



16.8

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

October 29, 1991

BUILDING INSPECTIONS
916-449-5716

City Council
Sacramento, California

PLANNING
916-449-5604

Honorable Members in Session:

- SUBJECT:
1. ENVIRONMENTAL DETERMINATION
 2. GENERAL PLAN AMENDMENT OF 2.1± PARTIALLY DEVELOPED ACRES FROM HIGH DENSITY RESIDENTIAL (30+ DU/NA) TO LOW DENSITY RESIDENTIAL (4-15 DU/NA)
 3. REZONE 2.1± PARTIALLY DEVELOPED ACRES FROM RESIDENTIAL OFFICE (RO) TO SINGLE FAMILY ALTERNATIVE (R-1A)
 4. TENTATIVE MAP TO SUBDIVIDE 2.1± PARTIALLY DEVELOPED ACRES INTO 20 LOTS FOR HALF-PLEX DEVELOPMENT IN THE PROPOSED SINGLE FAMILY ALTERNATIVE (R-1A) ZONE

LOCATION: 5240 Martin Luther King Junior Boulevard

OWNER: Harry Feiler, 7961 La Riviera Drive, Sacramento, California 95826
APPLICANT: Harry Feiler, 7961 La Riviera Drive, Sacramento, California 95826

SUMMARY

This is a request for a General Plan Amendment, a rezoning from Residential Office (RO) to Single Family Alternative (R-1A), and a Tentative Map to subdivide the property into 20 lots for half-plex development. The Planning Commission, Planning Staff and the Subdivision Review Committee have reviewed the project and recommend approval of the requests.

VOTE OF THE PLANNING COMMISSION

On September 12, 1991, the Planning Commission voted six ayes, one no, one abstention, and one absent to recommend approval of the request.

STAFF RECOMMENDATION

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

1. Ratify the Negative Declaration;
2. Adopt the attached Resolution approving the General Plan Amendment of 2.1± partially developed acres from High Density Residential (30+ du/na) to Low Density Residential (4-15 du/na);
3. Adopt the attached Ordinance to Rezone 2.1± partially developed acres from Residential Office (RO) to Single Family Alternative (R-1A); and
4. Adopt the attached Resolution which approves the Tentative Map to subdivide 2.1± partially developed acres 20 lots for half-plex development in the proposed Single Family Alternative (R-1A) zone.

BACKGROUND

The subject site is located at 5240 Martin Luther King Junior Boulevard, north of Fruitridge Road. The site is currently zoned Residential Office (RO). The site is designated High Density Residential (30+ du/na) by the General Plan. The site is also located within the Oak Park Redevelopment area. The density of the proposed development is 12.5 dwelling units per net acre.

The request includes a General Plan Amendment and a rezone the property from high density, residential office designations to single family alternative residential designations and subdivision of the property into 20 lots for halfplex development. Also requested was a special permit to construct the 20 halfplexes which was approved by the Planning Commission. The Planning Commission and Planning staff support the project.

The proposed project results in less housing units than anticipated under the General Plan land use designation (High Density Residential 30+ du/na), but addresses other needs of the neighborhood. Specifically, it contributes to the upgrade of a low income, historically disadvantaged neighborhood. The applicant should be encouraged to work with the Sacramento Housing and Redevelopment Agency and neighborhood groups to target future housing to residents of Oak Park. The proposal is consistent with General Plan policies to support redevelopment efforts that eliminate neighborhood blight and deterioration, provide affordable housing for all income groups, and provide quality housing that is safe and attractive.

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. In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified effects of to mitigate such effects to a point where clearly no significant effects will occur.

FINANCIAL DATA

The applicant's proposal does not have a financial impact upon the City of Sacramento.

POLICY CONSIDERATIONS

The project is consistent with the General Plan as amended.

MBE/WBE EFFORTS

MBE/WBE efforts are not applicable to this proposal.

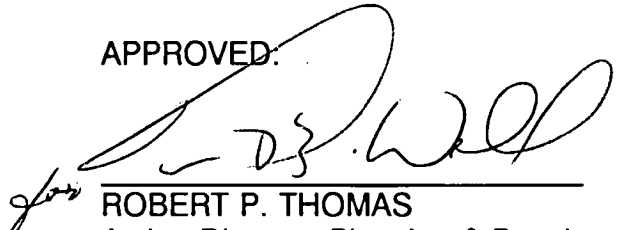
Respectfully submitted,



GARY STONEHOUSE
Planning Director

FOR CITY COUNCIL INFORMATION:
WALTER J. SLIPE
CITY MANAGER

APPROVED:



ROBERT P. THOMAS
Acting Director, Planning & Development

Contact Person:

Will Weitman, Principal Planner
Cindy Gnos, Planner
(916) 449-5604

October 29, 1991
District No. 5

RPT:GS:WW:vr
P91-126.cc
Attachments

RESOLUTION NO. 91-874

ADOPTED BY THE SACRAMENTO CITY COUNCIL

APPROVED
BY THE CITY COUNCIL

ON DATE OF _____

OCT 29 1991

OFFICE OF THE
CITY CLERK

RESOLUTION AMENDING THE GENERAL PLAN FOR 2.1±
PARTIALLY DEVELOPED ACRES FROM HIGH DENSITY
RESIDENTIAL (30+ DU/NA) TO LOW DENSITY RESIDENTIAL
(4-15 DU/NA) FOR PROPERTY LOCATED AT 5240 MARTIN
LUTHER KING JR. BLVD.

(FILE NO. P91-126) (APN: 022-0290-011, 018, 019)

WHEREAS, the City Council conducted a public hearing on _____ concerning
the above plan amendment and based on documentary and oral evidence submitted at
the public hearing, the Council hereby finds:

1. The proposed plan amendment is compatible with the surrounding uses;
2. The subject site is suitable for residential use(s);
3. The proposal is consistent with the policies of the City's General Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento that
the area described on the attached Exhibits is hereby designated on the General Plan as
Low Density Residential (4-15 du/na).

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

P91-126 P91-126

September 12, 1991

Item # 12

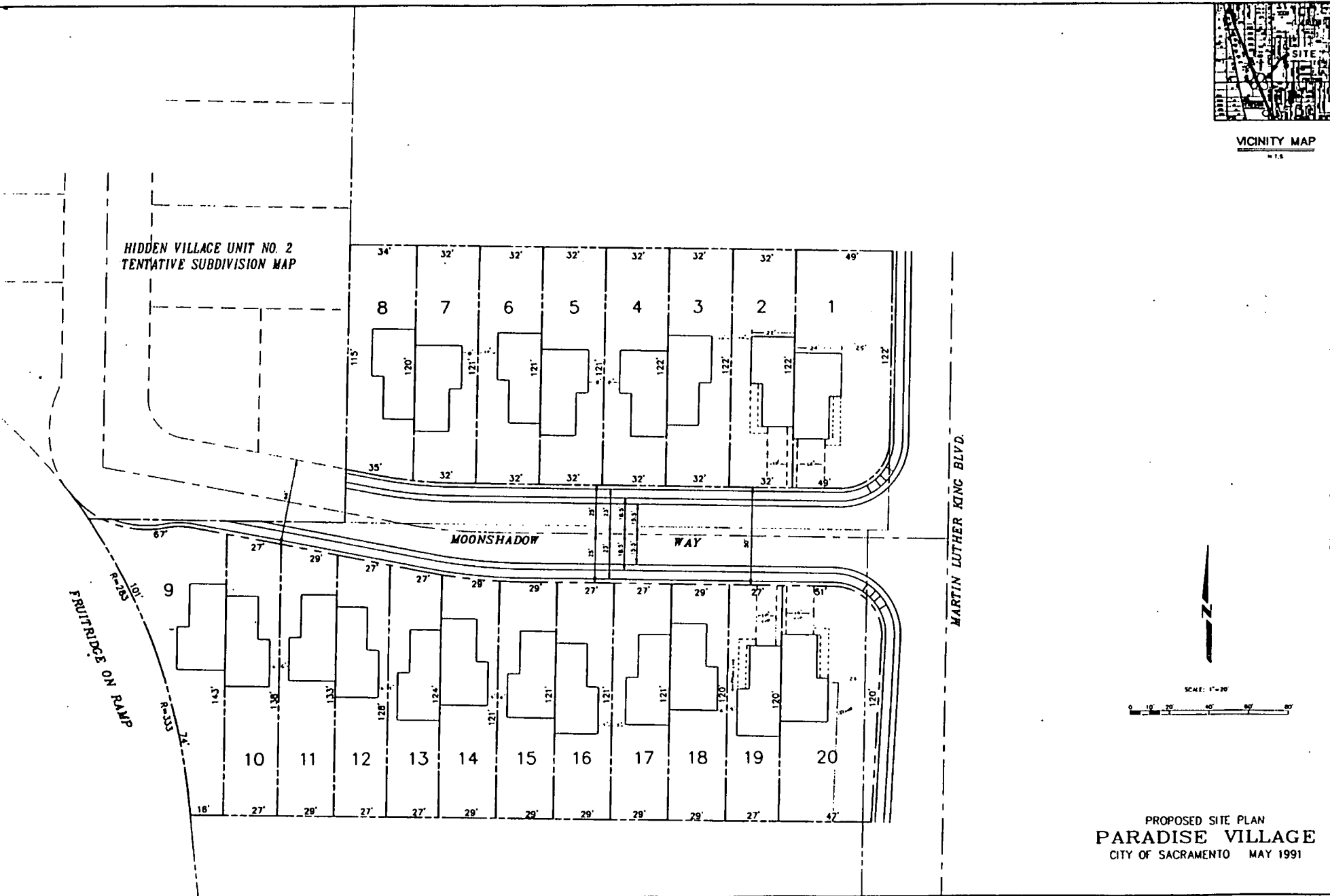


EXHIBIT B

5

ORDINANCE NO. 91-082

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RECEIVED
BY THE CITY COUNCIL
OCT 29 1991
OFFICE OF THE
CITY CLERK

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT 5240 MARTIN LUTHER KING JR. BLVD. FROM "RO" ZONE(S) AND PLACING THE SAME IN THE R-1A ZONE(S) OR A MORE RESTRICTIVE ZONE(S)

