

Amended by Applicant and Staff 4/12/94

RESOLUTION NO. 1572

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF April 28, 1994

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING SUBDIVISION MODIFICATIONS TO CREATE TWO LOTS LESS THAN 100 FEET DEEP AND OF LESS THAN 5,200 SQUARE FEET, AND A TENTATIVE MAP, AND DENYING A SUBDIVISION MODIFICATION TO CREATE TWO LOTS WITH COMMON SEWER SERVICE FOR PROPERTY LOCATED AT 4981 MARTIN LUTHER KING JR. BLVD.

(P93-172) (APN: 022-0101-001)

WHEREAS, the City Planning Commission on ~~February 10~~, April 28, 1994 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 City Environmental Coordinator has determined that the proposed project is exempt from environmental review pursuant to CEQA Section §15315;

WHEREAS, the Subdivision Review Committee has submitted to the City Planning Commission its report and recommendations on the proposed subdivision;

WHEREAS, the City Planning Commission has considered the design of the proposed subdivision in relation to feasible future passive or natural heating and cooling opportunities; and

WHEREAS, the City Planning Commission 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.

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NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF

SACRAMENTO THAT:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision.
2. 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 subject site for Low Density Residential land use(s).
3. 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.
4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
5. In the matter of the hereby approved requested subdivision modifications to create two lots less than 100 feet deep and to create two lots of less than 5,200 square feet in total area:
 - a. The City Planning Commission determines that it is impossible, impracticable and undesirable in this particular case to conform to the strict application of the subdivision ordinance in that *the site is* already developed with two single-family residences.
 - 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 property is already developed with two single-family residences and in that the property is not of a size which can be split into two parcels with the required dimensions and square footage.
 - c. The modifications will not be detrimental to the public health, safety, or welfare, or be injurious to other properties in the vicinity in that the project site is already developed with two single-family residences.
 - d. That granting the modifications are in accord with the intent and purpose of these regulations and are consistent with the General Plan and with all other applicable Specific Plans of the City in that the density of the proposed subdivision conforms with the land use designation.
6. *In the matter of the hereby denied requested subdivision modification to create two lots with common sewer service:*
 - A. *The City Planning Commission determines that it is possible in this particular*

case to conform to the application of the subdivision ordinance in that installation of separate sewer lines is feasible for each of the residences.

- B. The cost to the subdivider of strict or literal compliance with the regulation would be the sole reason for granting the modification. Construction and installation of separate sewer lines is feasible for each of the residences.*
- C. The modification may be detrimental to the public health, safety, or welfare, or be injurious to other properties in the vicinity in that all repairs and maintenance for problems occurring within the common system would require cooperation of all future owners of said properties.*


6-7. 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. Pay off existing assessments;
- B. Provide separate sewer and water services and any necessary private easements to each Parcel;
- C. New water services will be metered;
- D. Show all existing easements;
- E. Reciprocal drainage easements may be required if drainage crosses parcel lines;

ADVISORY NOTES:

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

- A. Applicant may file a Certificate of Compliance in lieu of a Final Map to record this lot split if no Subdivision Improvement Agreement is required;


CHAIRPERSON

ATTEST:


SECRETARY TO PLANNING COMMISSION

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