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# CITY OF SACRAMENTO

## DEPARTMENT OF PLANNING AND DEVELOPMENT

1231 "I" Street

Sacramento, Ca. 95814

Administration  
Room 300 449-5571  
Building Inspections  
Room 200 449-5716  
Planning  
Room 200 449-5604

**APPROVED**  
BY THE CITY COUNCIL

**DEC 23 1985**

OFFICE OF THE  
CITY CLERK

December 17, 1985

City Council  
Sacramento, California

Honorable Members in Session:

- SUBJECT:
1. Environmental Determination
  2. Tentative Map (P85-407)
  3. Subdivision Modification to create four lots with substandard depth

LOCATION: 5901 21st Avenue

### SUMMARY

The application is for a Tentative Map to divide a 1.5+ acre parcel zoned R-1 into four lots for single family homes and four halfplex lots. Due to the existing size of the parcel, the proposed single family lots have substandard depths. The Planning Commission and staff recommend approval of the Tentative Map and Subdivision Modification with conditions.

### BACKGROUND INFORMATION

The proposed subdivision is similar in shape and size to the existing subdivisions located on the east and west sides of the subject site. The existing size of the parcel creates the need for a Subdivision Modification to create lots substandard in depth.

At the Planning Commission meeting an adjacent owner expressed a concern regarding the proposed site for an existing structure that was going to be relocated. Based on a discussion with the applicant and adjacent owner, the Commission added a condition to specify that the existing structure would be moved to Lot B.

### VOTE OF THE PLANNING COMMISSION

On November 14, 1985 the Commission voted seven ayes, two absent to recommend approval of the Tentative Map.

City Council

-2-

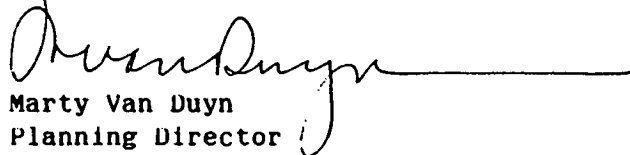
December 17, 1985

RECOMMENDATION

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

1. Ratify the Negative Declaration;
2. Adopt the attached Resolution adopting Findings of Fact and approving the Tentative Map and Subdivision Modification with conditions.

Respectfully submitted,



Marty Van Duyn  
Planning Director

FOR CITY COUNCIL INFORMATION  
WALTER J. SLIPE  
CITY MANAGER

AG:pkb  
attachments  
P85-407

December 23, 1985  
District No. 5

SACRAMENTO CITY PLANNING COMMISSION

19

MEETING DATE November 14, 1985  
 ITEM NO. 17B FILE P85-407  
 M \_\_\_\_\_

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

Location: 5901 21st Avenue

Recommendation:  
 Favorable *w/cond.*  
 Unfavorable  Petition  Correspondence

<u>PROponents</u>		
<u>NAME</u>		<u>ADDRESS</u>

<u>OPponents</u>		
<u>NAME</u>		<u>ADDRESS</u>

MOTION NO. \_\_\_\_\_

	YES	NO	MOTION	SECOND
Ferris	<i>absent</i>			
Fong	<i>absent</i>			
Goodin	<i>absent</i>			
Holloway	<i>✓</i>			
Hunter	<i>✓</i>			
Ishmael	<i>✓</i>		<i>✓</i>	
Ramirez	<i>✓</i>			
Simpson	<i>✓</i>			<i>✓</i>
Augusta	<i>✓</i>			

- 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 *amended* COND. & FORWARD TO CITY COUNCIL
  - TO RATIFY NEGATIVE DECLARATION
  - TO CONTINUE TO \_\_\_\_\_ MEETING
  - OTHER \_\_\_\_\_

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19

# RESOLUTION No. 85-988

Adopted by The Sacramento City Council on date of

APPROVED  
BY THE CITY COUNCIL

DEC 23 1985

OFFICE OF THE  
CITY CLERK

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING  
A SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR  
PROPERTY LOCATED AT 5901 21ST AVENUE

(P85-407 ) (APN: 021-302-43)

WHEREAS, the City Council, on December 23, 1985, held a public hearing on the request for approval of a subdivision modification and tentative map for property located at 5901 21st Avenue

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.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

1. The Negative Declaration has been prepared in compliance with CEQA, State and City Guidelines, and the Council has reviewed and considered the information contained therein.
2. None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision.

