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CITY CLERKS OFFICE
CITY OF SACRAMENTO

Nov 8 10 13 AM '90

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
SACRAMENTO, CA

November 13, 1990

APPROVED
BY THE CITY COUNCIL

ADMINISTRATION
ROOM 300
95814-2987
916-449-5571

City Council
Sacramento, California

NOV 13 1990

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

OFFICE OF THE
CITY CLERK

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

Honorable Members In Session:

- SUBJECT:
1. NEGATIVE DECLARATION
 2. TENTATIVE MAP TO SUBDIVIDE 0.36± ACRES INTO TWO PARCELS IN THE R-1 ZONE (P90-330)
 3. SUBDIVISION MODIFICATION TO CREATE A LOT WITH LESS THAN 52' OF STREET FRONTAGE
 4. SUBDIVISION MODIFICATION TO ESTABLISH A LOT WITH LESS THAN 5,200 SQUARE FEET OF LOT AREA

LOCATION: 2395 Gibson Street

Owner: Margaret Shepard, 2395 Gibson Street, Sacramento, CA
 Applicant: Jan C. Cudrnak, 8607 Pershing Avenue, Sacramento, CA

SUMMARY

This is a request for a Tentative Map to subdivide 0.36± acres into two parcels in the single family (R-1) zone. The request also includes two subdivision modifications to create a lot less than 52 feet in width and less than 5,200 square feet of lot area. The Planning Commission and Planning staff recommend approval of the request.

①

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City Council
2395 Gibson Street (P90-330)
November 13, 1990
Page 2

BACKGROUND

The subject site consists of one parcel totaling 0.36± acres in the Standard Single Family (R-1) zone. The site is developed with two single family residences. The General Plan designates the site for Low Density Residential (4-15 du/na). The 1984 North Sacramento Community Plan designates the site for Residential (4-8 du/na). The subject proposal is 5.5± du/na.

The request is for a Tentative Map to subdivide 0.36± acres into two parcels. Parcel A proposed lot size is 47'x 100' and Parcel B proposed lot size is 100'x 113'. In addition, a Subdivision Modification is requested (for Parcel A) to create a lot less than 52 feet wide (47 feet) and less than 5,200 square feet of lot area (4,700 square feet). The creation of the substandard lot is due to the location of the existing dwellings and garage. There are several lots on Gibson Street and on Redwood Avenue that are less than 52 feet in width and less than 5,200 square feet in area. The proposed lots have adequate useable yard area. Planning staff and the Planning Commission support the requested map and subdivision modification.

VOTE OF THE PLANNING COMMISSION

On October 11, 1990, the Planning Commission voted six ayes, two 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.

FINANCIAL DATA

Not applicable.

POLICY MATTERS

This project is consistent with the General Plan and the Community Plan.

②

2/1

City Council
2395 Gibson Street (P90-330)
November 13, 1990
Page 3

MBE/WBE EFFORTS

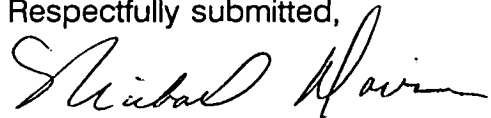
Not applicable.

RECOMMENDATION

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

1. Ratify the Negative Declaration
2. Adopt the attached resolution and Findings of Fact for 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

November 13, 1990
District No. 2

MMD:WW:vr
P90-330.cc

Attachment

RESOLUTION NO. 90-938

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

APPROVED
BY THE CITY COUNCIL

NOV 13 1990

OFFICE OF THE
CITY CLERK

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR PROPERTY LOCATED AT 2395 GIBSON STREET

(P90-330) (APN: 275-0027-027)

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.

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

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

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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 North Sacramento 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 create a lot less than 52 feet wide and less than 5,200 square feet of lot area:
 - a. The City Council determines that it is impossible, impracticable and undesirable in this particular case to conform to the strict application of City Code Chapter 40 in that the property has two existing dwellings.
 - 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 alley would be improved to provide access to the new garage.
 - 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 dwellings will have garages and useable yard areas.
 - 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.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

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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. Provide separate water and sewer services to each parcel. Parcel B may require a private easement across Parcel A for access to sanitary sewer.
- B. Construct new sidewalk along Redwood Avenue.
- C. Reconstruct deteriorated curb and gutter along Redwood Avenue.
- D. Applicant shall provide a garage for Parcel A. If access is provided off the alley, standard alley improvements are required. If access is off of Redwood Avenue, a new driveway shall be provided. A permit is required to construct a driveway on the subject site. The new garage shall be constructed prior to recordation of the final map.
- E. Dedicate the south five feet of Parcel A as a public utility easement for overhead and underground facilities and appurtenances.
- F. Obtain appropriate Building Division approval for the location of the garage on Parcel B. The setbacks shall be met and/or fire wall(s) constructed prior to recordation of the final map.
- G. The garage off the alley shall be set back six feet from the property line to meet the required maneuvering area.

