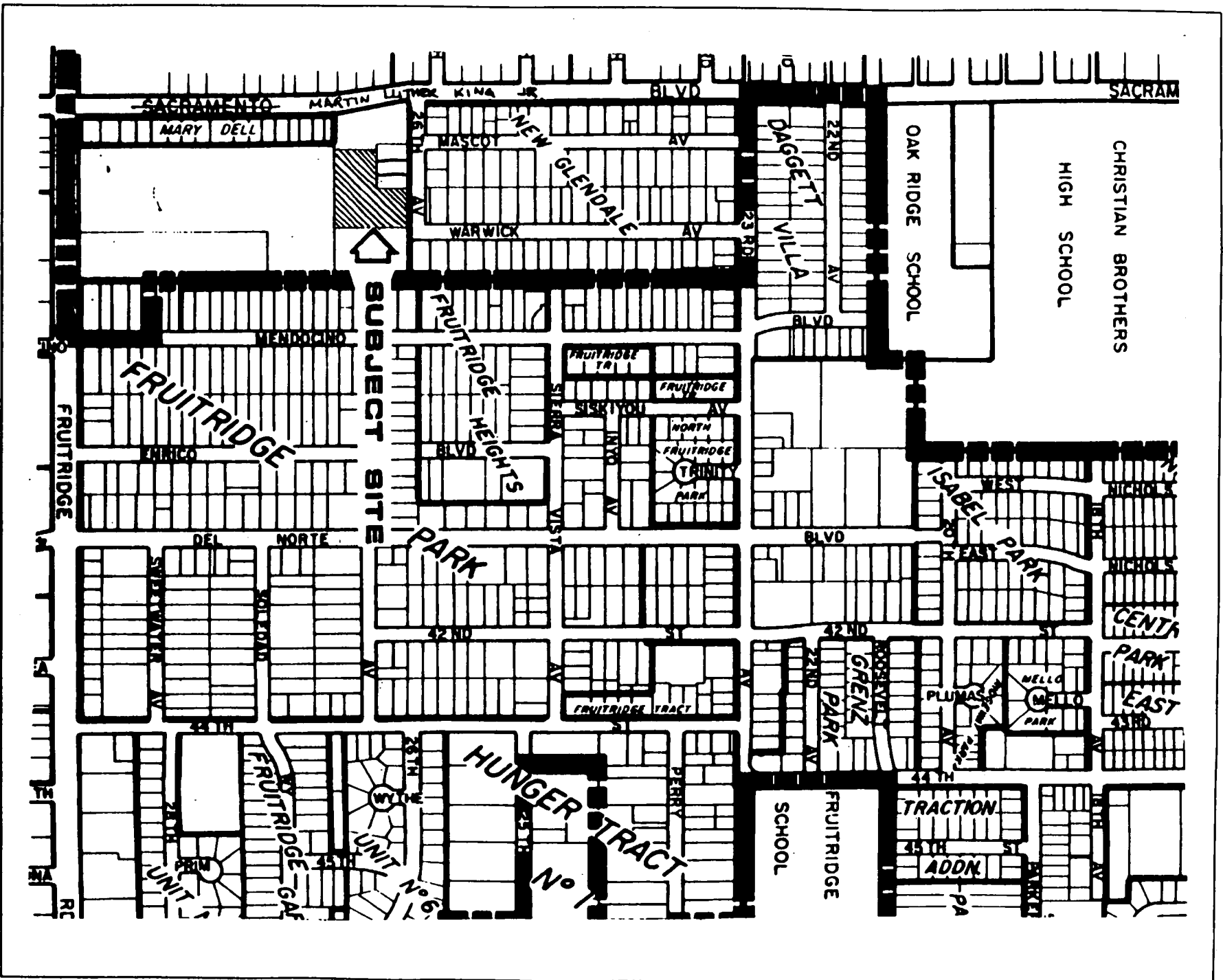
SCHOOL DISTRICT
 SACRAMENTO CITY UNIFIED SCHOOL DISTRICT



VICINITY MAP
 N.T.S.

