

**CITY OF SACRAMENTO
DEPARTMENT OF DEVELOPMENT SERVICES
ZONING ADMINISTRATOR
1231 I Street, Sacramento, CA 95814**

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, July 21, 2004, the Zoning Administrator approved with conditions a tentative map to create two new parcels (File Z04-081). Findings of Fact and conditions of approval for the project are listed on pages 2-5.

Project Information

Request: **Zoning Administrator Tentative Map** to subdivide one parcel into two parcels totaling 1.857± partially developed acres in the General Commercial (C-2) zone.

Location: 6367 Power Inn Road (D6 Area 3)

Assessor's Parcel Number: 038-0273-021

Applicant: Wong & Associates (Maria Wong)
950 Fulton Ave
Sacramento, CA 95825

Property Owner: Celestino & Maria Avalos
6494 Surfside
Sacramento, CA 95831

Project Planner: Sandra Yope

General Plan Designation: Low Density Residential (4-15 du/na)
South Sacramento

Community Plan Designation: General Commercial
Existing Land Use of Site: Commercial and Vacant
Existing Zoning of Site: General Commercial (C-2)

Surrounding Land Use and Zoning:

North: R-1; Single Family Residential
South: C-2; Commercial
East: M-2S; Industrial
West: R-1; Single Family Residential

Property Dimensions: Irregular
Property Area: 1.857 ± acres
Topography: Flat
Street Improvements: Existing
Utilities: Existing

Project Plans: Exhibit A

Previous Files: P02-143, P90-019, P87-121

Additional Information: The applicant proposes to subdivide one parcel into two parcels for financing purposes. The site is developed with a drive-thru restaurant on the east side and the remaining area is vacant. There are required parking spaces on the vacant portion for an adjacent property that is not part of the parcel map application. Both lots will meet the Subdivision Code size and area requirements.

The project was noticed and staff received no calls. The site is located within the Southeast Area neighborhood association area. The project plans were sent to the association and no comments were received.

Subdivision Review Committee: The proposed map was heard at the Subdivision Review Committee on July 7, 2004. During the hearing, minor changes were effected on the proposed conditions of approval specific to the map which were accepted by the applicant and approved by the Committee. The conditions are listed under Conditions of Approval.

Agency Comments: The proposed project has been reviewed by the City Utilities Department, the Building Division, and the Public Development Engineering and Finance Division, Parks, SMUD, and other utilities. The comments received pertaining to the tentative map have been included as conditions.

Environmental Determination: This project will not have a significant effect on the environment and is exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15315.

Conditions of Approval- Tentative Map:

The following conditions shall be satisfied prior to filing the Final Map unless a different time for compliance is specifically stated in these conditions:

NOTE: The design of any improvement not covered by these conditions shall be to City standard.

GENERAL:

1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessment.
2. Show all continuing and proposed/required easements on the Parcel Map.
3. 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.

DEVELOPMENT ENGINEERING AND FINANCE:

4. Submit a Geotechnical Analysis prepared by a registered engineer to be used in street design. The analysis shall identify and recommend solutions for groundwater related problems, which may occur within both the subdivision lots and public right-of-way. Construct appropriate facilities to alleviate those problems. As a result of the analysis street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater conditions.

5. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk along Power Inn Road and Elder Creek Road per City standards to the satisfaction of the Development Engineering and Finance Division.
6. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Development Engineering and Finance Division. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards.
7. This project does not require street lighting. There is an existing street lighting system in this project area. Improvements of right-of-way may require modification to the existing system. Electrical equipment shall be protected and remain functionally during construction.
8. Dedicate an additional 9.5 -foot of right-of-way adjacent to Elder Creek Road to accommodate future separated sidewalks to meet the City's 4-lanes Arterial Standards.
9. Dedicate an additional 4-foot of right of way on Power Inn Road to accommodate future exclusive right turn to meet the City's 4-lanes arterial expanded intersection Standards

PUBLIC /PRIVATE UTILITIES:

10. Dedicate a 12.5-foot public utility easement for overhead and underground facilities and appurtenances adjacent to all public street rights-of-way. (SMUD)
11. The owner/developer must disclose to future/potential owners the existing 69kV electrical facilities. SMUD has existing 69 kV overhead power lines on the west side of Power Inn Road. (SMUD)
12. Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.
13. Sewer service shall continue to be provided by CSD-1 facilities to Parcel 1. Required modifications, if any, shall be to the satisfaction of CSD-1
14. Each parcel shall have a separate connection to the CSD-a sewer system:
15. In order to obtain sewer service, construction of CSD-a sewer facilities is expected to be required. Sewer easement may be required. All sewer easements shall be dedicated to CSD-1 in a form approved by the district Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance.
16. Private sewer service will not be permitted to connect directly to the 15-inch diameter trunk sewer line.

CITY UTILITIES:

17. Only one domestic water service per parcel is allowed. Any excess domestic water services must be abandoned to the satisfaction of the Department of Utilities. The applicant should be advised that the tap record research and verification of tap locations by the field crews involved prior to sign-off of this condition may take a considerable amount of time, therefore, all requests should be submitted in a timely manner. A service to Parcel 2 may be differed until the time of building permit.

18. The proposed development is located within County Sanitation District No. 1 (CSD1). Satisfy all CSD1 requirements.
19. Either the lots must be graded so that drainage does not cross property lines or the applicant must enter into and record an **Agreement for Conveyance of Easements** with the City stating that a private reciprocal drainage easement shall be conveyed to and reserved from each parcel as needed, at no cost, at the time of sale or other conveyance of either parcel. A note stating the following must be placed on the Final Map:

"THE PARCELS CREATED BY THIS MAP SHALL BE DEVELOPED IN ACCORDANCE WITH RECORDED AGREEMENT FOR CONVEYANCE OF EASEMENTS # (BOOK __, PAGE __)."

Fire:

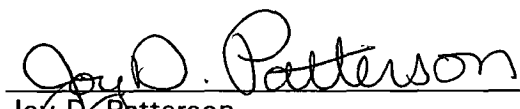
20. Shared driveways used for Fire Department access will require a reciprocal ingress/egress agreement and shall be reviewed by the City Attorney.

ADVISORY NOTES:

21. The proposed project is located in the Flood zone designated as an **X** zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated July 6, 1998. Within the X zone, there are no requirements to elevate or flood proof.
22. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
23. Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information.

Findings of Fact-Tentative Map:

1. The Tentative Subdivision Map is consistent with the General Plan and the South Sacramento Community Plan which designates the subject site as Low Density Residential (4-15 du/na) and General Commercial respectively.
2. All existing streets and/or utility easements of record are reserved. The Tentative Subdivision Map will not result in the abandonment of any street or utility easement of record.
3. The Tentative Subdivision Map will not eliminate or reduce in size of the access way to any resulting parcel.
4. The resulting parcels from the Tentative Subdivision Map conform to the requirements of this Subdivision Code, Title 16 of the City Code, the City's General Plan, and the City's Comprehensive Zoning Code.