MAYOR

ATTEST:

CITY CLERK

P90-330.CC

-3-

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

(6)

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275-0027-006

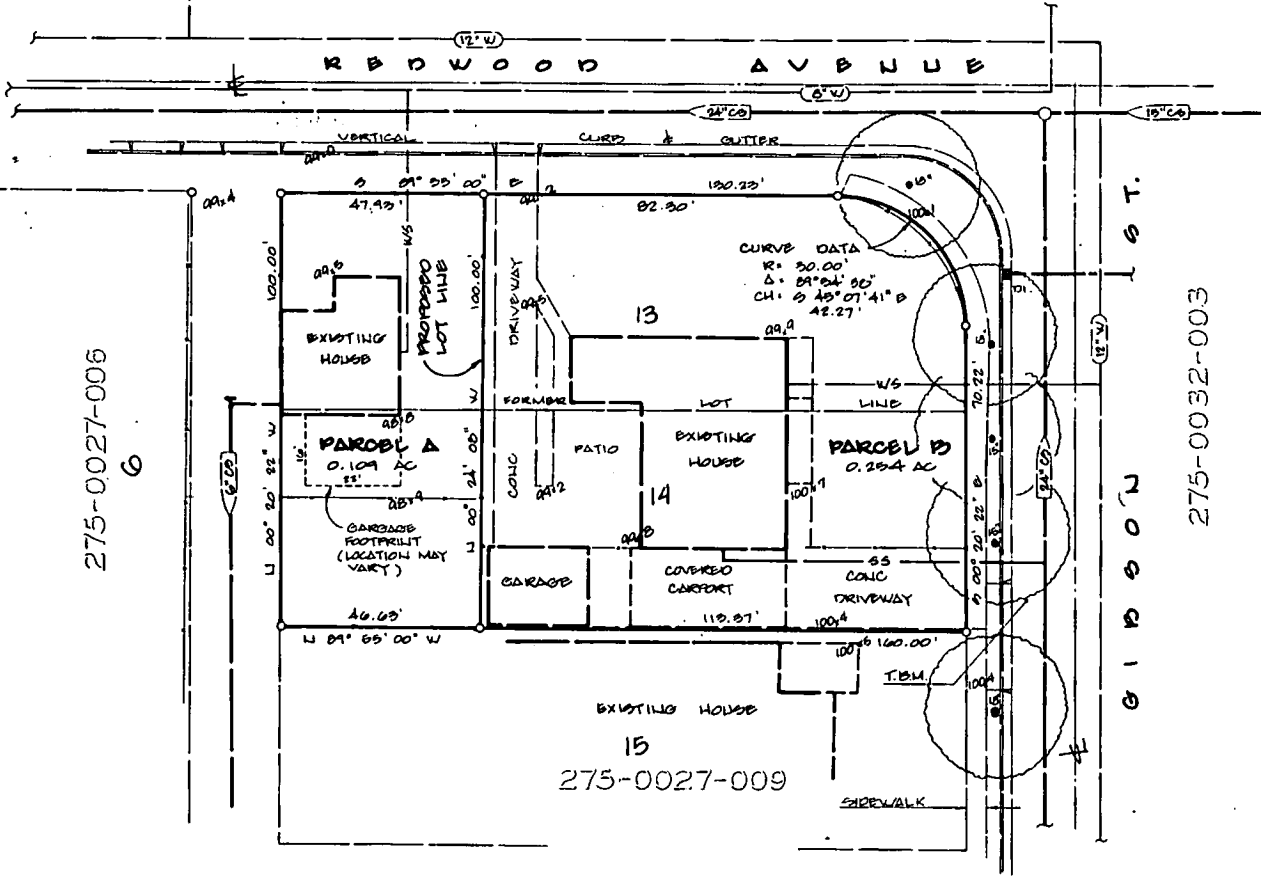
021 11 1990

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Plans No. 99



275-0026-008



PARCEL MAP

LOT 13 & 14, BLOCK 33 AS SHOWN ON THAT CERTAIN PLAT ENTITLED NORTH SACRAMENTO SUBDIVISION NO. 9, 15 BM 02.



OWNER/SUBDIVIDER: MARGARET SHEPARD
2905 GIBSON ST.
SACRAMENTO, CA 95815

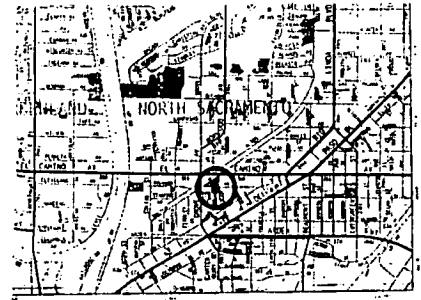
SURVEYOR: JAN C. CUORNAK, L.S.
8607 PERSHING AVE.
FAIR OAKS, CA 95628
(916) 908-8710