REVISED P90-209

8



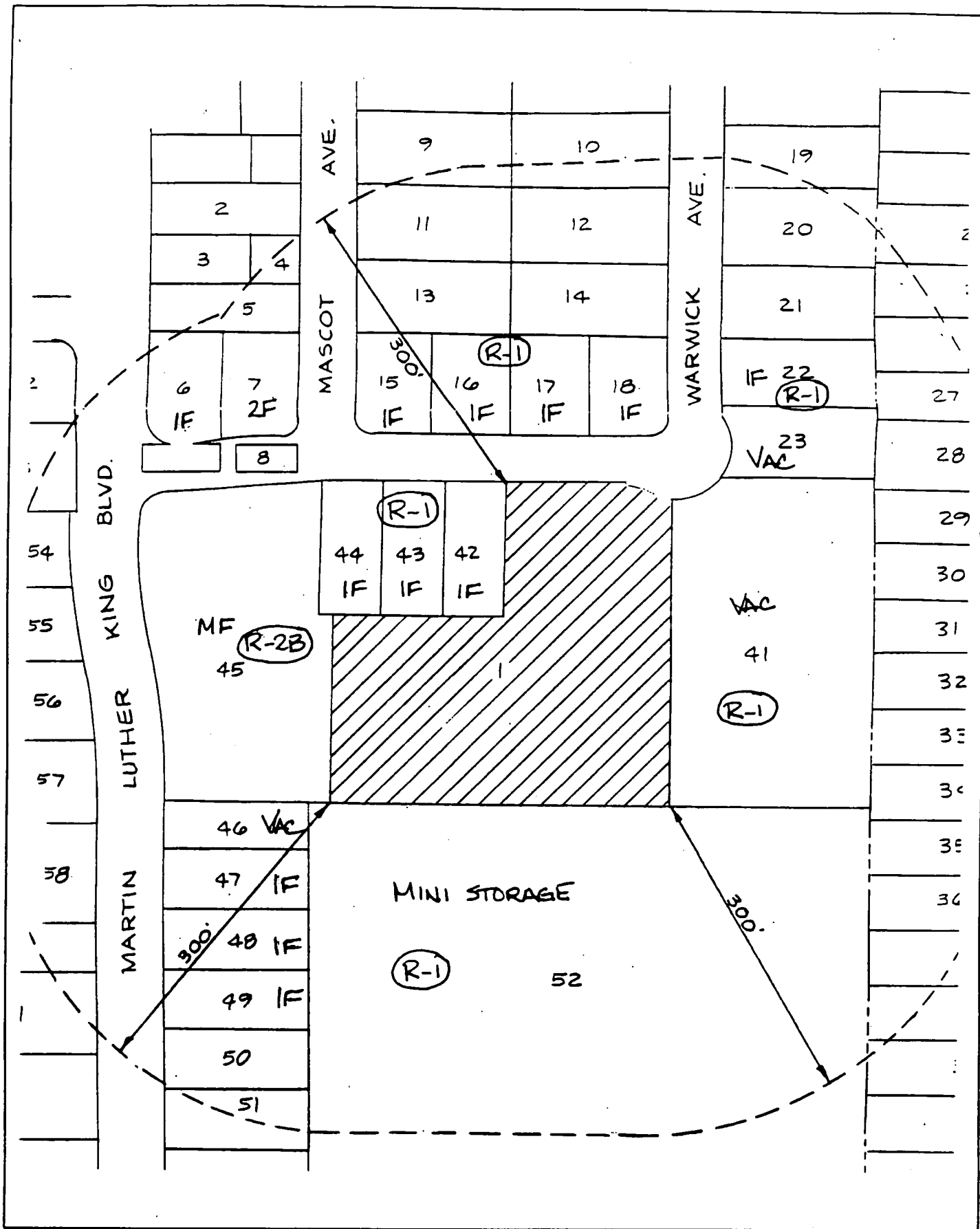
VICINITY MAP

P90-209

April 11, 1991

Item No. 12

9



LAND USE & ZONING MAP

**SACRAMENTO CITY PLANNING COMMISSION
VOTING RECORD**

Meeting Date
<u>April 11, 1991</u>
Item Number
<u>12B</u>
Permit Number
<u>P90-209</u>

