

RECEIVED
CITY CLERK'S OFFICE
CITY OF SACRAMENTO

APR 19 1 12 PM '90

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DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

April 24, 1990

BUILDING INSPECTIONS
916-449-5716

PLANNING
916-449-5604

City Council
Sacramento, California

APPROVED
BY THE CITY COUNCIL

Honorable Members In Session:

APR 24 1990

- SUMMARY
1. ENVIRONMENTAL DETERMINATION
 2. TENTATIVE MAP (P90-012)
 3. SUBDIVISION MODIFICATION TO CREATE ONE LOT WITHOUT STREET FRONTAGE

OFFICE OF THE
CITY CLERK

LOCATION: 3212 Northgate Boulevard

SUMMARY

The request is to allow re-subdivision of two commercially zoned parcels into three. One of the resulting parcels will not have frontage onto a public street. However, access will be provided through recorded reciprocal access easements. The Planning Commission and Planning staff recommend approval of the request.

BACKGROUND

The subject site consists of two commercially zoned parcels under common ownership. A car wash and a tire shop occupy two-thirds of the site. The request is to split off the remaining vacant portion for future development as a separate parcel. The rear parcel will not frontage on a public street. However, access will be provided through a recorded reciprocal access easement. All required parking will be provided on each parcel pursuant to conditions of approval of the Tentative Map.

①

VOTE OF THE PLANNING COMMISSION

On March 22, 1990, the Planning Commission voted seven ayes, two absent, to recommend approval of the Tentative Map.

FINANCIAL CONSIDERATIONS

Not applicable.

POLICY CONSIDERATIONS

Not applicable.

MBE/WBE EFFORTS

Not applicable.

RECOMMENDATION

The Planning Commission and Planning staff recommend that the City Council ratify the Negative Declaration and adopt the attached resolution which approves 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

April 24, 1990
District No. 1

Contact Person:

Art Gee, Principal Planner
(916) 449-5604

MMD:AG:vr
P90-012.CC

Attachments

RESOLUTION NO. 90-315

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

APPROVED
BY THE CITY COUNCIL

APR 24 1990

OFFICE OF THE
CITY CLERK

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR PROPERTY LOCATED AT 3212 NORTHGATE BOULEVARD

(P90-012) (APN: 262-0030-03, 04)

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.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

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

1. The Negative Declaration has been prepared in compliance with CEQA, State and City Guidelines, and the Council has reviewed and considered the information contained 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 South Natomas Community Plan designate the subject site for commercial 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 without street frontage:
 - a. The City Council determines that it is impracticable and undesirable in this particular case to conform to the strict application of City Code Chapter 40 in that there is an existing use at the rear of the site which the applicant wishes to place on a separate parcel.
 - 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 access will be provided.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

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- 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 access will be provided through the site to the parcel without frontage via recorded easements.
 - 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 commercial use.
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. Each parcel shall provide adequate required parking. Proof of parking shall be provided for lots 1 and 2 prior to recording final map to the satisfaction of the Planning Director.
 - B. Record a 25 foot building setback on parcel 3 on Northgate Boulevard.
 - C. Show existing utility easements and proposed easements to the satisfaction of respective utilities.
 - D. Notice: Property to be subdivided in accordance with this map may be subject to flooding. Interested parties should ascertain whether and to what extent such flooding may occur. The applicable base flood elevations for the property should be reviewed. Base flood elevations are contained in the U.S. Army Corps of Engineers Flood Insurance Study Working Map for the Sacramento community, dated January 1989, available at the City of Sacramento's Public Works Department, Development Services Division, Room 100, 927 10th Street.
 - E. Dedicate Northgate Boulevard to a 40 foot half-section.
 - F. Coordinate with County sanitation District for sewer services.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

- G. A separate metered water service is required for each parcel. Parcel 2 shall require a private easement across parcel 1 or 3 to the satisfaction of the Water Division. Parcel 3 may postpone installation of a metered water service until a building permit is requested.
- H. Reciprocal easements for ingress, egress, and drainage are required.
- I. Participate in a Facilities Benefit Assessment (FBA) District or other fair and appropriate financing mechanism to be formed to finance needed public infrastructure and community services in South Natomas. In the event that the applicant wishes to commence the project prior to the establishment of the FBA District, then said applicant shall deposit into a third party escrow account the estimated fee amount of \$2,230 per single family dwelling unit, \$1,563 per multi-family dwelling unit, and \$3,76 per square foot of non-residential building, prior to the issuance of the building permit.

When the district is formed, if the fees are less than the estimated amount, the excess paid into the escrow account shall be refunded to the applicant. If the fees are more than the estimated amount, the applicant shall pay the difference immediately after the FBA District is formed. (staff amended)

- J. Participate in the Housing Trust Fund.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

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- K. The tentative map shall be revised to show the trash enclosure on Parcel 3 as part of Parcel 2.

Note: Design and location of structures shall comply with the Northgate Special Planning District Zone and Guidelines.

MAYOR

ATTEST:

CITY CLERK

P90-012.CC

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

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Sacramento City Planning Commission VOTING RECORD

MEETING DATE <i>March 22, 1990</i>
ITEM NUMBER <i>10A</i>
PERMIT NUMBER <i>P 90-012</i>

ENTITLEMENTS

- | | |
|---|--|
| <input type="checkbox"/> GENERAL PLAN AMENDMENT | <input 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 checked="" type="checkbox"/> ENVIRONMENTAL DET. |
| <input type="checkbox"/> VARIANCE | <input type="checkbox"/> OTHER _____ |

STAFF RECOMMENDATION	
<input type="checkbox"/> Favorable	<input type="checkbox"/> Unfavorable
<input type="checkbox"/> Correspondence <input type="checkbox"/> Petition	

LOCATION <i>3212 Northgate Boulevard</i>

RECOMMENDATIONS

NAME	ADDRESS
<i>Berry Nemowick</i>	<i>3110 Gold Canal Drive, Rancho Cordova 95670</i>

