



# CITY OF SACRAMENTO

19

CITY PLANNING DEPARTMENT  
927 TENTH STREET SACRAMENTO, CA 95814  
SUITE 300 TELEPHONE (916) 449-5604

MARTY VAN DUYN  
PLANNING DIRECTOR

September 21, 1983

**APPROVED**  
BY THE CITY COUNCIL

SEP 28 1983

OFFICE OF THE  
CITY CLERK

City Council  
Sacramento, California

Honorable Members in Session:

SUBJECT: Request for Post Subdivision Modification to modify a condition of approval relating to the removal of existing structures on a proposed parcel (P-9611)(APN: 238-180-01)

## SUMMARY

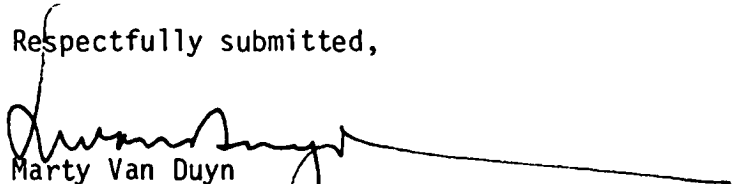
This is a request to modify a condition of approval of a tentative parcel map that was approved by the City Council in 1982. The condition requires removal of a dwelling, detached garage and a barn. The applicant is proposing to retain the detached garage and demolish the other two structures. The garage will be utilized with a future single family dwelling. Staff recommends approval of the modification subject to an amended condition.

## BACKGROUND INFORMATION

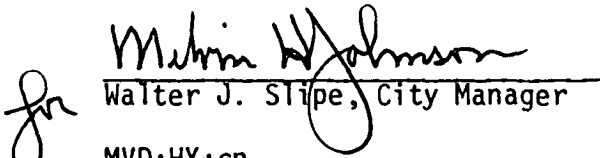
The subject site consists of .7 acre and is presently developed with two single family dwellings, a garage, and a barn. In January 1982, the City Council approved a tentative parcel map to allow the division of the site into two separate parcels. A single family dwelling was to be retained on proposed Parcel A. Parcel B is intended for a future single family dwelling. Before a new dwelling could be constructed on Parcel B, all existing structures must be removed, therefore Condition 4 of Resolution 82-005 was included. The applicant is proposing to retain the garage on Parcel B in order to utilize it for the proposed dwelling unit. Staff has no objection to this, however, would suggest a modified condition that would require removal of the garage if a new dwelling is not constructed within two years. This condition would allow the applicant to retain the garage and build the new dwelling within a reasonable time. If the dwelling is not constructed, then the garage would be removed.

RECOMMENDATION

The staff recommends approval of the post subdivision modification and adoption of the attached resolution with a condition.

Respectfully submitted,  
  
Marty Van Duyn  
Planning Director

RECOMMENDATION APPROVED:

  
Walter J. Slipe, City Manager

MVD:HY:cp  
Attachment  
P-9611

September 28, 1983  
District No. 2

August 31, 1983

Sacramento City Council  
827 10th Street, Suite 300  
Sacramento, CA 95814

Re: 2200 Rene Avenue

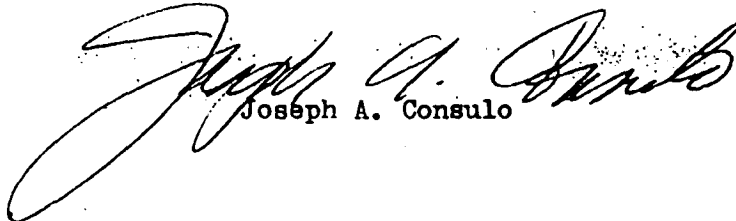
Gentlemen:

I, Joseph A. Consulo, hereby request a post subdivision modification of Condition No. 4 of Tentative Map Application No. P-9611, approved on January 5, 1982. The condition now reads "The existing structures on Parcel B shall be removed". I wish the condition to read "The existing structure on Parcel B shall be removed".

The reason for this request is that I wish to construct a single family house in the near future on Parcel B utilizing the existing garage.

Thank you very much.

