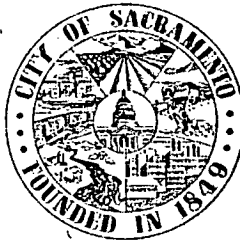


RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO

FEB 21 10 35 AM '91



4.8

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
SACRAMENTO, CA

February 26, 1991

APPROVED
BY THE CITY COUNCIL

ADMINISTRATION
ROOM 300
95814-2987
916-449-5571

City Council
Sacramento, California

FEB 26 1991

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

Honorable Members in Session:

OFFICE OF THE
CITY CLERK

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

- SUBJECT:
1. ENVIRONMENTAL DETERMINATION
 2. TENTATIVE MAP TO DIVIDE ONE PARCEL INTO FIVE SINGLE FAMILY LOTS (P90-398)
 3. SUBDIVISION MODIFICATION TO CREATE ONE LOT LESS THAN 100 FEET DEEP

LOCATION: South side of Claire Avenue, 1,000 feet west of Rio Linda Boulevard
OWNER: Bert Clemons, 126 Danville Way, Sacramento, California 95838
APPLICANT: Johnson & Topper, 926 J St., Ste 1208, Sacramento, CA 95814

SUMMARY

This is a request for a Tentative Map to divide 0.9± vacant acres into five single family lots in the Standard Single Family (R-1) zone. The Planning Commission, Planning Staff and the Subdivision Review Committee have reviewed the project and recommend approval of the request.

BACKGROUND

The subject site is located south of Claire Avenue approximately 1,000 feet west of Rio Linda Boulevard. 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 and Residential (4-8 du/na) by the North Sacramento Community Plan. The density of the proposed development is 7.3 dwelling units per net acre. The request is to divide 0.9± vacant acres into five lots for single family development.

①

The request is also for a subdivision modification to create one lot less than 100 feet deep. This is due to the alignment of the proposed street and future development of adjacent properties.

ENVIRONMENTAL DETERMINATION

The Environmental Coordinator 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)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 would occur.

VOTE OF THE PLANNING COMMISSION

On January 10, 1991, the Planning Commission voted eight ayes to recommend approval of the request.

FINANCIAL DATA

Not applicable.

POLICY CONSIDERATIONS

The project is consistent with the General Plan and the North Sacramento Community Plan.

MBE/WBE EFFORTS

Not applicable.

City Council
Tentative Map (P90-398)
February 26, 1991
Page 3

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,



MICHAEL M. DAVIS
Director of Planning and Development

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

February 26, 1991
District No. 2

CONTACT PERSON:
Will Weitman, Principal Planner
(916) 449-5604

MMD:WW:cg:vr
P90-398.CC

Attachments

RESOLUTION NO. 91-163

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

APPROVED
BY THE CITY COUNCIL
FEB 26 1991
OFFICE OF THE
CITY CLERK

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING TENTATIVE MAP FOR PROPERTY LOCATED SOUTH OF CLAIRE AVENUE, 1,000' WEST OF RIO LINDA BOULEVARD

(P90-398) (APN: 226-0110-017)

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:

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, including the following:

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

4

- 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) and the North Sacramento Community Plan designates the site Residential (4-8 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 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.
 - 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.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

5

- 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. Provide standard subdivision improvements pursuant to Section 40.811 of the City Code; including a 22 foot half-street and a 12 foot paved lane northbound on north-south street. Requires offsite dedication along Silva Property. City will condemn at the owner's expense if necessary.
 - B. Prepare a sewer and drainage study for the review and approval of the City Engineer.
 - C. Pay off existing assessments, or file the necessary segregation requests and pay fees, if any.
 - D. 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.
 - E. Coordinate with County Sanitation District.
 - F. Submit a soils test prepared by a registered engineer to be used in street design.
 - G. Subject property must complete annexation to both Sacramento Regional Sanitation District and County Sanitation District No. 1 of Sacramento County prior to the approval of improvement plans or prior to recordation of the map, whichever occurs first.
 - H. Dedicate a standard 12.5 foot Public Utility Easement for underground facilities and appurtenances adjacent to all public ways.
 - I. Dedicate a 12.5 foot Public Utility Easement for underground and over-head facilities and appurtenances adjacent to Claire Avenue.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