OPPOSITION

NAME	ADDRESS

MOTION # Yes No Motion Second

BECERRA	✓			
CHIAN	✓			
EASTON	✓			
MULLOY	✓			
MOTESTINE	✓		✓	
OTTO	✓			✓
ROSEN	<i>absent</i>			
YEE	<i>absent</i>			
MOLLIK	✓			

MOTION

- | | |
|--|---|
| <input type="checkbox"/> TO APPROVE | <input 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 FINDINGS OF FACT IN STAFF REPORT | <input checked="" 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

**Sacramento City Planning Commission
VOTING RECORD**

MEETING DATE
March 22, 1990

ITEM NUMBER
10B

PERMIT NUMBER
P 90-012

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

UC
12/10/89

Correspondence

Petition

LOCATION
3212 Northgate Boulevard

P R O P O N E N T S

NAME	ADDRESS

O P P O N E N T S

NAME	ADDRESS

MOTION #

	Yes	No	Motion	Second
RECERRA	✓			
CHINN	✓			
GASTON	✓			
HOLLOWAY	✓			
NOJESTINE	✓			✓
OTTO	✓			✓
ROSEN	<i>absent</i>			
YEE	<i>absent</i>			
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

Sacramento City Planning Commission VOTING RECORD

MEETING DATE <i>March 22, 1990</i>
ITEM NUMBER <i>10C</i>
PERMIT NUMBER <i>P 90-012</i>

ENTITLEMENTS

- | | |
|---|---|
| <input type="checkbox"/> GENERAL PLAN AMENDMENT | <input 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 checked="" type="checkbox"/> VARIANCE | <input type="checkbox"/> OTHER _____ |

STAFF RECOMMENDATION <input type="checkbox"/> Favorable <input checked="" type="checkbox"/> Unfavorable <i>WEE</i> <input type="checkbox"/> Correspondence <input type="checkbox"/> Petition
--

LOCATION <i>3212 Northgate Boulevard</i>

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NAME	ADDRESS

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NAME	ADDRESS

MOTION # Yes No Motion Second

BECERRA	✓			
CHINN	✓			
EASTON	✓			
MOLLOY	✓			
ROJESTINE	✓			✓
OTTO	✓			
ROSEN	<i>absent</i>			
YEE	<i>absent</i>			
HOLLICK	✓			

- TO APPROVE
- TO DENY
- TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
- INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE

MOTION

- TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
- TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
- TO RATIFY NEGATIVE DECLARATION
- TO CONTINUE TO _____ MEETING
- OTHER _____

PLANNING AND DEVELOPMENT

Sacramento City Planning Commission VOTING RECORD

MEETING DATE
March 22, 1990

ITEM NUMBER
109

PERMIT NUMBER
P 90-012

ENTITLEMENTS

- | | |
|---|---|
| <input type="checkbox"/> GENERAL PLAN AMENDMENT | <input 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 checked="" type="checkbox"/> VARIANCE | <input type="checkbox"/> OTHER _____ |

STAFF RECOMMENDATION

Favorable Unfavorable

Correspondence

Petition

LOCATION *3212 Northgate Boulevard*

SUPPORTERS

NAME	ADDRESS

OPPOSERS

NAME	ADDRESS

MOTION #

	Yes	No	Motion	Second
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	Yes	No	Motion	Second
RECERRA	✓			
CHINN	✓			
EASTON	✓			
MULLOY	✓			
NOTESTONE	✓			✓
OTTO	✓			✓
ROSEN	<i>absent</i>			
YEE	<i>absent</i>			
HOLLICK	✓			

MOTION

- | | |
|--|---|
| <input type="checkbox"/> TO APPROVE | <input 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 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 checked="" type="checkbox"/> OTHER <i>to withdraw</i> |

PLANNING AND DEVELOPMENT

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

APPLICANT	Murray Smith & Assoc. - 3110 Gold Canal Drive, Rancho Cordova, CA 95670		
OWNER	Louis Goodman - 1241 Loma Vista Drive, Beverly Hills, CA 90210		
PLANS BY	Murray Smith & Assoc. - 3110 Gold Canal Drive, Rancho Cordova, CA 95670		
FILING DATE	11-22-90	ENVIR.DET.	Neg. Dec.
			REPORT BY DH:sg
ASSESSOR'S PCL. NO.	262-0030-03,04		

- APPLICATION:**
- A. Negative Declaration
 - B. Tentative Map to divide 1.14+ developed acres into three lots in the Northgate Boulevard S.P.D. zone
 - C. Subdivision Modification to establish one lot with no public street frontage
 - D. Variance to provide required parking off-site
 - E. Variance to provide required trash enclosure off-site (withdrawn by staff)

LOCATION: 3212 Northgate Boulevard

PROPOSAL: The applicant is requesting the necessary entitlements to divide two parcels into three lots and provide the required parking and trash enclosure for the car wash off-site.

PROJECT INFORMATION:

1988 General Plan Designation:	Special Planning District
1988 South Natomas Community Plan Designation:	Special Planning District
Existing Zoning of Site:	S.P.D.
Existing Land Use of Site:	Winston Tire Building, car wash, and vacant pad

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Commercial; S.P.D.	Front	25'	10'
South: Commercial; S.P.D.	Side(Int):	0'	0'
East: Vacant; R-1	Side(St):	0'	28' for car wash
West: Single family; R-1	Rear:	15'	38' for car wash

Parking Required:	Car wash - five spaces; Winston Tire - 11 spaces: Total - 16 spaces
Parking Provided:	25 spaces
Property Dimensions:	300 ft. x 165 ft.
Property Area:	1.14+ acres
Square Footage of Building:	Winston Tire - 5,200 sq. ft.; car wash - 2,550 sq.
Height of Building:	Single story for both

APPLC. NO. P90-012

MEETING DATE March 22, 1990

ITEM NO 10

(7)

Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Concrete block
Roof Materials:	Tar

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On January 10, 1990 the Subdivision Review Committee voted to recommend approval of the tentative map by a vote of six ayes and three absent subject to conditions which follow. Among the conditions was the requirement to provide the required parking and trash enclosure for the car wash on the car wash property. The applicant does not agree with the requirement and is requesting a variance to allow five required parking spaces and trash enclosure to be located off-site.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of two tax parcels under common ownership located in the Northgate Boulevard Special Planning District. The 1988 General Plan and 1988 South Natomas Community plan designate the site as Special Planning District. Surrounding land uses are retail commercial to the north and south, vacant to the east and single family due west across Northgate Boulevard. The site contains a six bay car wash totaling 2,550 square feet and a 5,200 square foot Winston Tire store with a total of 25 parking spaces and two trash enclosures. Currently the tire store and car wash are on the same lot. The remainder is vacant.