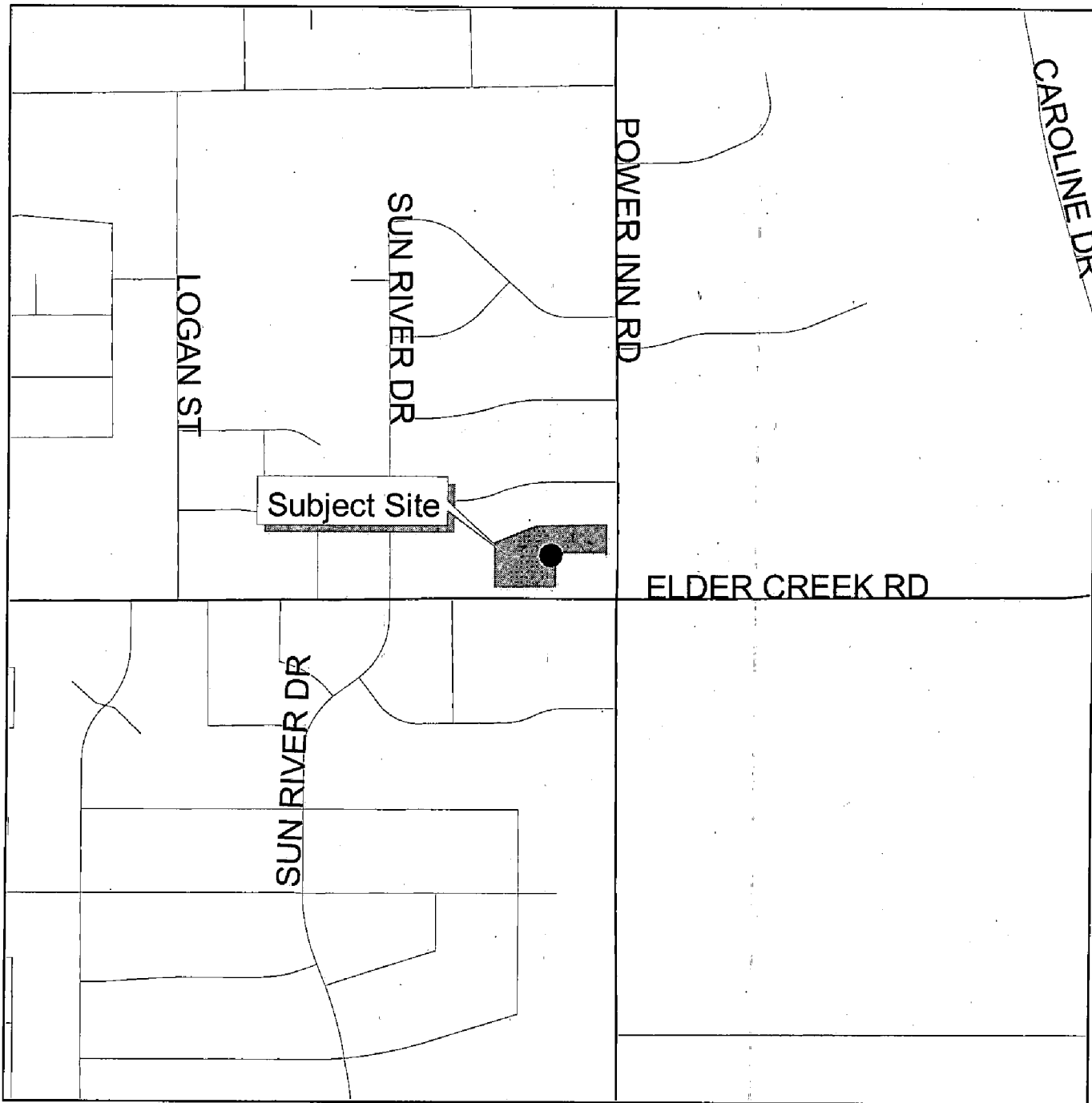


Joy D. Patterson
Zoning Administrator

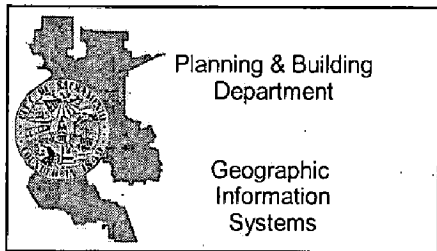
The Tentative Map that is granted must be finalized within two years after such tentative map is approved. If such map is not so finalized the Tentative Map shall be deemed to have expired and shall be null and void. The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

Note: The applicant will need to contact the Public Works Department (Jerry Lavoto, 808-7918) after the appeal period is over to submit for a Final Map.