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 1965 Colonial Community Plan designate the subject site for light density residential use(s).
4. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional 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 substandard in depth:
  - a. The City Council determines that it is impracticable and undesirable in this particular case to conform to the strict application of City Code Chapter 40 in that the existing site size makes a standard lot depth impossible.
  - 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 need is created by the existing parcel size.
  - 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 resulting parcels will have standard lot area and the subdivision will be similar to the subdivision to the east and west.
  - 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 use(s).
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. Provide standard subdivision improvements pursuant to Section 40.811 of the City Code;
- 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 fees to segregate existing assessments as determined by the City Real Estate Supervisor;
- 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. Pursuant to City Code Section 40.319-1, the applicant shall indicate easements on the final map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the City Engineer after consultation with the U.S. Postal Service;
- f. Corner lots are restricted to single family attached units. No additional units shall be allowed on lots A-1 or P-2.
- g. Place the following note on the final map: "All building permits shall be reviewed by Planning staff prior to issuance. Site plans shall be developed to retain as many trees as possible."
- h. Submit a plan indicating which trees are to be removed and which are to be retained for review and approval of the Planning Director.
- i. The existing structure proposed for relocation shall be relocated to lot B.

\_\_\_\_\_  
MAYOR

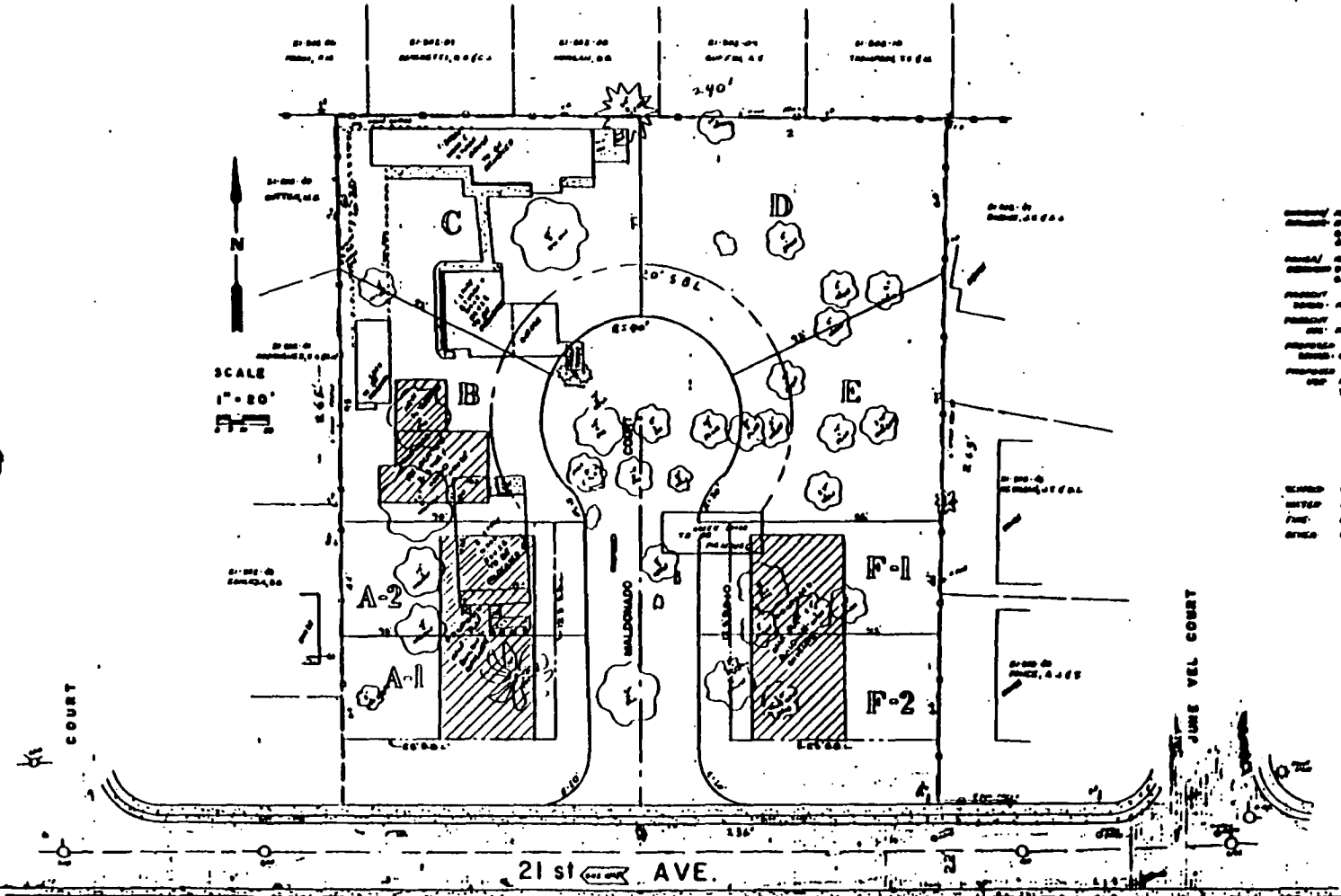
ATTEST:

\_\_\_\_\_  
CITY CLERK

P85-407

785-407

# TENTATIVE RANCHO MALDONADO SUBDIVISION



SCALE  
1" = 80'

OWNER/ A.B. GARDNER  
 ADDRESS- 505 P ST. SUITE 2  
 SACRAMENTO, CA 95811  
 (916) 442-1111

DESIGNER/ HENRY FERRER LANDSCAPE  
 ADDRESS- 505 P ST. SUITE 2  
 SACRAMENTO, CA  
 (916) 442-1111

PROJECT/ 40-1  
 PROPERTY/ 40-1  
 SITE/ RESIDENTIAL

PROPOSED/ 40-1  
 ZONE/ ZONE AS PRESENT ZONE

PROPOSED/ 40-1  
 (1) 40-1  
 (2) 40-1

RECORD/ SACRAMENTO CITY ENGINEER  
 CHECKED/ SACRAMENTO CITY  
 TIME/ SACRAMENTO FIRE DEPARTMENT  
 OTHER/ SACRAMENTO CITY



## TENTATIVE MAP



7  
11-14-85

19-2

Item 17

19

REPORT AMENDED BY CPC 11-14-85  
**CITY PLANNING COMMISSION**

1231 'I' STREET, SUITE 200, SACRAMENTO, CA 95814

<b>APPLICANT</b>	Robert & Monica Maldonado - <sup>3940</sup> <del>3943</del> Marsalla Court, Sacramento, CA	95820
<b>OWNER</b>	Robert & Monica Maldonado - <del>3943</del> Marsalla Court, Sacramento, CA	95820
<b>PLANS BY</b>	Robert & Monica Maldonado - <del>3943</del> Marsalla Court, Sacramento, CA	95820
<b>FILING DATE</b>	10-4-85	<b>ENVIR. DET.</b> 10-20-85
<b>ASSESSOR'S-PCL. NO.</b>	021-302-43	
		<b>REPORT BY</b> FG:sa

- APPLICATION:**
- A. Negative Declaration
  - B. Tentative Map
  - C. Variance to reduce front yard setback for four lots from 25 feet to 20 feet
  - D. Variance/Subdivision Modification to create four lots with substandard depth.

**LOCATION:** 5901 21st Avenue

**PROPOSAL:** The applicant is requesting the necessary entitlements to develop four single family and two halfplex units.

**PROJECT INFORMATION:**

1974 General Plan Designation: Residential  
 1965 Colonial Community  
 Plan Designation: Light Density Residential  
 Existing Zoning of Site: R-1  
 Existing Land Use of Site: Residential

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Single family; R-1	Front:	25'	20-25'
South: Single family; R-1	Side(Int):	5'	5' min.
East: Single family; R-1	Side(St):	12.5'	12.5'
West: Single family; R-1	Rear:	15'	15'

Parking Required: One space/d.u.  
 Parking Provided: One space/d.u.  
 Property Dimensions: 240' x 265'  
 Property Area: 1.5+ acres  
 Density of Development: Four d.u. per acre  
 Square Footage of Building: Halfplex - 3,321 sq. ft.  
 Topography: Flat  
 Street Improvements: To be provided  
 Utilities: To be provided  
 Exterior Building Materials: Wood & stucco

**SUBDIVISION REVIEW COMMITTEE RECOMMENDATION:** On October 30, 1985, by a vote of seven ayes, two absent, the Subdivision Review Committee voted to recommend approval of the tentative map, subject to conditions attached.

**PROJECT EVALUATION:** Staff has the following comments regarding this project:

- A. The subject site is a 1.5+ acre lot which is developed with three residences. The lot is zoned Single Family (R-1) and designated for residential uses in the



General Plan and the 1965 Colonial Community Plan. The lot is adjacent to other residential developments.

- B. The applicant is requesting to subdivide the lot into four single family and two halfplex lots. In addition, variances are being requested to reduce front yard setbacks from 25 feet to 20 feet and to create four lots which are substandard in depth. The proposed tentative map is similar in lot size and configuration to the adjacent subdivisions to the east and west of the site.
- C. The site is developed with residential structures which the applicant proposes to remove. Staff recommends that if the units are structurally sound, they should be offered for relocation to another site. In addition, staff recommends that the 36" walnut tree on lot B and the 39" walnut tree on lot C be retained and that all development plans be modified, if necessary, to accommodate the walnut trees.
- D. The applicant intends to construct halfplexes on the corner lots. The applicant's development plans are not of sufficient detail to enable staff to complete the review process. Prior to issuance of a building permit, the applicant must submit complete elevations of the halfplexes for review and approval by staff. In addition, halfplexes are permitted in the Single Family (R-1) zone based on compliance with the following requirements:
  1. The halfplex development must be on a corner lot.
  2. Each unit shall have its entrance, including driveways, off different streets.
  3. The halfplex lots and structure(s), when combined, shall meet the minimum setback requirements for the R-1 zone.
  4. Each unit shall have an enclosed garage and a driveway of at least 20 feet long and eight feet wide.
  5. Exterior siding materials and roofing materials shall be consistent with the quality, and compatible with the appearance of single family homes in the subdivision.
  6. Rear and side yard areas are shaped to maximize their potential use.