B. Project Description

The applicant proposes to redivide the property into three parcels, one each for the tire shop, car wash and vacant pad. Parcel 1 will contain the existing tire store, one trash enclosure and 22 parking spaces. Parcel 2 will contain the six bay car wash and access drives. Parcel 3 will contain three parking spaces and trash enclosure with SMUD transformer that services the entire site. Parcel 3 will remain vacant except for the existing driveway which provides direct access to parcel 2. A future retail building may be constructed on Parcel 3. No plans were provided.

In order to establish Parcel 3 which contains three of the five required parking spaces for the car wash on Parcel 2, a variance is required. Staff recommended approval of the tentative map at Subdivision Review Committee subject to relocating the line between lots 2 and 3, 30 feet to the west so that the trash enclosure and three parking spaces would be provided on the same lot.

C. Tentative Map Design and Analysis

Staff supports the establishment of Parcel 2 as a land-locked parcel without public street frontage. Staff also supports the tentative map concept to establish three lots in the S.P.D. zone. However, staff does not observe the

hardship or unique circumstances to warrant granting a variance to provide three required parking spaces or trash enclosure off-site on Parcel 3 when a relocation of the property line separating lots 2 and 3 could achieve compliance with the City Ordinances.

Staff therefore recommends that the tentative map and subdivision modification be approved subject to conditions as stated at the Subdivision Review Committee.

D. Variance Analysis

In order for the Commission to grant a variance from the Zoning Ordinance to allow required parking off-site, specific findings indicating hardship or unique circumstances are required. Staff finds no evidence entered into the record to support granting a variance. The remedy is to adjust the property line separating Parcels 2 and 3 to include the trash enclosure and three parking spaces. Staff recommends denial of the variance based upon no hardship or unique circumstances.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator 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 the following mandatory mitigation measures into the project plans to avoid identified effects or to mitigate such effects to a point where clearly no significant effects would occur:

- A. Require construction contractors to implement a dust abatement program that will reduce the effect of construction on local particulate levels in the vicinity of the construction zone. Elements of this program should include the following:
1. Sprinkle all unpaved construction areas with water at least twice per day during excavation to reduce dust emissions. Additional watering should be carried out on hot or windy days. Watering could reduce particulate emissions by about 50%.
 2. Cover stockpiles of sand, soil, and similar materials with a tarp.
 3. Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces.
 4. Sweep up dirt or debris spilled onto paved surfaces immediately to reduce suspension of particulates through vehicle movements over these surfaces.
 5. Increase the frequency of City street cleaning along streets in the vicinity of the construction site.
 6. Require construction contractors to designate a person or persons to oversee the dust abatement program in order to increase watering if necessary.

- B. The City shall not approve the final project building permit until the Land Use Policy EIR is completed and approved (anticipated for January 1990).
- C. The applicant shall comply with all applicable measures imposed by the Land Use Planning Policy EIR prior to final project approval. The applicant is aware that applicable measures could substantially alter the proposed project and require additional future environmental review prior to the issuance of a City building permit.
- D. The City shall not approve the final project building permit until the General Plan is amended to exclude areas designated A99 Flood Hazard zone from areas considered "subject to unreasonable risk of flooding".

However, if the proposed flood policy and General Plan amendment are not approved the proposed project must be re-evaluated prior to issuance of the final building permit to determine the level of significance of flood hazards associated with the project and to re-issuance of mitigation measures to address the identified impact.
- E. The project is subject to imposition of Housing Trust Fund fees.
- F. The applicant shall participate in the Facilities Benefit Assessment District.

Non-compliance with, or deletion of any of the above mitigation measures by any party will require the project to be reprocessed 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 requested to prepare and environmental impact report if identified impacts cannot be reduced to less than a significant level through mitigation. (Refer to Attachment A, Initial Study Discussion.)

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

- A. Ratify the negative declaration;
- B. Recommend approval of the tentative map subject to conditions which follow;
- C. Recommend approval of the subdivision modification to establish one lot without public access;
- D. Deny the variance to provide parking off-site based upon findings of fact which follow; and
- E. Deny the variance to provide the trash enclosure off-site based upon findings of fact which follow. (Withdrawn by staff)

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. Each parcel shall provide adequate required parking. Proof of parking shall be provided for lots 1 and 2 prior to recording final map to the satisfaction of the Planning Director.
2. Record a 25 foot building setback on parcel 3 on Northgate Boulevard.
3. Show existing utility easements and proposed easements to the satisfaction of respective utilities.
4. Notice: Property to be subdivided in accordance with this map may be subject to flooding. Interested parties should ascertain whether and to what extent such flooding may occur. The applicable base flood elevations for the property should be reviewed. Base flood elevations are contained in the U.S. Army Corps of Engineers Flood Insurance Study Working Map for the Sacramento community, dated January 1989, available at the City of Sacramento's Public Works Department, Development Services Division, Room 100, 927 10th Street.
5. Dedicate Northgate Boulevard to a 40 foot half-section.
6. Coordinate with County sanitation District for sewer services.
7. A separate metered water service is required for each parcel. Parcel 2 shall require a private easement across parcel 1 or 3 to the satisfaction of the Water Division. Parcel 3 may postpone installation of a metered water service until a building permit is requested.
8. Reciprocal easements for ingress, egress, and drainage are required.
9. Prior to issuance of any building permit, the applicant shall enter into an agreement to participate in a Facilities Benefit Assessment (FBA) District or other fair and appropriate financing mechanism to be formed to finance needed public infrastructure and community facilities in South Natomas. The exact amount of dollar participation by the FBA District for each of the improvements will be specified at the time that the district is formed.