6

- J. Improvement plans showing the Public Utility Easements shall be reviewed by Pacific Bell. These plans shall address the buried service with extruded drop to be the method of providing service and the location of driveways. Pole relocation may be required at the developer's expense.
 - K. Construct Claire Avenue to 30 foot half street with a 12 foot lane north of centerline. Construct 20 feet of temporary paving from subdivision boundary to Sully Street or to the existing pavement from Rio Linda Boulevard.
 - L. Applicant shall provide a temporary traffic turnaround at the end of the north-south street to the satisfaction of the Traffic Engineer. If final map for P90-047 (southeast of subject parcel) has been recorded, applicant shall connect to Irving Avenue. Offsite dedication will be required along south of Silva property and northeast corner of Peace property. City will condemn at owner's expense if necessary. A minimum of two 12 foot lanes will be required with adequate corner on Silva property.
 - M. Extend offsite drain line from Sully Street.
 - N. Place a note on the final map: Property shall be developed in compliance with the mandatory mitigation measures of the City's Environmental Coordinator (P90-398).
8. A note shall be placed on the final map:
- The applicant shall comply with the mandatory mitigation measures as required by the Environmental Services Manager and on file with the Planning Division Office (P90-398).

MAYOR

ATTEST:

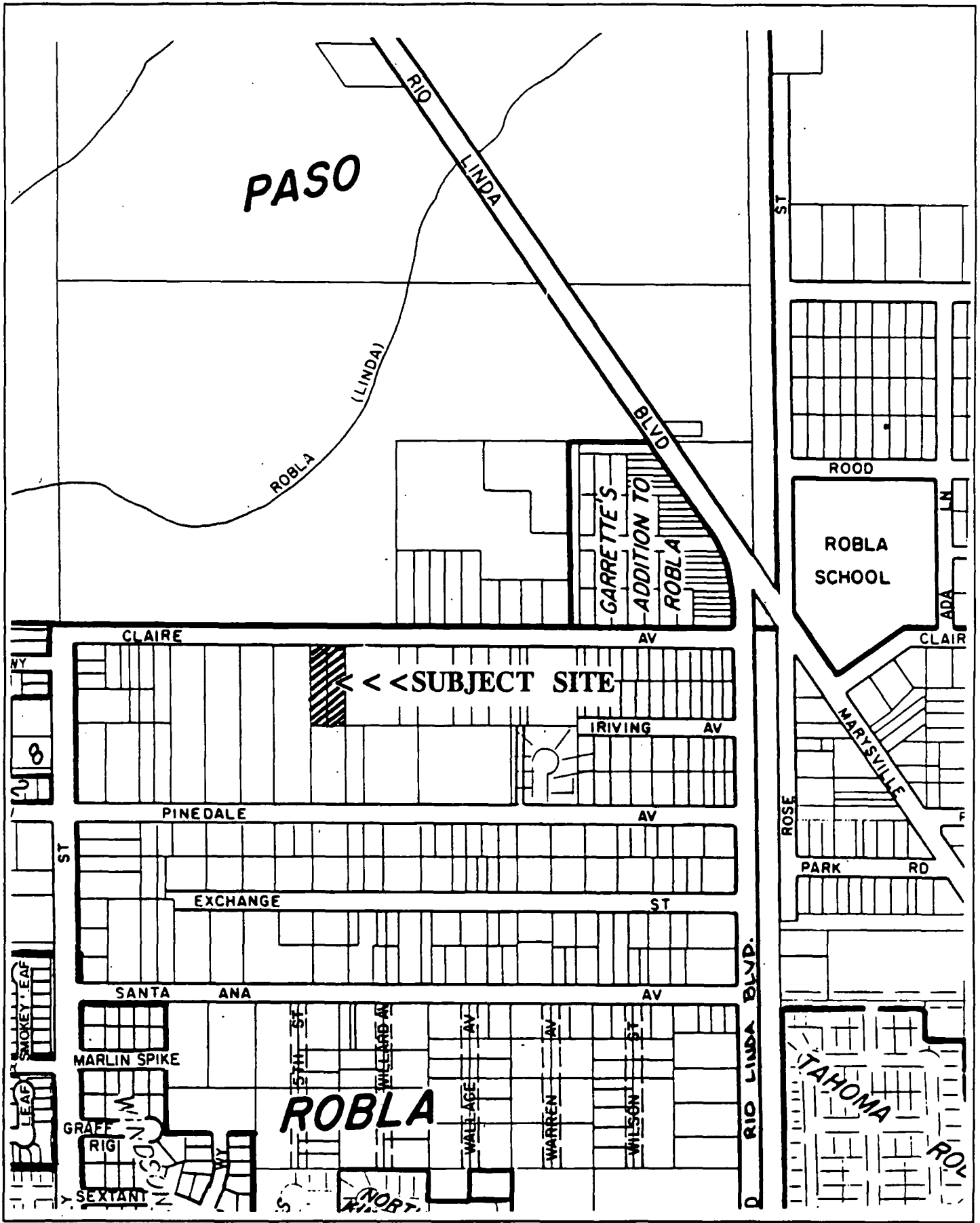
CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

