



411

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
SACRAMENTO, CA

January 22, 1991

City Council
Sacramento, California

Honorable Members In Session:

- SUBJECT: 1. ENVIRONMENTAL DETERMINATION
2. REZONE 0.5± ACRES FROM R-1 TO R-3
3. TENTATIVE MAP TO SUBDIVIDE ONE 0.5± ACRES PARCEL INTO TWO LOTS (P90-338)
4. SUBDIVISION MODIFICATION TO ALLOW ONE LOT LESS THAN 100 FT. IN DEPTH

LOCATION: 1055 Rio Lane

Owner: Robert Nevis, 1080 Casilada Way, Sacramento, CA
Applicant: Train and Sening Surveying, Ltd., 2604 21st Street, Sacramento, CA

SUMMARY

The request is to rezone the 0.5± acre parcel from R-1 to R-3 and for a tentative map to divide 0.5± acre parcel into two lots. Also, a subdivision modification to create one lot less than 100 feet in depth (90 feet) is requested. Planning staff and the Planning Commission recommend approval of the request.

BACKGROUND

The subject site is a 0.5± acre parcel zoned Standard Single Family (R-1). One single family dwelling is located on the southerly portion of the parcel. The site is designated medium density residential (16-29 du/na) in the General Plan.

①

APPROVED
BY THE CITY COUNCIL

JAN 22 1991

OFFICE OF THE
CITY CLERK

ADMINISTRATION
ROOM 300
95814-2987
916-449-5571

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

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

The request is to subdivide a 73'x300' parcel (0.5± acres) into two lots. The new Parcel "A" (73'x90') consists of an existing single family dwelling with access on Rio Lane. The new Parcel "B" (73'x 210') which has access onto Riverside Boulevard is proposed for future multi-family residential development. No development plans have been submitted at this time. Staff and the Planning Commission, however, recommended the rezoning to R-3-R so that the project plans will be reviewed by the Planning Commission to ensure a quality multi-family project that is compatible to the surrounding neighborhood is developed. In addition, this project requires a subdivision modification to reduce the depth of the lot (Parcel A) which contains a single family dwelling, from 100 feet to 90 feet. This parcel is greater than the required minimum of 5,200 sq.ft. in area (5,870 sq.ft.). Staff supports this modification in that a larger portion of the subject site will be available for multi-family residential development.

VOTE OF THE PLANNING COMMISSION

On November 19, 1990, the Planning Commission voted six ayes, three absent, to recommend approval of the request.

ENVIRONMENTAL DETERMINATION

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)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated 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.

FINANCIAL DATA

Not applicable.

POLICY MATTERS

The project is consistent with the policy of the General Plan to "provide appropriate residential opportunities to meet the City's required fair share of the region's housing needs".

MBE/WBE EFFORTS

Not applicable.

City Council
1055 Rio Lane (P90-338)
January 22, 1991
Page 3

RECOMMENDATION

The Planning Commission and Planning staff recommend the following actions by the City Council:

1. Ratify the Negative Declaration;
2. Adopt the attached Ordinance which rezones the property from Standard Single Family (R-1) to Multiple Family Review (R-3-R) zone;
3. Adopt the attached Resolution which approves the tentative map and subdivision modification.

Respectfully submitted,



MICHAEL M. DAVIS
Director of Planning and Development

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

January 22, 1991
District No. 4

Contact Person:
Will Weitman, Principal Planner
(916) 449-5604

MMD:WW:vr
P90-338.CC
Attachment

ORDINANCE NO. 91-007.

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 0.5± DEVELOPED ACRES LOCATED AT 1055 RIO LANE FROM THE STANDARD SINGLE FAMILY (R-1) ZONE AND PLACING THE SAME IN THE MULTIPLE FAMILY-REVIEW (R-3-R) ZONE(S) OR A MORE RESTRICTIVE ZONE(S)

(FILE NO. P90-338) (APN: 016-0160-026)

APPROVED
BY THE CITY COUNCIL

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

JAN 22 1991

OFFICE OF THE
CITY CLERK

SECTION 1

The territory described in the attached exhibit(s) which is located at 1055 Rio Lane in the Standard Single Family (R-1) zone(s) established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the Multiple Family-Review (R-3-R) 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.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

4

- 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 on November 19, 1990, on file in the office of the Planning Division, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Division 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.

