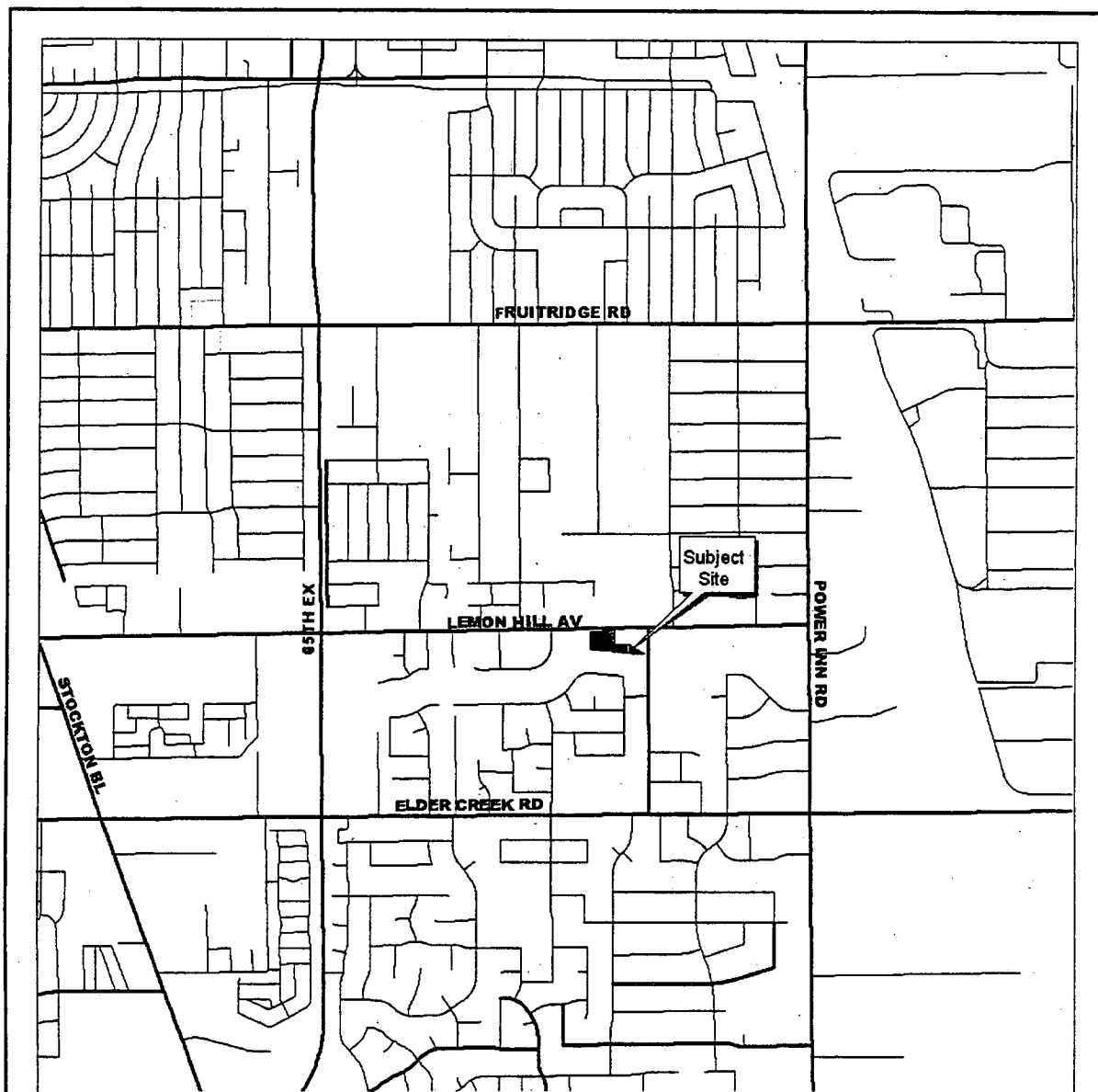


P04-226 – Nguyen Tentative Map

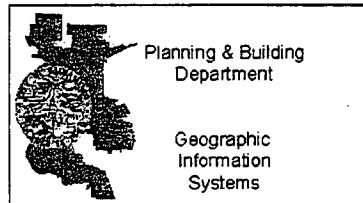
- REQUEST:
- A. **Environmental Determination:** Exempt (CEQA 15332);
 - B. **Tentative Map** to subdivide 1.68 gross acres into 8 lots in the Standard Single-Family (R-1) Zone
 - C. **Subdivison Modification** to Create one lot (lot 2) less than 100 feet in depth.
 - D. **Lot Line Adjustment** to adjust the lot line between two parcels totalling 0.97± acres in the Standard Single-Family (R-1) zone.