EXISTING USE: TWO SINGLE FAMILY HOUSES
PROPOSED USE: TWO SINGLE FAMILY HOUSES
EXISTING ZONING: R-1
ACREAGE: PARCEL A = 0.109 ac. / B = 0.254 ac. / TOTAL 0.363 ac.
A.P.N.: 275-0027-027

- UTILITIES, SERVICES & IMPROVEMENTS:**
- SEWER: CITY OF SACRAMENTO
 - WATER: CITY OF SACRAMENTO
 - DRAINAGE: CITY OF SACRAMENTO
 - POWER: S. M. U. I. D.
 - GAS: P. G. & E.
 - TELEPHONE: PAC BELL
 - FIRE PROTECTION: CITY OF SACRAMENTO
 - SCHOOL DISTRICT: SACRAMENTO CITY
 - PARK DISTRICT: CITY OF SACRAMENTO
 - STREET IMPROVEMENTS: CITY OF SACRAMENTO

275-0027-006
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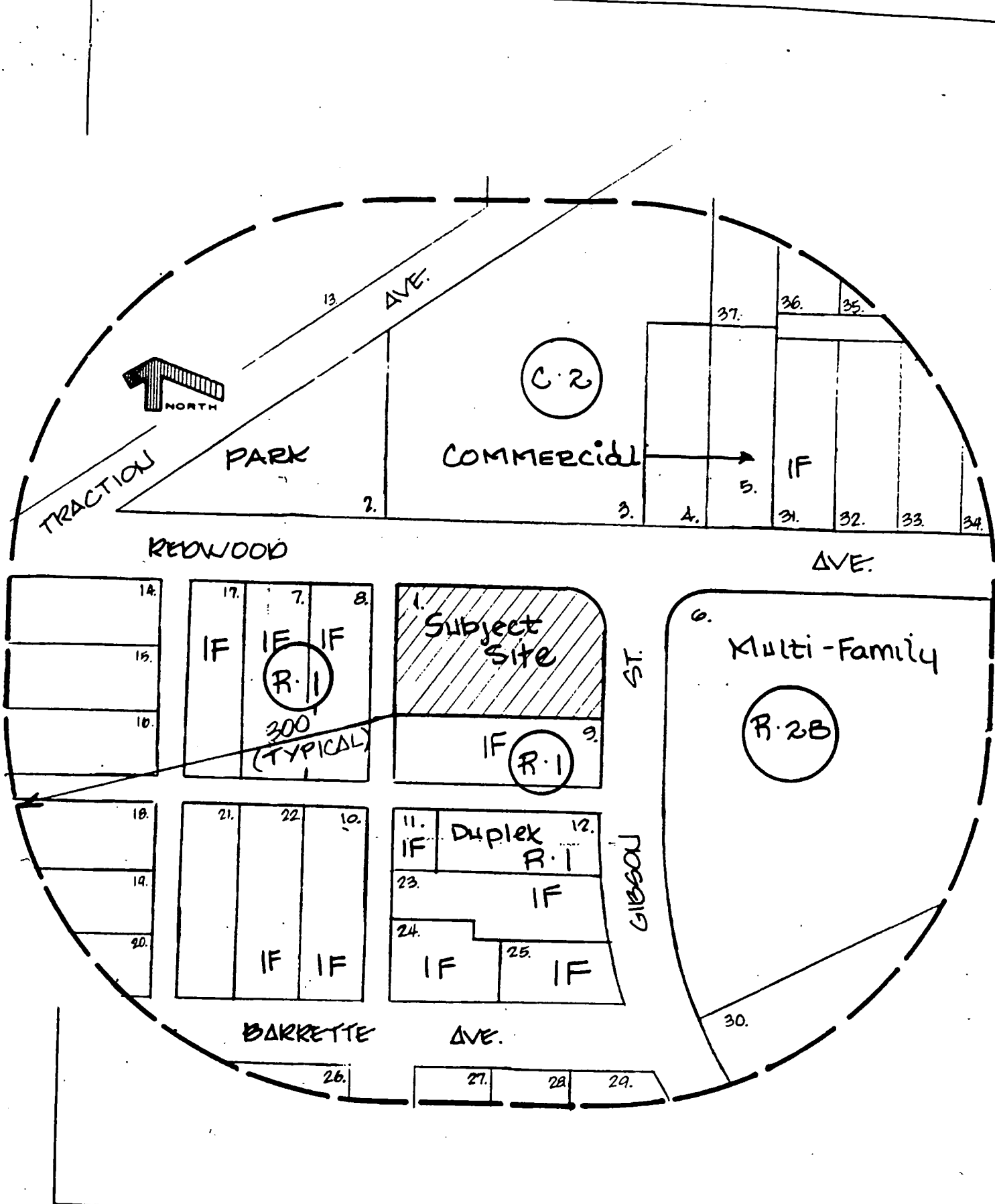
275-0032-003