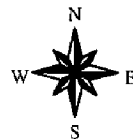
cc: File (original) ZA Log Book Applicant Public Works (Jerry Lavoto)

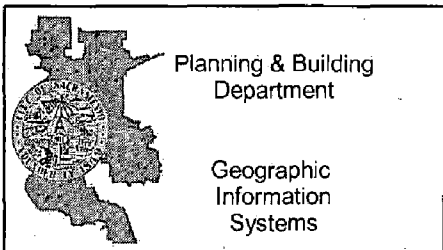
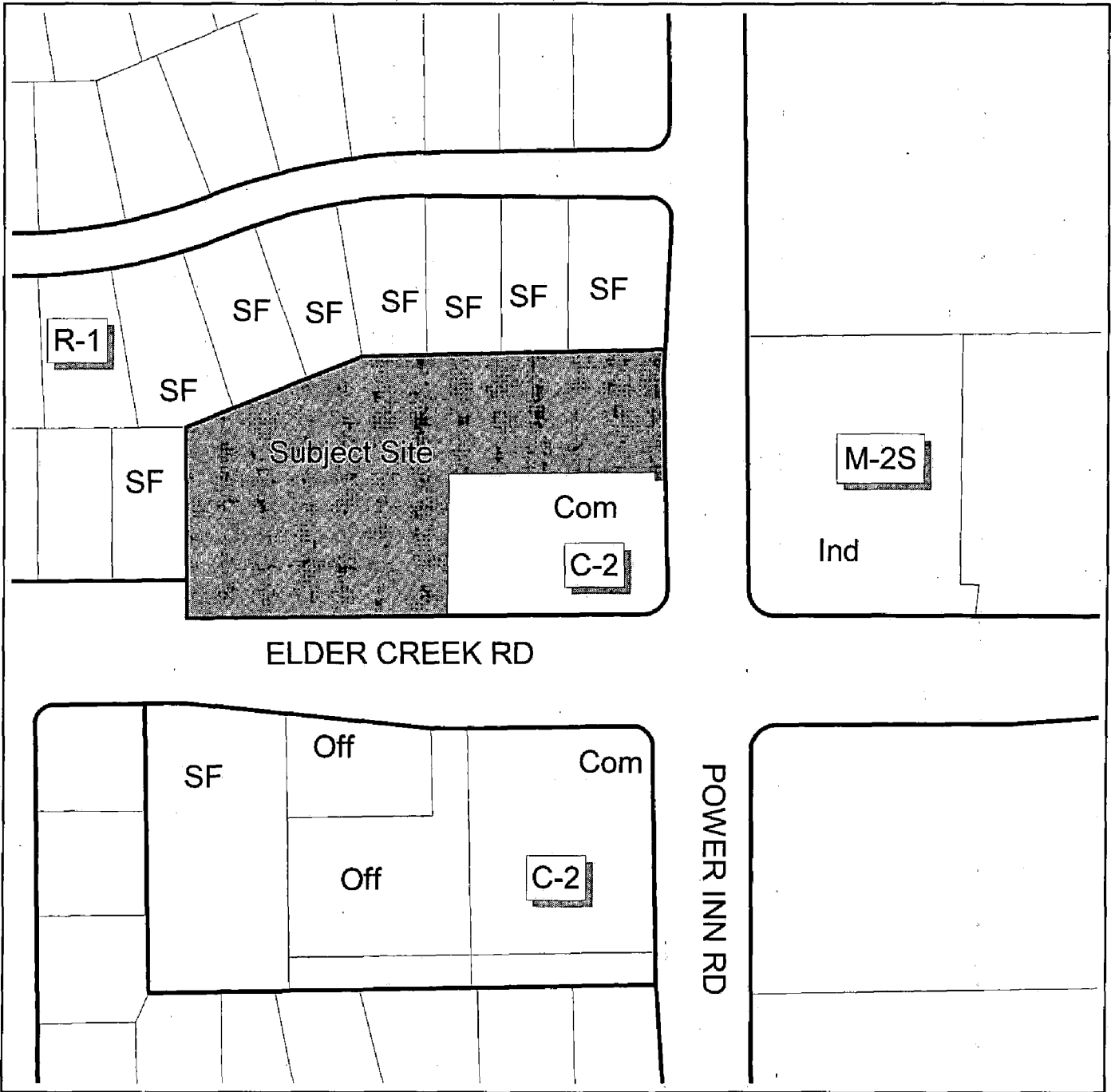


0 600 1200 Feet



Vicinity Map





Land Use & Zoning