Yours very truly

  
Joseph A. Consulo

RESOLUTION No. 83-748

Adopted by The Sacramento City Council on date of

ADOPTING FINDINGS OF FACT AND APPROVING A POST  
SUBDIVISION MODIFICATION FOR A TENTATIVE PARCEL  
MAP LOCATED AT 2200 RENE AVENUE

(P-9611 )(APN: 238-180-01)

WHEREAS, the Council of the City of Sacramento, based on testimony submitted at  
a public hearing conducted on September 28, 1983, hereby finds  
and determines as follows:

- a. That there are such special circumstances or conditions affecting the property that it is impossible, impracticable or undesirable in the particular case to conform to the strict application of the zoning and subdivision ordinances;
- b. That cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification;
- c. That the modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity;
- d. That granting the modification is in accord with the intent and purposes of these regulations and is consistent with the General Plan and with all other applicable Specific Plans of the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sacramento as follows:

That the Post Subdivision Modification be approved subject to the following condition(s):

The existing structures on Parcel B shall be removed; however, the existing garage may be retained if a single family dwelling is constructed on Parcel B within two years. To guarantee performance of this condition, the applicant shall enter into an agreement with the City for the applicant to remove, at his expense, the detached garage unless the new residence is constructed within two years of the recordation of the final map. The owner's performance of the agreement shall be secured by a bond or certificate of deposit with the City.

APPROVED  
BY THE CITY COUNCIL

MAYOR

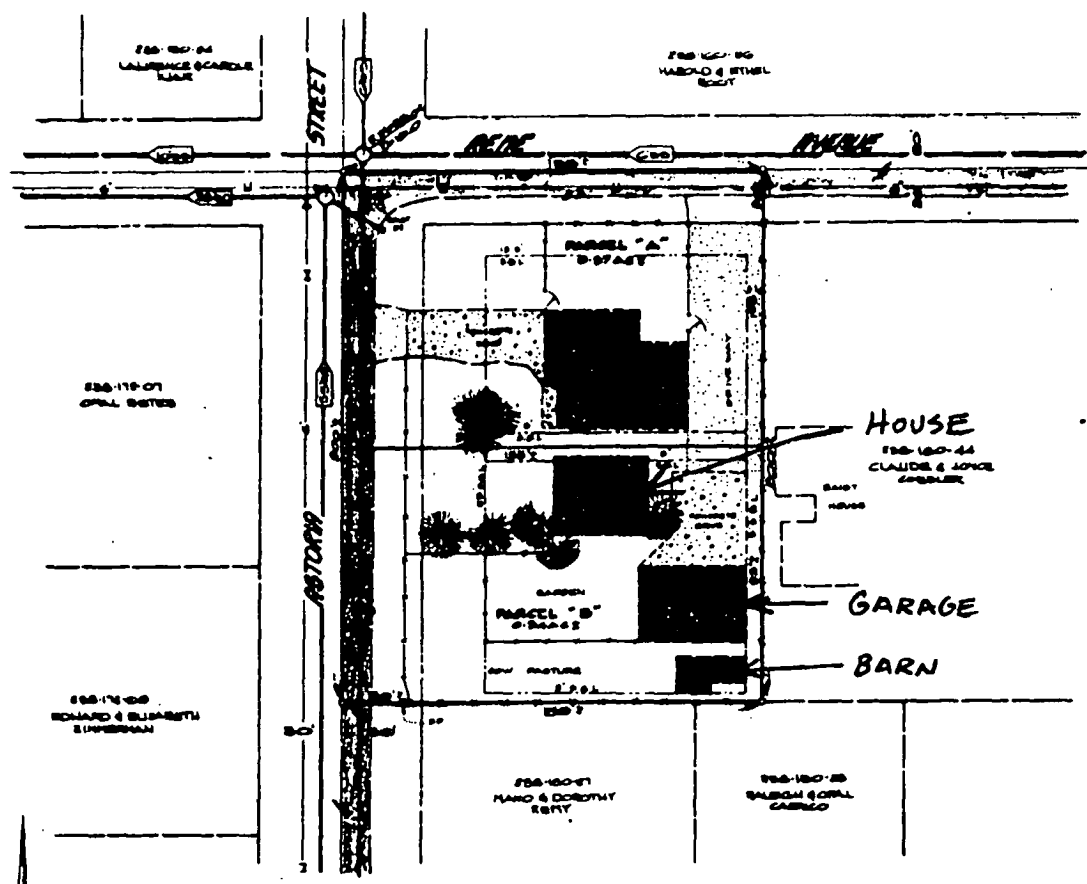
SEP 28 1983

OFFICE OF THE  
CITY CLERK

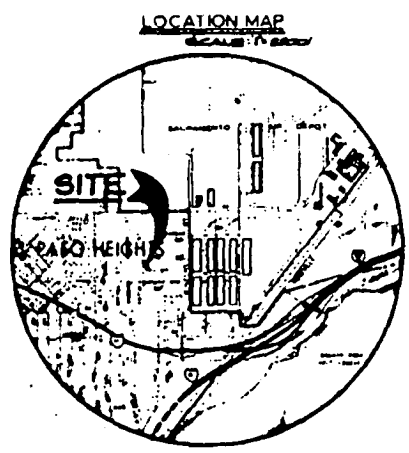
ATTEST:

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

TENTATIVE MAP  
 FOR  
 A.P.N. 238-180-01  
 SACRAMENTO CITY, CALIFORNIA  
 NOVEMBER, 1981, SCALE: 1"=30'



NOTE: NO CONTOURS ARE SHOWN  
 BECAUSE SITE IS FLAT



RECORD MAP & SUBDIVIDER: JOE CONSULO  
 ADDRESS: 2200 RENE AVE. SACRAMENTO, CALIF 95808  
 1-916-885-8608  
 PROPOSED USE: RESIDENTIAL  
 EXISTING USE: RESIDENTIAL  
 SEWER DISPOSAL: SACRO CITY  
 WATER SUPPLY: SACRO CITY  
 PROPOSED IMPROVEMENTS AS REQUIRED  
 ACRE: 0.72 ACRES GROSS  
 PARCEL NUMBER: 238-180-01  
 DISTRICT: 101A FOR OF SEC. ED RANCHO DEL PASEO  
 EXISTING ZONING: R-1  
 PROPOSED ZONING: R-1

T.P.M. 454

1"=30'	11-8-81	11-8-81
--------	---------	---------

# RESOLUTION No. 82-005

Adopted by The Sacramento City Council on date of

January 5, 1982

RESOLUTION ADOPTING FINDINGS OF FACT, APPROVING  
A REQUEST FOR TENTATIVE MAP PROPERTY LOCATED AT  
2200 RENE AVENUE (APN: 238-180-01) (P-9611)

WHEREAS, the Parcel Map Advisory Agency has submitted to the City Council its report and recommendations concerning the Tentative Map for property located at 2200 Rene Avenue

(hereinafter referred to as the proposed subdivision).

WHEREAS, the Council of the City of Sacramento, based on testimony submitted at public hearing(s) conducted on January 5, 1982 hereby finds and determines as follows:

- A. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan and the Del Paso Heights Community Plan in that the plans designate the subject site for Residential uses.
- B. The site is physically suitable for the type and proposed density of development in that the subject site is flat with no significant erosional, soil expansion, or other similar problems.
- C. The design of the subdivision or proposed improvements are not likely to cause substantial environmental damage and will not substantially and avoidably injure fish, wildlife, or their habitat. The proposed project has been reviewed and assessed by the Environmental Coordinator, who has determined that the proposed project will not cause individual or cumulative adverse effects on the natural and social-physical environment or substantially and avoidably injure fish, wildlife, or their habitat pursuant to CEQA, Section
- D. The design of the subdivision or the type of improvements are not likely to cause serious public health problems in that community water and sewer systems exist at the site. The site is not within an established floodplain or over a known seismic fault.
- E. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public for access through, or use of, the property within the proposed subdivision, in that there are no access easements for use by the public at large on the subject site.

- F. The discharge of waste from the proposed subdivision into the community sewer system servicing the proposed subdivision will not result in or add to a violation of the waste discharge requirements applicable to said sewer system which were prescribed by the California Regional Water Quality Control Board, Central Valley Region, in that the existing City of Sacramento treatment plants have a design capacity of 75 mgd and that actual treated discharge averages 56 mgd. The discharge from the proposed project will not create a condition exceeding the design capacity.
- G. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the proposed subdivision, taking into consideration the local climate, the contour and configuration of the parcel to be divided, and such other design and improvement requirements applicable to the proposed subdivision.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sacramento as follows:

The Tentative Map be approved subject to the following conditions:

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 applicant shall enter into an agreement with the City to participate in any future assessment district to provide for street improvements.
2. File the necessary segregation requests and fees to segregate existing assessments.
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. The appraisal shall be dated not more than 90 days prior to the filing of the final map.
4. The existing structures on Parcel B shall be removed.
5. The applicant shall place the following note on the final map: "Parcel A shall be limited to a single family residence only."

- 6. Dedicate two feet of right-of-way on Rene Avenue and a 20-foot radius round corner of Astoria Street.

**PHILLIP L. ISENBERG**

MAYOR

ATTEST:

**LORRAINE MAGANA**

CITY CLERK

P-9611



October 3, 1983

Joseph A. Consulo  
2200 Rene Avenue  
Sacramento, CA 95838

Dear Mr. Consulo:


On September 28, 1983, the Sacramento City Council took the following action(s) for property located 2200 Rene Avenue (P-9611):

Adopted Resolution No. CC83-748 approving post subdivision modification for a tentative map to revise condition #4 to allow retention of an existing garage

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

Sincerely,



 Lorraine Magana  
City Clerk

LM/sl/19 ✓

Enclosure: **CERTIFIED COPY OF RESOLUTION NO. CC83-748**

cc: Planning Department