(FILE NO. P91-126) (APN: 022-0290-011, 018, 019)

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

SECTION 1

The territory described in the attached exhibit(s) which is in the "RO" zone(s) established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the R-1A 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.
- 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 September 12, 1991, 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.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

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C

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:

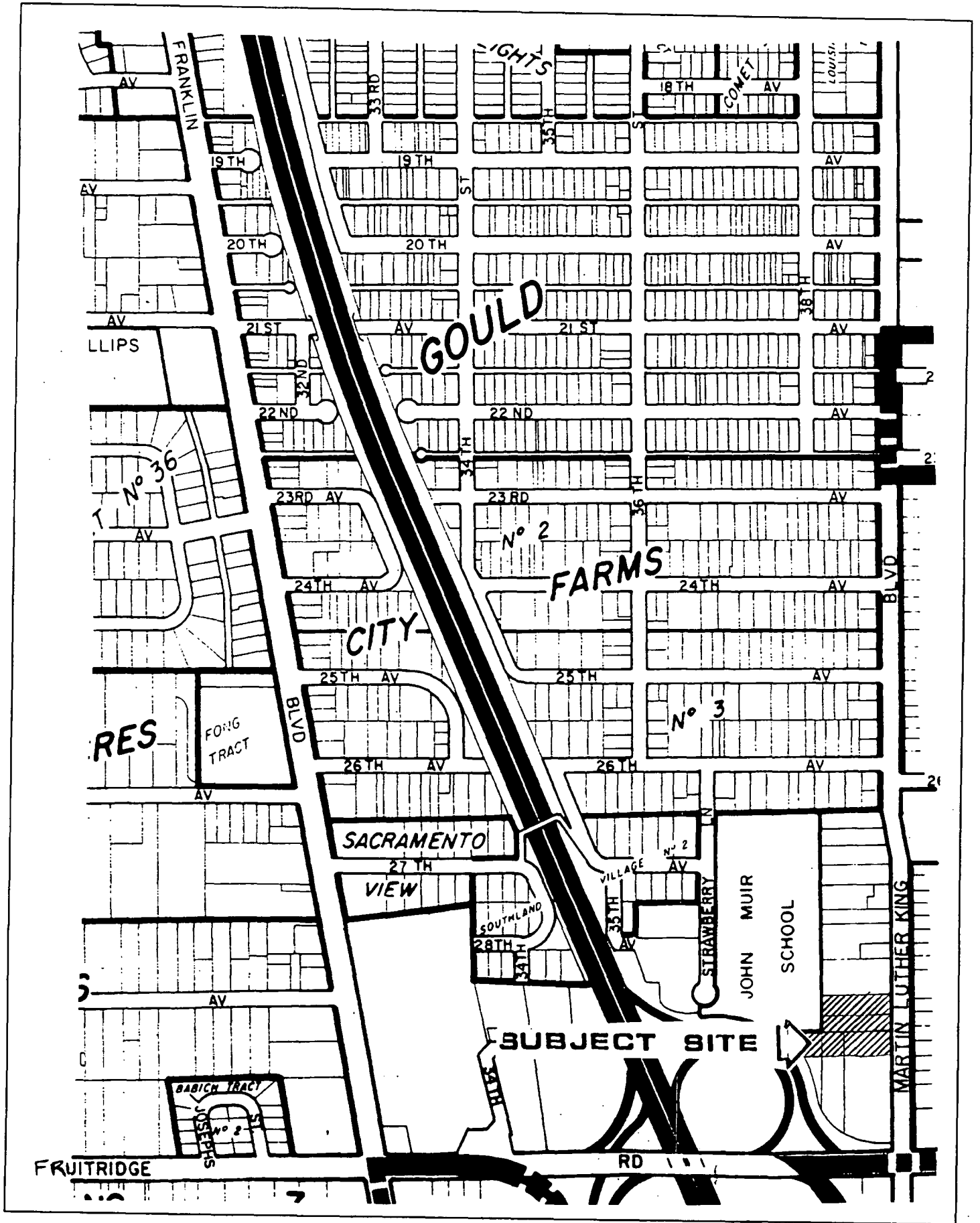
CITY CLERK

FOR CITY CLERK USE ONLY

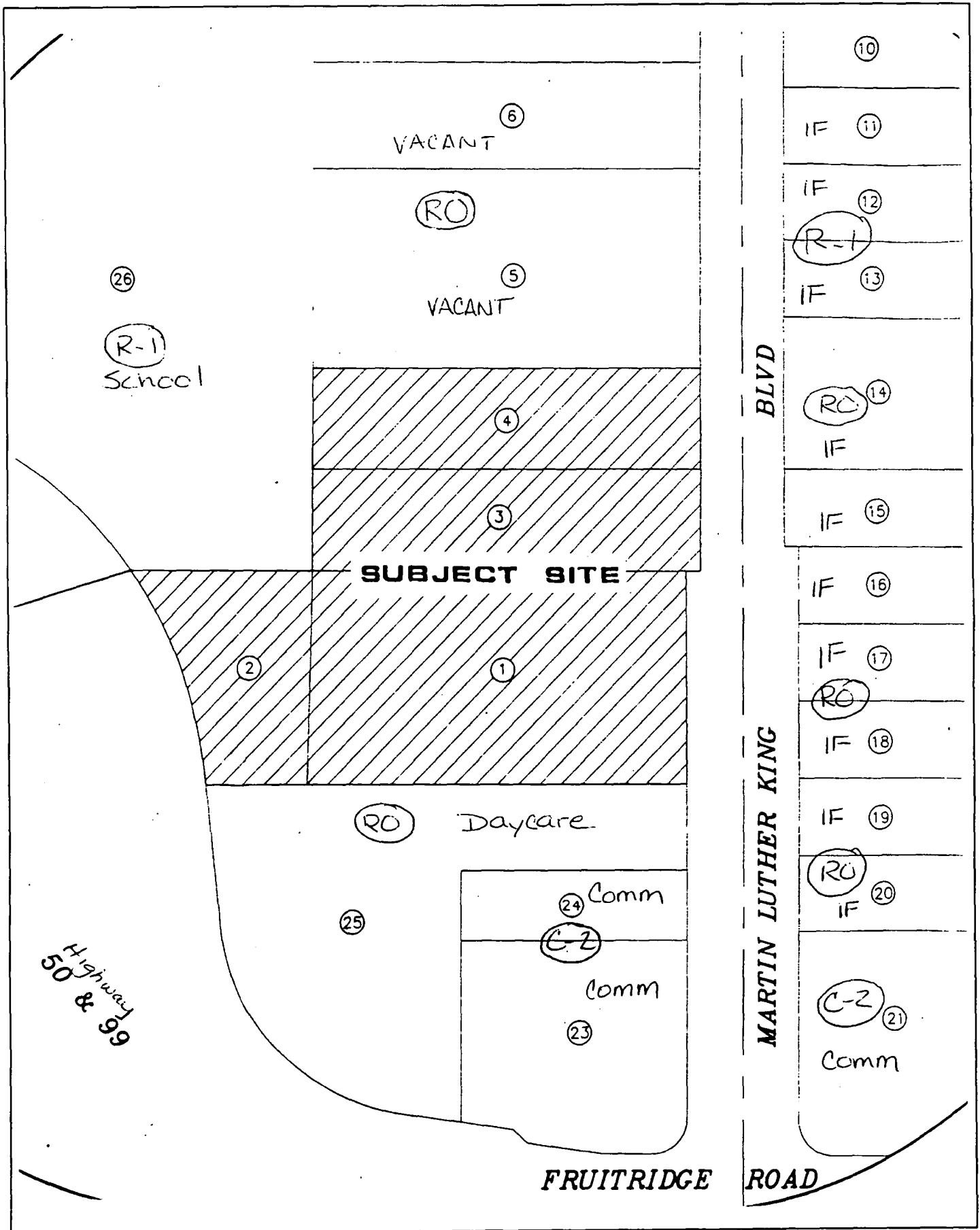
ORDINANCE NO.: _____

DATE ADOPTED: _____

9



VICINITY MAP



LAND USE & ZONING MAP

Amended 10-29-91

RESOLUTION NO. 91-875

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

A RESOLUTION APPROVING TENTATIVE MAP TO SUBDIVIDE 2.1± PARTIALLY DEVELOPED ACRES INTO 20 LOTS FOR HALF-PLEX DEVELOPMENT FOR PROPERTY LOCATED AT 5240 MARTIN LUTHER KING JUNIOR BOULEVARD