VICINITY MAP
NO SCALE

EXHIBIT A

SHEET 1 1	TENTATIVE PARCEL MAP A.P.N. 275-0027-027	JAN C. CUORNAK, L.S. PROFESSIONAL LAND SURVEYOR 916.968.8710	ASSUMED BENCH MARK A TEMPORARY BENCH MARK WITH AN ASSUMED ELEVATION OF 100.00 FEET WAS USED.	DRAWN BY <i>[Signature]</i> DESIGNED BY <i>N/B</i> CHECKED BY <i>JCC</i> SCALE 1" = 20' DATE MAR 1990 P.B. REF. GIBSON, RAW
	CITY OF SACRAMENTO, CALIFORNIA	8607 PERSHING AVENUE FAIR OAKS, CA 95628		



LAND USE & ZONING MAP

**Sacramento City Planning Commission
VOTING RECORD**

MEETING DATE
October 11, 1990

ITEM NUMBER
9 B

PERMIT NUMBER
P 90-330

ENTITLEMENTS

- | | |
|---|---|
| <input type="checkbox"/> GENERAL PLAN AMENDMENT | <input checked="" type="checkbox"/> TENTATIVE MAP |
| <input type="checkbox"/> COMMUNITY PLAN AMENDMENT | <input type="checkbox"/> SUBDIVISION MODIFICATION |
| <input 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 RECOMENDATION
 Favorable Unfavorable
W. H. ...
 Correspondence
 Petition

LOCATION
2395 Gibson Street

**P
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NAME	ADDRESS

**O
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NAME	ADDRESS

MOTION # _____

	Yes	No	Motion	Second
BECERRA	✓			✓
CHINN	✓			✓
HOLLOWAY	<i>absent</i>			
NOTESTINE	✓			
OTTO	<i>absent</i>			
ROSEN	✓			
YEE	✓			
HOLLICK	✓			

- MOTION**
- | | |
|--|--|
| <input type="checkbox"/> TO APPROVE | <input type="checkbox"/> TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL |
| <input type="checkbox"/> TO DENY | <input checked="" 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 _____ |

PLANNING AND DEVELOPMENT

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

APPLICANT Jan C. Cudrnak 8607 Pershing Avenue Sacramento CA. 95628		
OWNER Margaret L. Shepard 2395 Gibson Street Sacramento CA. 95815		
PLANS BY Jan C. Cudrnak 8607 Pershing Avenue Sacramento CA. 95628		
FILING DATE 7-25-90	ENVIR. DET. Negative Declaration	REPORT BY BW:
ASSESSOR'S PCL. NO. 275-0027-027		

APPLICATION:

- A. Negative Declaration
- B. Tentative Map to subdivide 0.36± developed acres into 2 parcels in the Standard Single Family (R-1) zone.
- C. Subdivision Modification to create a lot less than 52 feet in width.
- D. Variance to reduce the minimum required lot width from 52 feet to 47 feet.
- E. Variance to establish a lot less than the minimum required 5,200 square foot lot area.
- F. Subdivision Modification to establish a lot less than 5,200 square feet.
- G. Variance to reduce the minimum required 25' front yard setback to 19' for an existing single family dwelling. (WITHDRAWN)

LOCATION:

2395 Gibson Street

PROPOSAL:

The applicant is requesting the necessary entitlements to establish two single-family lots for existing residential development.

PROJECT INFORMATION:

General Plan Designation: 1984 North Sacramento	Low Density Residential (4-15 du/na)
Community Plan Designation:	Residential (4-15 du/na)
Existing Zoning of Site:	R-1
Existing Land Use of Site:	Two single-family dwellings

Surrounding Land Use and Zoning:

North:	Commercial; C-2
South:	Single-Family; R-1
East:	Multi-Family; R-2B
West:	Two units; R-1

Parking Required:	2 spaces
Parking Provided:	2 spaces
Property Dimensions:	100' x 160'
Property Area:	0.36±

APPLC. NO. P90-330

October 11, 1990

ITEM NO. 9

(11)

Density of Development:	5.5+ du/na
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION:

On September 26, 1990 by a vote of seven ayes, and two absent, the Subdivision Review Committee voted to recommend approval of the Tentative Map and Subdivision Modifications subject to the attached conditions.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of one parcel totaling 0.36+ acres in the Standard Single-Family (R-1) zone. The site is developed with two single family residences. The General Plan designates the site for Low Density Residential (4-15 du/na). The 1984 North Sacramento Community Plan designates the site for Residential (4-8 du/na). Surrounding land uses and zoning are commercial to the north, zoned C-2; single-family units to the south and west, zoned R-1; and multi-family to the east, zoned R-2B. The proposed project is consistent with the City's General Plan and current zoning.

B. Applicant's Proposal:

The applicant is requesting a Tentative Map to subdivide one developed lot into two lots. One of the newly created lots (Parcel A) will be less than 52 feet wide. Parcel A proposed lot size is 47' x 100' and Parcel B proposed lot size is 100' x 113'. A Subdivision Modification and Variance is also requested by the applicant to establish a lot less than 52 feet in width and 5,200 square feet in lot size. Lastly, the applicant is requesting a Variance to reduce the required front yard building setback from 25 feet to 19 feet for an existing single-family dwelling on Parcel A.