ENTITLEMENTS

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

Staff Recommendation
<input checked="" type="checkbox"/> Favorable <input type="checkbox"/> Unfavorable
<i>Rec. w/records</i>
<input type="checkbox"/> Correspondence
<input type="checkbox"/> Petition

LOCATION: <u>3930 26th Avenue</u>

APPROPRIATES

NAME	ADDRESS

APPROPRIATES

NAME	ADDRESS

MOTION # _____

MOTION

	Yes	No	Motion	Second
BECERRA	✓			
CHINN	✓		✓	
HOLLICK	✓			✓
HOLLOWAY	✓			
OTTO	<i>absent</i>			
REYNA	✓			
ROSEN	<i>absent</i>			
YEE	✓			
NOTEESTINE	✓			

- | | |
|---|--|
| <input type="checkbox"/> To Approve | <input type="checkbox"/> To recommend approval & forward to City Council |
| <input type="checkbox"/> To Deny | <input checked="" type="checkbox"/> To recommend approval subject to cond. & forward to City Council |
| <input type="checkbox"/> To approve subject to cond. & based on find. of fact in staff report | <input type="checkbox"/> To ratify negative declaration |
| <input type="checkbox"/> To approve/deny based on find. of fact in staff report | <input type="checkbox"/> To continue to _____ meeting |
| <input type="checkbox"/> Intent to approve/deny subject to cond. & based on find. of fact due _____ | <input type="checkbox"/> Other _____ |

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

APPLICANT	Train & Sening Surveying, Ltd, 2604 21st Street, Sacramento, California 95818				
OWNER	Som Sharma, et al, 6212 25th Street, Sacramento, California 95822				
PLANS BY	Train & Sening Surveying, Ltd, 2604 21st Street, Sacramento, California 95818				
FILING DATE	May 4, 1990	ENVIR DET	Negative Declaration	REPORT BY	CG
ASSESSOR'S PCL. NO.	022-0300-02A				

- APPLICATION:**
- A. Negative Declaration.
 - B. Tentative Map to subdivide 1.58± partially developed acres into 3 single family lots in the Standard Single Family (R-1) zone.
 - C. Variance to create a 44 foot street frontage for one parcel.
 - D. Subdivision Modification to allow a parcel with 44 feet of street frontage.
 - E. Subdivision Modification to create a flag-shaped lot.
 - F. Subdivision Modification to allow a parcel to exceed 160 feet in depth.

LOCATION: 3930 26th Avenue

PROPOSAL: The applicant is requesting the necessary entitlements to subdivide the subject site into three parcels.

PROJECT INFORMATION:

General Plan Designation:	Low Density Residential (4-15 du/na)
Existing Zoning of Site:	R-1
Existing Land Use of Site:	Two Single Family Residences

Surrounding Land Use and Zoning:

North:	Single Family Residential; R-1
South:	Mini-storage facility; R-1 and C-2
East:	Vacant; R-1
West:	Single and Multi-Family Residential; R-1 & R-2B

Property Dimensions:	Irregular
Property Area:	1.58± acres
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On March 20, 1991, by a vote of five ayes, four absent, the Subdivision Review Committee voted to recommend approval of the tentative map subject to the conditions of approval listed below.

APPLC. NO. P90-209

MEETING DATE April 11, 1991

ITEM NO. 12

(12)

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of 1.58± partially developed acres in the Standard Single Family (R-1) zone. The site is developed with a 1,104 square foot single family residence and a 408 square foot second residential unit. The General Plan designates the site Low Density Residential (4-15 du/na). The surrounding land use and zoning includes single family residential, zoned R-1, to the north; mini-storage facility, zoned R-2 and C-2, to the south; vacant property, zoned R-1, to the east; and single and multi-family residential, zoned R-1 and R-2B, to the west.

B. Applicant's Proposal

The applicant is proposing to subdivide the partially developed 5.58± acres into three parcels. The applicant is requesting a variance and subdivision modifications because one parcel is proposed to have less than 52 feet of street frontage (44 feet deep), is greater than 160 feet deep, and is a flag lot. The applicant wishes to have this large parcel and create two standard single family parcels for sale and single family development.