If the FBA District has not yet been approved, the Council shall determine the contribution to the FBA. Credit shall be granted against any FBA subsequently levied for any payment made pursuant to this paragraph. The fee amounts shall be adjusted annually. The method of adjustment shall be specified when the district is formed.

APPLC. NO. P90-012

MEETING DATE March 22, 1990

ITEM NO 10

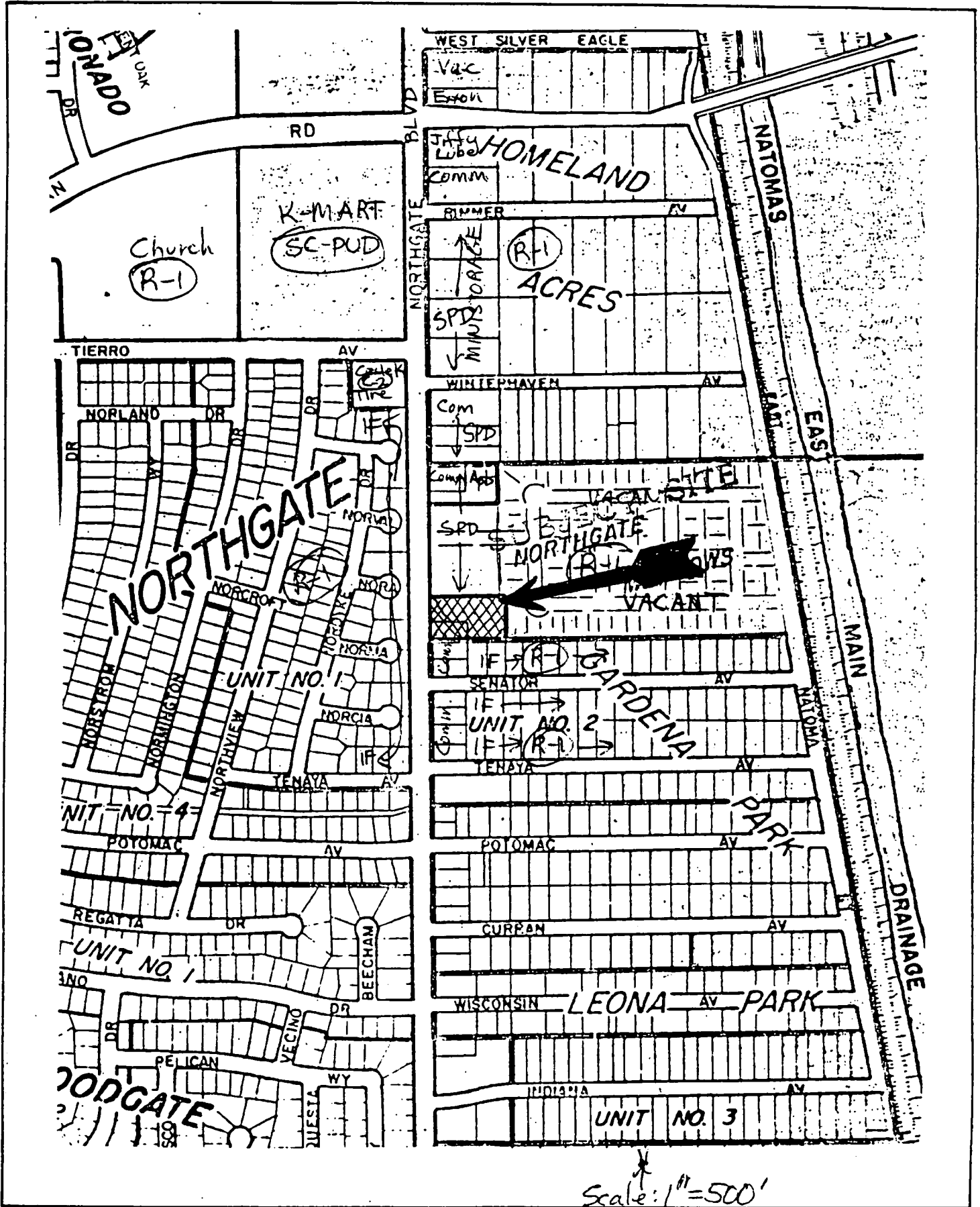
(11)

10. Participate in the Housing Trust Fund.
11. The tentative map shall be revised to show the trash enclosure on Parcel 3 as part of Parcel 2.

Note: Design and location of structures shall comply with the Northgate Special Planning District Zone and Guidelines.

Variance - Findings of Fact

1. Granting the variance would constitute a special privilege extended to an individual applicant in that under similar circumstances, required parking is provided on-site when a minor lot line adjustment on a proposed tentative map can provide parking and trash enclosure for a principal use.
2. Granting the variance would be injurious to the public health and safety in that the trash enclosure would be on a separate lot under separate ownership and parking may be restricted.
3. Granting the variance would be considered a use variance in that no parking would be provided for a requirement of five spaces for the car wash on-site.