⑦



VICINITY MAP

8

(061)

(E)

VACANT (A)

CLAIRE AVE.

(15)

IF

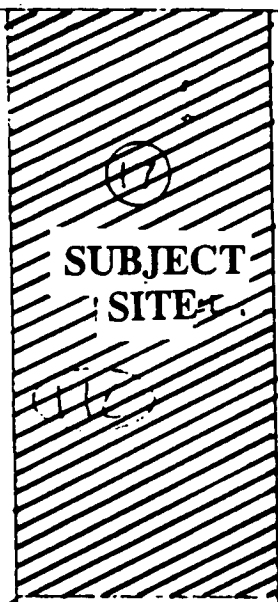
(16)

IF

(R-1)

(17)

SUBJECT SITE



(26)

IF

(R-1)

(27)

IF

300'

(18)

IF

(29)

IF

(R-1)

(28)

VACANT

PINEDALE

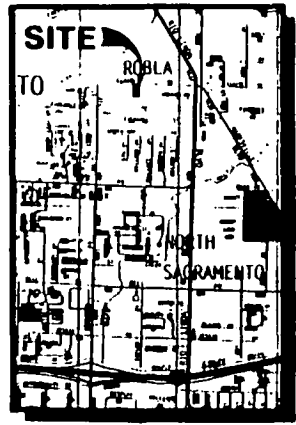
AVE.

LAND USE & ZONING MAP

P90-372



226-061-5
CARMICAL



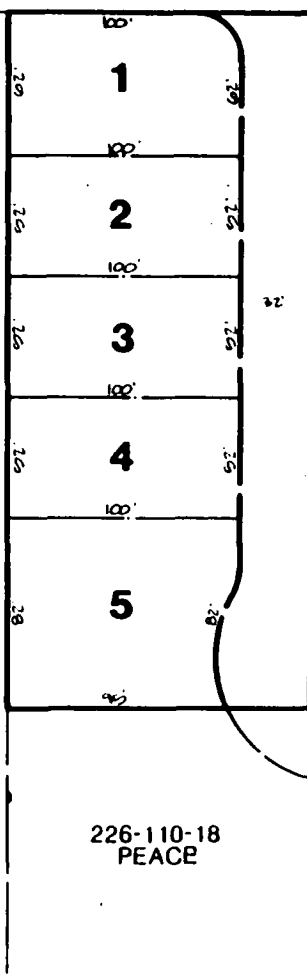
VICINITY MAP
NO SCALE

CLAIRE AVE.