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

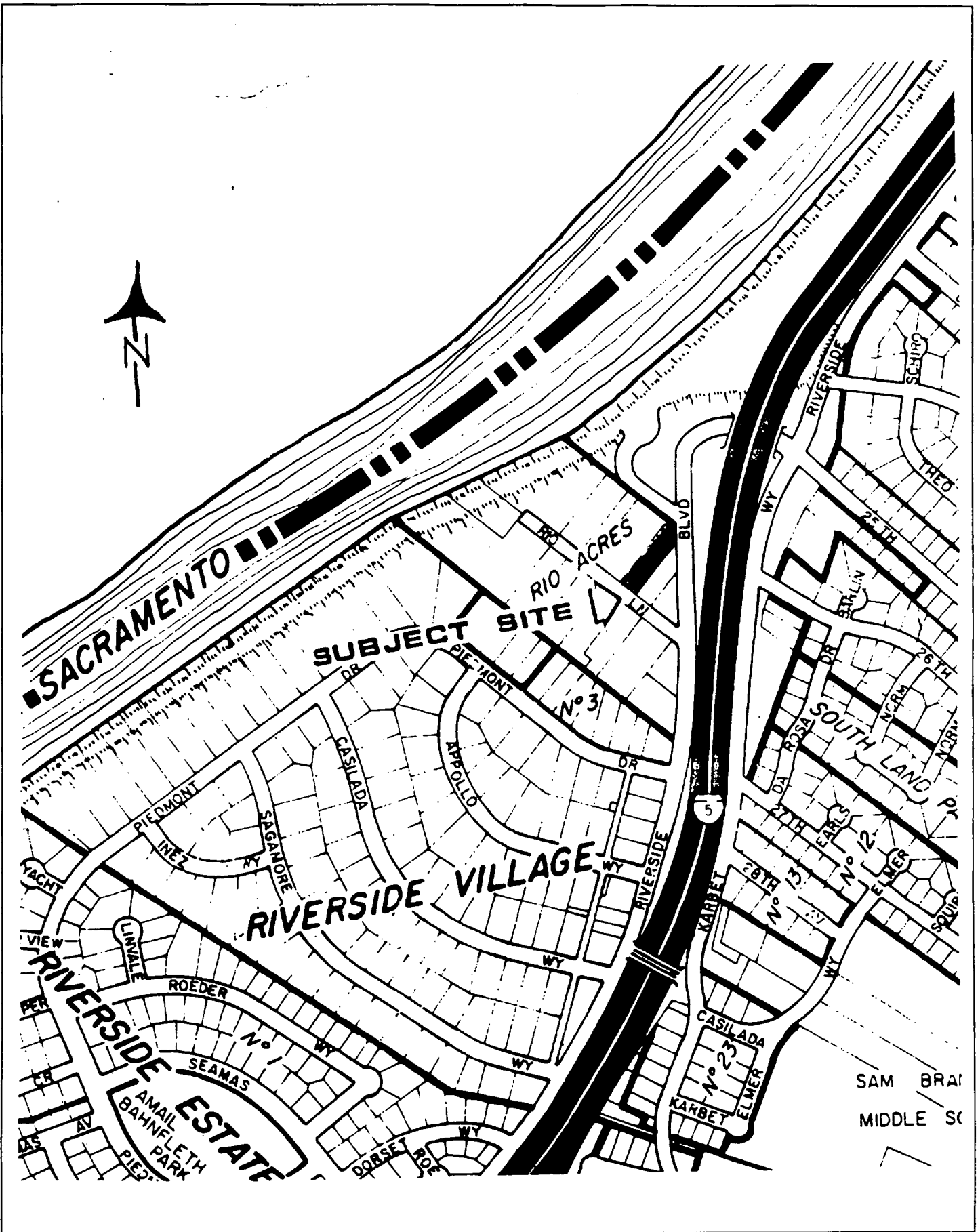
P90-338.PFP

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

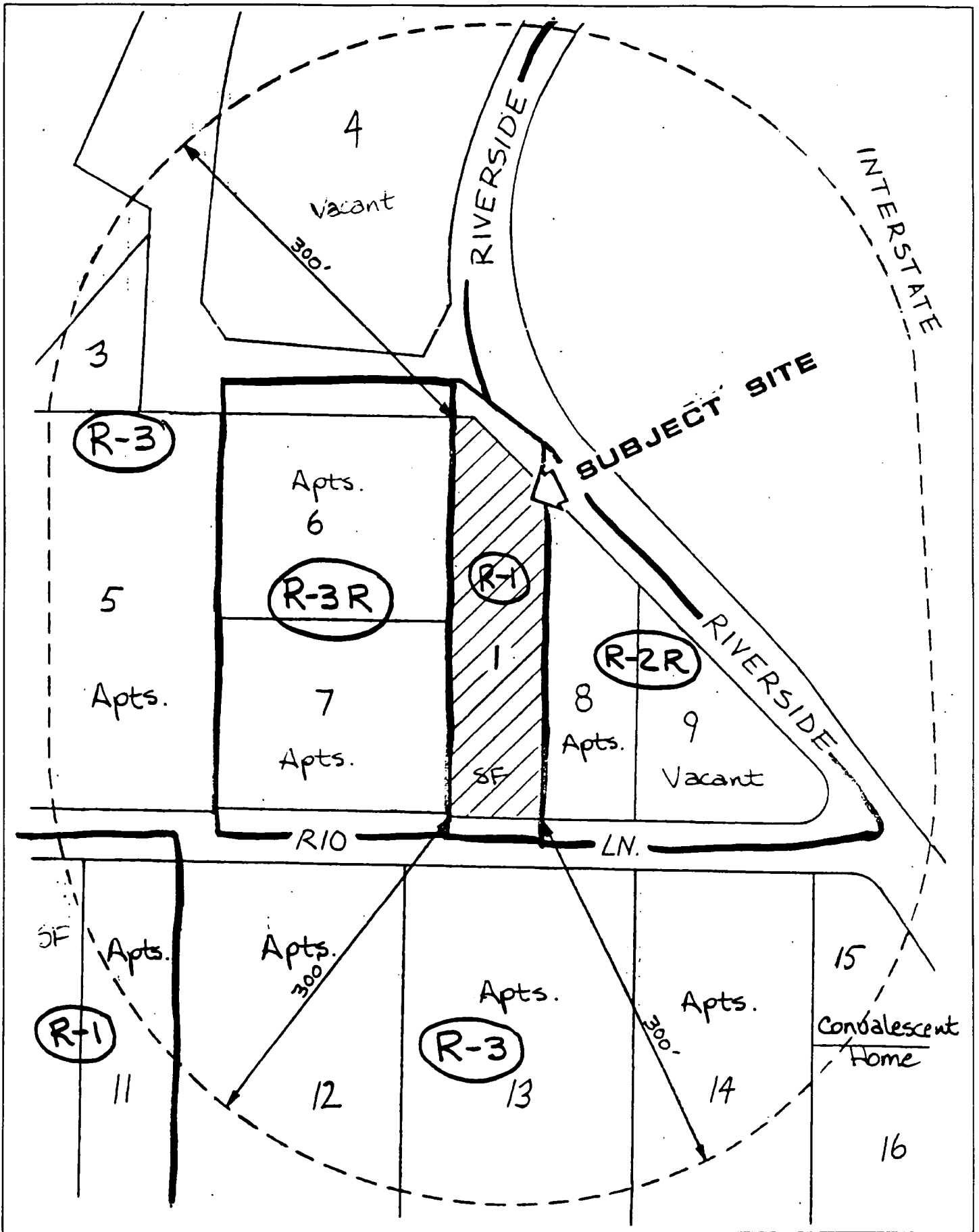
DATE ADOPTED: _____

⑤



VICINITY MAP

6



LAND USE & ZONING MAP

RESOLUTION NO. 91-066

ADOPTED BY THE SACRAMENTO CITY COUNCIL

APPROVED
BY THE CITY COUNCIL

ON DATE OF _____

JAN 22 1991

OFFICE OF THE
CITY CLERK

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR PROPERTY LOCATED AT 1055 RIO LANE

(P90-338) (APN: 016-0160-026)

WHEREAS, the City Council on _____, held a public hearing on the request for approval of a subdivision modification and 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 will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration;

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

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

WHEREAS, the City Council has considered the effects that approval of the proposed subdivision would have on the housing needs of the Sacramento Metropolitan area and balances these needs against the public service needs of City residents and available fiscal and environmental resources.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____



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.
2. None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision.
3. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 40 of the City Code, which is a Specific Plan of the City. Both the City General Plan and the Community Plan designate the subject site for residential use(s).
4. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Quality Control Board, Central Valley Region in that existing treatment plants have a design capacity adequate to service the proposed subdivision.
5. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
6. In the matter of the hereby approved requested subdivision modification to establish one lot less than 100 feet in depth:
 - a. The City Council determines that it is impossible, impracticable and undesirable in this particular case to conform to the strict application of City subdivision ordinance due to the size constrain of the property and the location of the single family dwelling.
 - 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 subdivider will provide opportunities for rental housing and individual ownership.
 - 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 other properties are under similar conditions.
 - 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

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

residential uses.

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. The future driveway on Parcel "B" shall be oriented 90 degrees to Riverside Boulevard and shall be designed and located to the satisfaction of the City Traffic Engineer.
 - B. Provide street lights in coordination with the Electrical Section of the Engineering Division.
 - C. Pursuant to City Code Section 40.1302 (Parkland Dedication), the applicant shall submit to the City and appraisal of the property to be subdivided and pay the required parkland dedication in-lieu fees on Parcel "B". The appraisal shall be dated not more than 90 days prior to the filing of the final map.
 - D. Provide separate water and sewer service to Parcel "B" at the time of the building permit.
 - E. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted, to develop if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition.
 - F. The property on which construction is authorized by this permit may be subject to flooding. It is the applicant and property owners responsibility to ascertain whether and to what extend such flooding may occur, and to review the applicable base flood elevations for the proposed project which are contained in the effective Flood Insurance Rate Map; the Department of the Sacramento District Corps of Engineers, Sacramento, California, Flood Insurance Study for the Sacramento City and County of California, FBFM and FIRM work map, dated January, 1989; and all preliminary flood maps available for review at the City of Sacramento's Public Works Department, Development Services Division, Room 100, 927 I Street.
 - G. Dedicate a 12.5 foot public utility easement for overhead and underground facilities and appurtenances adjacent to all public ways.