Subdividing the property will establish a lot with an existing dwelling setback 19 feet from the front property line (Parcel A) off of Redwood Avenue. The City Zoning Ordinance requires a minimum 25 foot front yard setback or the average of the two nearest buildings on the same side of the street in the R-1 zone. Staff surveyed the area and found that the existing dwellings along the block were setback 19 feet or less from the front property line. The Variance entitlement to reduce the front yard building setback from 25 feet to 19 feet is, therefore, withdrawn.

C. Tentative Map Design:

The 0.36+ acre site is developed with two single family dwellings, a single car garage and a covered carport. A new enclosed attached garage is indicated on the map to be located on Parcel A for the existing dwelling (Exhibit A). The existing dwelling on Parcel A is a legal non-conforming structure. The City Zoning Ordinance requires that building setbacks be met for detached or attached garages, additions and/or expansions onto a legal non-conforming dwelling. The applicant is proposing an attached garage at the rear of the residential dwelling. If access into the garage is off of the alley, the garage shall be setback six feet from the property line. A wooden fence currently separates each of the dwellings. The wooden fence is aligned where the applicant proposes to subdivide the lot and establish a new property line. The applicant proposes to locate the property line along the fence line because of the existing garage location on Parcel B. Staff feels that this is a logical location for the property line. Access onto Parcel A is off of Redwood Avenue and is off of both Gibson Street and Redwood Avenue on Parcel B. Two concrete driveways exist on Parcel B and a paved driveway is located in the alley's public right-of-way immediately to the west of Parcel A. The applicant proposes access, to the new garage, to be from the public alley. The existing alley is not paved to City Standards. The Public Works Department has informed City staff that a portion of the existing alley, to be used

(12)

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for access, shall be paved to City standards (see Exhibit A). Staff also recommends that the new garage located on Parcel A be provided on the site prior to recordation of the Final Map.

There are existing lots along both Redwood Avenue and Gibson Street with lot widths less than 52 feet wide. Staff also found that several of the lots in the surrounding neighborhood were less than the required 5,200 square feet in area. Adequate useable yard area exist on both lots. The reduced lot width and lot area on Parcel A will not significantly alter the characteristics of the single family residential area.

D. Agency Comments

The proposed project was reviewed by the City Traffic Engineering, Engineering, Building Inspections and Water and Sewer Divisions. The following comments were received:

Building Inspections:

A one-hour fire wall shall be provided as part of the existing garage on Parcel B.

ENVIRONMENTAL DETERMINATION: The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared.

RECOMMENDATION: Staff recommends the following actions:

- A. Ratify the Negative Declaration;
- B. Recommend approval of the Tentative Map subject to the following conditions, and forward to City Council;
- C. Recommend approval of the Subdivision Modification to create a lot less than 52 feet in width subject to the following conditions, and forward to City Council.
- D. Approve the Variance to reduce the minimum required lot width from 52 feet to 47 feet.
- E. Approve the Variance to establish a lot less than the minimum required 5,200 square foot lot area.
- F. Recommend approval of the Subdivision Modification to establish a lot less than 5,200 square feet subject to conditions, and forward to City Council.
- G. WITHDRAWN

Conditions - Tentative Map

The applicant shall satisfy each of the following conditions prior to filing a final map unless a different time for compliance is specifically noted:

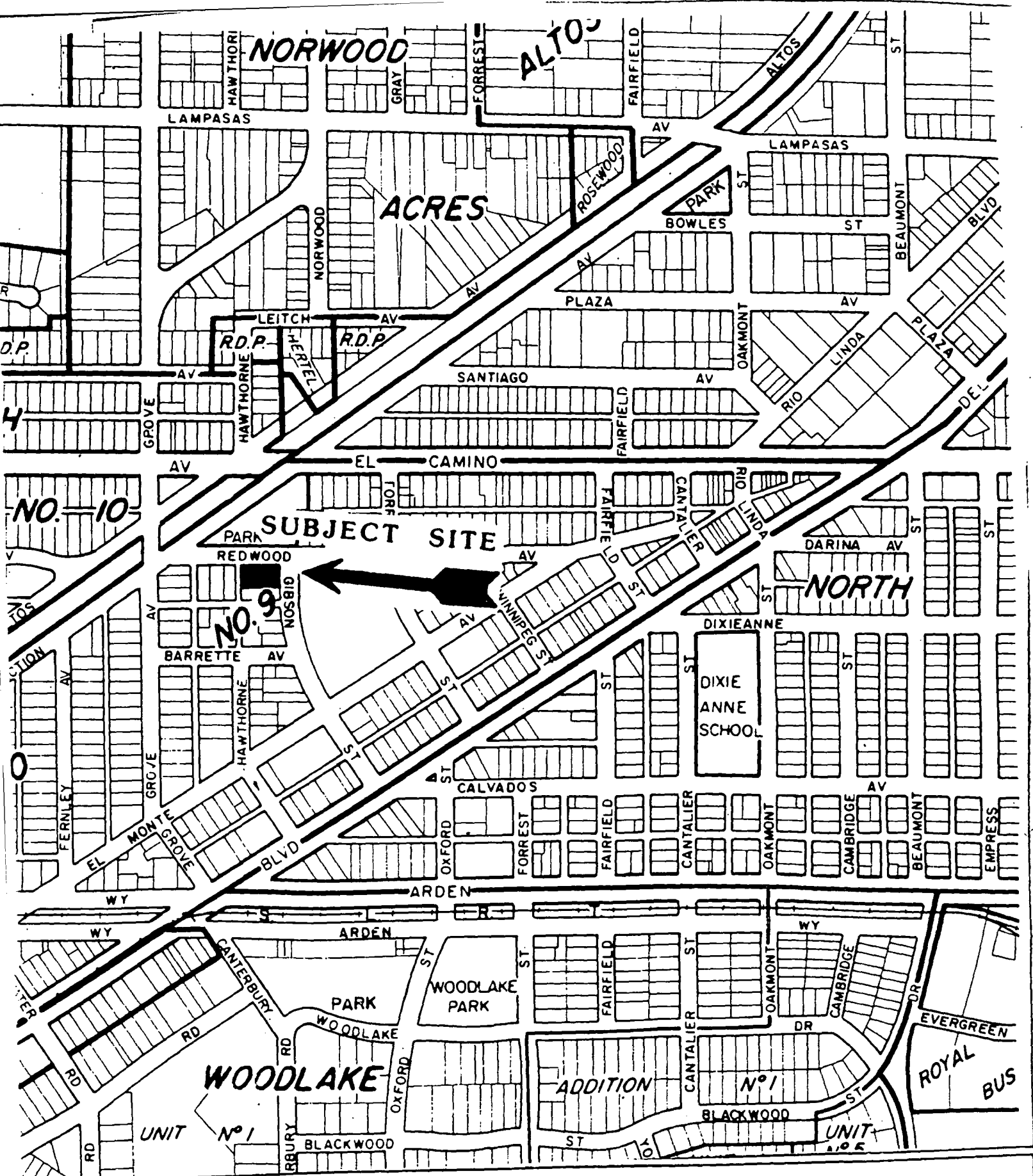
1. Provide separate water and sewer services to each parcel. Parcel B may require a private easement across Parcel A for access to sanitary sewer.
2. Construct new sidewalk along Redwood Avenue.
3. Reconstruct deteriorated curb and gutter along Redwood Avenue.
4. Applicant shall provide a garage for Parcel A. If access is provided off the alley, standard alley improvements are required. If access is off of Redwood Avenue, a new driveway shall be provided. A

permit is required to construct a driveway on the subject site. The new garage shall be constructed prior to recordation of the final map.