Staff is also recommending that the corner lots be limited to attached halfplex units and that no duplexes be allowed.

- E. The applicant is also requesting a variance/subdivision modification to create lots less than 100 feet deep and to reduce the front yard setback from 25 feet to 20 feet. Given the fact that the subject lot is nearly identical to the property to the east and west of the subject lot, which have been developed with substandard lot sizes, staff would therefore recommend that the variances be approved.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the project could not have a significant impact on the environment and has filed a negative declaration.

RECOMMENDATION: Staff recommends the following action:

- A. Ratify the negative declaration;
- B. Recommend approval of the tentative map, subject to the conditions which follow;
- C. Approval of the variance to reduce the front yard setback for four lots from 25 feet to 20 feet, subject to conditions and based upon findings of fact which follow;
- D. Approval of the variance/subdivision modification to create four lots with substandard depth, based upon 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. Provide standard subdivision improvements pursuant to Section 40.811 of the City Code;
- 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 fees to segregate existing assessments as determined by the City Real Estate Supervisor;
- 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. Pursuant to City Code Section 40.319-1, the applicant shall indicate easements on the final map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the City Engineer after consultation with the U.S. Postal Service;
- 6. Corner lots are restricted to single family attached units. No additional units shall be allowed on lots A-1 or F-2.
- 7. Place the following note on the final map: "All building permits shall be reviewed by Planning staff prior to issuance. Site plans shall be developed to retain as many trees as possible."
- 8. Submit a plan indicating which trees are to be removed and which are to be retained for review and approval of the Planning Director.
- 9. *The existing structure proposed for relocation shall be relocated to lot B. (CPC added)*