VICINITY - LAND USE - ZONING

EXHIBIT A

LEGAL DESCRIPTION FOR
EXISTING PARCELS FOR TENTATIVE PARCEL MAP
APN: 262-0030-003 & 004
CITY OF SACRAMENTO,
COUNTY OF SACRAMENTO, CALIFORNIA

APN: 262-0030-003

All that certain real property situate in the City of Sacramento, County of Sacramento, State of California more particularly described as follows:

That portion of the Northwest 1/4 of Section 2 of Rancho Del Paso, according to the Official Plat thereof, filed in the office of the Recorder of Sacramento County, California; on March 4, 1911, in Book A of Surveys, Map No. 94, described as follows:

Beginning at a point on the east line of Marysville Road from which the point of intersection of the east line of Marysville Road and the south line of Homeland Acres, as shown on the Official Plat of Homeland Acres, filed in the office of the Recorder of Sacramento County, California, on December 1, 1926, in Book 19 of Maps, Map No. 10, bears northerly 495.00 feet; thence from said Point of beginning, easterly along a line parallel to the westerly extension of the north line of "Amended Map of Gardena Park No. 2", and the North line of said Amended Map of Gardena Park No. 2, according to the Official Plat thereof, filed in the Office of the Recorder of Sacramento County, California, on September 11, 1946, in Book 24 of Maps, Map No. 22, a distance of 300.00 feet; thence South parallel to the East line of Marysville Road, a distance of 165.00 feet more or less to the North line of said "Amended Map of Gardena Park No. 2; thence westerly along the North line of said Map of Gardena Park No. 2 and the westerly extension thereof, a distance of 150.00 feet; thence northerly parallel to the east line of Marysville Road, a distance of 70 feet; thence westerly parallel to the westerly extension of the North line of said Amended Map of Gardena Park No. 2, a distance of 150.00 feet to Marysville Road; thence northerly along Marysville Road, a distance of 95.00 feet to the point of beginning.

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Item 12

(14)

APN: 262-0030-004

All that certain real property situate in the City of Sacramento, County of Sacramento, State of California more particularly described as follows:

All that portion of the Northwest one-quarter of Section 2, as shown on the official plat of "Survey and Subdivision of Rancho Del Paso", recorded in the office of the County Recorder of Sacramento County, March 4, 1911, in Book A of Surveys, Map No. 94, described as follows:

Beginning at a point located South $89^{\circ}02' 1/2''$ West 75 feet from the Northwest corner of Lot 1 of "Amended Map of Gardena Park No. 2" according to the official plat thereof, filed in the office of the County Recorder of Sacramento County, September 11, 1946, in Book 24 of Maps, Map No. 22; thence from said Point of beginning, South $89^{\circ}02' 1/2''$ West 150 feet to the East line of Lower Marysville Road; thence along said Line, North $01^{\circ}21' 1/2''$ West 70 feet; thence North $89^{\circ}02' 1/2''$ East 150 feet; thence South $01^{\circ}21' 1/2''$ East 70 feet to the point of beginning.

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Murray Smith & Associates
Engineering, Inc.

October 30, 1989
88159

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3-22-90

(15)

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Tom W

(16)