(P91-126) (APN: 022-0290-011, 012, 018, and 019)

WHEREAS, the City Council on _____, held a public hearing on the request for approval of a 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 Environmental Coordinator has determined that the proposed project will not have the potential to 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: _____

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, as follows:
 - A. An Initial Study was conducted by the Environmental Coordinator in order to evaluate the potential for adverse environmental impact;
 - B. There is no evidence before the City to indicate that the proposed project will have any potential for adverse effect on wildlife resources.
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. The City General Plan designates the site High Density Residential (30+ du/na).
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. 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 standard subdivision improvements pursuant to Section 40.811 of the City Code;
 - B. Prepare a sewer, water and drainage study for the review and approval of the Public Works Department;

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

- C. 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;
- D. Submit a soils test prepared by a registered engineer to be used in street design;
- 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. Dedicate a standard 12.5-foot public utility easement for underground public utility facilities and appurtenances adjacent to all public ways;
- G. Dedicate a standard 12.5 foot public utility easement for underground and overhead facilities adjacent to Martin Luther King Jr. Blvd.;
- H. Applicant shall comply with the mandatory mitigation measures required by the Environmental Services Manager on file in the Planning Division Office (P91-126);
- I. Existing deteriorated curb, gutter and sidewalk (if any) along Martin Luther King Jr. Blvd. shall be removed and reconstructed per City standards;
- J. Remove or relocate existing structures, remove pool, concrete pad and concrete box prior to recordation of a Final Map;
- K. Dedicate right-of-way along Martin Luther King Jr. Blvd. to minimum 2 feet behind existing back of walk;
- L. If this project precedes Hidden Village Unit 2 (P91-070), dedicate necessary off-site right-of-way and construct street improvements at the west end of Moonshadow Way. Improvements shall allow access to all lots and shall include a temporary traffic turnaround to the satisfaction of the Traffic Engineer. City will condemn at developer's expense if necessary;
- M. Coordinate improvements with Hidden Village Unit 2 (P91-070);

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

- N. Show all existing easements;
- O. Driveways on Lots 1 and 20 shall be located adjacent to the westerly property line of each parcel;
- P. At the time of building permit, applicant shall construct a 6 foot high sound wall adjacent to Martin Luther King Jr. Blvd. and set back 12.5 feet from the right of way line. The wall shall extend from the rear property line to the rear of the structure to protect the rear yards of lots 1 and 20. Maintenance of the sideyard shall be the Homeowner's responsibility;
- Q. Excess right of way along Martin Luther King Jr. Blvd. shall be abandoned by a summary abandonment prior to recordation of this map; and
- * R. Prior to recordation of the final map, applicant shall negotiate with the Sacramento City Unified School District, a mutually agreeable and voluntary written agreement to the satisfaction of the proposed subdivision's school facilities impacts on the District, as mutually agreed to by the applicant and the District, subject to ratification by the District's Board of Trustees.
- * S. Windows shall be designed on the first floor of the halfplex to create visibility to the front street.

MAYOR

ATTEST:

CITY CLERK

* amended CC 10-29-91

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

RESOLUTION NO. 91-875

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

APPROVED
BY THE CITY COUNCIL
OCT 29 1991
OFFICE OF THE
CITY CLERK

A RESOLUTION APPROVING TENTATIVE MAP TO SUBDIVIDE 2.1± PARTIALLY DEVELOPED ACRES INTO 20 LOTS FOR HALF-PLEX DEVELOPMENT FOR PROPERTY LOCATED AT 5240 MARTIN LUTHER KING JUNIOR BOULEVARD

(P91-126) (APN: 022-0290-011, 012, 018, and 019)

WHEREAS, the City Council on _____, held a public hearing on the request for approval of a 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 Environmental Coordinator has determined that the proposed project will not have the potential to 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, as follows:
 - A. An Initial Study was conducted by the Environmental Coordinator in order to evaluate the potential for adverse environmental impact;
 - B. There is no evidence before the City to indicate that the proposed project will have any potential for adverse effect on wildlife resources.
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. The City General Plan designates the site High Density Residential (30+ du/na).
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. 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 standard subdivision improvements pursuant to Section 40.811 of the City Code;
 - B. Prepare a sewer, water and drainage study for the review and approval of the Public Works Department;

FOR CITY CLERK USE ONLY

- C. 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;
- D. Submit a soils test prepared by a registered engineer to be used in street design;
- 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. Dedicate a standard 12.5-foot public utility easement for underground public utility facilities and appurtenances adjacent to all public ways;
- G. Dedicate a standard 12.5 foot public utility easement for underground and overhead facilities adjacent to Martin Luther King Jr. Blvd.;
- H. Applicant shall comply with the mandatory mitigation measures required by the Environmental Services Manager on file in the Planning Division Office (P91-126);
- I. Existing deteriorated curb, gutter and sidewalk (if any) along Martin Luther King Jr. Blvd. shall be removed and reconstructed per City standards;
- J. Remove or relocate existing structures, remove pool, concrete pad and concrete box prior to recordation of a Final Map;
- K. Dedicate right-of-way along Martin Luther King Jr. Blvd. to minimum 2 feet behind existing back of walk;
- L. If this project precedes Hidden Village Unit 2 (P91-070), dedicate necessary off-site right-of-way and construct street improvements at the west end of Moonshadow Way. Improvements shall allow access to all lots and shall include a temporary traffic turnaround to the satisfaction of the Traffic Engineer. City will condemn at developer's expense if necessary;
- M. Coordinate improvements with Hidden Village Unit 2 (P91-070);

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

- N. Show all existing easements;
- O. Driveways on Lots 1 and 20 shall be located adjacent to the westerly property line of each parcel;
- P. At the time of building permit, applicant shall construct a 6 foot high sound wall adjacent to Martin Luther King Jr. Blvd. and set back 12.5 feet from the right of way line. The wall shall extend from the rear property line to the rear of the structure to protect the rear yards of lots 1 and 20. Maintenance of the sideyard shall be the Homeowner's responsibility;
- Q. Excess right of way along Martin Luther King Jr. Blvd. shall be abandoned by a summary abandonment prior to recordation of this map; and
- R. Prior to recordation of the final map, applicant shall negotiate with the Sacramento City Unified School District, a mutually agreeable and voluntary written agreement to the satisfaction of the proposed subdivision's school facilities impacts on the District, as mutually agreed to by the applicant and the District, substantially in the form of the attached agreement, subject to ratification by the District's Board of Trustees.

MAYOR

ATTEST:

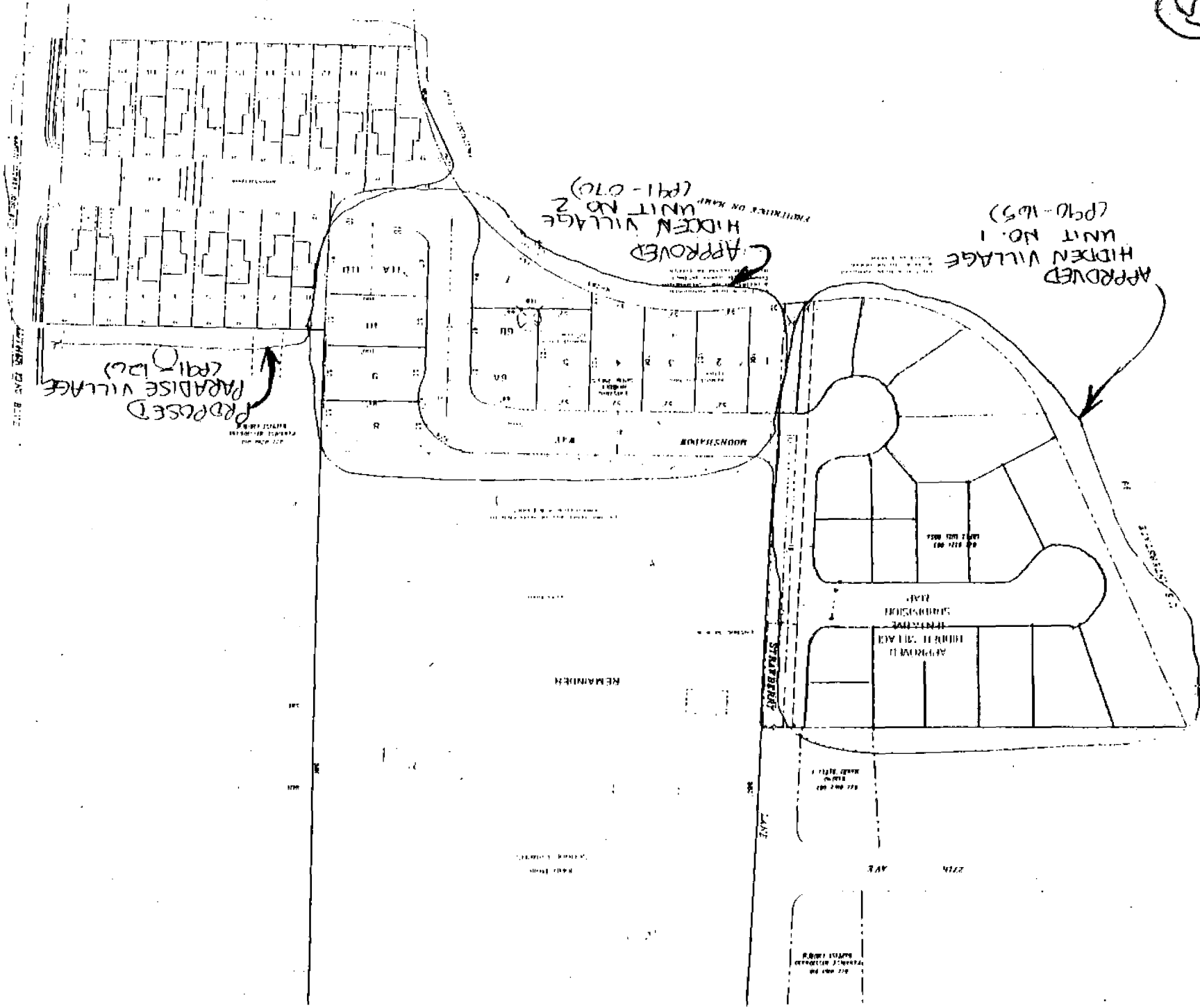
CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