C. Tentative Map

The tentative map is laid out such that all three parcels have street frontage on 26th Avenue. Two parcels are standard single family lots and one parcel is a 1.25± acre parcel with two single family dwellings on the site. Staff was concerned with the future development of the area. The applicant provided an exhibit (Exhibit B) which indicates the possible future development of the 1.25 acre parcel as well as the large adjacent parcel. This future proposal includes the extension of Warwick Avenue south. If this is to occur, Parcel B will become a corner lot and would require a setback of 12.5 feet from the eastern property line. Staff recommends this 12.5 foot setback be provided for any development of Parcel B.

The subject site is within the Oak Park Redevelopment Area. Any development of the site requires review and approval by the Design Review staff.

ENVIRONMENTAL DETERMINATION: The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified effects or to mitigate such effects to a point where clearly no significant effects will occur. These mitigation measures are listed below.

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

- A. Ratify the Negative Declaration;
- B. Recommend approval of the Tentative Map to subdivide 1.58± partially developed acres into 3 single family lots subject to conditions and forward to City Council;
- C. Approve the Variance to create a 44 foot street frontage for one parcel subject to conditions and based upon findings of fact which follow;
- D. Recommend approval of the Subdivision Modification to allow a parcel with 44 feet of street frontage and forward to City Council;
- E. Recommend approval of the Subdivision Modification to create a flag-shaped lot and forward to City Council; and

- F. Recommend approval of the Subdivision Modification to allow a parcel to exceed 160 feet in depth and forward to City Council.

Conditions - Tentative Map

1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
2. 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 A and B. The appraisal shall be dated not more than 90 days prior to the filing of the final map;
3. Dedicate a standard 12.5 foot public utility easement for underground and overhead facilities adjacent to 26th Avenue and along the east side of Parcel B;
4. Provide a separate water and sewer service for each lot prior to filing final map;
5. Dedicate right-of-way along 26th Avenue to 22 foot half street;
6. Provide a 20 foot radius irrevocable offer of dedication (I.O.D.) on the northwest corner of Parcel A;
7. Record on the map a 12.5 foot building setback along the east property line on Parcel B for future extension of Warwick Avenue; and
8. Place a note on the final map: The applicant shall comply with the mandatory mitigation measures of the Negative Declaration on file with the City Planning Department (P90-209) relating to preservation of trees. The following trees shall be saved:
 - a. Two 36" Pines on Parcel 1
 - b. 6" tree on Parcel 1
 - c. 18" Pine on Parcel A
 - d. 14" Honey Locust on Parcel A
 - e. 14" Pine on Parcel B

