



CITY OF SACRAMENTO

31

CITY PLANNING DEPARTMENT

725 "J" STREET

SACRAMENTO, CALIF. 95814

TELEPHONE (916) 449-5604

MARTY VAN DUYN

PLANNING DIRECTOR

October 8, 1980

City Council
Sacramento, California

Honorable Members in Session:

- SUBJECT:
1. Subdivision Modification to create a lot substandard in width
 2. Subdivision Modification to waive service connections and create a lot substandard in depth
 3. Tentative Map to divide 0.7+ acre into four parcels (P-9143)

LOCATION: 3136 Belden Street, 3131 El Rey Street

SUMMARY

The applicant requests entitlements necessary to divide a 31,000 square foot lot into four single-family parcels. The Planning Commission, in concurrence with staff, recommended approval of the requests subject to conditions.

BACKGROUND INFORMATION

The project involves a through lot that has frontage on Belden Street and El Rey Street and sides onto Opal Lane, a substandard (20 foot right-of-way) street. The subject site has two existing dwelling units on lots 1 and 4. The parcel map would create four single-family lots. Staff has no objection to the creation of a lot substandard in size as there are similar lots in the vicinity. The City Water and Sewer Department recommends a waiver of the water and sewer service connections between the main line and lots 2 and 3 until such time as the building permits are obtained.

VOTE OF COMMISSION

On September 11, 1980 the Planning Commission, by a vote of 8 ayes and 1 vacancy recommended approval of the project subject to conditions.

APPROVED
BY THE CITY COUNCIL

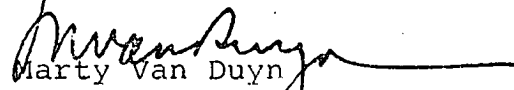
OCT 14 1980

OFFICE OF THE
CITY CLERK

RECOMMENDATION

The staff and Planning Commission recommend that the City Council approve the project and adopt the attached Tentative Map Resolution.

Respectfully submitted,


Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:RL:bw
Attachments
P-9143

October 14, 1980
District No. 2

RESOLUTION NO. 80-676

Adopted by The Sacramento City Council on date of

OCTOBER 14, 1980

ADOPTING FINDINGS OF FACT, APPROVING A REQUEST
FOR SUBDIVISION MODIFICATION AND TENTATIVE MAP
FOR McDONALD PROPERTY (APN: 265-022-05) (P-9143)

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations concerning the request for a tentative map for McDonald Property located at 3136 Belden Street and 3131 El Rey Street (hereinafter referred to as the proposed subdivision).

WHEREAS, the Council of the City of Sacramento, based on testimony submitted at a public hearing conducted on October 14, 1980, hereby finds and determines as follows:

- A. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan and the Hagginwood Community Plan in that both plans designated the subject site for residential uses. Also, any required improvements are to be designed and constructed within the provisions of the Subdivision Regulations which, by Section 40.102 of said regulations, is designated as a Specific Plan of the City of Sacramento.
- B. The site is physically suitable for the type and proposed density of development in that the subject site is flat with no significant erosional, soil expansion or other similar problems.
- C. The design of the subdivision or proposed improvements are not likely to cause substantial environmental damage, and will not substantially and avoidably injure fish or wildlife or their habitat. The proposed project has been reviewed and assessed by the Environmental Coordinator, who has filed a Negative Declaration with the City Clerk. By virtue of the Negative Declaration, the proposed project will not cause individual or cumulative adverse effects on the natural and social-physical environment nor substantially and avoidably injure fish, wildlife or their habitat.
- D. The design of the subdivision or the type of improvements are not likely to cause serious public health problems in that community water and sewer systems exist at the site. The site is not within an established floodplain or over a known seismic fault.
- E. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public for access through, or use of, the property within the proposed subdivision, in that there are no access easements for use by the public at large on the subject site.
- F. The discharge of waste from the proposed subdivision into the community sewer system servicing the proposed subdivision will not result in or add to a violation of the waste discharge requirements applicable to said sewer system which were prescribed by the California Regional Water Quality Control Board, Central Valley Region, in that the existing City of Sacramento treatment plants have a design capacity of 75 mgd and that actual treated discharge averages 56 mgd. The discharge from the proposed project will not create a condition exceeding the design capacity.

APPROVED
BY THE CITY COUNCIL

OCT 14 1980

OFFICE OF THE
CITY CLERK

G. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the proposed subdivision, taking into consideration the local climate, the contour and configuration of the parcel to be divided, and such other design and improvement requirements applicable to the proposed subdivision.

H. In the matter of the requested subdivision modification, the Council determines as follows:

- a. That the property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impracticable or undesirable in the particular case to conform to the strict application of these regulations.