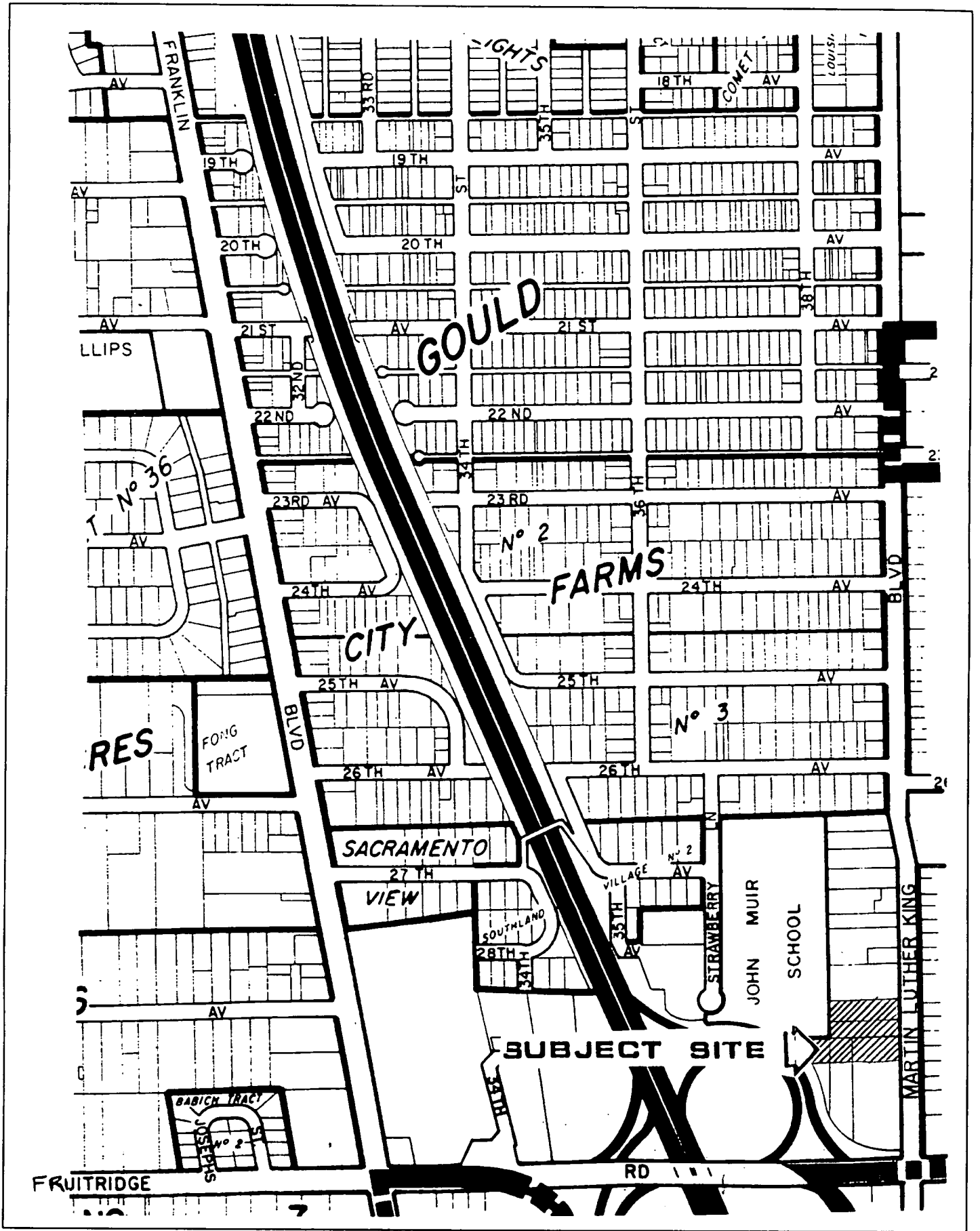
EXHIBIT C



15
Item # 12

September 12, 1991

P91-126



VICINITY MAP

**SACRAMENTO CITY PLANNING COMMISSION
VOTING RECORD**

ENTITLEMENTS

Meeting Date
September 12, 1991
Item Number
12C
Permit Number
P92-126

- | | |
|---|--|
| <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 DETERMINATION |
| <input type="checkbox"/> VARIANCE | <input type="checkbox"/> OTHER _____ |

Staff Recommendation
 Favorable Unfavorable

 Correspondence
 Petition

LOCATION: 5240 Martin Luther King Jr. Blvd.

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NAME	ADDRESS
<i>Harry Felix</i>	<i>7961 La Bionera Dr, Sacto, CA 95826</i>

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NAME	ADDRESS
<i>Bartley Cavanaugh</i>	<i>1121 21st St, Sacto, CA</i>

MOTION # _____

MOTION

	Yes	No	Motion	Second
BECERRA	✓			
CHINN	✓			
DONAHUE	✓			✓
HOLLICK	<i>absent</i>			
MEMBERS	✓			
REYNA	✓			
WALKER		✓		
YEE	✓		✓	
NOTESTINE	<i>absent</i>			

- | | |
|---|---|
| <input type="checkbox"/> To Approve | <input checked="" type="checkbox"/> To recommend approval & 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 find. of fact in staff report | <input type="checkbox"/> To ratify negative declaration |
| <input type="checkbox"/> To approve/deny based on find. of fact in staff report | <input type="checkbox"/> To continue to _____ |
| <input type="checkbox"/> Intent to approve/deny subject to cond. & based on find. of fact due _____ | <input type="checkbox"/> meeting |
| | <input type="checkbox"/> Other _____ |

REPORT AMENDED BY CPC 9-12-91
 AMENDED REPORT (9-11-91)
CITY OF SACRAMENTO PLANNING COMMISSION
 1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT	Harry Feiler, 7961 La Riviera Drive, Sacramento, California 95826		
OWNER	Harry Feiler, 7961 La Riviera Drive, Sacramento, California 95826		
PLANS BY	Donald Celli & Associates, 9960 Business Park Drive, Suite 140, Sacramento, CA 95827		
FILING DATE	May 23, 1991	ENVIR. DET.	Negative Declaration
		REPORT BY	CG
ASSESSOR'S PCL. NO.	022-0290-011, 012, 018 and 019		

APPLICATION:

- A. Negative Declaration.
- B. General Plan Amendment of 2.1 ± partially developed acres from High Density Residential (30 + du/na) to Low Density Residential (4-15 du/na).
- C. Rezone of 2.1 ± partially developed acres from Residential Office (RO) to Single Family Alternative (R-1A).
- D. Tentative Map to subdivide 2.1 ± partially developed acres into 20 lots for half-plex development in the proposed Single Family Alternative (R-1A) zone.
- E. Special Permit to develop 20 half-plex units containing 1,000 ± square feet on 2.1 ± partially developed acres in the proposed Single Family Alternative (R-1A) zone.

LOCATION: 5240 Martin Luther King Jr. Boulevard

PROPOSAL: The applicant is requesting the necessary entitlements to develop 20 half-plex units.

PROJECT INFORMATION:

General Plan Designation:	High Density Residential (30 + du/na)
Existing Zoning of Site:	R-O
Existing Land Use of Site:	Single Family Residence

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Vacant; R-O	Front:	To Be	20'
South: Daycare; R-O	Side(St):	Deter-	25'
East: Single Family; R-O	Side(Int):	mined	0'
West: School; R-1	Rear:	By CPC	40'

Property Dimensions:	304' x 292' ±
Property Area:	2.1 ± acres gross
	1.6 ± acres net
Density of Development:	12.5 du/na
Parking Required:	One-car garage per unit
Parking Provided:	One-car garage per unit
Square Footage of Unit A:	1,208 sq. ft.
Square Footage of Unit B:	1,012 sq. ft.
Height of Buildings:	17 feet, 2 stories

APPLC. NO. P91-126

MEETING DATE September 12, 1991

ITEM NO. 12

(18)

Topography:	Flat
Street Improvements:	To be provided
Utilities:	To be provided
Exterior Building Materials:	Stucco
Roof Materials:	Composition Shingles

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On August 21, 1991, the Subdivision Review Committee by a vote of six ayes and three absent, recommended approval of the proposed tentative map subject to the conditions listed below.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of 2.1+ acres in the Residential Office (R-O) zone. The site is currently developed with a single family residence and accessory buildings. The General Plan designates the site High Density Residential (30+ du/na). The site is also located within the Oak Park Redevelopment Area. The surrounding land use and zoning includes vacant property, zoned R-O, to the north; daycare center, zoned R-O, to the south; single family residential, zoned R-O, to the east; and vacant school property, zoned R-1, to the west.