LOCATION: Lemon Hill Avenue west of Logan Street
APN: 038-0131-013, 015
South Sacramento Community Plan
Sacramento City Unified School District
Council District 6

APPLICANT:	German Engineering 3000 Franklin Boulevard Sacramento, CA 95818
OWNER:	Ron Shrewsbury 3749 Stockton Boulevard Sacramento, CA 95820
APPLICATION FILED:	November 8, 2004
APPLICATION COMPLETED:	December 6, 2004
STAFF CONTACT:	Antonio Ablog, 808-7702



0 1000 2000 Feet



November 24, 2004

Vicinity Map
P04-226



SUMMARY:

The applicant is seeking entitlements to subdivide 1.68± gross acres in the Standard Single-Family (R-1) zone Lemon Hill Avenue west of Logan Street. The subject site will be divided into a total of 8 lots for the future development of single-family homes. The applicant has worked with Planning, Public Works, Utilities, and City Fire Staff to arrive at a subdivision design that provides for the necessary emergency access and circulation. The subdivision will be consistent with the existing single-family homes in the immediate area. Staff recommends approval of this tentative map as it is consistent with surrounding development and has been conditioned to meet the requirements of the applicable city departments. There have been no public comments submitted and there are no outstanding issues related to this project.

RECOMMENDATION:

Staff recommends approval of the project, subject to conditions, in the Notice of Decision.

PROJECT INFORMATION:

General Plan Designation:	Low Density Residential (4-15 du/na)
Community Plan Designation:	Residential 4-8
Existing Land Use of Site:	Vacant
Existing Zoning of Site:	Single Family Residential (R-1)

Surrounding Land Use and Zoning:

North: Community Garden/residential;	R-1
South: Morrison Creek	R-1
East: Single Family Residential;	R-1
West: Vacant;	R-1

Property Dimensions:	197'x580' (irregular)
Property Area:	1.68± gross acres
Topography:	Flat
Street Improvements:	None
Utilities:	Existing @ Lemon Hill Avenue

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

<u>Permit</u>	<u>Agency</u>
Final Map	Public Works, Development Services

BACKGROUND INFORMATION:

The subject site consists of two vacant parcels. One parcel has street frontage along Lemon Hill Avenue while the second parcel is currently landlocked. The subject site is bounded by Morrison Creek to the south and Lemon Hill Avenue to the north. There are single family homes that abut the proposed Lot 8. The parcel to the west of the site is currently vacant. There is an existing community garden to the north of the site. No previous entitlements have been approved for the subject site.

STAFF EVALUATION: Staff has the following comments:**A. Policy Considerations****General & Community Plan**

The general plan designates the site as Low Density Residential (4-15 units/acre) and the South Sacramento Community Plan designates the site as Residential (4-8 units/acre). As proposed, the subdivision will be consistent with these designations as it will have a density of approximately 5 units per acre. Furthermore, the proposed project is consistent with the General Plan in that it:

- develops a residential land use in a manner which is efficient and utilizes existing urban resources (sec 2-15, Goal C); and
- promotes infill development as a means to meet housing needs.

The proposed subdivision is also consistent with the South Sacramento community Plan in that the Community Plan encourages the infilling of skipped over parcels within developed areas.

B. Site Design**Tentative Map design**

The Tentative Map will create eight lots on 1.68± gross acres. The lots to be created will be suitable for the development of single-family homes. All but one of the proposed lots will be accessed by a cul-de-sac on the south side of Lemon Hill Avenue. Lot 8 is currently part of a landlocked parcel; however, the applicant has requested the approval of a Lot Line Adjustment to give the parcel a 25-foot wide street frontage along Logan Street.

Of the eight proposed lots, seven are consistent with the subdivision requirements for single-family lots. Lot 2 will require approval of a Subdivision Modification as its average depth is only 97 feet, not meeting the 100-foot requirement. Lot 8 will be

a large irregular lot, but will be consistent with single-family lot requirements. The initial submittal of the map did not provide lot 8 with street access. The applicant has worked with a neighboring property owner to arrive at a design that will provide street access for lot 8 after a lot line adjustment is completed for one of the neighboring parcels (APN: 038-0131-010).