January 16, 1990

10

226-110-16
HENSLEY



226-110-26
SILVA

IRVING AVE.

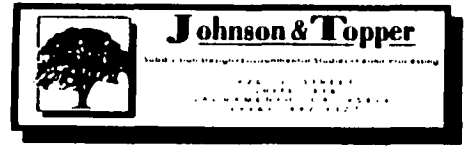
226-110-18
PEACE

**APPROVED TENTATIVE
SUBDIVISION P90-047**

226-110-29
LOFING

2nd ST.

**A
TENTATIVE SUBDIVISION
FOR
BERT CLEMONS
CITY OF SACRAMENTO AUGUST, 1990**



OWNER/DEVELOPER

Bert Clemons
126 Danville Way
Sacramento Ca 95838

APPLICANT

Johnson & Topper
926 J St. Suite 116
Sacramento Ca 95814

ASSESSOR'S PARCEL NO.

226-110-017

AREA

1.0 Ac.

ZONING

R-1

STORM DRAINAGE

Sacramento County Water Agency Zone J

SANITARY SEWER

Regional Sanitation District

WATER

City of Sacramento

ELECTRICITY

S.M.U.D.

GAS

P.G.A.E.

SCHOOL DISTRICT

Rio Linda Union

PARKS & RECREATION

City of Sacramento

FIRE PROTECTION

Sacramento Fire District

**Sacramento City Planning Commission
VOTING RECORD**

MEETING DATE
January 10, 1991

ITEM NUMBER
21 B

PERMIT NUMBER
P 90-398

ENTITLEMENTS

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

STAFF RECOMMENDATION

Favorable Unfavorable

Correspondence

Petition

LOCATION
South side of Central Avenue, 1000' west of
the Linda Boulevard.

P
R
O
P
O
S
E
R
S

NAME	ADDRESS

O
P
P
O
S
E
R
S

NAME	ADDRESS

MOTION # Yes No Motion Second

RECERRA	✓			
CHINN	✓			
HOLLOWAY	✓			
NOTESTINE	✓			
OTTO	absent			
REYNA	✓			
ROSEN	✓			
YEE	✓			
HOLLICK	✓			

PLANNING AND DEVELOPMENT

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 _____

11

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

APPLICANT	<u>Johnson & Topper, 926 J Street, Suite 1208, Sacramento, California 95814</u>		
OWNER	<u>Bert Clemons, 126 Danville Way, Sacramento, California 95838</u>		
PLANS BY	<u>Johnson & Topper, 926 J Street, Suite 1208, Sacramento, California 95814</u>		
FILING DATE	<u>August 14, 1990</u>	ENVIR. DET.	<u>Negative Declaration</u>
ASSESSOR'S PCL. NO.	<u>226-0110-017</u>		REPORT BY
			<u>CG</u>

APPLICATION:

- A. Negative Declaration.
- B. Tentative Map to divide 0.9± vacant acres into five single family lots in the Standard Single Family (R-1) zone.
- C. Variance to create one lot which is less than 100 feet in depth.
- D. Subdivision Modification to create one lot with less than 100 feet in depth.

LOCATION: South side of Claire Avenue, approximately 1,000 feet west of Rio Linda Boulevard.

PROPOSAL: The applicant is requesting the necessary entitlements to subdivide 0.9± acres into five single family lots.

PROJECT INFORMATION:

General Plan Designation:	Low Density Residential (4-15 du/na)
North Sacramento Community Plan Designation:	Residential (4-8 du/na)
Existing Zoning of Site:	R-1
Existing Land Use of Site:	Vacant

Surrounding Land Use and Zoning:		Setbacks:	Required	Provided
North:	Vacant; R-1	Front:	25'	Setbacks
South:	Single Family; R-1	Side(Int):	5'	Will Be
East:	Single Family; R-1	Side(St):	12.5'	Provided
West:	Single Family; R-1	Rear:	15'	As Required

Property Dimensions:	132' x 300'
Property Area:	0.9± acres
Density of Development:	7.3 du/na
Topography:	Flat
Street Improvements:	To Be Provided
Utilities:	To Be Provided

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On December 19, 1990, 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.