B. Applicant's Proposal

The applicant is requesting the necessary entitlements to develop 20 half-plex units on the subject site. The entitlements include a reduction in the General Plan density and a rezone from Residential Office (R-O) to Single Family Alternative (R-1A). Also requested is a tentative map to subdivide the property into 20 half-plex lots, and a special permit to develop the half-plexes.

C. Policy Considerations

The proposed project results in less housing units than anticipated under the General Plan land use designation (High Density Residential 30+ du/na), but addresses other needs of the neighborhood. Specifically, it contributes to the upgrade of a low income, historically disadvantaged neighborhood. The applicant should be encouraged to work with the Sacramento Housing and Redevelopment Agency and neighborhood groups to target future housing to residents of Oak Park. The proposal is consistent with General Plan policies to support redevelopment efforts that eliminate neighborhood blight and deterioration, provide affordable housing for all income groups, and provide quality housing that is safe and attractive.

D. Tentative Map

The proposed tentative map subdivides the property into 20 parcels. The street (Moonshadow Way) is an extension of the streets in Hidden Village Unit No. 2. It connects Strawberry Lane to Martin Luther King Jr. Boulevard. Staff has no objections to the proposed tentative map provided the conditions below are satisfied.

The site is currently developed with a single family residence, a pool and other accessory structures. The applicant is proposing to move the existing residence and demolish the rest of the accessory structures on the site, as well as remove the pool. The house should be made available for relocation for a period of at least 30 days by being advertised in a local newspaper. The remaining structures should be removed prior to the recordation of the final map.

E. Site Design

The subdivision contains 20 lots with a half-plex unit on each parcel. The units are connected along the property line at the garages. The submitted site plan indicates front setbacks ranging in size from 20 feet to

30 feet. Since the depth of the lots is so great, staff suggests a minimum 25 foot front setback be provided. The front setbacks, however, should still remain variable as indicated on the plans. A revised master site plan should be submitted for Planning Director review and approval prior to the issuance of Building Permits. The rear yard setbacks are generally around 40 feet. The interior side setbacks indicated on the plans range from five feet to ten feet. Staff finds these side setbacks to be adequate due to the large usable rear yard area of the dwellings. The properties that have a side yard on Martin Luther King Jr. Boulevard have a 25 foot street side setback shown on the plans. Staff finds this setback to be adequate.

A six foot high sound wall is required along Martin Luther King Jr. Boulevard. Staff recommends the sound wall be setback a minimum of 12.5 feet from the property line adjacent to Martin Luther King Jr. Boulevard and landscaping be provided within this area. The applicant should submit a detailed sound wall design for review and approval of the Planning Director prior to the recordation of the final map. The applicant should also provide a landscape plan for the area adjacent to the sound wall. Each units front yard landscaping should also be provided. Landscape plans should be submitted for Planning Director review and approval prior to the issuance of Building Permits. The front yard landscaping should consist of sod with a minimum of one tree per lot.

F. Building Design

The proposed half-plexes are two stories and contain 1,208 and 1,012 square feet. The proposed exterior building materials are stucco and lap siding with a composition shingle roof. The subject site is located within the Oak Park Redevelopment Area which requires Design Review approval of the building design prior to the issuance of Building Permits. Staff suggests the roof material be a minimum 25 year laminated dimensional composition shingle and the windows be gridded as indicated on the submitted elevations. The applicant should, however, have different design amenities for variation within the subdivision since there are ten buildings to be constructed.

G. Agency Comments

The proposed project was reviewed by various City departments and other agencies. The comments specifically related to the tentative map are listed as tentative map conditions below. The following are general comments received on the proposal:

1. Building Inspections

The structures to be removed require a Building Permit for demolition or to be moved.

2. Caltrans

The development will create no significant impacts to State Route 99. However, it will contribute to the cumulative traffic conditions in the area. Noise attenuation is the responsibility of the developer. A permit will be required for any work within the State Right-of-Way.

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. In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory 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. The mandatory mitigation measures are listed below.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

A. Ratify the Negative Declaration.

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- B. Recommend approval of the General Plan Amendment of 2.1± partially developed acres from High Density Residential (30+ du/na) to Low Density Residential (4-15 du/na) and forward to the City Council.
- C. Recommend approval of the Rezone of 2.1± partially developed acres from Residential Office (RO) to Single Family Alternative (R-1A) and forward to the City Council.
- D. Recommend approval of the Tentative Map to subdivide 2.1± partially developed acres into 20 lots for half-plex development in the proposed Single Family Alternative (R-1A) zone subject to conditions and forward to the City Council.
- E. Approve the Special Permit to develop 20 half-plex units containing 1,000± square feet on 2.1± partially developed acres in the proposed Single Family Alternative (R-1A) zone subject to conditions and based upon findings of fact which follow.

Conditions - Special Permit

- 1. *The applicant shall provide proof to the Planning Director that sufficient effort has been made to have the existing house removed, otherwise, the existing house on the property shall be made available for relocation for a period of at least 30 days by being advertised in a local newspaper. After the 30 days, staff may authorize demolition. The remaining structures shall be demolished prior to the recordation of the final map. All relocation or demolition requires a Building Permit. (CPC Amended 9-12-91).*
- 2. A minimum front setback of 25 feet shall be provided. The front setbacks, however, shall still remain variable as indicated on the plans. A revised master site plan shall be submitted for Planning Director review and approval prior to the issuance of Building Permits.
- 3. The street side yard setback for the parcels located adjacent to Martin Luther King Jr. Boulevard shall be a minimum of 25 feet as shown on the plans.
- 4. A six foot high sound wall required along Martin Luther King Jr. Boulevard shall be setback a minimum of 12.5 feet from the right-of-way and landscaping shall be provided within this area. The applicant shall submit a detailed sound wall design and landscape plan for review and approval of the Planning Director prior to the recordation of the final map.
- 5. The applicant shall provide front yard landscaping for each unit. Landscape plans shall be submitted for Planning Director review and approval prior to the issuance of Building Permits. The front yard landscaping shall consist of sod with a minimum of one tree per lot. The landscape plans shall also indicate the relocation and replanting of the trees as required as a mitigation measure of the Negative Declaration.
- 6. The subject site is located within the Oak Park Redevelopment Area which requires Design Review approval of the building design prior to the issuance of Building Permits.

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, water and drainage study for the review and approval of the Public Works Department;

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. Submit a soils test prepared by a registered engineer to be used in street design;
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. Dedicate a standard 12.5-foot public utility easement for underground public utility facilities and appurtenances adjacent to all public ways;
7. Dedicate a standard 12.5 foot public utility easement for underground and overhead facilities adjacent to Martin Luther King Jr. Blvd.;
8. Applicant shall comply with the mandatory mitigation measures required by the Environmental Services Manager on file in the Planning Division Office (P91-126);
9. Existing deteriorated curb, gutter and sidewalk (if any) along Martin Luther King Jr. Blvd. shall be removed and reconstructed per City standards;
10. Remove or relocate existing structures, remove pool, concrete pad and concrete box prior to recordation of a Final Map;
11. Dedicate right-of-way along Martin Luther King Jr. Blvd. to minimum 2 feet behind existing back of walk;
12. *If this project precedes Hidden Village Unit 2 (P91-070), dedicate necessary off-site right-of-way and construct street improvements at the west end of Moonshadow Way. Improvements shall allow access to all lots and shall include Applicant shall provide a temporary traffic turnaround at the end of Moonshadow Way to the satisfaction of the Traffic Engineer. City will condemn at developer's expense if necessary (Staff amended 9-11-91);*
13. Coordinate improvements with Hidden Village Unit 2 (P91-070);
14. Show all existing easements;
15. Driveways on Lots 1 and 20 shall be located adjacent to the westerly property line of each parcel;
16. At the time of building permit, applicant shall construct a 6 foot high sound wall adjacent to Martin Luther King Jr. Blvd. and set back 12.5 feet from the right of way line. The wall shall extend from the rear property line to the rear of the structure to protect the rear yards of lots 1 and 20. Maintenance of the sideyard shall be the Homeowner's responsibility;
17. Excess right of way along Martin Luther King Jr. Blvd. shall be abandoned by a summary abandonment prior to recordation of this map; and
18. Prior to recordation of the final map, applicant shall negotiate with the Sacramento City Unified School District a written agreement in satisfaction of the proposed subdivision's school facilities impacts on the District, as mutually agreed to by the applicant and the District, substantially in the form of the attached agreement, subject to ratification by the District's Board of Trustees.