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project is exempt from environmental review pursuant to CEQA Guidelines (CEQA Section 15332) as the project: a) is consistent with all applicable plans and zoning regulations; b) is on a site of less than five acres (1.68± gross acres); c) has no value as habitat; d) will not have any significant impacts on the environment; and e) is adequately served by services and utilities.

B. Public/Neighborhood/Business Association Comments

Upon receipt of the original application, the project information was forwarded to the Southeast Area Neighborhood Association. As of the date of this report, no public comments on this project have been received.

C. Summary of Agency Comments

The project has been reviewed by several City Departments including City Fire, Development Engineering, and City Utilities. The project was approved at the Subdivision Review Committee on March 16, 2005. The conditions incorporating all applicable comments were added to project at that time

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny A, B, C, and D. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

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

A. Environmental Determination: Exempt (CEQA 15332);

B. Adopt the attached Notice of Decision and Findings of Fact approving the **Tentative Map to subdivide 1.68 gross acres into 8 lots in the Standard Single-Family (R-1) Zone**

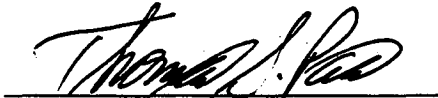
- C. Adopt the attached Notice of Decision and Findings of Fact approving the **Subdivison Modification** to Create one lot (lot 2) less than 100 feet in depth.
- D. Adopt the attached Notice of Decision and Findings of Fact approving the **Lot Line Adjustment** to adjust the lot line between two parcels totalling 0.97± acres in the Standard Single-Family (R-1) zone.

Report Prepared By,



Antonio A. Ablog, Assistant Planner

Report Reviewed By,



Thomas S. Pace, Senior Planner

Attachments

Attachment 1

Exhibit 1A

Attachment 2

Notice of Decision & Findings of Fact

Tentative Map

Land Use and Zoning Map

ATTACHMENT 1

**NOTICE OF DECISION AND FINDINGS OF FACT FOR NGUYEN TENTATIVE MAP
LOCATED AT ON LEMON HILL AVENUE WEST OF LOGAN STREET SACRAMENTO,
CALIFORNIA IN THE STANDARD SINGLE FAMILY (R-1) ZONE. (P04-226)**

At the regular meeting of April 14th, 2004, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. **Environmental Determination:** Exempt (CEQA 15332);
- B. Approved the **Tentative Map** to subdivide 1.68 gross acres into 8 lots in the Standard Single-Family (R-1) Zone.
- C. Approved the **Subdivison Modification** to Create one lot (lot 2) less than 100 feet in depth.
- D. Approved the **Lot Line Adjustment** to adjust the lot line between two parcels totalling 0.97± acres in the Standard Single-Family (R-1) zone.

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

- A. **Categorical Exemption:** The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section 15332 of the CEQA Guidelines as the project: a) is consistent with all applicable plans and zoning regulations; b) is on a site of less than five acres (1.68± gross acres); c) has no value as habitat; d) will not have any significant impacts on the environment; and e) is adequately served by services and utilities
- B. The **Tentative Subdivision Map** to subdivide 1.68± gross acres into 8 lots in the Standard Single-Family (R-1) Zone is approved based on the following findings of fact:
 - 1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision;

2. The proposed subdivision, together with the provisions for its design and improvement is consistent with the City General Plan, South Sacramento Community Plan, and subdivision Ordinance Chapter 16.12.020 of the Sacramento City Code. The City General Plan designates the site for Low Density Residential and the South Sacramento Community Plan designates the site for Low Density Residential (4-8 du/acre); and
3. 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.

C. The Subdivison Modification to Create one lot (lot 2) less than 100 feet in depth is approved based on the following findings of fact in that:

1. The property to be divided is of such size or shape that there are such special circumstances or conditions affecting the property that it is impossible, impractical, or undesirable in the particular case to conform to the strict application of these regulations; in that
2. the cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification; in that
3. the modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity; in that
4. the granting the modification is in accord with the intent and purposes of these regulations and is consistent with the General Plan and the South Sacramento Community Plan.