- H. Dedicate the southeasterly five feet of Parcels "A" and "B" as a public utility easement for overhead and underground facilities and appurtenances.
- I. The applicant shall comply with the mitigation measures of the Negative Declaration (P90-338).
- J. Several trees are located on the site. All trees to be saved must be protected by a chain link fence, four feet in height and around the dripline of the tree. No grade change is allowed within the dripline of the tree. No parking of vehicles or storage of construction materials or grade changes shall be allowed within the fence area. The trees cited by the city Arborist to be saved are listed below:
 - 1. 30" walnut located near the southeast corner
 - 2. 30" oak located near the northeast property line
 - 3. 9" walnut located near the northeast property line
 - 4. 8" privet located near the northeast property line
 - 5. 36" maple located near the northwest property line
 - 6. 25" oak located near the northwest property line

All other trees located on the proposed site may be removed at the developer's discretion. In the event that one of the preserved trees must be removed, a substitute 24 inch box tree must be planted to the satisfaction of the City Arborist.

- 8. The applicant shall comply with the mandatory Mitigation Measures as required by the Environmental Services Manager and on file with the Planning Division Office (P90-338).

MAYOR

ATTEST:

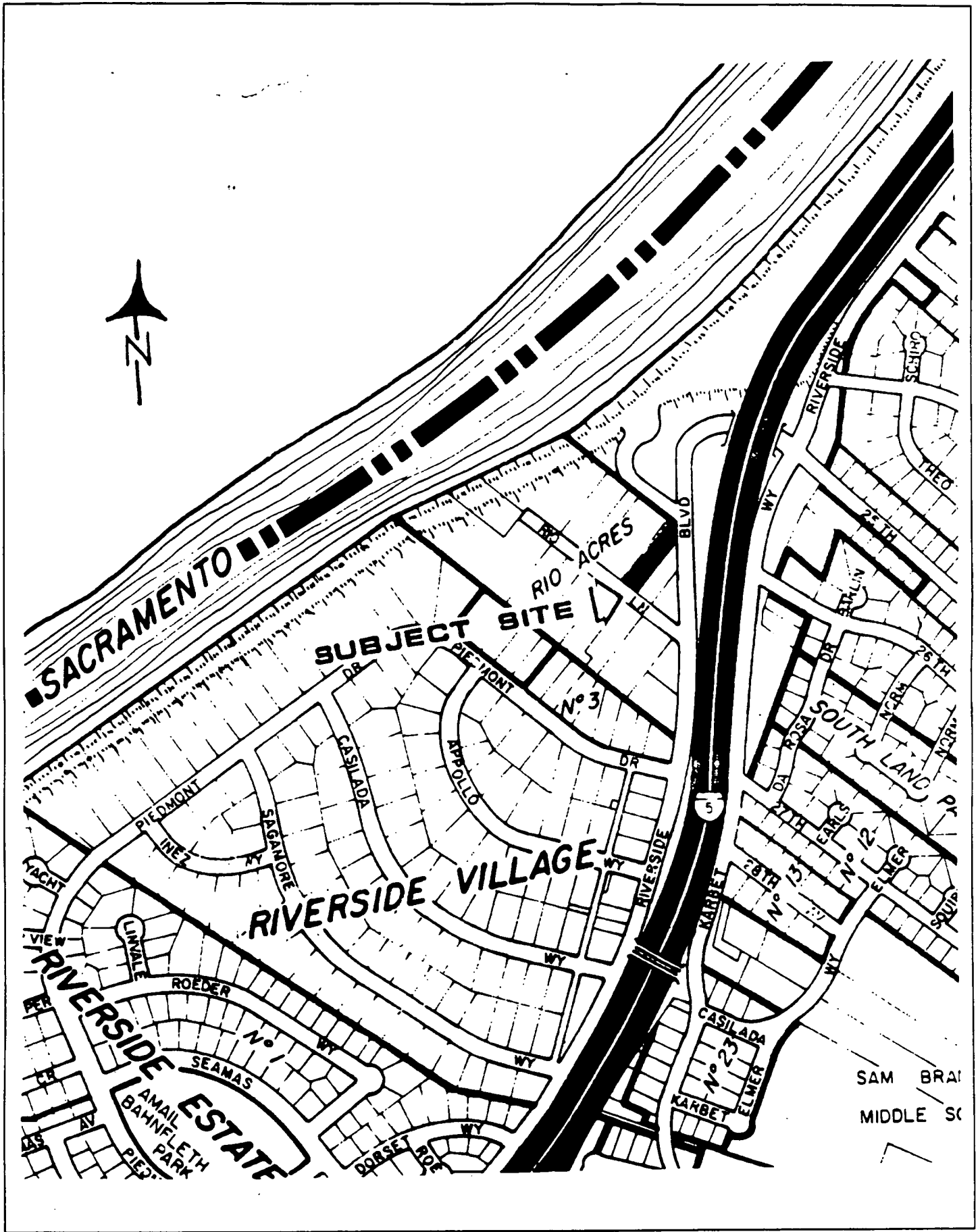
CITY CLERK

P90-338.CC

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____



VICINITY MAP

11

SITE MAP REVISED
LOT 11,
PLAT OF RIO ACRES
(18 B.M. 31)
 CITY OF SACRAMENTO, CALIFORNIA
 JULY, 1990

RECORD OWNER
 ROBERT E. NEVIS
 1080 CASILADA WAY
 SACRAMENTO, CA 95822
 (916) 443-4141

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

ASSESSORS PARCEL NUMBER
 016-0161-026
EXISTING ZONING & USE
 ZONE R-1, SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING & USE
 ZONE R-3, MULTIPLE UNITS
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