Mandatory Mitigation Measures

1. The 9" Spruce located within Lot 1 and the 10" Spruce located between Lots 3 and 4 shall be transplanted by the applicant. The trees shall be transplanted during the months of November through February. These trees shall be relocated within the subdivisions of Hidden Village 1 and 2, or on the project site, shall be above and beyond what is required for landscaping, and shall be shown on the improvement plans for the proposed project.
2. The 18" Pine located between Lots 3 and 18, the 10" & 11" Multi-stemmed Pecan located on the south end of Lot 6, and the 17" Pecan located just south of Lot 7 may be removed. These trees shall be replaced at a 3:1 ratio by transplanting 9 of the various trees located on site. These nine trees shall be transplanted during the months of November through February. These trees shall be relocated within the subdivisions of Hidden Village 1 and 2, or on the project site, shall be above and beyond what is required for landscaping, and shall be shown on the improvement plans for the proposed project. The on-site location and species of the nine trees to be transplanted shall be subject to the approval of the City Arborist.
3. If the transplanted trees are not successfully growing within one year's time of the transplant date (subject to the City Arborist's discretion), then the applicant will be required to replace the tree with a 15 gallon tree, of a species and location subject to the approval of the City Arborist. The maximum number of replacement trees shall be five (Equal to the original number of trees removed). This note shall be shown on the improvement plans for the proposed project.
4. The applicant shall build a 6 foot sound barrier along Sacramento Boulevard (Martin Luther King Blvd.) on each side of the proposed Moonshadow Way (Lots 1 & 20). The barrier shall extend to the rear yard property lines of each lot (Lots 1 & 20), and shall have a minimum 5 feet sideyard setback. Barrier materials must be airtight and massive with no significant gaps in construction. Suitable materials for barriers include masonry block, precast concrete panels, and 3/4" plywood sheathing with caulked, overlapping joints.
5. All joints in exterior walls shall be grouted or caulked airtight.
6. All penetrations of exterior wall space 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.
7. Window or through-the-wall ventilation and air conditioning units shall not be permitted.
8. All sleeping spaces shall be provided with carpet and pad.
9. There shall be no through-the-door or through-the-wall mail or paper chutes.
10. All windows shall have a minimum STC rating of 30 or better. Windows 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.
11. Sliding glass doors must carry an STC rating of 30 or better. They should be double glazed and they must meet or exceed the window air infiltration rating given above.
12. Exterior entrance doors should have a minimum STC rating of 30 or better. They must include complete perimeter door seals.
13. Alternative methods or materials may be substituted for the identified mitigation measures where it is

23

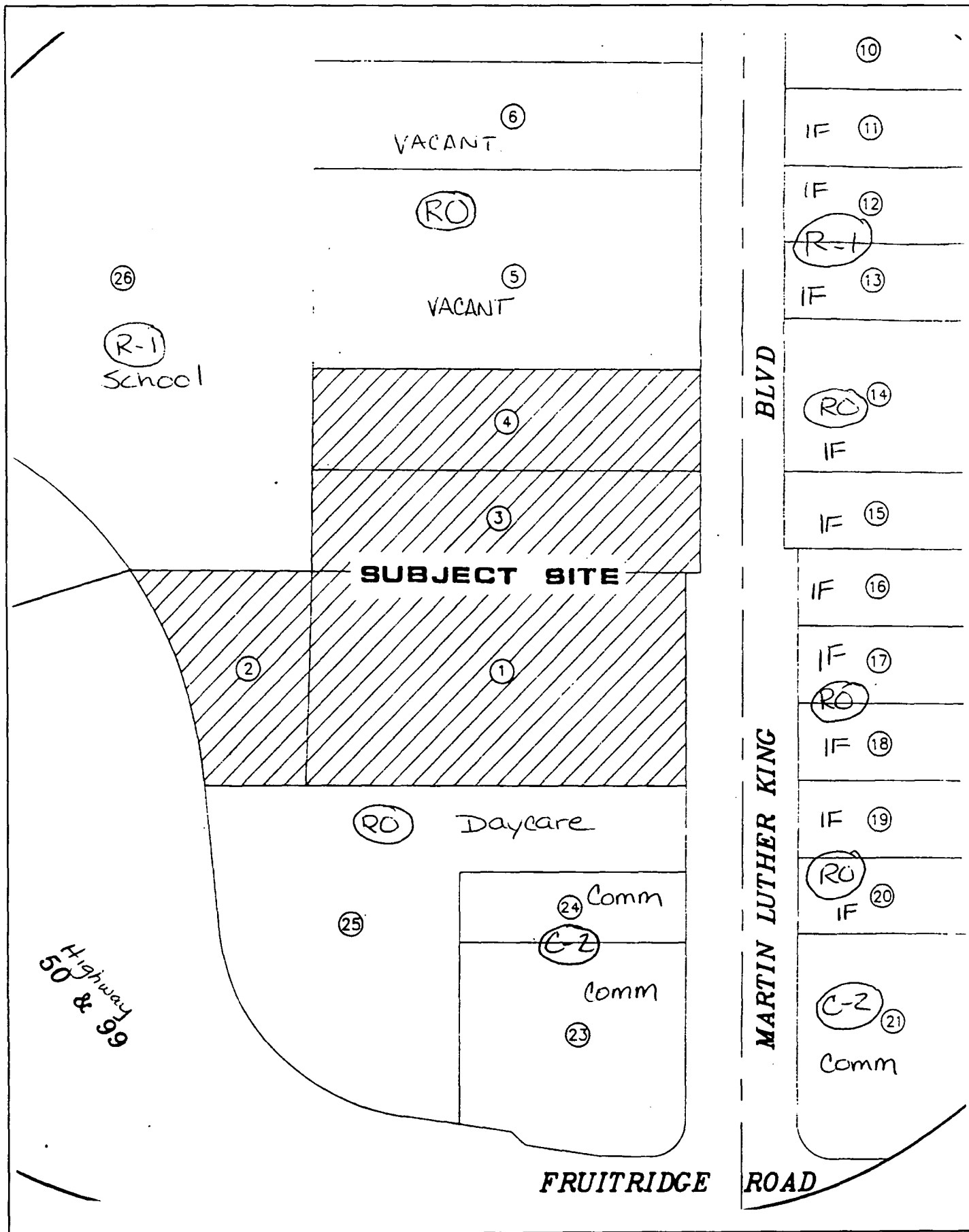
demonstrated to the satisfaction of the Environmental Services Division that adequate noise attenuation will be provided.

Non-compliance with or deletion of any of the above mitigation measures by any party will require the project to be processed for additional environmental review. If this review determines that there is the possibility for significant adverse environmental impact due to the development of the project, additional mitigation measures may be required, or the applicant may be required to prepare an Environmental Impact Report if identified impacts cannot be reduced to less than significant level through mitigation.

Findings of Fact - Special Permit

1. The project is based upon sound principles of land use in that the proposed residential development is compatible with the surrounding residential development.
2. The project, as proposed, will not be detrimental to the public welfare nor result in the creation of a public nuisance in that the proposed density is compatible with the surrounding properties and adequate open space is provided on each parcel.
3. The project is consistent with the General Plan, as amended, which designates the site for residential development.



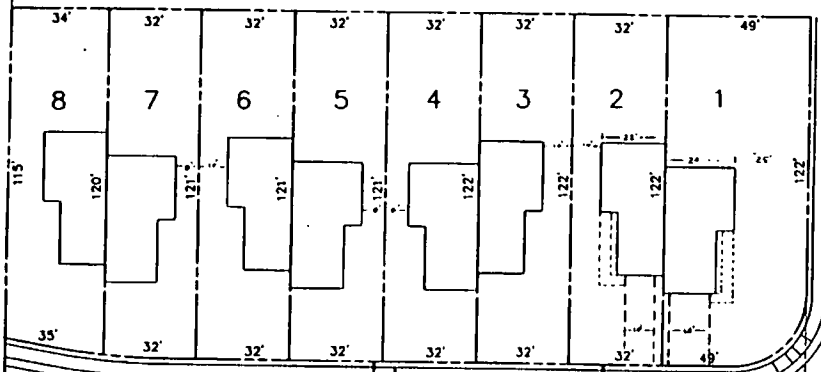


LAND USE & ZONING MAP

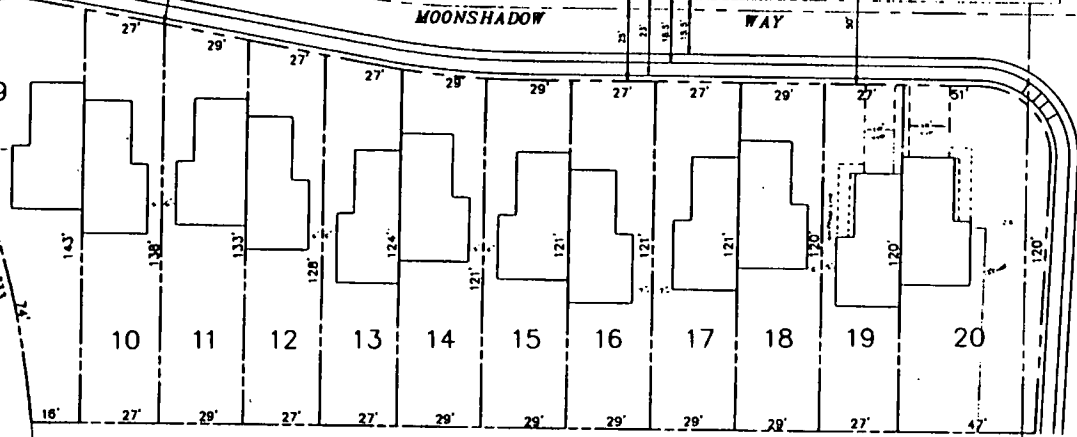


VICINITY MAP
N.T.S.