OWNER: LOUIS GOODMAN
1241 LONG VISTA DRIVE
BEVERLY HILLS, CA 90210
PHONE: (310) 276-9914

SUBDIVIDER: LOUIS GOODMAN
1241 LONG VISTA DRIVE
BEVERLY HILLS, CA 90210
PHONE: (310) 276-9914

ENGINEER: MURRAY SMITH & ASSOCIATES
3110 GOLD CANAL DRIVE
RANCHO CORDOVA, CA 95670
PHONE: (916) 432-1511

IMPROVEMENTS: AS REQUIRED BY CITY OF SACRAMENTO
DEPARTMENT OF PUBLIC WORKS

EXISTING USE: COMMERCIAL

PROPOSED USE: COMMERCIAL

EXISTING ZONING: C1

PROPOSED ZONING: C1

ASSESSORS' PARCEL NO.: 262-0030-002 & 004

SEWAGE DISPOSAL: CITY OF SACRAMENTO

WATER SUPPLY: CITY OF SACRAMENTO

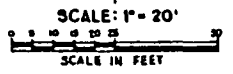
DRAINAGE: CITY OF SACRAMENTO

FIRE PROTECTION: SACRAMENTO FIRE DEPARTMENT

ACREAGE: 1.16 ACRES GROSS

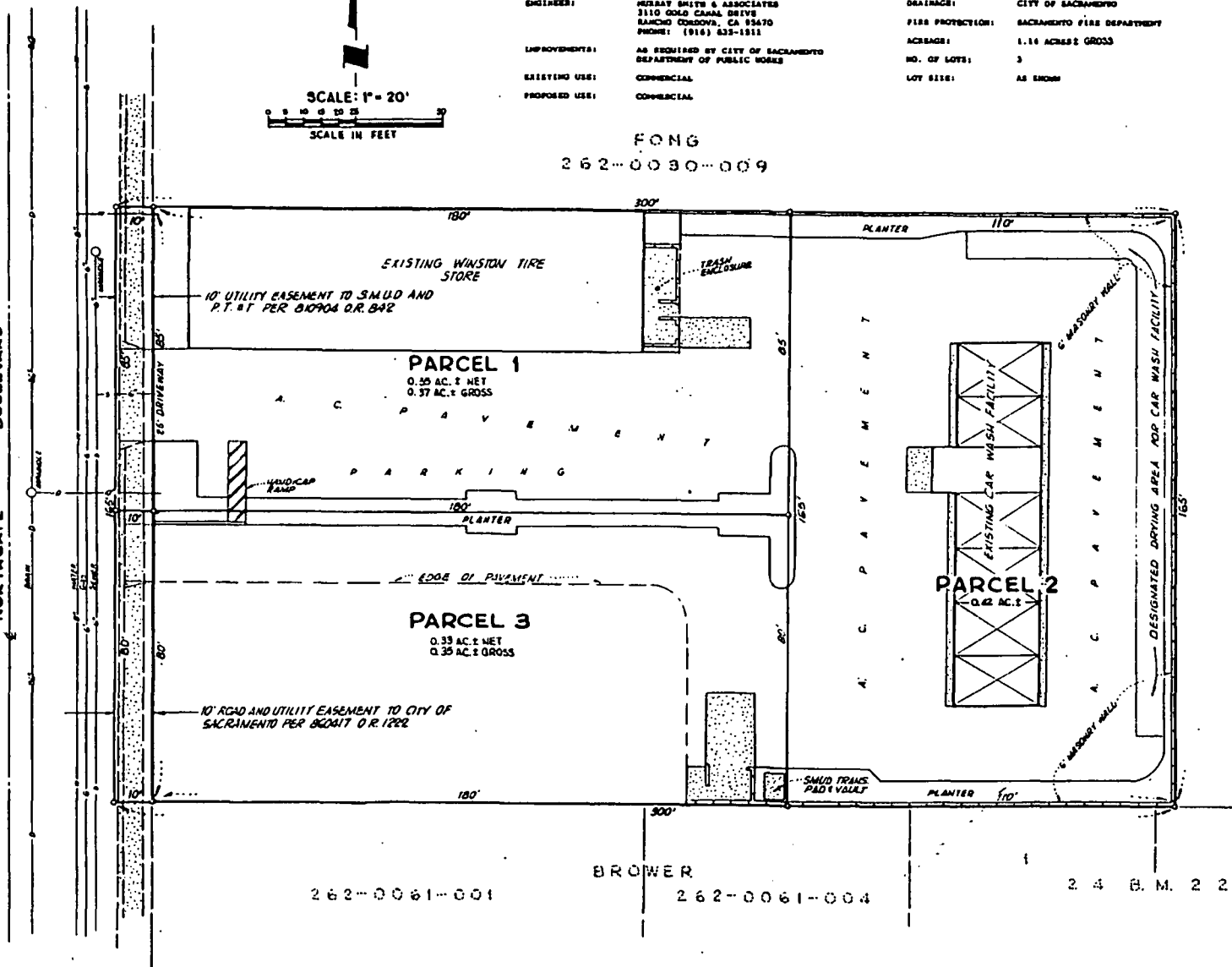
NO. OF LOTS: 3

LOT SIZE: AS SHOWN



FONG
262-0030-009

NORTHGATE BOULEVARD



LOCATION MAP
NOT TO SCALE

TENTATIVE PARCEL MAP
A PORTION OF THE N.W. 1/4
SECTION 2, RANCHO DEL
PASO (BK. A SURVEYS, 94)
CITY OF SACRAMENTO, CALIFORNIA
NOVEMBER 1989 SCALE: 1" = 20'
MURRAY SMITH & ASSOC.

262-0061-001

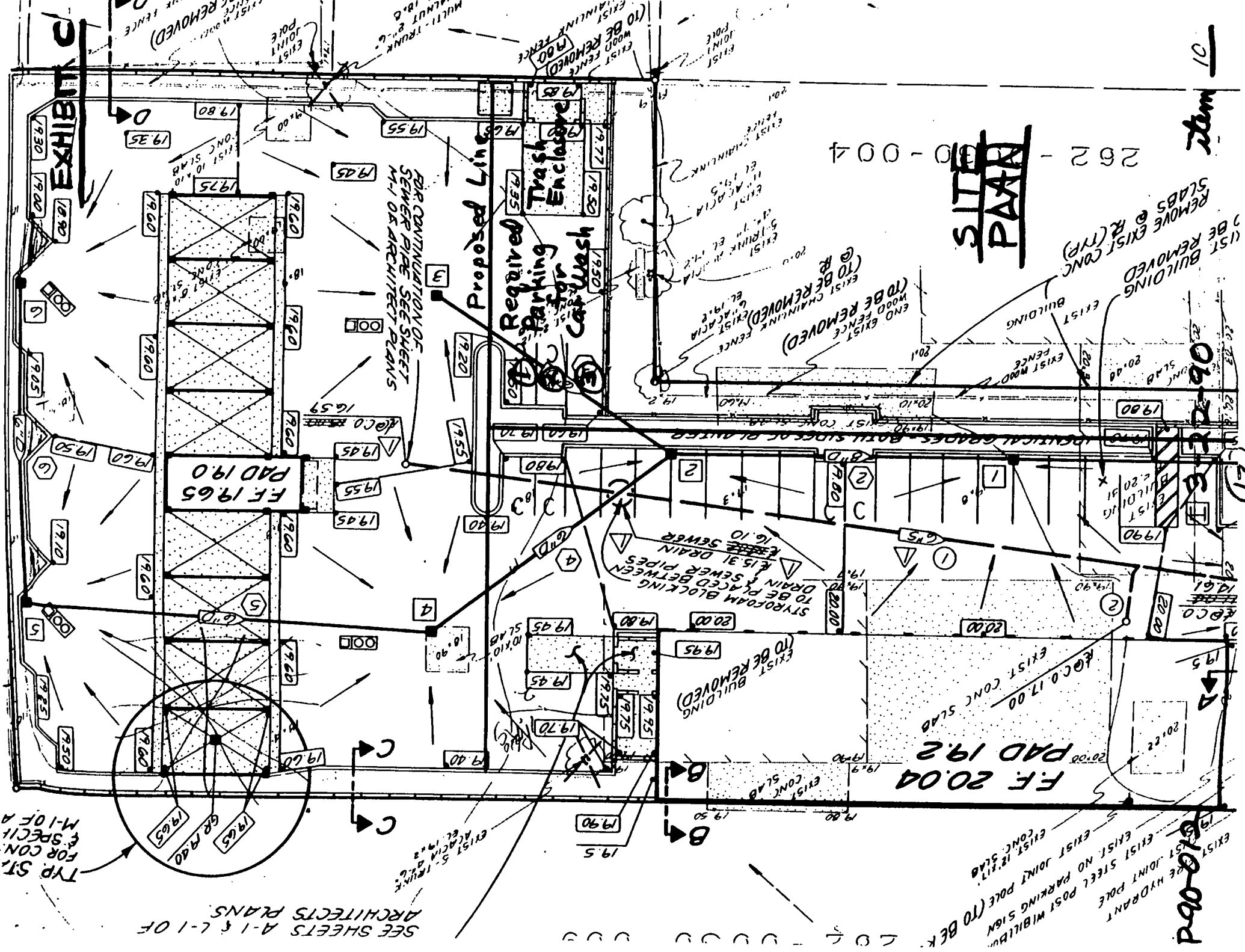
BROWER

262-0061-004

2 4 B. M. 2 2

TENTATIVE MAP
EXHIBIT B

10661 REV. 1-78



SEE SHEETS A-1 & L-1 OF ARCHITECTS PLANS

TYP. ST. FOR CON. & SPECIF. M-1 OF A

EXIST. HYDRANT
 EXIST. STEEL POST W/BLUBB.
 EXIST. NO. PARKING SIGN (TO BE R.
 EXIST. JOINT POLE (TO BE R.
 EXIST. CONC. SLAB
 EXIST. 12" X 17" CONC. SLAB