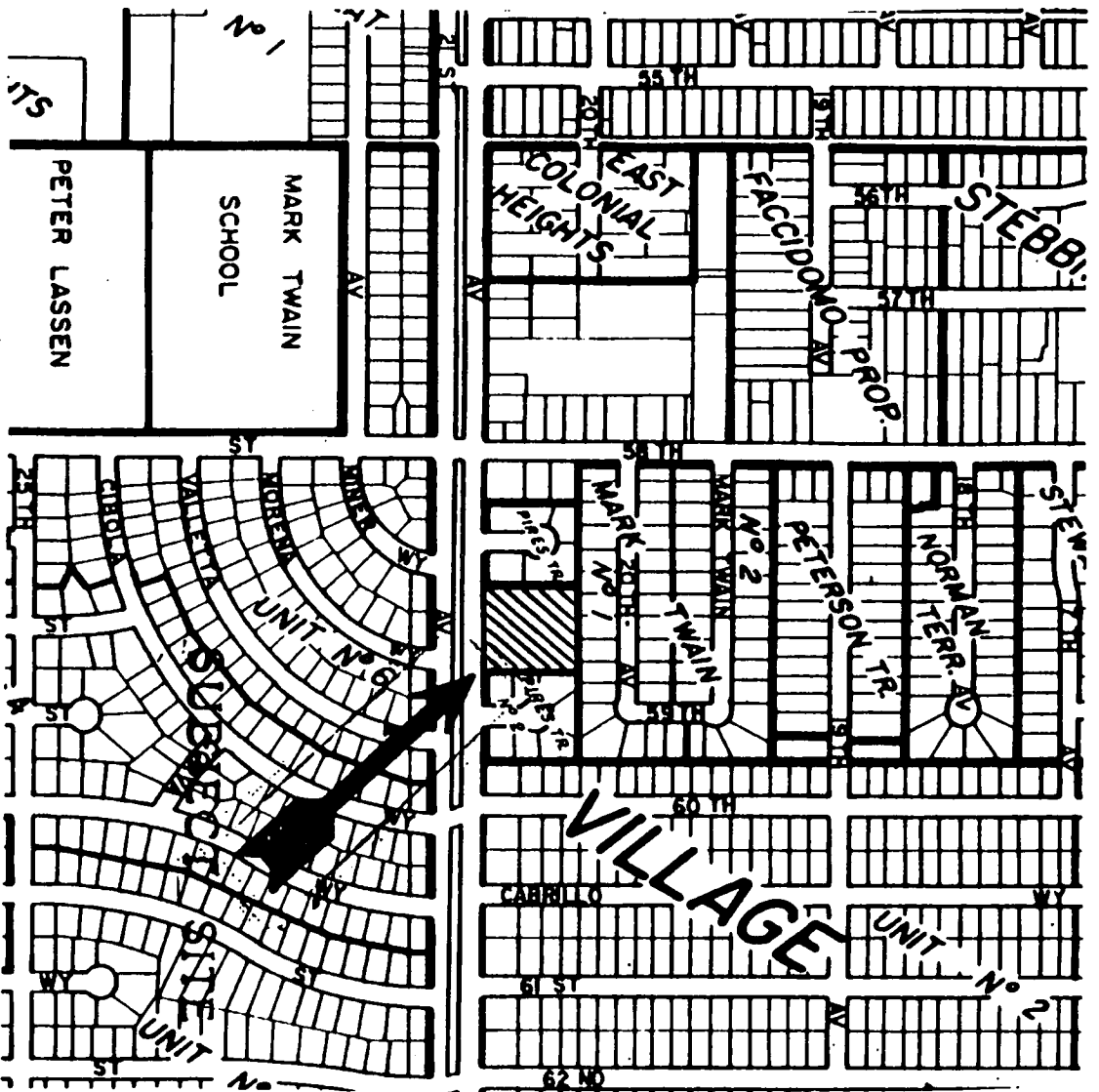
Conditions - Variance

- 1. The 36" walnut tree on lot B and the 39" walnut tree on lot C shall be retained.

- 2. The corner lots shall be developed with attached halfplex units. No duplexes shall be allowed.
- 3. The applicant shall comply with the development criteria for halfplexes as per the Zoning Ordinance.

Findings of Fact - Variances/Subdivision Modification

- 1. Granting the variance does not constitute a special privilege extended an individual applicant, in that:
  - a. the site is compatible in size to other lots in the immediate vicinity.
- 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 will not be injurious to the public welfare or injurious to surrounding property in that the proposed lots will be a minimum of 3,200 square feet, which provides an adequate buildable area.
- 4. The request is consistent with the 1974 General Plan and the 1965 Colonial Community Plan which designate the site for residential uses.