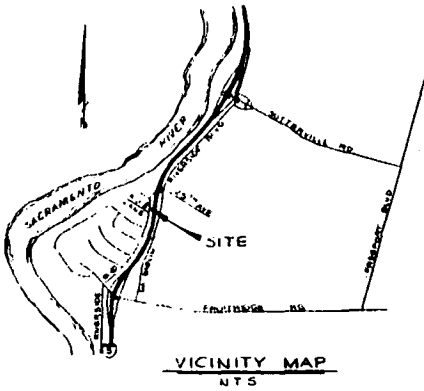
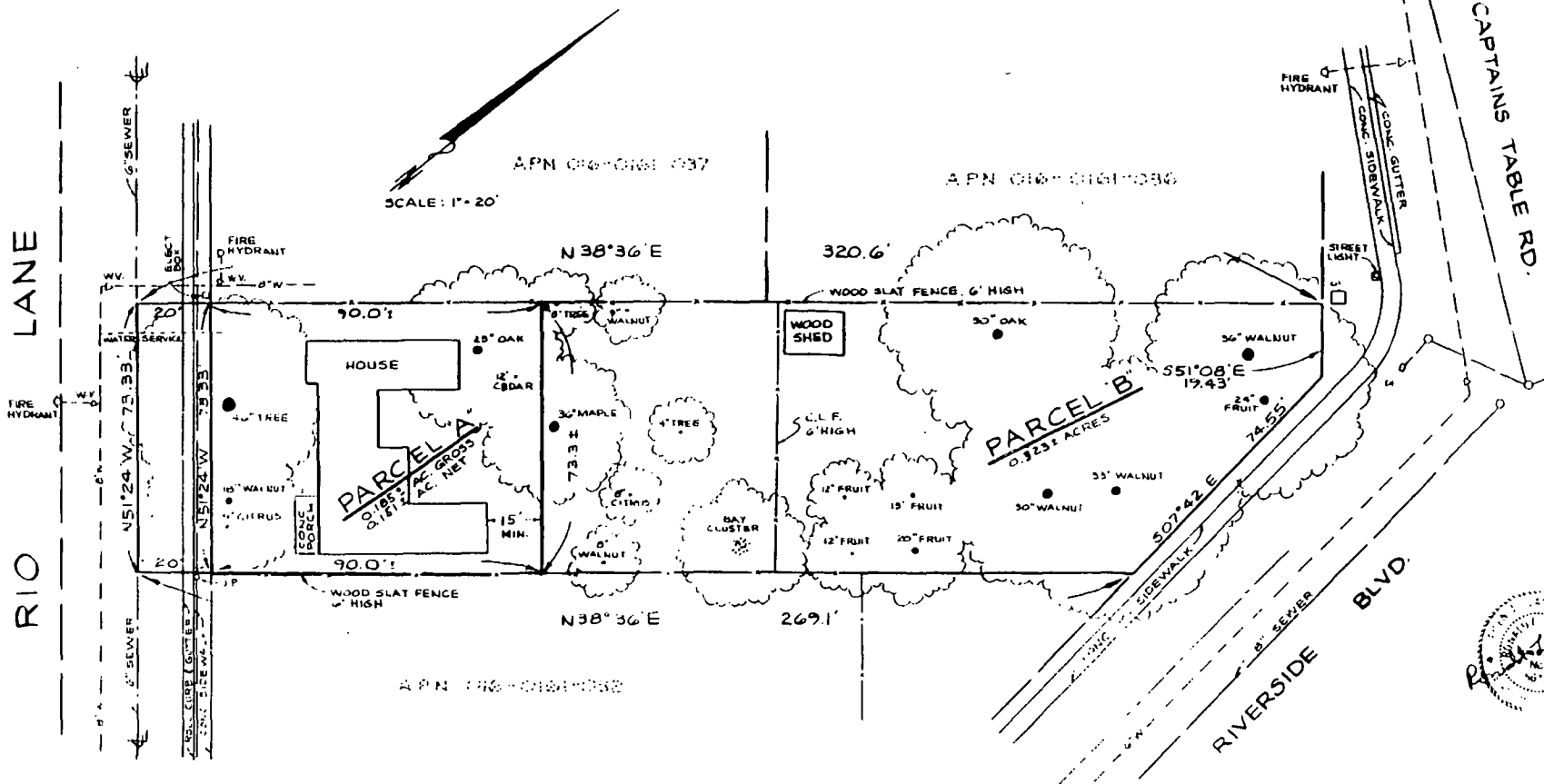


EXHIBIT - A
TENTATIVE MAP



Robert E. Nevis
 (Handwritten signature)

Sacramento City Planning Commission VOTING RECORD

MEETING DATE <i>November 19, 1990</i>
ITEM NUMBER <i>19 B</i>
PERMIT NUMBER <i>P90-338</i>

ENTITLEMENTS

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

STAFF RECOMMENDATION <input checked="" type="checkbox"/> Favorable <input type="checkbox"/> Unfavorable <i>Rec. to R-3-R</i>
<input type="checkbox"/> Correspondence
<input type="checkbox"/> Petition

LOCATION <i>1055 Rio Lane</i>

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NAME	ADDRESS

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NAME	ADDRESS

MOTION # Yes No Motion Second

RECERRA	✓			
CHINN	✓			✓
HOLLOWAY	<i>absent</i>			
NOTESTINE	<i>absent</i>			
OTTO	✓		✓	
REYNA	<i>absent</i>			
ROSEN	✓			
YEE	✓			
HOLLICK	✓			

PLANNING AND DEVELOPMENT

MOTION

- | | |
|--|---|
| <input type="checkbox"/> TO APPROVE | <input checked="" type="checkbox"/> TO RECOMMEND APPROVAL ^{to R-3-R} & FORWARD TO CITY COUNCIL |
| <input type="checkbox"/> TO DENY | <input type="checkbox"/> TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL |
| <input type="checkbox"/> TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT | <input type="checkbox"/> TO RATIFY NEGATIVE DECLARATION |
| <input type="checkbox"/> TO APPROVE/DENY BASED ON FINDINGS 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 _____ |

(13)

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

APPLICANT <u>Train and Sening Surveying, Ltd., 2604 21st Street, Sacramento, CA 95818</u>		
OWNER <u>Robert E. Nevis, 1080 Casilada Way, Sacramento, CA 95822</u>		
PLANS BY <u>Train and Sening Surveying, Ltd., 2604 21st Street, Sacramento, CA 95818</u>		
FILING DATE <u>8-1-90</u>	ENVIR. DET. <u>Negative Declaration</u>	REPORT BY <u>CAS</u>
ASSESSOR'S PCL. NO. <u>016-0161-026</u>		

APPLICATION:

- A. Negative Declaration
- B. Rezone of 0.5± developed acres from Standard Single Family (R-1) to Multiple Family-Review (R-3-R)
- C. Tentative Map to subdivide one lot totalling 0.5± developed acres into two lots
- D. Subdivision Modification to allow one lot less than 100 feet deep

LOCATION: 1055 Rio Lane

PROPOSAL: The applicant is requesting the necessary entitlements to rezone a 0.5± acre parcel from Standard Single Family (R-1) to Multiple Family (R-3) and to subdivide the parcel into two lots for future residential development.

PROJECT INFORMATION:

General Plan Designation: Medium Density Residential (16-29 du/na)
Existing Zoning of Site: Standard Single Family, R-1
Existing Land Use of Site: Single family residence

<u>Surrounding Land Use and Zoning:</u>		<u>Setbacks</u>	<u>Required</u>	<u>Provided</u>
North:	City property, R-3	Front:	25'	Required
South:	Apartments, R-3	Side(Int):	5'	Setbacks
East:	Apartments, R-2-R	Side(St):	25'	to be
West:	Apartments, R-3-R	Rear:	15'	Provided

Property Dimensions: Irregular
Property Area: 0.5± acres
Topography: Flat
Street Improvements: Existing
Utilities: Existing

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On October 24, 1990, by a vote of six ayes and three absent, the Subdivision Review Committee voted to recommend approval of the tentative map and subdivision modification subject to the attached conditions.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site is 0.5± developed acres in the Standard Single Family, R-1 zone. The General Plan designates the subject site as Medium Density Residential (16-29 du/na). The surrounding land use and zoning for the subject site is city property, zoned R-3 to the north; apartments, zoned R-3 to the south; apartments, zoned R-2-R to the east; and apartments, zoned R-3-R to the west.