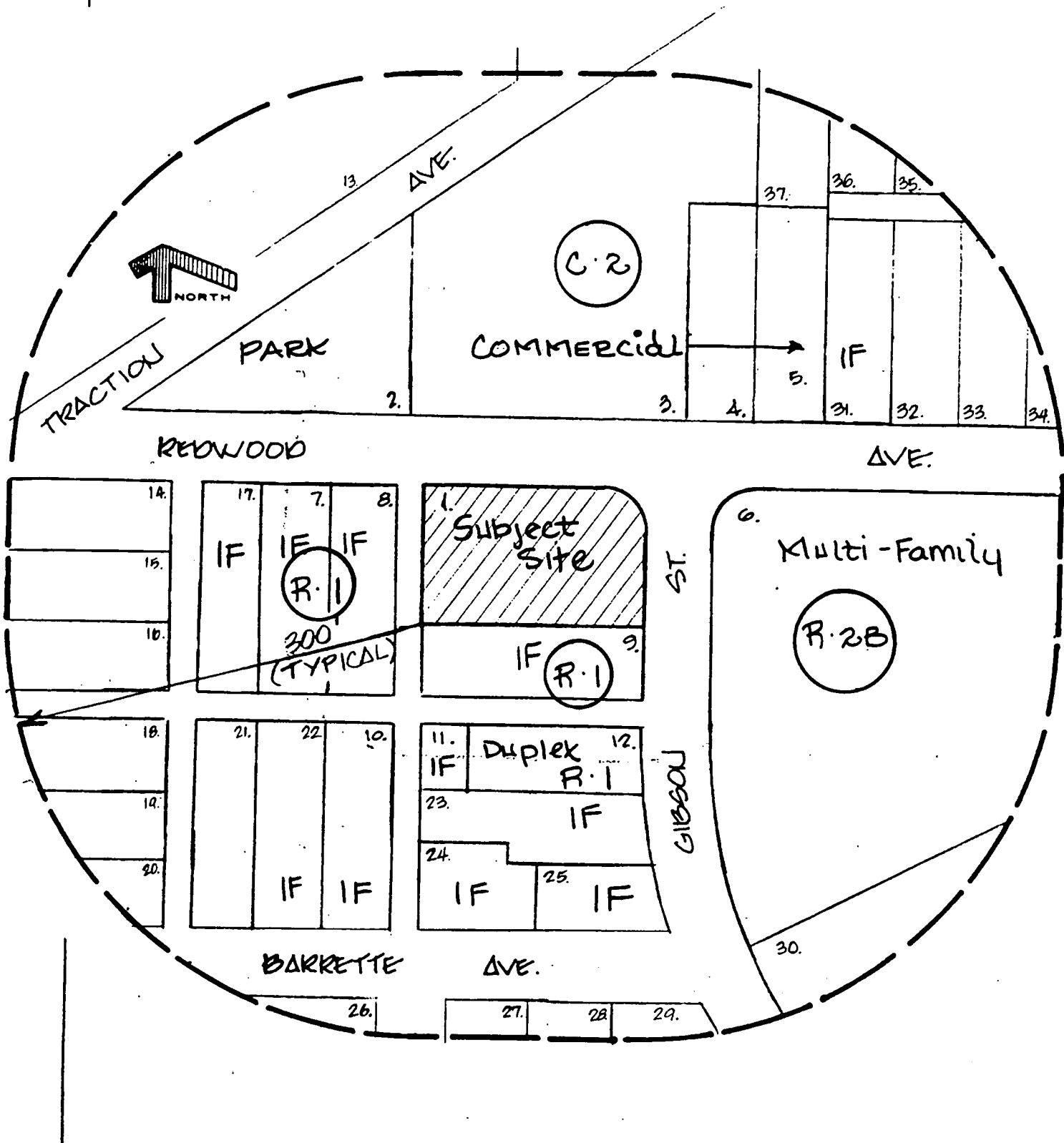
5. Dedicate the south five feet of Parcel A as a public utility easement for overhead and underground facilities and appurtenances.
6. Obtain appropriate Building Division approval for the location of the garage on Parcel B. The setbacks shall be met and/or fire wall(s) constructed prior to recordation of the final map.
7. The garage off of the alley shall be set back 6 feet from the property line to meet the required maneuvering area.

Findings of Fact - Variance

1. Granting the variance does not constitute a special privilege extended to an individual property owner in that:
 - a. the reduction in lot width and lot area will still allow adequate yard area for the existing dwelling;
 - b. the reduction in lot width will not detract from the existing dwellings in the area nor the existing dwelling on the subject site; and
 - c. a variance would be granted to any other property owner facing similar circumstances.
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 detrimental to the public health, safety or welfare, in that:
 - a. the reduction in the lot width will not impact the existing streetscape along Redwood Avenue;
 - b. adequate useable yard area exist on both lots;
 - c. adequate access onto both lots will be provided; and
 - d. the requested variances will not significantly alter the characteristics of the single family residential area.
4. The proposed project is consistent with the General Plan and the 1984 North Sacramento Community Plan which designates the site for low density residential.