D. The Lot Line Adjustment to adjust the lot line between two parcels totalling 0.97± acres in the Standard Single-Family (R-1) zone is approved based on the following findings of fact in that:

1. The lot line adjustment will not result in the abandonment of any street or utility easement of record, and that, if the lot line adjustment will result in the transfer of property from one owner to another owner, the deed to the subsequent owner expressly reserves any street or utility easement of record;
2. The lot line adjustment will not result in the elimination or reduction in size of the access way to any resulting parcel, or that the application

is accompanied by new easements to provide access which meet all the city requirements regarding access to parcels in the location and of the size as those proposed to be created; and

3. The resulting parcels conform to the requirements of the city's building code and the city's zoning ordinance. (Prior code § 40.04.404)

CONDITIONS OF APPROVAL

- B.** The **Tentative Subdivision Map** to subdivide 1.68 gross acres into 8 lots in the Standard Single-Family (R-1) Zone is approved subject to the following conditions.

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P04-226). The design of any improvement not covered by these conditions shall be to City standard.

The applicant shall satisfy each of the following conditions prior to filing the Final Map unless a different time for compliance is specifically stated in these conditions. Any condition requiring an improvement that has already been designed and secured under a City Approved improvement agreement may be considered satisfied:

GENERAL: All Projects

- B1. The Lot line adjustment shown on the proposed Tentative Map shall be recorded prior to the recordation of the Final Map.
- B2. The lot line adjustment shall provide lot 8 with access to Logan Street.
- B3. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.
- B4. Pursuant to City Code Section 16.40.190, 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 Development Engineering & Finance Division after consultation with the U.S. Postal Service.
- B5. Show all continuing and proposed/required easements on the Final Map.
- B6. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition.

DEVELOPMENT SERVICES: Streets

- B7. Submit a Geotechnical Analysis prepared by a registered engineer to be used in street design. The analysis shall identify and recommend solutions for groundwater related problems, which may occur within both the subdivision lots and public right-of-way. Construct appropriate facilities to alleviate those problems. As a result of the analysis street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater conditions.
- B8. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Development Engineering & Finance Division. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include the design and installation of ornamental streetlights.
- B9. Dedicate sufficient right-of-way for the design and construction of the proposed cul-de-sac to a 41-foot street section width and a 45-foot radius, to the satisfaction of the Development Engineering and Finance Division.
- B10. Construct the proposed cul-de-sac street to a 41-foot street section and a 45-foot radius to the satisfaction of the Development Engineering and Finance Division.
- B11. Construct full frontage improvements on **Logan Street**. Frontage Improvements shall include construction of curb, gutter, and sidewalk to match existing improvements along Logan Street. All improvements shall be designed and constructed to City Standards to the satisfaction of the Department of Development Services.
- B12. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk along Lemon Hill Avenue per City standards to the satisfaction of the Development Engineering and Finance Division.

PUBLIC/PRIVATE UTILITIES

- B13. Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.
- B14. Each lot and each building with a sewage source shall have a separate connection to the CSD-1 sewer system.
- B15. In order to obtain sewer service, construction of a CSD-1 sewer infrastructure is expected to be required.

- B16. Parcel 8 may require an injector pump and extension of public collector in Logan Street.
- B17. Dedicate a 12.5-foot public utility easement for overhead and underground facilities and appurtenances adjacent to all public street rights of ways.

CITY UTILITIES

- B18. Provide separate metered domestic water services to each parcel.
- B19. Prior to or concurrent with the submittal of improvement plans, the applicant must provide the Department of Utilities with the average day water system demands, the fire flow demands, and the proposed points of connection to the water distribution system for the proposed development. The Department of Utilities can then provide the "boundary conditions" for the design of the water distribution system. The water distribution system shall be designed, per Section 13.4 of the Design and Procedures Manual, to satisfy the more critical of the two following conditions:
- a. At maximum day peak hour demand, the operating or "residual" pressure at all water service connections shall be at least 30 pounds per square inch.
 - b. At average maximum day demand plus fire flow, the operating or "residual" pressure in the area of the fire shall not be less than 20 pounds per square inch.

The applicant shall submit pipe network calculations for the proposed water distribution system. The calculations shall be reviewed and approved by the Department of Utilities prior to improvement plan approval.