B. Applicant's Proposal

The applicant is proposing to rezone a 0.5± acre through lot from Standard Single Family (R-1) to Multiple Family (R-3) and to subdivide the parcel into two lots for future residential development. A single family residence is existing on the subject site and is proposed to be retained.

C. Staff Analysis

1. Rezone Analysis:

The applicant is proposing to rezone the subject site from the Standard Single Family (R-1) to the Multi-Family Residential (R-3) zone. No development plans were submitted with the application for the future multi-family residential development. Staff recommends approval of the rezone to Multi-Family Residential- Review (R-3-R) so that the project plans will be reviewed to insure a quality multi-family project be developed that is compatible with the surrounding neighborhood. An existing single family residence will be retained. This project is consistent with the General Plan designation of the site for Medium Density Residential (16-29 du/na) and the General Plan policy to "Provide appropriate residential opportunities to meet the City's required fair share of the region's housing needs".

2. Site Design and Lot Layout:

The subject site is a through lot fronting on Rio Lane to the south and Riverside Boulevard and Captain's Table Road to the north. The applicant is proposing to subdivide the one lot into two lots consisting of a 73 foot by 90 foot lot with an existing single family residence facing Rio Lane and an irregularly shaped lot, approximately 73 feet by 210 feet for future multi-family residential development facing Riverside Boulevard and Captain's Table Road (see Exhibit A). No development plans have been submitted for the multi-family residential development. Parcel "A" is greater than the required minimum 5,200 square feet in area. The single family residence meets all setback requirements. Many of the existing mature trees will be retained.

The project requires a subdivision modification and variance to allow the lot with the single family residence to be less than 100 feet in depth. The proposed depth is 90 feet. Staff supports the subdivision modification and variance in that a larger portion of the subject site will be available for multi-family residential development, the adopted General Plan designation for the site, and the setbacks are met on the existing residence.

3. School Impact:

The subject site is located in the Sacramento City Unified School District. The existing single family residence will not add students to the district. No development plans have been submitted for the subject site so an estimate of increased number of students is not possible at this time.

4. Parkland Dedication

The Planning and Community Services Divisions have determined that parkland dedication in-lieu fees are appropriate for Parcel "B" only in that the residence on Parcel "A" is existing. Fees will be based upon fee acres of land multiplied by the per acre value established by the applicant's appraiser.

Staff supports the approval of the Rezone and the Tentative Map in that the General Plan policy supports providing varied residential opportunities in order to meet the City's required fair share of the region's housing needs, the rezone is consistent with the General Plan designation of Medium Density Residential (16-29 du/na), and the tentative map will create a lot for future multi-family residential development.

ENVIRONMENTAL DETERMINATION: 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)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated the following 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:

- A. Require construction contractors to implement a dust abatement program that will reduce the effect of construction on local PM 10 levels in the vicinity of construction zones. Elements of this program should include the following:
1. 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%.
 2. Cover stockpiles of sand, soil, and similar materials with a tarp.
 3. Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces.
 4. Sweep up dirt or debris spilled onto paved surfaces immediately to reduce resuspension of PM 10 through vehicle movements over these surfaces.
 5. Increase the frequency of city street cleaning along streets in the vicinity of the construction site.
 6. Require construction contractors to designate a person or persons to oversee the dust abatement program and to order increased watering, as necessary.
- B. Several trees are located on the site. All trees to be saved must be protected by a chain link fence, four feet in height and around the dripline of the tree. No parking of vehicles or storage of construction materials or grade changes shall be allowed within the fence area. The trees cited by the City Arborist to be saved are listed below, as mitigation measures:
1. 30" walnut located near the southeast corner;
 2. 30" oak located near the northeast property line;
 3. 9" walnut located near the northeast property line;
 4. 8" privet located near the northeast property line;
 4. 36" maple located near the northwest property line; and
 5. 25" oak located near the northwest property line.

All other trees located on the proposed site may be removed at the developer's discretion. In the event that one of the preserved trees must be removed, a substitute 24 inch box tree must be planted to the satisfaction of the City Arborist.

C. The following interior mitigation measures shall apply to the project:

1. All joints in exterior walls shall be grouted or caulked airtight.
2. Window or through-the-wall ventilation and air conditioning units shall not be permitted.
3. All penetrations of exterior walls shall include a 1/2 inch airspace. This space shall be filled loosely with fiberglass insulation. The space shall then be sealed airtight on both sides of the wall with a resilient, non-hardening caulking or mastic.
4. Windows must have a minimum STC rating of 29 or better. Windows facing the noise source should comprise less than 25 percent of the wall area. Windows shall have an air infiltration rate of less than or equal to 0.20 CFM/lin. ft. when tested with a 25 mile an hour wind per ASTM standards.
5. Sliding glass doors must carry an STC rating of 31 or better. They should be double glazed and they must meet or exceed the window air infiltration rating given above.
6. Exterior entrance doors should have a minimum STC rating of 30. They must include complete perimeter door seals.

D. The following exterior mitigation measures shall apply to the project:

1. Position open areas, patios, and balconies away from Riverside Boulevard and Interstate 5.
2. Construct a six foot high wood slat fence where the property line or where open areas (patios or recreation areas) are exposed to Riverside Boulevard.

E. All exterior lights will be directed away from or properly shaded to eliminate glare on existing residential uses and oncoming traffic.

RECOMMENDATION: Staff recommends the following actions:

- A. Ratify the Negative Declaration;
- B. Recommend approval of the Rezone from R-1 to R-3-R and forward to the City Council;
- C. Recommend approval of the Tentative Map to subdivide one lot into two lots subject to the conditions and forward to the City Council;
- D. Recommend approval of the Subdivision Modification to allow one lot less than 100 feet deep; and
- E. Approve the variance to allow one lot less than 100 feet in depth subject to the conditions and based upon the findings of fact which follow.