# VICINITY MAP

PS-407

12 11-14-85

IFM 17

1/10/11

13 58-41-11

585-585

# LAND USE & ZONING MAP

58th

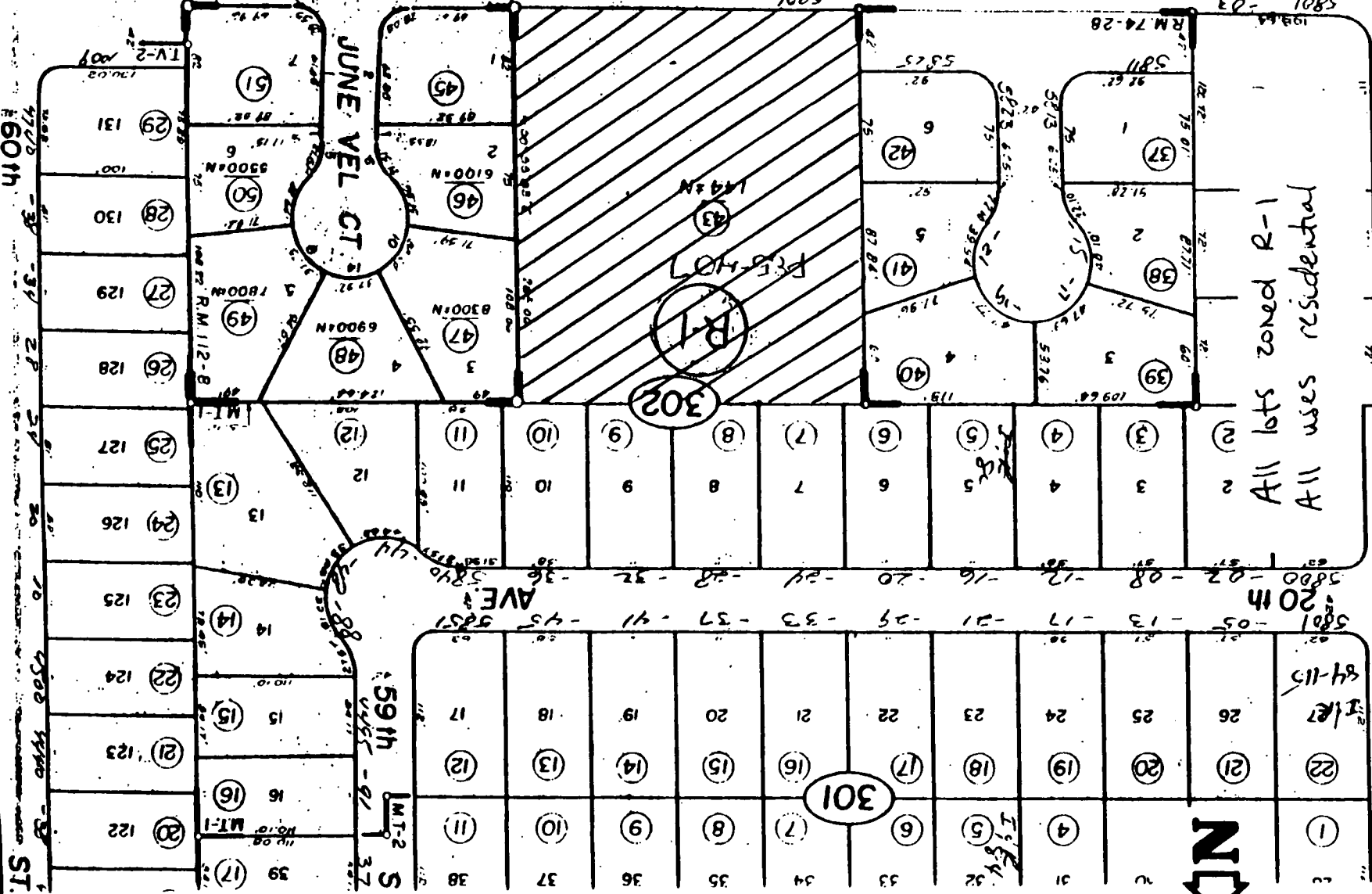
MT-1-B

MT-1  
MT-2



All lots zoned R-1  
All uses residential

21st



61

60th

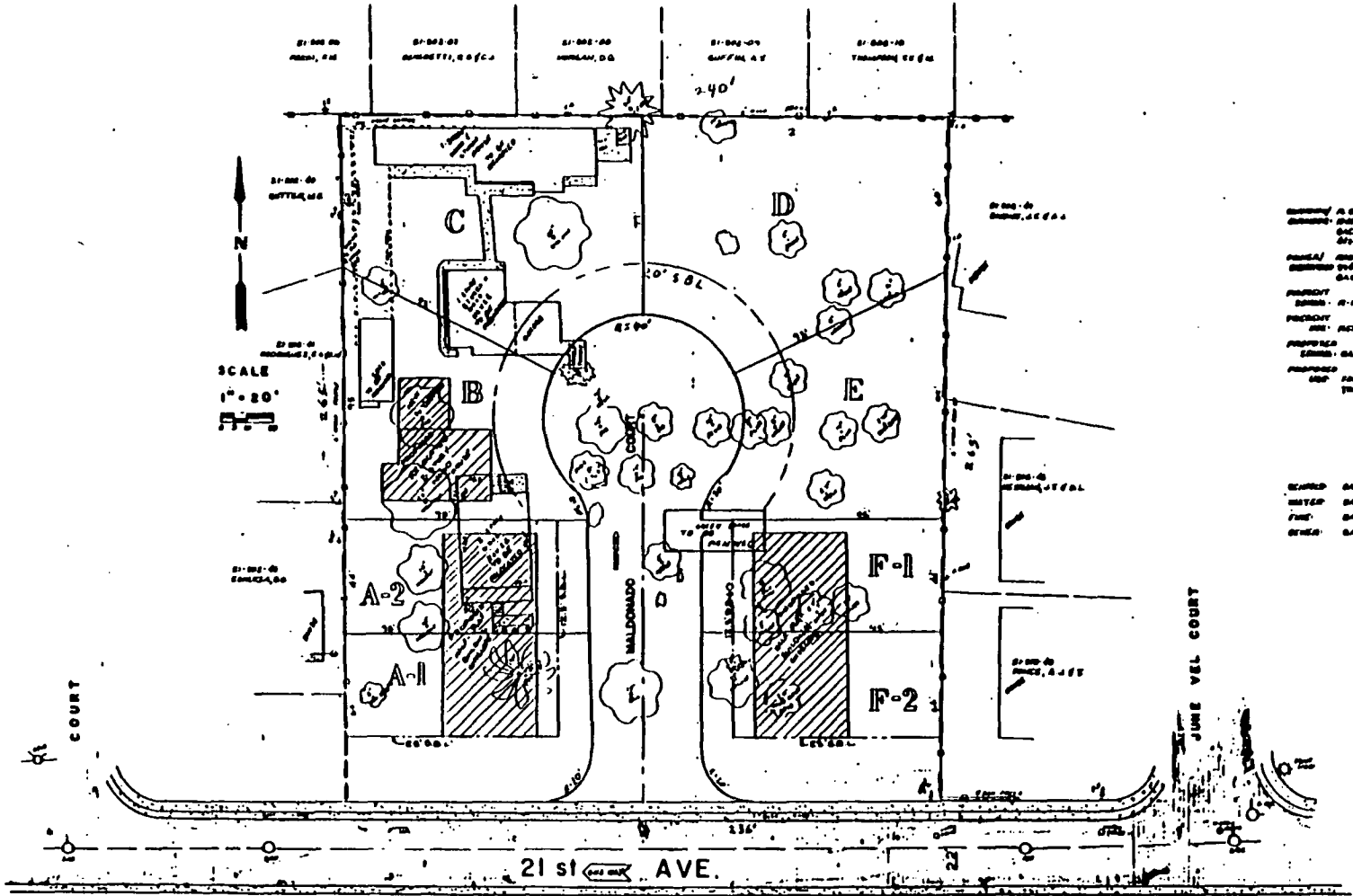
ST

785-407

11-14-85

IRM 1/2

# TENTATIVE RANCHO MALDONADO SUBDIVISION



OWNER: A. B. GARDNER  
 ADDRESS: 280 P ST SUITE 2  
 SACRAMENTO, CA 95811  
 916-441-1212

PREPARED BY: J. B. GARDNER  
 ADDRESS: 280 P ST SUITE 2  
 SACRAMENTO, CA 95811  
 916-441-1212

PROPOSED ZONING: R-1  