HIDDEN VILLAGE UNIT NO. 2
TENTATIVE SUBDIVISION MAP



MOONSHADOW
WAY



MARTIN LUTHER KING BLYD.



SCALE: 1"=20'
0 10 20 30 40 50 60

PROPOSED SITE PLAN
PARADISE VILLAGE
CITY OF SACRAMENTO MAY 1991

EXHIBIT B

P91-126 P 91 - 126

September 12, 1991

Ken # 12

28

P91-126

September 12, 1991

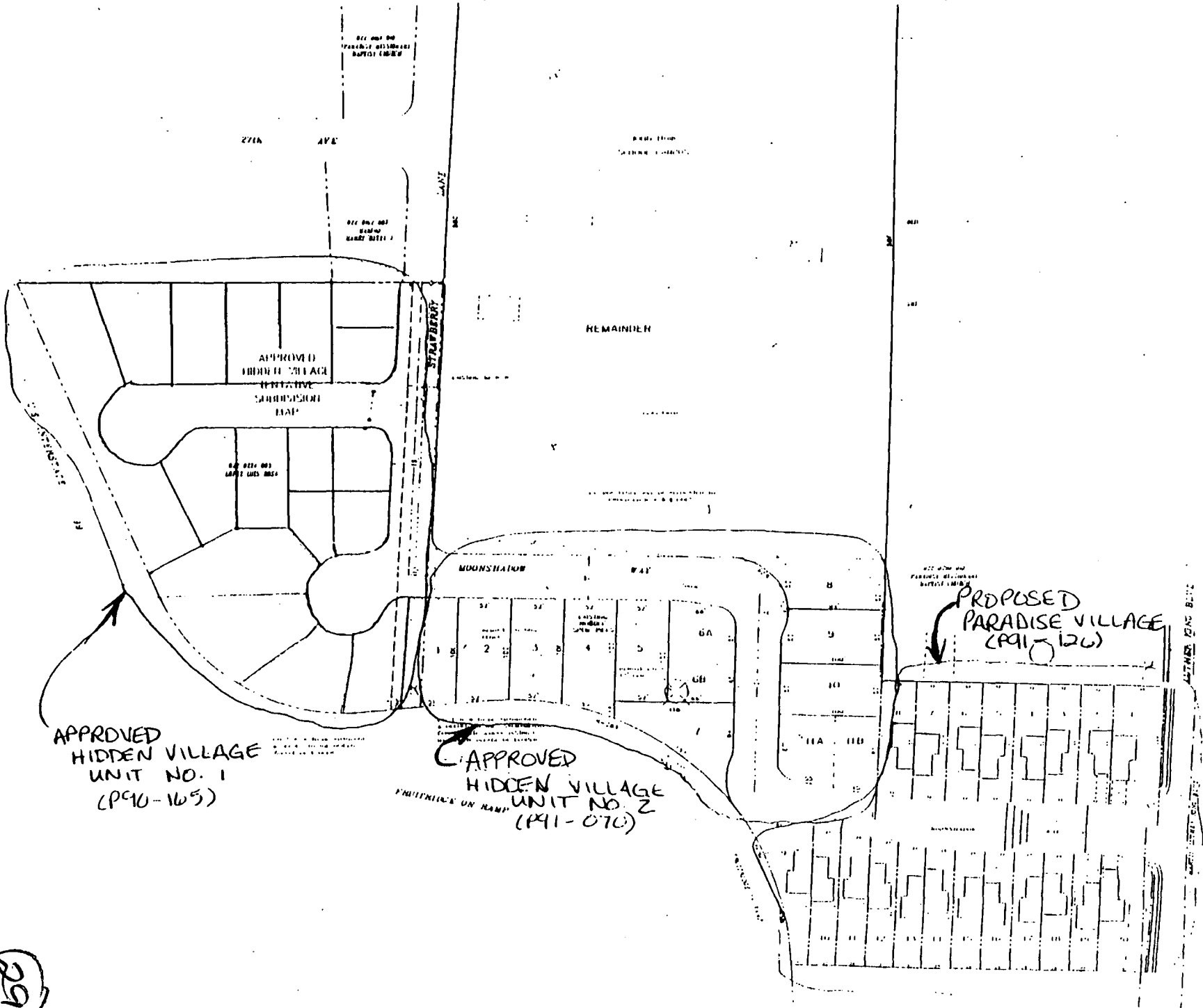


EXHIBIT C

Item # 12

29

September 12, 1991

3
Hem #12

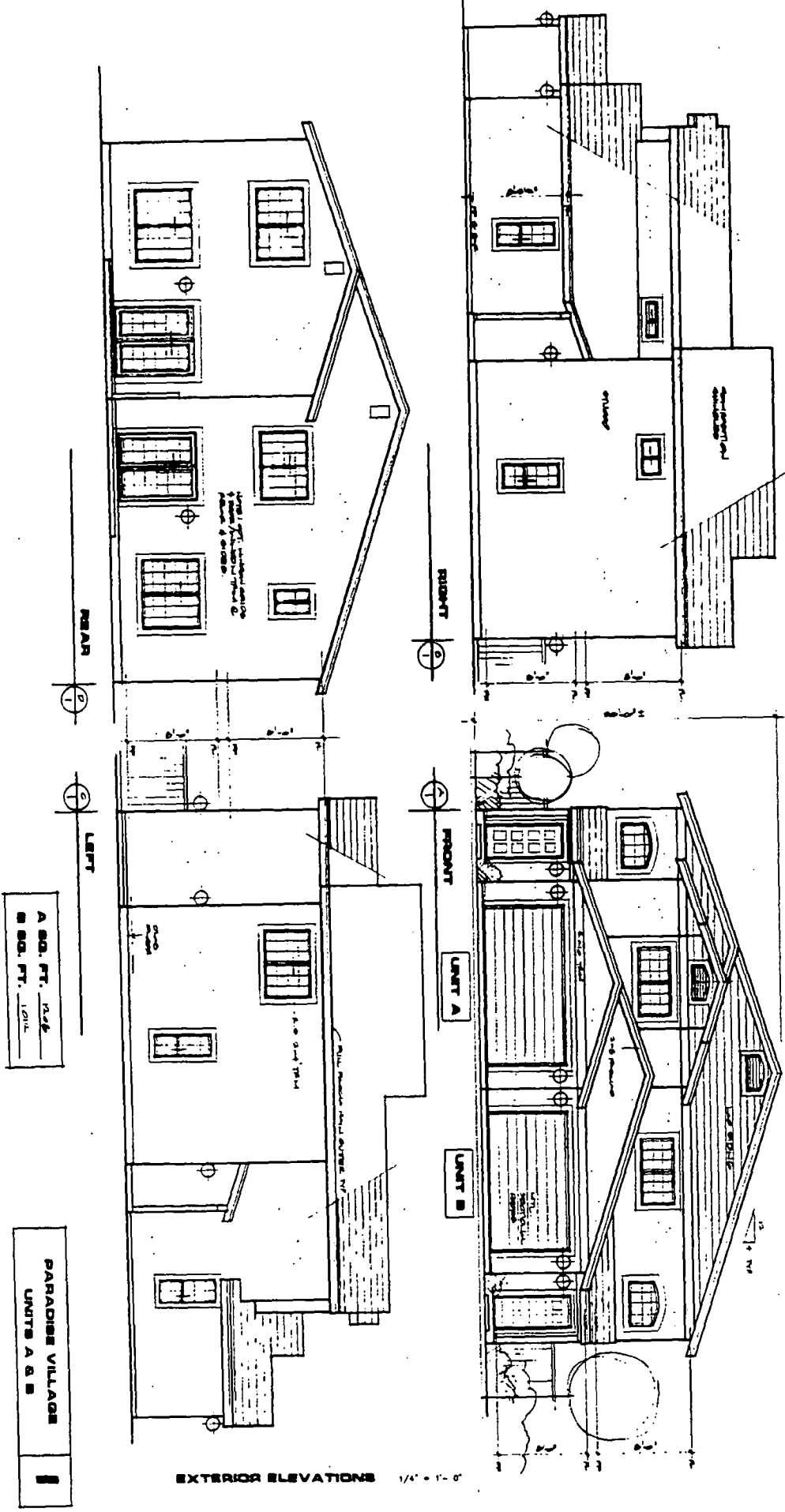


EXHIBIT E

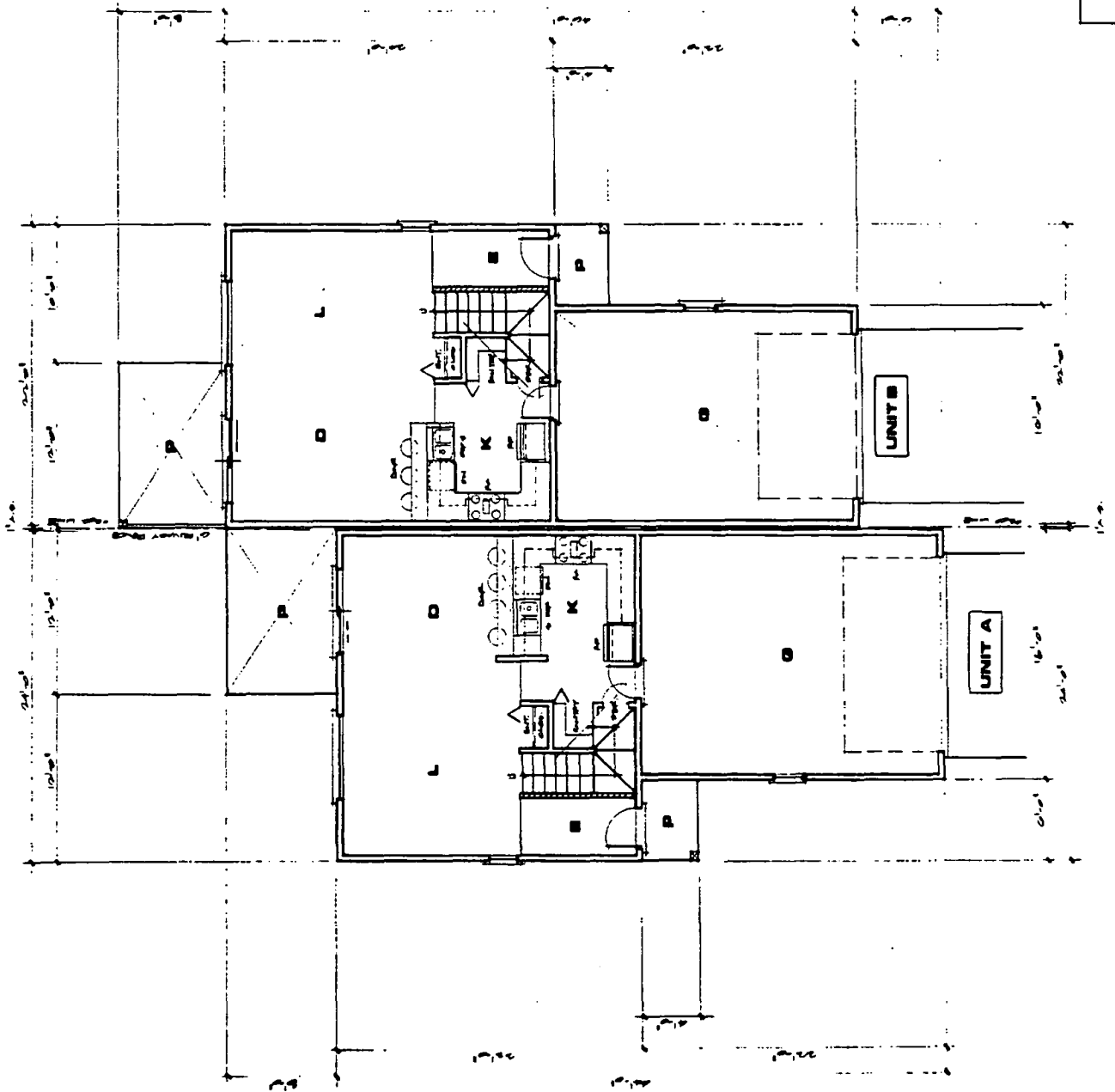
1/4" = 1'-0"

FLOOR PLAN / FIRST

P91-126

2

PARADISE VILLAGE
UNITS A & B



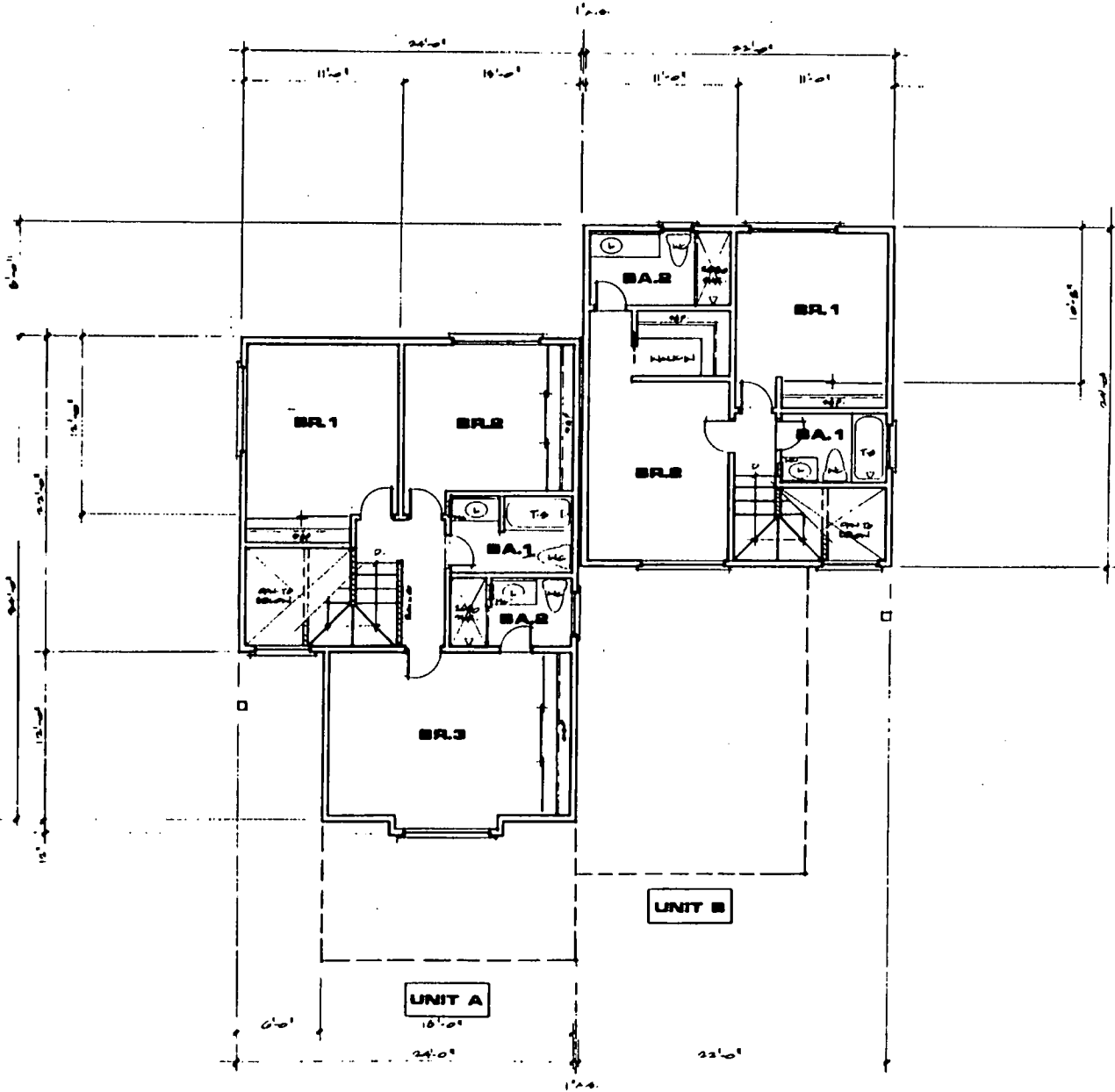
P91-126

September 12, 1991

3
Item # 12

P91-126

September 12, 1991



1/4" = 1'-0"

FLOOR PLAN / SECOND

EXHIBIT F

PARADISE VILLAGE UNITS A & B	3
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Item # 12



2-8
10-8

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

October 22, 1991

PASSED FOR
PUBLICATION
& CONTINUED
TO 10-29-91.

BUILDING INSPECTIONS
916-449-5716

PLANNING
916-449-5604

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 PROPERTY LOCATED AT 5240 MARTIN LUTHER KING JR. BLVD. FROM 'RO' ZONE(S) AND PLACING THE SAME IN THE R-1A ZONE(S) OR A MORE RESTRICTIVE ZONE(S)

SUMMARY

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

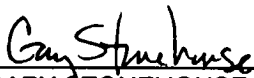
BACKGROUND INFORMATION

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.

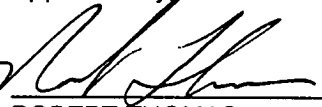
RECOMMENDATION

It is recommended that the item be passed for publication of title and continued to October 29, 1991.

Respectfully Submitted,


GARY STONEHOUSE
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

Approved By,

ROBERT THOMAS
Acting Director, Planning & Development

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

October 22, 1991
District No. 5

P91-126.pfp

Attachments

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 PROPERTY LOCATED AT 5240 MARTIN LUTHER KING JR. BLVD. FROM 'RO' ZONE(S) AND PLACING THE SAME IN THE R-1A ZONE(S) OR A MORE RESTRICTIVE ZONE(S)

(FILE NO. P91-126) (APN: 022-0290-011, 018, 019)

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

SECTION 1

The territory described in the attached exhibit(s) which is in the 'RO' zone(s) established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the R-1A 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.
- 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 September 12, 1991, 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.

FOR CITY CLERK USE ONLY

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

FOR CITY CLERK USE ONLY