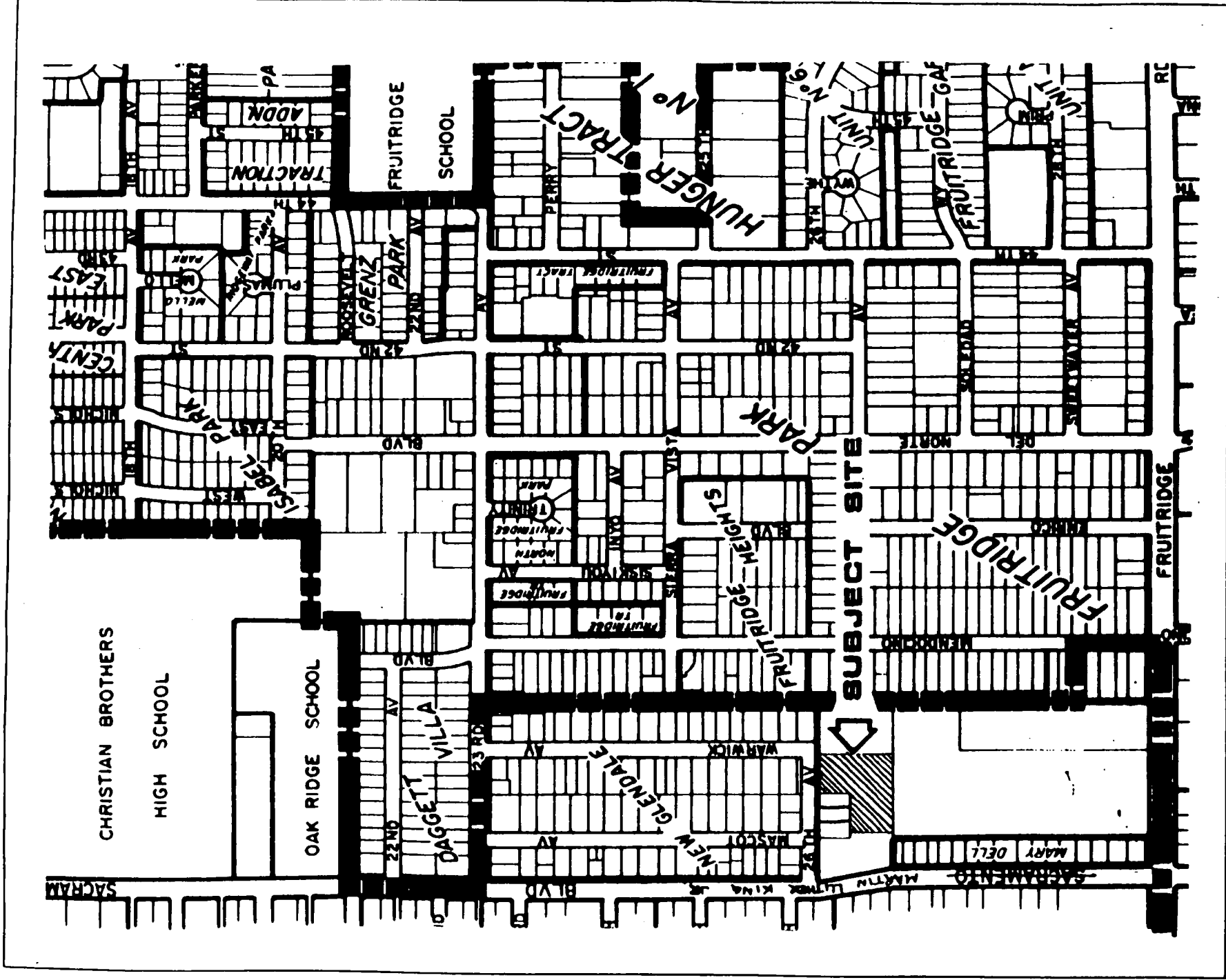
Mandatory Mitigation Measures

1. Only the following trees are acceptable for removal:
 - a. 18" Live Oak located at the northeast property corner.
 - b. 6" Tree of Heaven located just below the northwest property corner.
 - c. 9" Honey Locust located just below and east of the northwest property corner.
2. A chain link construction barrier fence shall be installed around the dripline of each tree prior to commencement of grading on the site.
3. No surface or grade changes and no trenching shall be made within the driplines of the trees.
4. No parking of vehicles or storage of materials shall occur within the driplines of the trees.
5. The fences may be removed after construction is complete.
6. Grading and construction plans for the proposed project shall include a note of the aforementioned mitigation measures (1 through 5).