 PROPOSED USE: RESIDENTIAL

PROPOSED LOT AREA: 10,000 SQ FT (2) DOUBLE GROUND LOTS  
 10,000 SQ FT (2) HALF-PLAZ (2) LOTS

LOT #	AREA (SQ FT)	OR PT (ACR)
A-1	6,000	
A-2	4,000	
B	6,000	
C	10,000	
D	10,000	
E	10,000	
F-1	10,000	
F-2	10,000	
F-3	10,000	

RECORD: SACRAMENTO CITY OFFICE  
 WATER: SACRAMENTO CITY  
 FIRE: SACRAMENTO FIRE DEPARTMENT  
 OTHER: SACRAMENTO CITY



**EXHIBIT A**  
**SITE PLAN**

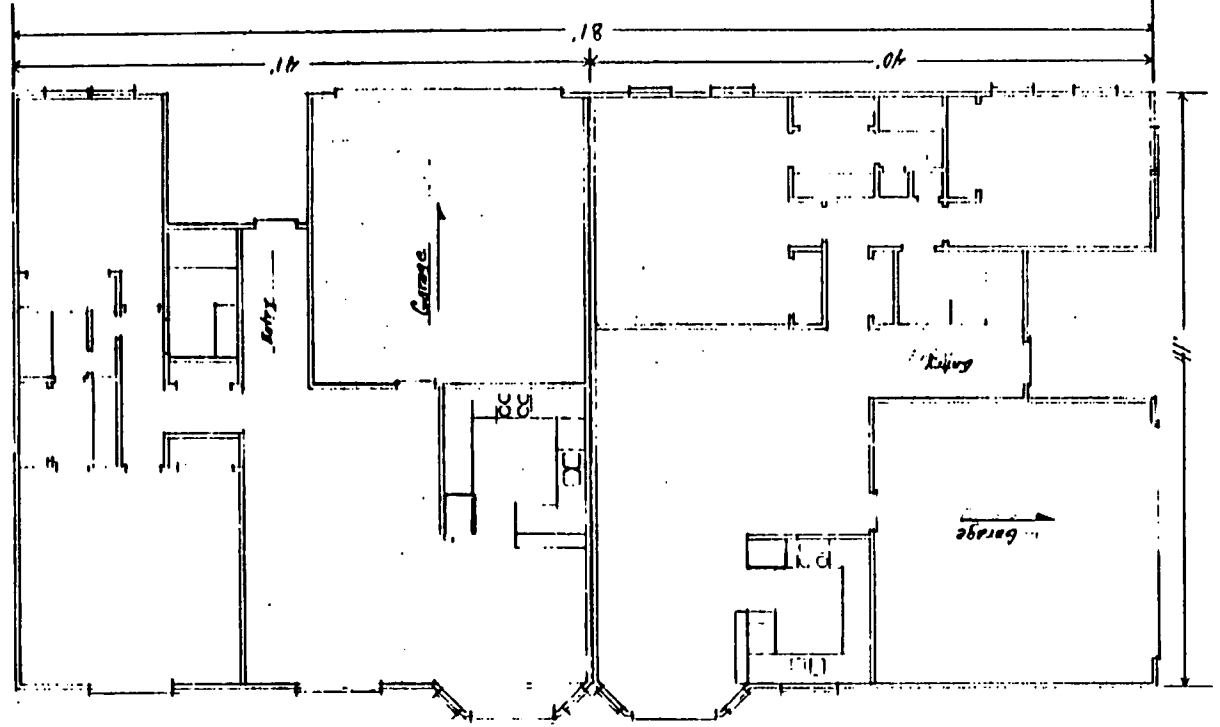
**TENTATIVE MAP**

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**EXHIBIT B**  
**FLOOR PLANS**