APPLIC. NO. P90-398

MEETING DATE January 10, 1991

ITEM NO. 21

12

PROJECT EVALUATION: Staff has the following comments:

A. **Land Use and Zoning**

The subject site consists of 0.9± vacant acres in the Standard Single Family (R-1) zone. The General Plan designates the site Low Density Residential (4-15 du/na). The North Sacramento Community Plan designates the site Residential (4-8 du/na). The surrounding zoning for the subject site R-1. The surrounding land use in vacant to the north, and single family to the south, east, and west.

B. **Applicant's Proposal**

The applicant is requesting a tentative map to subdivide 0.9± acres into five single family lots. The applicant is also requesting a variance and subdivision modification to allow one lot to be created which averages approximately 98 feet in depth.

C. **Site Design and Lot Layout**

The tentative map proposes a 32 foot wide street along the eastern property line which connects with the future Irving Avenue. This subdivision, as proposed, is dependent upon the recording of a previously approved tentative map (P90-047) for the property to the southeast. If no connection to Irving Avenue is provided by P90-047, the map will need to be revised to include a turn-around at the end. The tentative map also requires some off-site improvements. The roadway shown along the eastern property line is 32 feet wide. A half-street and 12 foot lane is required, for a total of 34 feet. The additional two feet will need to be provided on the adjacent parcel. The elbow of the street is also located off-site, requiring an agreement from the adjacent property owners.

D. **Variance/Subdivision Modification**

A variance and subdivision modification is being requested to create a parcel which is less than 100 feet in depth. Staff has no objection to this request. The parcel averages 98 feet in depth, but is 82 feet wide. The square footage of the parcel is 8,000, which exceeds the minimum 5,200 square feet. The parcel can easily be developed at the 98 foot depth.

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. Mandatory mitigation measures shall be incorporated into the project to reduce potential environmental impacts to below a level of significance. The mandatory 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 divide 0.9± vacant acres into five single family lots, subject to conditions and forward to the City Council;
- C. Approve the Variance to create one lot which is less than 100 feet in depth based upon findings of fact which follow; and
- D. Recommend approval of the Subdivision Modification to create one lot with less than 100 feet in depth and forward to the City Council.

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 standard subdivision improvements pursuant to Section 40.811 of the City Code; including a 22 foot half-street and a 12 foot paved lane northbound on north-south street. Requires offsite dedication along Silva Property. City will condemn at the owner's expense if necessary.
2. Prepare a sewer and drainage study for the review and approval of the City Engineer.
3. Pay off existing assessments, or file the necessary segregation requests and pay fees, if any.
4. 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.
5. Coordinate with County Sanitation District.
6. Submit a soils test prepared by a registered engineer to be used in street design.
7. Subject property must complete annexation to both Sacramento Regional Sanitation District and County Sanitation District No. 1 of Sacramento County prior to the approval of improvement plans or prior to recordation of the map, whichever occurs first.
8. Dedicate a standard 12.5 foot Public Utility Easement for underground facilities and appurtenances adjacent to all public ways.
9. Dedicate a 12.5 foot Public Utility Easement for underground and over-head facilities and appurtenances adjacent to Claire Avenue.
10. Improvement plans showing the Public Utility Easements shall be reviewed by Pacific Bell. These plans shall address the buried service with extruded drop to be the method of providing service and the location of driveways. Pole relocation may be required at the developer's expense.
11. Construct Claire Avenue to 30 foot half street with a 12 foot lane north of centerline. Construct 20 feet of temporary paving from subdivision boundary to Sully Street or to the existing pavement from Rio Linda Boulevard.
12. Applicant shall provide a temporary traffic turnaround at the end of the north-south street to the satisfaction of the Traffic Engineer. If final map for P90-047 (southeast of subject parcel) has been recorded, applicant shall connect to Irving Avenue. Offsite dedication will be required along south of Silva property and northeast corner of Peace property. City will condemn at owner's expense if necessary. A minimum of two 12 foot lanes will be required with adequate corner on Silva property.
13. Extend offsite drain line from Sully Street.
14. Place a note on the final map: Property shall be developed in compliance with the mandatory mitigation measures of the City's Environmental Coordinator (P90-398).