P-90-019

F.F. 20.04
PAD 19.2

F.F. 19.65
PAD 19.0

Proposed Line
 Required Parking for Car Wash
 Trash Enclosure

FOR CONTINUATION OF
 SEWER PIPE SEE SHEET
 M-1 OF ARCHITECTS PLANS

~~SITE PLAN~~

262 - 00 - 004

EXIST. BUILDING
 REMOVE EXIST. CONC. SLABS & R (M.P.)
 TO BE REMOVED
 1ST BUILDING

EXHIBIT C

Item 10

AMENDED

ATTACHMENT A
DISCUSSION OF INITIAL STUDY

3212 Northgate Boulevard (P90-012)

Project Description

Murray Smith and Associates have made application to the City of Sacramento for tentative map approval to divide a 1.14± acre property into three lots. One parcel will contain an existing car wash, one will contain an existing tire store, and the third lot will be developed in the future. The site is located at 3212 Northgate Boulevard in the Northgate - Special Planning District (SPD) zone. The site is designated as a Special Planning District in both the 1986-2006 General Plan and the 1988 South Natomas Community Plan.

The necessary entitlements for this project include:

1. Tentative map to divide 1.14± developed acres into 3 lots in the SPD zone;
2. Variance to provide off-site parking;
3. Variance to provide required trash enclosure off-site;
4. Subdivision Modification to establish 1 with with no public street frontage.

Environmental Effects

1. Earth: Construction on the third undeveloped lot will result in compaction and overcovering of soil to provide proper drainage, building foundation, parking and vehicular maneuvering area. The subject site is designated for urban uses in the General Plan. No unique geologic features are known to occur on the site. Development within the SGPU area is subject to potential damage from earthquake groundshaking at a maximum intensity of VIII of the Modified Mercalli Scale (SGPU, DEIR, pg. T-16). Currently, the City requires that all new structures be designed to withstand this intensity level, since the City is within Zone 3 of the UBC's Seismic Risk Map of the United States (SGPU, DEIR, pg. T-20).

2. Air: Traffic associated with future construction on the project site will produce emissions of various compounds which contribute to regional and local air quality problems. Sacramento is a non-attainment area for ozone and Carbon Monoxide. No violation of the CO standards are expected from the implementation of this project.

Watering during construction will reduce fugitive dust to a less than significant levels. The applicant has agreed to the following mitigation measure to reduce geological impacts to a less-than-significant level:

- A. Require construction contractors to implement a dust abatement program that will reduce the effect of construction on local PM 10 levels in the vicinity of construction zones. Elements of this program should include the following:
 - o Sprinkle all unpaved construction areas with water at least twice per day during demolition and excavation to reduce dust emissions. Additional watering should be carried out on hot or windy days. Watering could reduce particulate emissions by about 50%.
 - o Cover stockpiles of sand, soil, and similar materials with a tarp.
 - o Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces.

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- o Sweep up dirt or debris spilled onto paved surfaces immediately to reduce resuspension of PM 10 through vehicle movements over these surfaces.
- o Increase the frequency of city street cleaning along streets in the vicinity of construction site.
- o Require construction contractors to designate a person or persons to oversee the dust abatement program and to order increased watering, as necessary.

3. Water: The proposed project is located in an area of the City determined to have less than 100-year flood protection. Implementation of the project will therefore expose people and/or property to the risk of injury and damage in the event of a 100-year or lesser flood. These risks are considered significant adverse impacts under CEQA. The City Council has evaluated these impacts in the Environmental Impact Report (EIR) prepared in connection with the Land Use Planning Policy Within the 100-Year Floodplain (M89-054) adopted by the City Council on February 6, 1990. The EIR is available through the Department of Planning and Development, 1231 I Street, Room 300, Sacramento, California. This document serves as a Program EIR addressing the flood-related risks to people and property created by new development in the 100-year floodplain in the City. The flood-related risks created by the proposed project fall within the scope of the Program EIR. Accordingly, the findings adopted by the Council in connection with its certification of the Program EIR and its adoption of the Policy are applicable to the proposed project. These findings are set forth in the Findings of Fact/Statement of Overriding Considerations for the Land Use Planning Policy Within the 100-Year Floodplain in the City of Sacramento. This document is appended to the Program EIR available through the Department of Planning and Development.

4/5. Plant/Animal Life: The subject site is located in an Urban Land Habitat. Much of this habitat is not vegetated. When present, the dominant vegetation consists of artificially irrigated ornamental plantings (SGPU, DEIR, pg. U-14). The subject site is currently developed with an abandoned structure. The proposed project is anticipated to have a less-than-significant impact on plant and animal life.

6. Noise: The subject site is located in an area impacted by noise generated from traffic using Northgate Boulevard. As the site is not proposed to be developed with residential units, this impact is considered to be less than significant.

7. Light and Glare: Light is currently produced by the two existing businesses on the site, and reflects down onto the property. No new impacts are expected to result from this project or future development on the site.