VICINITY MAP



LAND USE & ZONING MAP

275-0026-008

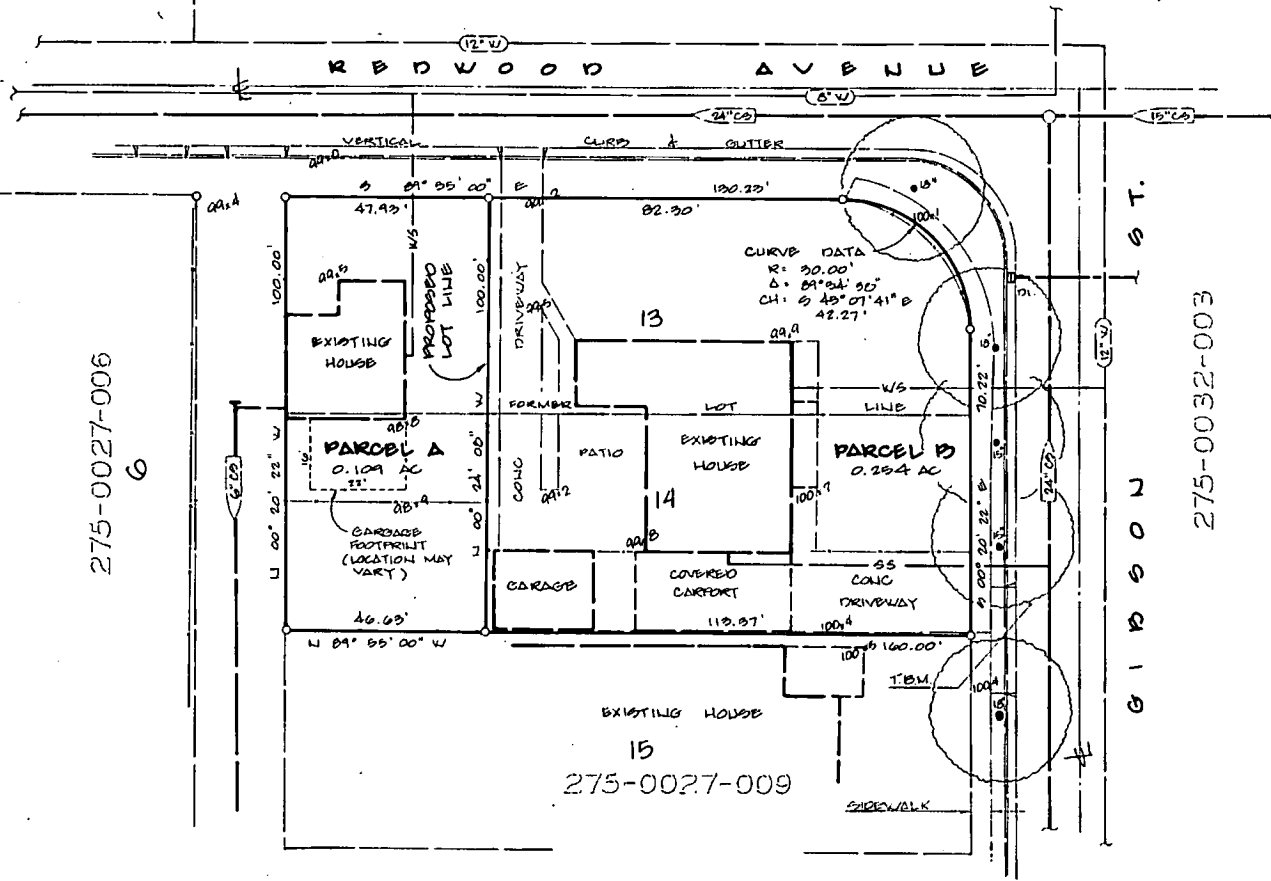
275-0027-006

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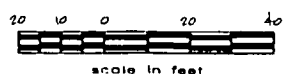


275-0026-008



PARCEL MAP

LOT 13 & 14, BLOCK 33 AS SHOWN ON THAT CERTAIN PLAT ENTITLED NORTH SACRAMENTO SUBDIVISION NO. 9, 15 BM 02.

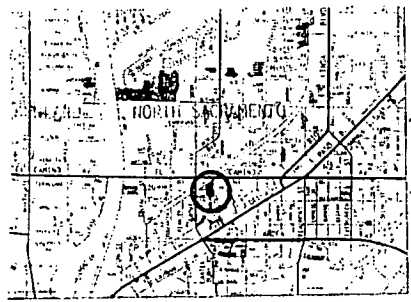


OWNER/SUBDIVIDER: MARGRET SHEPARD
2845 GIBSON ST.
SACRAMENTO, CA 95815

SURVEYOR: JAN C. CUDRNAK, L.S.
8207 PERSHING AVE.
FAIR OAKS, CA 95628
(916) 965-8710

EXISTING USE: TWO SINGLE FAMILY HOUSES
PROPOSED USE: TWO SINGLE FAMILY HOUSES
EXISTING ZONING: R-1
ACREAGE: PARCEL A = 0.109 ac./B = 0.254 ac./TOTAL 0.363 ac.
A.P.N.: 275-0027-027

- UTILITIES, SERVICES & IMPROVEMENTS:
- | | |
|----------------------|--------------------|
| SEWER: | CITY OF SACRAMENTO |
| WATER: | CITY OF SACRAMENTO |
| DRAINAGE: | CITY OF SACRAMENTO |
| POWER: | S. M. U. D. |
| CAS: | P. C. # E. |
| TELEPHONE: | PAC BELL |
| FIRE PROTECTION: | CITY OF SACRAMENTO |
| SCHOOL DISTRICT: | SACRAMENTO CITY |
| PARK DISTRICT: | CITY OF SACRAMENTO |
| STREET IMPROVEMENTS: | CITY OF SACRAMENTO |



VICINITY MAP
NO 9048

TENTATIVE
PARCEL MAP
A.P.N. 275-0027-027
CITY OF SACRAMENTO, CALIFORNIA

JAN C. CUDRNAK, L.S.
PROFESSIONAL LAND SURVEYOR
916.965.8710
8207 PERSHING AVENUE
FAIR OAKS, CA 95628

ASSUMED BENCH MARK
A TEMPORARY BENCH MARK
WITH AN ASSUMED ELEVATION
OF 100.00 FEET WAS USED.

DRAWN BY *JCC*
DESIGNED BY *N/A*
CHECKED BY *JCC*
SCALE 1" = 20'
DATE MAR 1990
P.D. REP. GIBSON, RAW

EXHIBIT A