Mandatory Mitigation Measures

1. Require construction contractors to implement a dust abatement program that will reduce the effect

APPLIC. NO. P90-398

MEETING DATE January 10, 1991

ITEM NO. 21

14

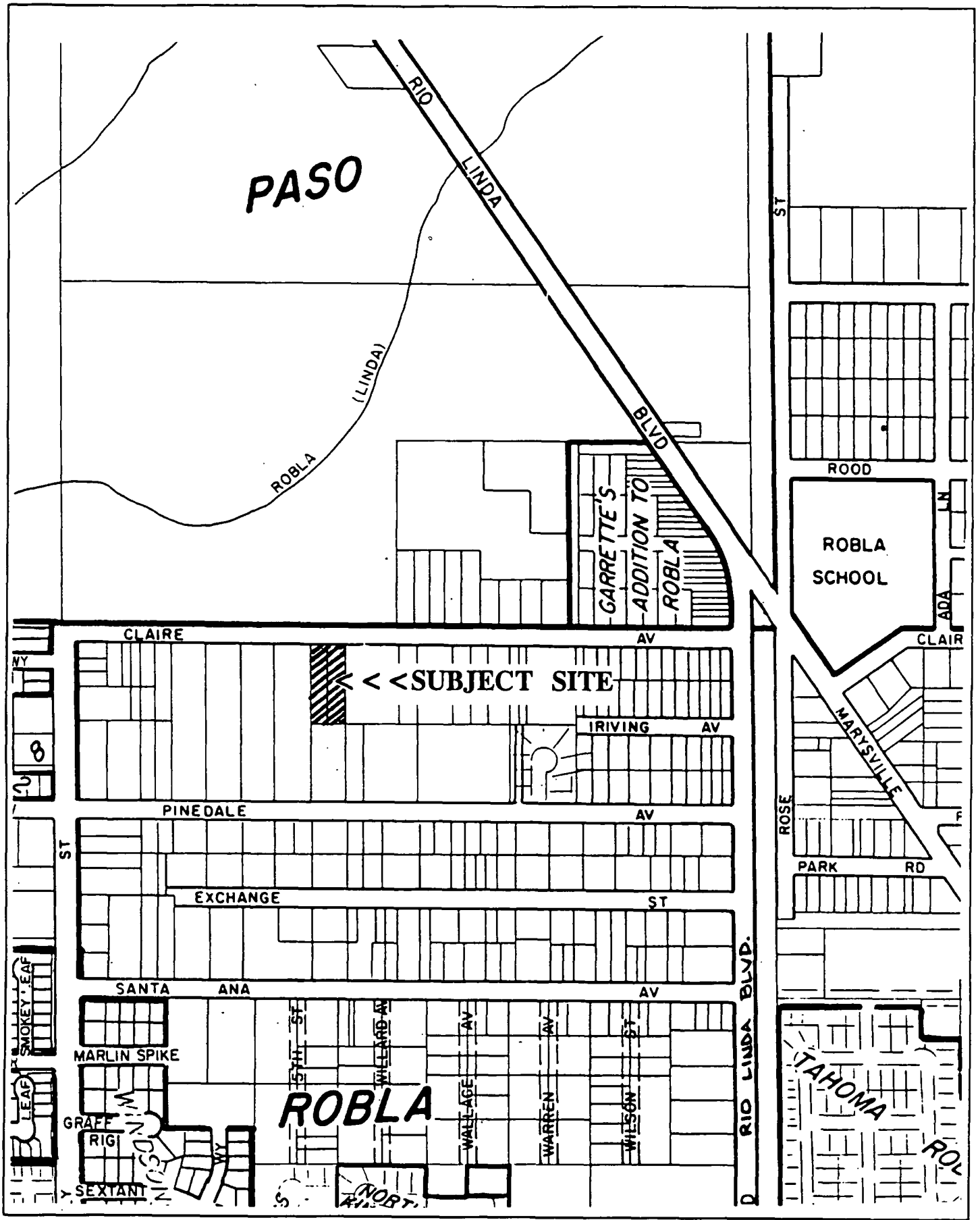
of construction on local PM 10 levels in the vicinity of construction zones. Elements of this program should include the following:

- a. Sprinkle all unpaved construction areas with water at least twice per day during demolition and excavation to reduce dust emissions. Additional watering should be carried out on hot or windy days. Watering could reduce particulate emissions by about 50 percent.
 - b. Cover stockpiles of sand, soil, and similar materials with a tarp.
 - c. Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces.
 - d. Sweep up dirt or debris spilled onto paved surfaces immediately to reduce resuspension of PM 10 through vehicle movements over these surfaces.
 - e. Increase the frequency of city street cleaning along streets in the vicinity of construction site.
 - f. Require construction contractors to designate a person or persons to oversee the dust abatement program and to order increased watering, as necessary.
2. If subsurface archaeological or historical remains (including unusual amount of bones, stones, or shells) are discovered during excavation or construction of the site, work shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.

Findings of Fact

1. Granting the variance does not constitute a special privilege extended to one property owner in that variances would be granted to other property owners facing similar circumstances.
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 the public safety of welfare, nor result in the creation of a public nuisance in that adequate lot area is provided to mitigate the reduced depth.
4. The project is consistent with the General Plan and North Sacramento Community Plan which designate the site Low Density Residential (4-15 du/na) and Residential (4-8 du/na), respectively. The 7.2 du/na density of the proposed project conforms to the plan designations.

15



VICINITY MAP

(061)

(5)

VACANT (A)

CLAIRE AVE.

(15)

IF

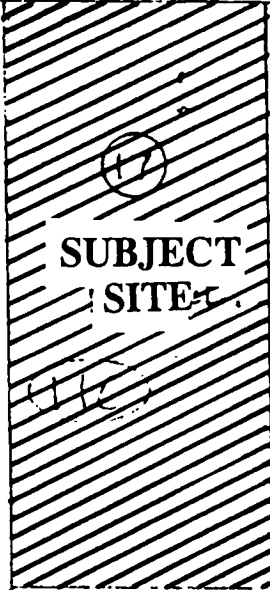
(16)

IF

(R-1)

(17)

SUBJECT SITE



(26)

IF

(R-1)

(27)

IF

300'

(18)

IF

(29)

IF

(R-1)

(28)

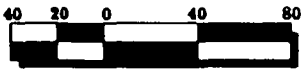
VACANT

PINEDALE

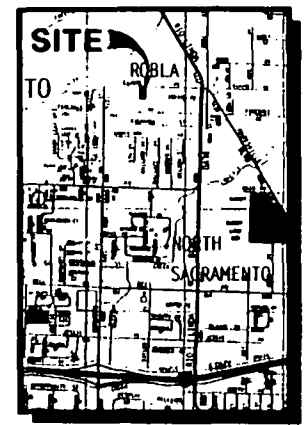
AVE.