8. Land Use: The proposed project is located within an area of the 100-year floodplain designated as Zone A-99 on the Sacramento Community's Official Flood Insurance Rate Map dated November 15, 1989. Under applicable provisions of the Sacramento City Code, new development is permitted in this zone subject to certain conditions. [In areas of the A-99 zone outside Natomas, building permit applicants must execute a legal notice and waiver agreement with the City whereby these persons assume the risk of all flood-related damage to any permitted new construction and agree to notify subsequent purchasers of the flood risk.] [In the Natomas area, applicants for nonresidential building permits must: (1) execute a legal notice and waiver agreement with the City whereby these persons assume the risk of flood-related property damage to any permitted new construction and agree to notify subsequent purchasers of the flood risk; and (2) ensure that any new construction complies with certain design restrictions aimed at reducing the risk of flood-related property damage and personal injury.]

9. Natural Resources: The proposed project is not anticipated to accelerate the use of natural resources or deplete non-renewable resources.

10. Risk of Upset: Should toxic or flammable materials be used or stored on the site, a disclosure statement must be filed with the Fire Department which includes a list of these materials, the maximum amounts anticipated, how and where these materials are stored and used. The Fire Department prepares an emergency plan which contains this information. The potential risk of upset is determined to be less-than-significant.

11/12. Population/Housing: The proposed project is not anticipated to alter the location, distribution, density or growth rate of the human population or generate any additional demand for housing. The project is subject to imposition of the Housing Trust Fund fees. The applicant has agreed to incorporate the following mitigation measure as part of the project to reduce any impacts to housing to a less than significant level:

E. The project is subject to imposition of Housing Trust Fund fees.

13. Transportation and Circulation : Northgate Boulevard is expected to operate at less than acceptable levels of service at the time of general plan buildout. Due to existing development along Northgate Boulevard, no improvements are available that could mitigate traffic impacts to a less than significant level. The City's intent is to formulate a community plan area-wide solution to the traffic congestion in the area by the creation of the South Natomas Facilities Benefit Assessment district. Businesses are assessed on a square footage basis from the traffic expected to be generated from the project. The applicant has agreed to incorporate the following mitigation measure as part of the project to reduce impacts to a less than significant level:

F. The applicant shall participate in the Facilities Benefit Assessment District.

Adequate overall parking will be provided on the three proposed parcels with the use of reciprocal parking and maneuvering agreements. The proposed project will not result in additional on-street parking.

14-16. Public Services/Energy/Utilities: The proposed project is consistent with land use designations in the community and general plan upon which projections for public services, energy and utilities are made. The proposed project will have a less-than-significant impact on these services. Adequate trash facilities will be provided throughout the site with the use of reciprocal arrangements regarding these facilities.

17. Human Health: The proposed project is not expected to result in the creation of health hazards, potential health hazards or expose people to potential health hazards.

18. Aesthetics: Future development on the vacant parcel will comply with all height, area and setback requirements of the City's Zoning Ordinance. Obstruction of a scenic view and creation of an aesthetically offensive site is not anticipated to occur.

19. Recreation: Commercial projects such as this are not anticipated to impact recreational opportunities. Impacts are considered less than significant.

20. Cultural Resources: The subject site is not located in a Primary Impact Area as defined by the SGPU (DEIR, pg. V-5). The proposed project is expected to result in less-than-significant impacts on cultural resources.

FINDINGS REGARDING FLOOD-RELATED IMPACTS

1. The project, P90-012 (the "Project"), is located in an area of the City determined to have less than 100-year flood protection. Implementation of the Project will therefore expose people and property to the risk of injury and damage in the event of a 100-year or lesser flood. These risks are considered significant adverse impacts under CEQA.
2. The City Council has evaluated these impacts in the Environmental Impact Report (EIR) prepared in connection with the Land Use Planning Policy Within the 100-Year Floodplain (M89-054) adopted by the Council on February 6, 1990. The EIR is available through the Department of Planning and Development, 1231 I Street, Room 300, Sacramento, California. This document serves as a program EIR addressing the flood-related risks to people and property created by new development in the 100-year floodplain in the City.
3. The flood-related risks created by the Project fall within the scope of the program EIR. Accordingly, the findings adopted by the Council in connection with its certification of the program EIR and its adoption of the Policy are applicable to and are hereby adopted in connection with the Project. These findings are set forth in the Findings of Fact/Statement of Overriding Considerations for the Land Use Planning Policy Within the 100-Year Floodplain in the City of Sacramento ("Findings"). This document is appended to the program EIR available through the Department of Planning and Development.
4. Building permits may be issued in connection with the Project only if the applicant ensures that any permitted new construction complies with specific flood-related design restrictions set forth in Article XXVII of Chapter 9, of the Sacramento City Code. As set forth in the Findings, no additional flood-related mitigation measures applicable to the Project have been required.

NATNONR.FMM

P-90-012

3-22-90

(21)

item 10

MURRAY SMITH & ASSOCIATES ENGINEERING
3110 GOLD CANAL DRIVE
RANCHO CORDOVA, CA 95670
PHONE: (916) 856-1511
FAX: (916) 858-0188



February 9, 1990 CITY OF SACRAMENTO
CITY PLANNING DIVISION

FEB 09 1990

RECEIVED

Mr. Art Gee
Mr. Dan Handrycks
City Planning
1234 11th Street, Room 200
Sacramento, CA 95814

Subj: 3312 Northgate Boulevard
(P90-12)

File: M159

Gentlemen:

A request has been filed with the City Clerk's office to withdraw the tentative parcel map (P90-12) from fast track processing in order to process the request for variance required for reciprocal parking and joint use of an existing trash enclosure for proposed Parcels 2 and 3 as shown on the enclosed tentative map.

There is parking for the car wash facility on site in the area designated as "drying area" on site and outside the driveway area which provides access to and from the car wash, however, tandem parking is not allowed under the current zoning code.

The trash enclosure for the car wash is proposed for joint use between Parcels 2 and 3, and the proposed Parcel line between said Parcels is a southerly prolongation of the easterly property line of Proposed Parcel No. 1 to allow a total gross area for proposed Parcel 3 consistent with the anticipated requirements for future development.

If you have any questions regarding this request, please call me at your earliest convenience.

Sincerely,

MURRAY SMITH & ASSOCIATES
ENGINEERING, INC.

Michael Himmelmann

MH/190
Enclosure