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. The future driveway on Parcel "B" shall be oriented 90 degrees to Riverside Boulevard and shall be designed and located to the satisfaction of the City Traffic Engineer.
2. Provide street lights in coordination with the Electrical Section of Engineering Division.
3. Pursuant to City Code Section 40.1302 (Parkland Dedication), the applicant shall submit to the City an appraisal of the property to be subdivided and pay the required parkland dedication in-lieu fees on Parcel "B". The appraisal shall be dated not more than 90 days prior to the filing of the final map;
4. Provide separate water and sewer service to Parcel "B" at the time of the building permit.
5. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted, to develop if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition;
6. Notice: Property to be subdivided in accordance with this map may be subject to flooding. Interested parties should ascertain whether and to what extent such flooding may occur. The applicable base flood elevations for the property should be reviewed. Base flood elevations are contained in the U.S. Army Corps of Engineers Flood Insurance Study Working Map for the Sacramento Community, dated January 1989, available for review at the City of Sacramento's Public Works Department, Development Services Division, Room 100, 927 10th Street;
7. Dedicate a 12.5 foot public utility easement for overhead and underground facilities and appurtenances adjacent to all public ways;
8. Dedicate the southeasterly five feet of Parcels "A" and B" as a public utility easement for overhead and underground facilities and appurtenances.
9. The applicant shall comply with the mitigation measures of the Negative Declaration (P90-338).
10. Several trees are located on the site. All trees to be saved must be protected by a chain link fence, four feet in height and around the dripline of the tree. No grade change is allowed within the dripline of the tree. No parking of vehicles or storage of construction materials or grade changes shall be allowed within the fence area. The trees cited by the City Arborist to be saved are listed below:
 1. 30" walnut located near the southeast corner;
 2. 30" oak located near the northeast property line;
 3. 9" walnut located near the northeast property line;
 4. 8" privet located near the northeast property line;
 5. 36" maple located near the northwest property line; and
 6. 25" oak located near the northwest property line.

All other trees located on the proposed site may be removed at the developer's discretion. In the event that one of the preserved trees must be removed, a substitute 24 inch box tree must be planted to the satisfaction of the City Arborist.

Conditions - Subdivision Modification and Variance:

1. Standard R-3 setbacks shall apply to any existing or proposed structures on Parcels "A" and "B".
2. The applicant shall comply with the mitigation measures of the Negative Declaration (P90-338) which include:
 - A. Require construction contractors to implement a dust abatement program that will reduce the effect of construction on local PM 10 levels in the vicinity of construction zones. Elements of this program should include the following:
 1. 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%.
 2. Cover stockpiles of sand, soil, and similar materials with a tarp.
 3. Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces.
 4. Sweep up dirt or debris spilled onto paved surfaces immediately to reduce resuspension of PM 10 through vehicle movements over these surfaces.
 5. Increase the frequency of city street cleaning along streets in the vicinity of the construction site.
 6. Require construction contractors to designate a person or persons to oversee the dust abatement program and to order increased watering, as necessary.
 - B. Several trees are located on the site. All trees to be saved must be protected by a chain link fence, four feet in height and around the dripline of the tree. No grade change is allowed within the dripline of the tree. No parking of vehicles or storage of construction materials or grade changes shall be allowed within the fence area. The trees cited by the City Arborist to be saved are listed below, as mitigation measures:
 1. 30" walnut located near the southeast corner;
 2. 30" oak located near the northeast property line;
 3. 9" walnut located near the northeast property line;
 4. 8" privet located near the northeast property line;
 5. 36" maple located near the northwest property line; and
 6. 25" oak located near the northwest property line.

All other trees located on the proposed site may be removed at the developer's discretion. In

the event that one of the preserved trees must be removed, a substitute 24 inch box tree must be planted to the satisfaction of the City Arborist.

- C. The following interior mitigation measures shall apply to the project:
1. All joints in exterior walls shall be grouted or caulked airtight.
 2. Window or through-the-wall ventilation and air conditioning units shall not be permitted.
 3. All penetrations of exterior walls shall include a 1/2 inch airspace. This space shall be filled loosely with fiberglass insulation. The space shall then be sealed airtight on both sides of the wall with a resilient, non-hardening caulking or mastic.
 4. Windows must have a minimum STC rating of 29 or better. Windows facing the noise source should comprise less than 25 percent of the wall area. Windows shall have an air infiltration rate of less than or equal to 0.20 CFM/lin. ft. when tested with a 25 mile an hour wind per ASTM standards.
 5. Sliding glass doors must carry an STC rating of 31 or better. They should be double glazed and they must meet or exceed the window air infiltration rating given above.
 6. Exterior entrance doors should have a minimum STC rating of 30. They must include complete perimeter door seals.
- D. The following exterior mitigation measures shall apply to the project:
1. Position open areas, patios, and balconies away from Riverside Boulevard and Interstate 5.
 2. Construct a six foot high wood slat fence where the property line or where open areas (patios or recreation areas) are exposed to Riverside Boulevard.
- E. All exterior lights will be directed away from or properly shaded to eliminate glare on existing residential uses and oncoming traffic.

Findings of Fact - Variance:

1. Granting the variance request does not constitute a special privilege extended to one individual property owner in that:
 - a. additional area will be available on Parcel "B" for future multi-family residential development, which is consistent with the General Plan designation for Medium Density Residential (16-29 du/na) and supports the General Plan policy to provide appropriate residential opportunities to meet the City's required fair share of the region's housing needs, and
 - b. the City would support a variance for any other property owner in a similar circumstance.

- 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 on November 19, 1990, on file in the office of the Planning Division, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Division 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.

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

P90-338.PFP

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

3

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 0.5± DEVELOPED ACRES FROM THE STANDARD SINGLE FAMILY (R-1) ZONE AND PLACING THE SAME IN THE MULTIPLE FAMILY-REVIEW (R-2-R) ZONE(S) OR A MORE RESTRICTIVE ZONE(S) FOR PROPERTY LOCATED AT 1055 RIO LANE.

(FILE NO. P90-338) (APN: 016-0160-026)

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

SECTION 1

The territory described in the attached exhibit(s) which is located at 1055 Rio Lane in the Standard Single Family (R-1) zone(s) established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the Multiple Family-Review (R-3-R) 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.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

2

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4.1



DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
SACRAMENTO, CA

ADMINISTRATION
ROOM 300
95814-2987
916-449-5571

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

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

January 15, 1991

PASSED FOR
PUBLICATION
& CONTINUED
TO 1-22-91

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING 0.5± DEVELOPED ACRES FROM THE STANDARD SINGLE FAMILY (R-1) ZONE AND PLACING THE SAME IN THE MULTIPLE FAMILY-REVIEW (R-2-R) ZONE(S) OR A MORE RESTRICTIVE ZONE(S) (P90-338) FOR PROPERTY LOC 1055 RIO LANE.

SUMMARY

This item is presented at this time for approval of publication of title pursuant to City Charter, Section 32.

BACKGROUND INFORMATION

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 January 22, 1991.

Respectfully submitted,
Michael M. Davis

MICHAEL M. DAVIS
Director of Planning and Development

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

January 15, 1991
District No. 4

MMD:WW:vr
P90-338.PFP
Attachment

①



file copy

OFFICE OF THE
CITY CLERK

OPERATION SERVICES

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 304
915 I STREET
SACRAMENTO, CA
95814-2671

916-449-5426

January 29, 1991

Train & Sening Surveying
2604 21st Street
Sacramento, CA 95818

On January 22, 1991, the City Council took the following action(s) for property located at 1055 Rio Lane: (P90-338)

Ratified the Negative Declaration; Adopted Ordinance No. 91-007, rezoning 0.5± acres from R-1 to R-3; and Adopted Resolution No. 91-066, approving the Tentative Map to subdivide one 0.5± acre parcel into two lots and approving the subdivision modification to allow one lot less than 100 ft. in depth.