LAND USE & ZONING MAP

P90-372



226-061-5
CARMICAL



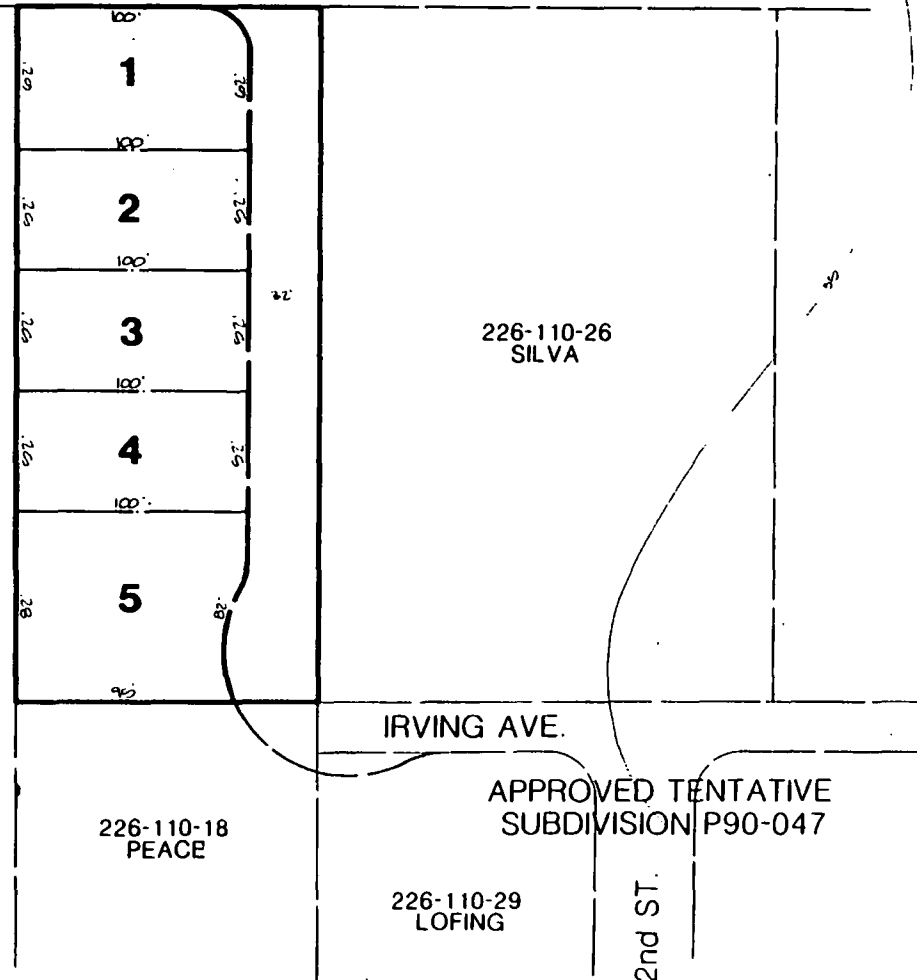
VICINITY MAP
NO SCALE

CLAIRE AVE.

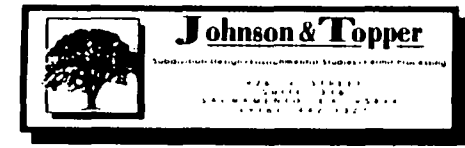


January 15, 1990

(18)



**A
TENTATIVE SUBDIVISION
FOR
BERT CLEMONS
CITY OF SACRAMENTO AUGUST, 1990**



OWNER/DEVELOPER
Bert Clemons
126 Danville Way
Sacramento Ca 95838

APPLICANT
Johnson & Topper
926 J St., Suite 316
Sacramento Ca 95814

ASSESSOR'S PARCEL NO.
226-110-017

AREA
1.0 AC.

ZONING
R-1

STORM DRAINAGE
Sacramento County Water Agency Zone J

SANITARY SEWER
Regional Sanitation District

WATER
City of Sacramento

ELECTRICITY
S.M.U.D.

GAS
P.C. & E.

SCHOOL DISTRICT
Rio Linda Union

PARKS & RECREATION
City of Sacramento

FIRE PROTECTION
Sacramento Fire District

226-110-18
PEACE

APPROVED TENTATIVE
SUBDIVISION P90-047

226-110-29
LOFING

2nd ST.