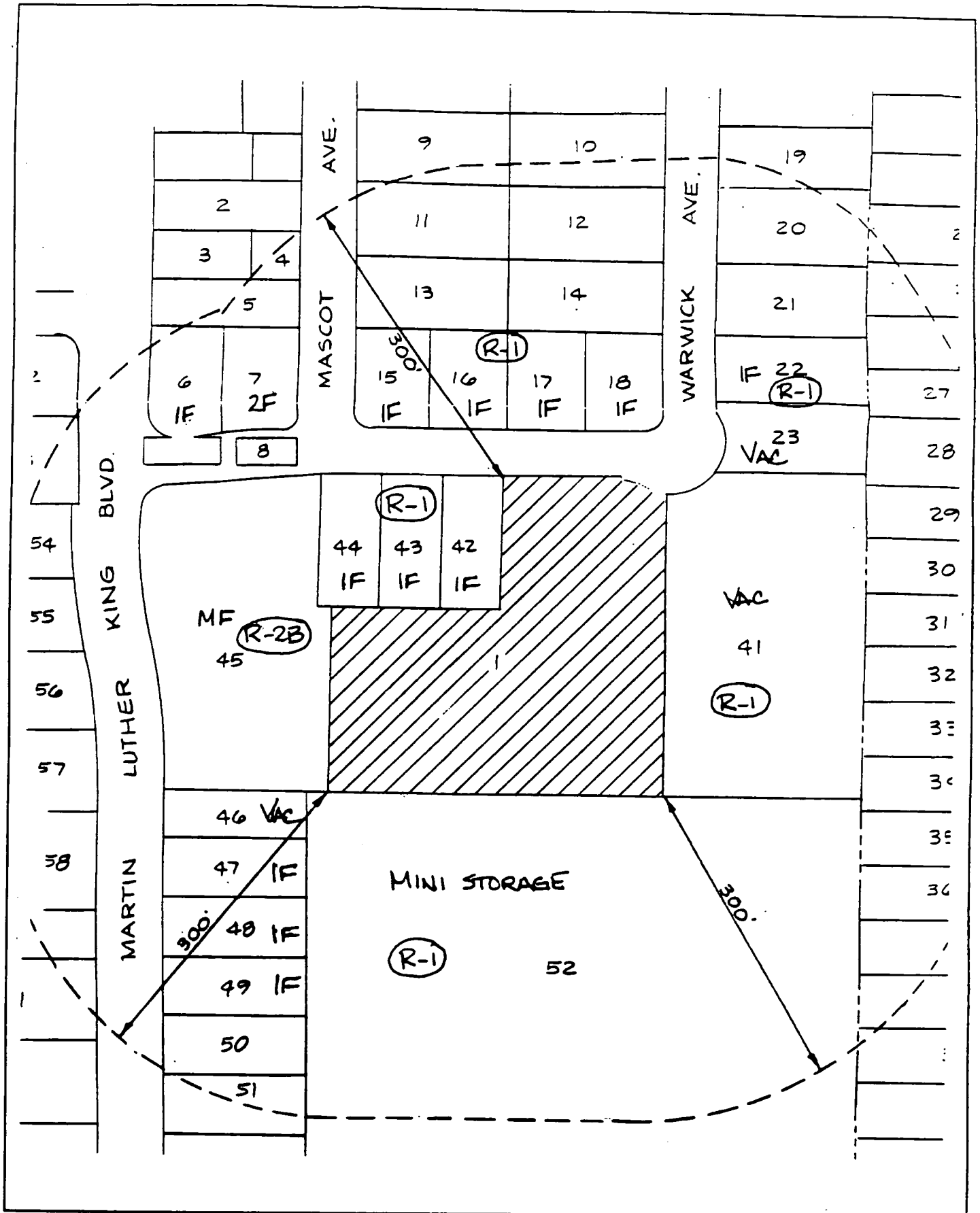
Non-compliance with, or deletion of any of the above mitigation measures by any party will require the project to be processed for additional environmental review. If this review determines that there is the possibility for significant adverse environmental impact due to the development of the project, additional mitigation measures may be required, or the applicant may be requested to prepare an Environmental Impact Report if identified impacts cannot be reduced to less than significant level through mitigation.

Findings of Fact

1. The project, as conditioned, is based upon sound principles of land use in that the single family subdivision is compatible with the surrounding single family uses.
2. Granting the variance does not constitute a special privilege extended to an individual property owner in that variances have been and would be granted to other property owners facing similar circumstances. The 44 foot wide lot exceeds minimum square footage requirements.
3. Granting the variance does not constitute a use variance in that single family parcels and residences are allowed in the R-1 zone.
4. The project, as conditioned, will not be detrimental to the public health, safety, nor result in the creation of a public nuisance in that the project is compatible with the surrounding uses and does not prohibit future development of the area. The 44 foot wide lot contains adequate yard area and allows adequate access to the existing residential uses.
5. The project, as conditioned, is consistent with the General Plan which designates the site Low Density Residential (4-15 du/na).



VICINITY MAP



LAND USE & ZONING MAP