- B20. A drainage study and shed map as described in Section 11.7 of the City Design and Procedures Manual is required. This study and shed map shall be approved by the Department of Utilities. Finished lot pad elevations shall be a minimum of 1.20 feet above the 100-year HGL and approved by the Department of Utilities. The drainage study shall include an overland flow release map for the proposed project. Lot pad elevations shall be a minimum of 1.5 feet above the controlling overland release elevation. Storm drain pipes in the streets shall be sized based on the latest infill criteria. Contact the Department of Utilities for this information. Note: The site is located within Drainage Shed G258.
- B21. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment control methods on the subdivision improvement plans. These plans shall also show the methods to control urban runoff pollution from the project site during construction.

- B22. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities. No off-site drainage shall be blocked. Overland flow release elevations shall be provided.
- B23. This project will disturb greater than 1 acre of property, therefore the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained at www.swrcb.ca.gov/stormwtr/construction.html. The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit or approval of improvement plans to assure that the following items are included: 1) vicinity map, 2) site map, 3) list of potential pollutant sources, 4) type and location of erosion and sediment BMPs, 5) name and phone number of person responsible for SWPPP, 6) certification by property owner or authorized representative.
- B24. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Only source control measures are required. This will not affect site design. Refer to the "Guidance Manual for On-Site Stormwater Quality Control Measures" dated January 2000 for appropriate source control measures.

PPDD: Parks

- B25. The Applicant shall comply with City Code 16.64 (Parkland Dedication) and dedicate a park site at a location deemed acceptable to the City's PPDD; and/or, as determined by PPDD, request the City have prepared, at the applicants expense, a fair market value appraisal of the property to be subdivided and pay the required parkland dedication in lieu fees or, as an alternative to the appraisal process, pay the required parkland dedication in lieu fees based on the Community Planning Area "fixed market value " per acre of land as adopted by Sacramento City Council.
- B26. The applicant must provide proof they have initiated and completed the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annexed the project to an existing parks maintenance district prior to recording a Final (Parcel) Map. The applicant shall pay all city fees for formation of or annexation to special districts. The purpose of the district is to equitably spread the cost of neighborhood park maintenance on the basis of special benefit, in the case of an assessment district. In the case of a special tax district, the cost will be spread

based upon the hearing report, which specifies the tax rate and method of apportionment. (Contact Development Services Department, Special Districts, Project Manager).

ADVISORY NOTES:

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

- B27. The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated July 6, 1998. Within the X zone, there are no requirements to elevate or flood proof.
- B28. Section 13.04.060 of the City Water Code states that for a single-family domestic service connection, the maximum size shall be one (1) inch, or one and one half (1-1/2) inches if residential fire sprinkler systems are present, unless otherwise authorized by the Director of the Department of Utilities. Prior to submitting plans for Lot 8 to the Building Department the applicant should contact the Chief Plumbing Inspector with the Building Division to determine the size of the domestic water tap required for this lot. If the required size is greater than one and one half inches, then the applicant must submit a request to the Department of Utilities for approval of a larger tap size. Approvals need to be obtained prior to issuing the building permit.
- B29. Developing this property may require the payment of additional sewer impact fees. Impact fees for CDS-1 shall be paid prior to filing and recording of the Final Map or issuance of Building Permits, whichever is first. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.
- B30. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction. CFC 901.3.
- B31. All turning radius for fire access shall be designed as 45' inside and 55' outside. Cul-de-sac shall be 45' radius or city standard hammerhead. CFC 902.2.2.3.
- B32. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved provision for the turning around of fire apparatus. CFC 902.2.2.4.
- B33. An approved water supply capable of supplying the required fire flow for the protection shall be provided to all premises upon which facilities, buildings or portion of buildings are hereafter constructed or moved into or within the jurisdiction.

When any portion of the facility or building protected is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the chief. CFC 903.2 **Note: contact utilities for flow test 264-5371.**

- B34. The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or the site of the premises or both to be protected as required and approve by the chief. CFC 903.4.2 See also Appendix III-B, Section 5, Distribution of Fire Hydrants.
- D. The **Lot Line Adjustment** to adjust the lot line between two parcels totalling 0.97± acres in the Standard Single-Family (R-1) zone is approved subject to the following conditions:
- D1. The Lot line adjustment shown on the proposed Tentative Map shall be recorded prior to the recordation of the Final Map.
- D2. The lot line adjustment shall provide lot 8 with access to Logan Street.

CHAIRPERSON

ATTEST: _____
SECRETARY TO CITY PLANNING COMMISSION

DATE (P04-226)

Attachment 2 – Land Use & Zoning