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

Sincerely,

Valerie Burrowes
City Clerk

mt/4.1

Enclosures

cc: Planning Division
Robert E. Nevis, 1080 Casilada Way, Sacramento, CA 95822

ORDINANCE NO. 91-007

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF JAN 22 1991

CERTIFIED AS TRUE COPY
of Resolution No. 91-007
Ordinance

JAN 29 1991
DATE CERTIFIED
Maria P. Bivrow
CITY CLERK, CITY OF SACRAMENTO

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING 0.5± DEVELOPED ACRES LOCATED AT 1055 RIO LANE FROM THE STANDARD SINGLE FAMILY (R-1) ZONE AND PLACING THE SAME IN THE MULTIPLE FAMILY-REVIEW (R-3-R) ZONE(S) OR A MORE RESTRICTIVE ZONE(S)

(FILE NO. P90-338) (APN: 016-0160-026)

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

SECTION 1

The territory described in the attached exhibit(s) which is located at 1055 Rio Lane in the Standard Single Family (R-1) zone(s) established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the Multiple Family-Review (R-3-R) 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.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: 91-007

DATE ADOPTED: JAN 22 1991

- 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 on November 19, 1990, on file in the office of the Planning Division, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Division 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.

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: January 15, 1991

PASSED: January 22, 1991

EFFECTIVE: February 23, 1991

ANNE RUDIN

MAYOR

ATTEST:

VALERIE BURROWES

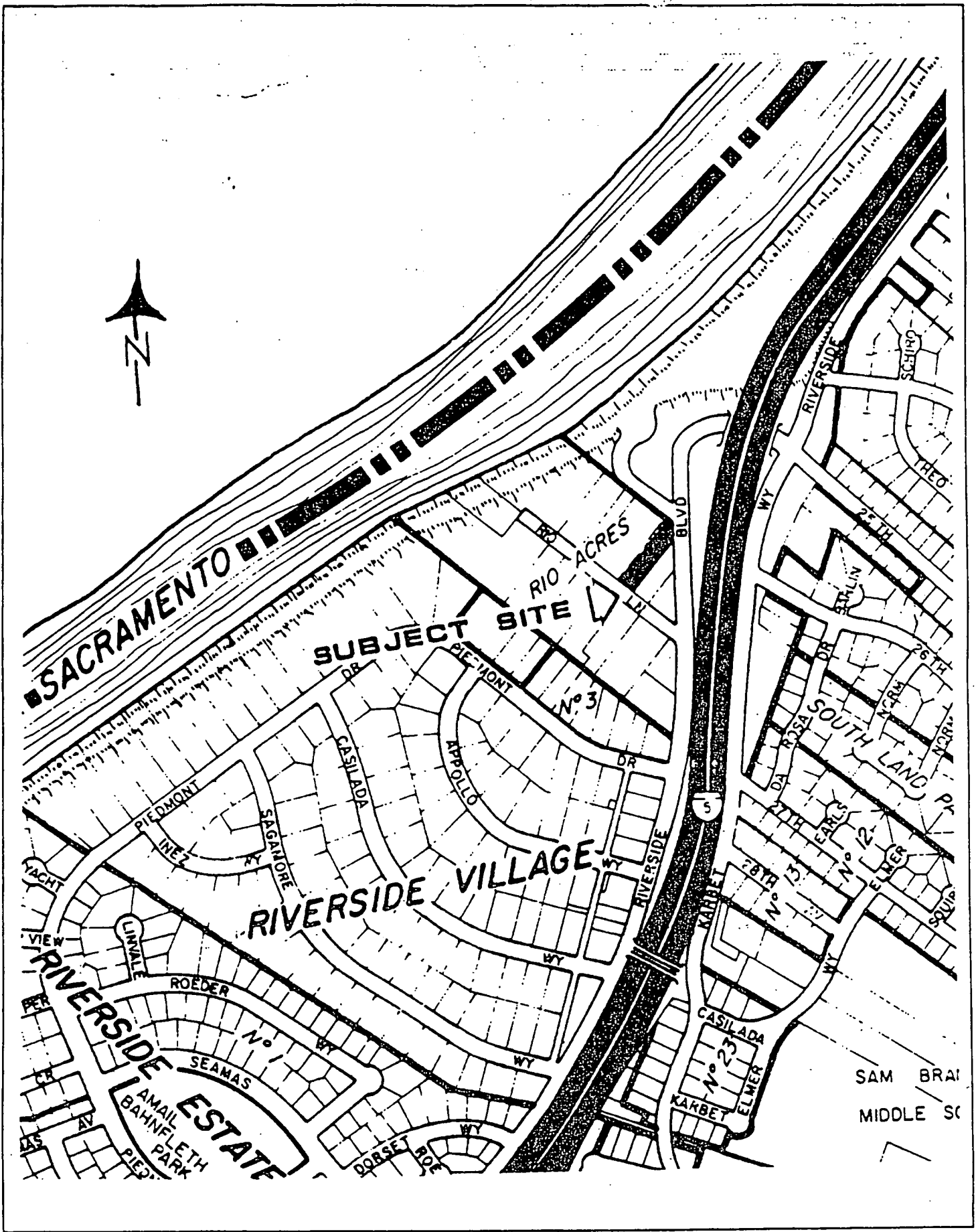
CITY CLERK

P90-338.PFP

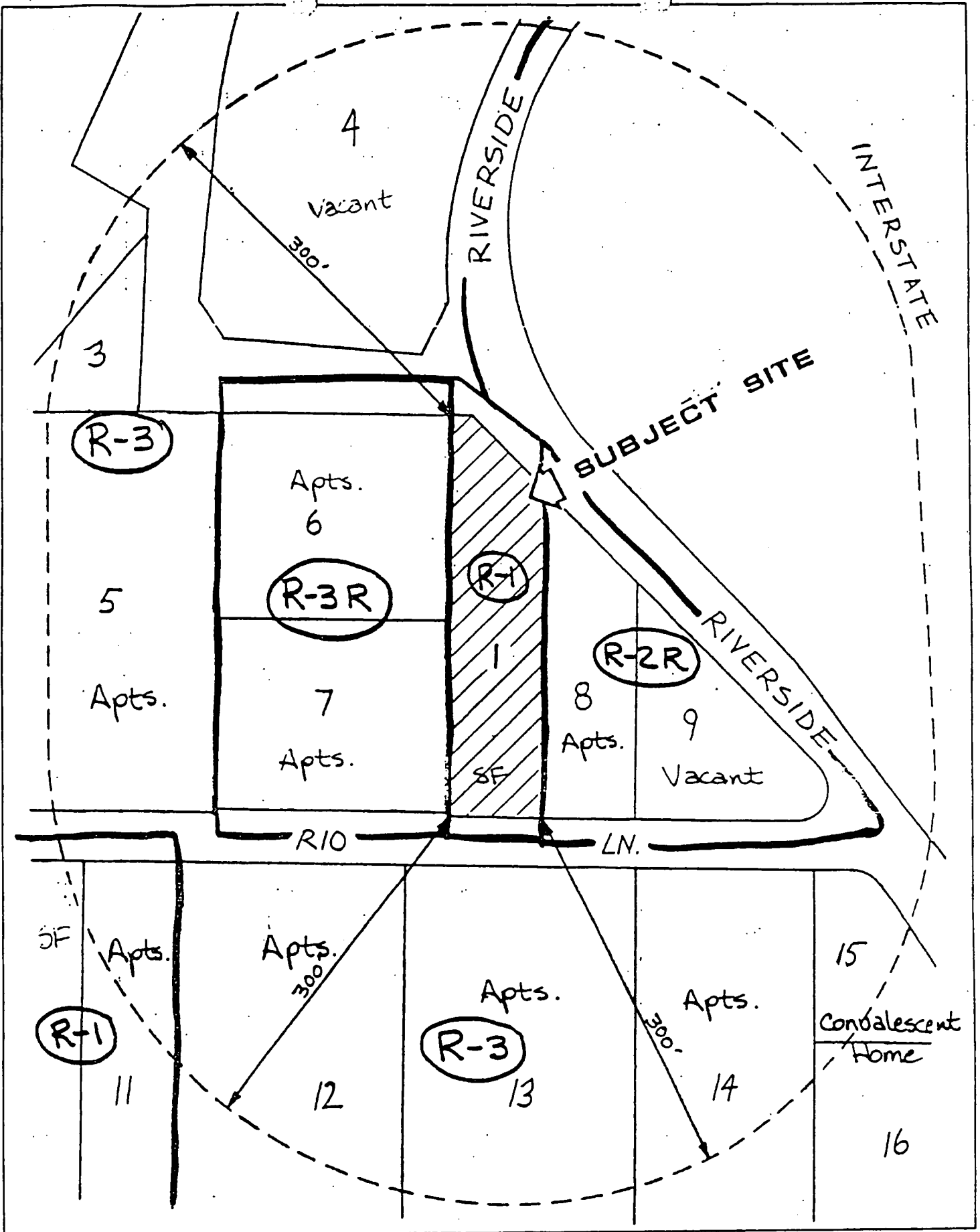
FOR CITY CLERK USE ONLY

ORDINANCE NO.: 91-007
DATE ADOPTED: JAN 22 1991

2. Granting the variance will not be detrimental to the public welfare nor to properties in the vicinity in that:
 - a. adequate usable yard areas will be established for Parcel "A", and
 - b. Parcel "A" is greater than the minimum required 5,200 square foot lot area.
3. The requested variance does not constitute a use variance in that the residential uses are allowed in the proposed R-3-R zone.
4. The project is consistent with the General Plan which designates the site as Medium Density Residential (15-29 du/na).



VICINITY MAP ORDINANCE No. 91-007



247

LAND USE & ZONING MAP ORDINANCE No. 91-007

RESOLUTION NO. 91-066

ADOPTED BY THE SACRAMENTO CITY COUNCIL

JAN 29 1991
DATE CERTIFIED
Theresa G. Burrows
CITY CLERK, CITY OF SACRAMENTO

ON DATE OF JAN 22 1991

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR PROPERTY LOCATED AT 1055 RIO LANE

(P90-338) (APN: 016-0160-026)

WHEREAS, the City Council on JAN 22 1991, held a public hearing on the request for approval of a subdivision modification and 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 will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration;

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

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

WHEREAS, the City Council has considered the effects that approval of the proposed subdivision would have on the housing needs of the Sacramento Metropolitan area and balances these needs against the public service needs of City residents and available fiscal and environmental resources.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 91-066
DATE ADOPTED: JAN 22 1991

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.
2. None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision.
3. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 40 of the City Code, which is a Specific Plan of the City. Both the City General Plan and the Community Plan designate the subject site for residential use(s).
4. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Quality Control Board, Central Valley Region in that existing treatment plants have a design capacity adequate to service the proposed subdivision.
5. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
6. In the matter of the hereby approved requested subdivision modification to establish one lot less than 100 feet in depth:
 - a. The City Council determines that it is impossible, impracticable and undesirable in this particular case to conform to the strict application of City subdivision ordinance due to the size constrain of the property and the location of the single family dwelling.
 - 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 subdivider will provide opportunities for rental housing and individual ownership.
 - 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 other properties are under similar conditions.
 - 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 filing of the final map unless a different time for compliance is specifically noted:
- A. The future driveway on Parcel "B" shall be oriented 90 degrees to Riverside Boulevard and shall be designed and located to the satisfaction of the City Traffic Engineer.
 - B. Provide street lights in coordination with the Electrical Section of the Engineering Division.
 - C. Pursuant to City Code Section 40.1302 (Parkland Dedication), the applicant shall submit to the City and appraisal of the property to be subdivided and pay the required parkland dedication in-lieu fees on Parcel "B". The appraisal shall be dated not more than 90 days prior to the filing of the final map.
 - D. Provide separate water and sewer service to Parcel "B" at the time of the building permit.
 - E. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted, to develop if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition.
 - F. The property on which construction is authorized by this permit may be subject to flooding. It is the applicant and property owners responsibility to ascertain whether and to what extent such flooding may occur, and to review the applicable base flood elevations for the proposed project which are contained in the effective Flood Insurance Rate Map; the Department of the Sacramento District Corps of Engineers, Sacramento, California, Flood Insurance Study for the Sacramento City and County of California, FBFM and FIRM work map, dated January, 1989; and all preliminary flood maps available for review at the City of Sacramento's Public Works Department, Development Services Division, Room 100, 927 I Street.
 - G. Dedicate a 12.5 foot public utility easement for overhead and underground facilities and appurtenances adjacent to all public ways.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 91-066
DATE ADOPTED: JAN 22 1991

- H. Dedicate the southeasterly five feet of Parcels "A" and "B" as a public utility easement for overhead and underground facilities and appurtenances.
- I. The applicant shall comply with the mitigation measures of the Negative Declaration (P90-338).
- J. Several trees are located on the site. All trees to be saved must be protected by a chain link fence, four feet in height and around the dripline of the tree. No grade change is allowed within the dripline of the tree. No parking of vehicles or storage of construction materials or grade changes shall be allowed within the fence area. The trees cited by the city Arborist to be saved are listed below:
1. 30" walnut located near the southeast corner
 2. 30" oak located near the northeast property line
 3. 9" walnut located near the northeast property line
 4. 8" privet located near the northeast property line
 5. 36" maple located near the northwest property line
 6. 25" oak located near the northwest property line

All other trees located on the proposed site may be removed at the developer's discretion. In the event that one of the preserved trees must be removed, a substitute 24 inch box tree must be planted to the satisfaction of the City Arborist.

8. The applicant shall comply with the mandatory Mitigation Measures as required by the Environmental Services Manager and on file with the Planning Division Office (P90-338).

ANNE RUDIN

MAYOR

ATTEST:

VALERIE BURROWES

CITY CLERK

P90-338.CC

-4-

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 91-066
DATE ADOPTED: JAN 22 1991