Scale 1/4" = 1'




P85-407

IS 11-4-85

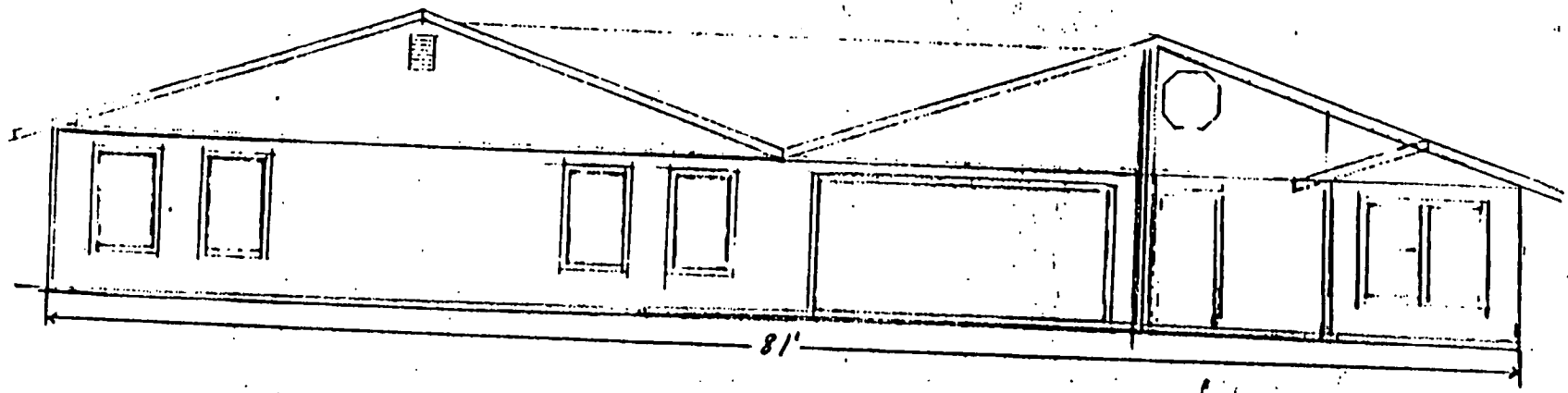
Item 17

Pass 407

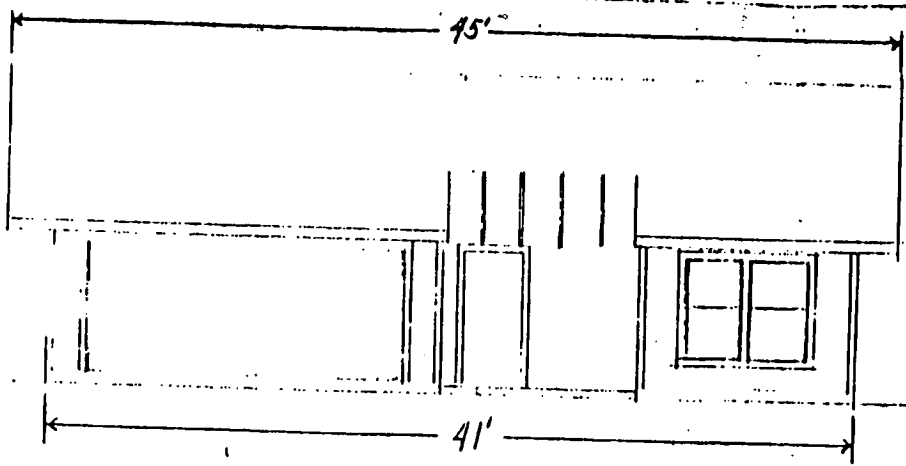
16

11-14-85

JEH 1/7



81'



45'

41'

Front Elevations  
Scale 1/4" = 1'

EXHIBIT C  
ELEVATIONS

195



January 6, 1986

3946 Robert & Monica Maldonado  
~~3943~~ Marsalla Court  
Sacramento, CA 95820

Dear Mr. & Ms. Maldonado:

On December 23, 1985, the Sacramento City Council took the following action(s) for property located at 5901 21st Avenue:

Adopted Res. 85-988 adopting Findings of Fact approving Tentative Map to subdivide 1.5± acres into four single family lots and two halfplex in the Single Family zone; and Subdivision Modification to create four single family lots substandard in depth. (P-85407)

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

Sincerely,

Anne J. Mason  
Assistant City Clerk

AJM/dbp/19

Enclosure

cc: Planning Department