Fact: Lots in the area are of similar size.

Fact: Given that several of the lots are undeveloped, it is impossible to determine the required size of the connections and undesirable to have inactive service lines.

- b. That cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification.

Fact: The division of the property does not involve financial benefit through the modification in that the lots surrounding the site are of similar size.

Fact: The division of the property does not involve financial benefit through the waiver of service connections in that the connections will be provided when the parcels are developed.

- c. That the modification will not be detrimental to the public health, safety or welfare nor be injurious to other properties in the vicinity.

Fact: The project is compatible to surrounding land uses.

Fact: Since the services will be obtained at the time of securing building permits, the modification does not constitute a hazard to the public health safety or welfare.

- 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.

Fact: The site is designated for residential uses and the proposed parcel split is consistent with this designation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sacramento as follows:

- A. The Negative Declaration be ratified;
- B. The Tentative Map and Subdivision Modification be approved subject to the following conditions:
 - 1. The fence between proposed Lots 2 and 4 be reconstructed along the proposed lot line or be removed.
 - 2. The applicant shall place the following note on the final map: Water and sewer service connections do not exist between the main line and Lots 2 and 3. These services must be paid for and installed at the time of obtaining building permits.
 - 3. The existing structure on Lot 1 must comply with all building code requirements or the easterly lot line moved five feet farther to the east.

.....

MAYOR

ATTEST:

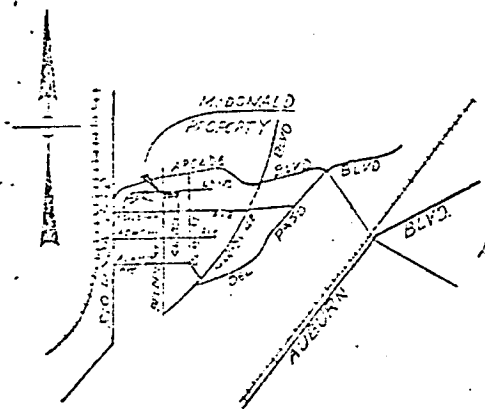
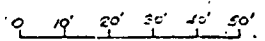
CITY CLERK

P-9143

TENTATIVE MAP

EXHIBIT "A"

OF
 McDONALD PROPERTY (APN 265-022-05)
 A PORTION OF LINDA VISTA SUBDIVISION NO. 1 (14/51)
 ALSO KNOWN AS LOT 4 OF BLOCK 8 OF SUBDIVISION NO. 3 NORTH SACRAMENTO (11/34-35)
 COUNTY OF SACRAMENTO, CALIFORNIA AUGUST 2, 1980 SCALE: 1"=20'



VICINITY MAP

(N.T.S)

OWNER OF RECORD:

- LOUISE McDONALD
2124 BELDEN AVENUE
SACRAMENTO, CA. 958-6339
- JOSEPH McDONALD
5721 ETHEL WAY
SACRAMENTO, CA. 456-2624
- WILLIAM W. McDONALD
700 LOWME AVE
SACRAMENTO, CA. 468-222-3929

ATTORNEY FOR REPRESENTATIVE:

THOMAS R. WILSON, P.C.E. 19793
 5101 SHIPLEY WAY
 FAY OAKS, CA. 988-2014

WATER & SEWAGE

PUBLIC UTILITIES

ACERAGE:

0.71 (21,000^{sq} ft)

EXISTING ZONE:

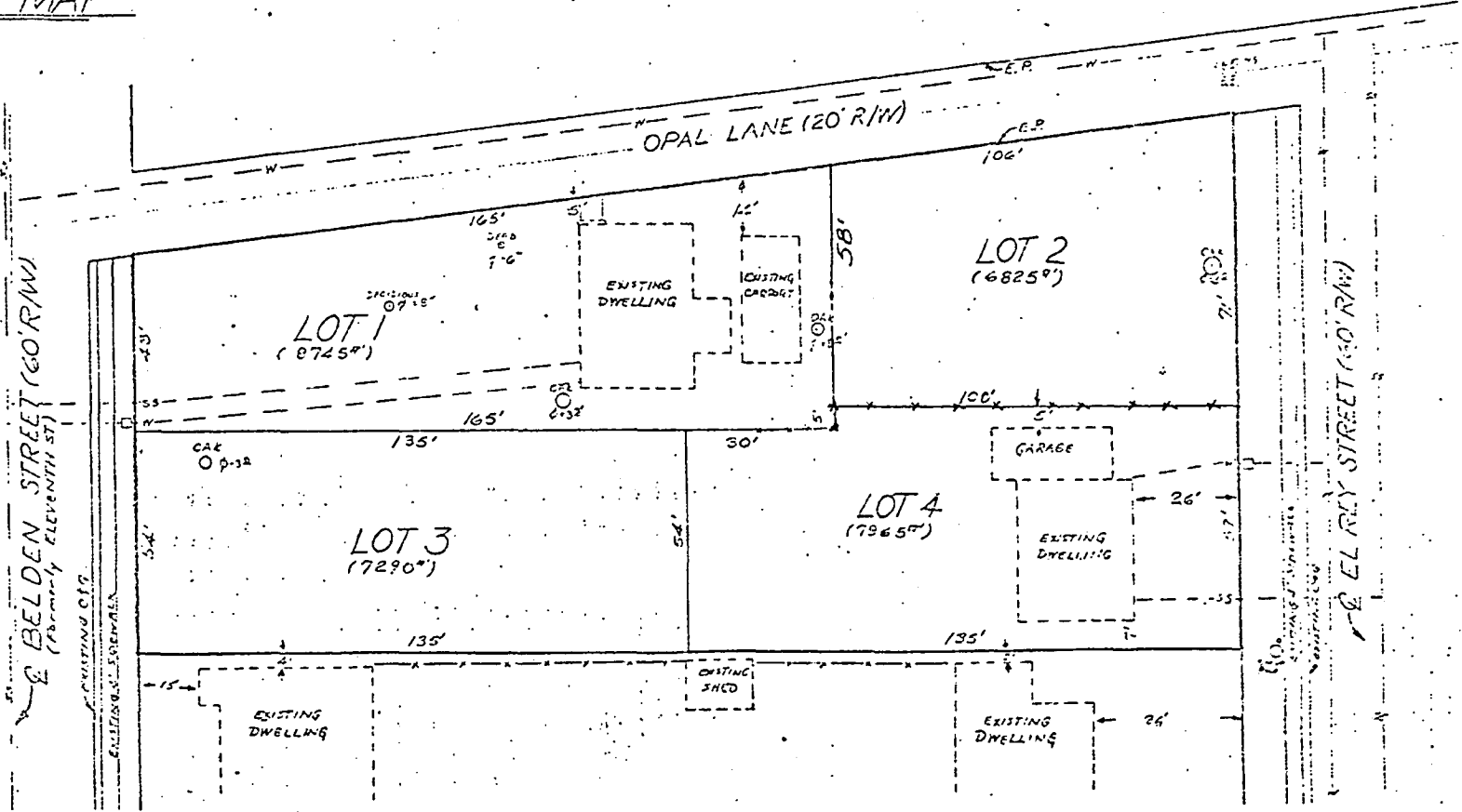
R-4

PROPOSED ZONE:

R-1

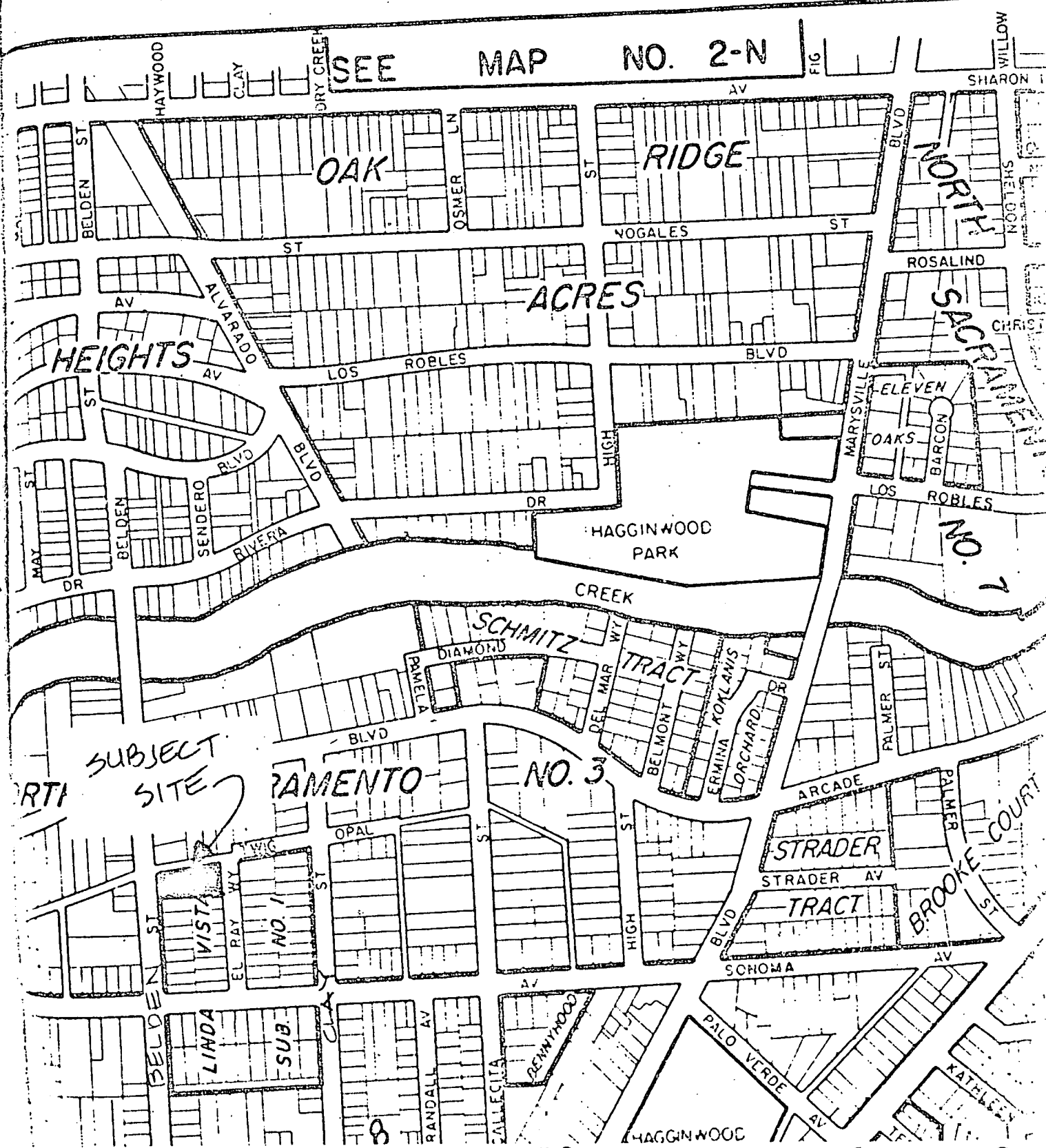
PROPOSED USE:

1. SINGLE FAMILY LOTS



9-11-80

SEE MAP NO. 2-N



P.9143

SEPT. 11 80

ITEM NO. 9.

CITY PLANNING COMMISSION

915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Robert Ferwerda, 5101 Sanicle Way, Fair Oaks, CA 95628		
OWNER	Dorman J. William W. & Louise McDonald, 5331 Ethel Way, Sacto., 95820		
PLANS BY	Robert Ferwerda, 5101 Sanicle Way, Fair Oaks, CA 95628		
FILING DATE	8-8-80	50 DAY CPC ACTION DATE	REPORT BY:SD:bw
NEGATIVE DEC.	8-29-80	EIR	ASSESSOR'S PCL. NO. 265-022-05

- APPLICATION:
1. Environmental Determination
 2. Subdivision Modification/Variance to create a lot substandard in width
 3. Subdivision Modification to create a deep lot and to waive service connections
 4. Tentative Map

LOCATION: 3136 Belden, 3131 El Rey Street

PROJECT INFORMATION:

General Plan Designation:	Residential
1966 Hagginwood Community Plan Designation:	Light Density Residential
Existing Zoning:	R-1
Existing Land Use:	2 single family dwellings

Surrounding Zoning and Land Use:

North:	Residential; R-1
South:	Residential; R-1
East:	Residential; R-1
West:	Residential; R-1

Lot Dimensions:	271' x 97' x 270' x 130' = 31,000 sq. ft.
Topography:	Flat
School District:	North Sacramento
Existing Utilities:	Available to Parcels 1 and 4; request to waive service connections to Parcels 2 and 3.

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: At the August 27, 1980 meeting the Subdivision Review Committee voted seven ayes, one absent and one abstention to approve the project subject to the following conditions:

1. The applicant shall place the following note on the final map: Water and sewer service connections do not exist between the main line and Lots 2 and 3. These services must be paid for and installed at the time of obtaining building permits.
2. The existing structure on Lot 1 must comply with all building code requirements or the easterly lot line shall be moved five feet to the east.

STAFF EVALUATION: Staff has the following comments and concerns regarding this project:

1. The existing carport on Lot 1 would not meet structural code for fire safety with the location of the proposed lot line. This structure should either be brought up to code with a one-hour fire wall, or the proposed lot line moved east five feet. This adjustment would bypass the tree with the future fence and cause the structure to comply with the building code.
2. To prevent future fence line disputes and yard maintenance problems, the fence between Parcels 2 and 4 should be moved north five feet to correspond to the proposed lot configuration. If the applicant does not wish to reconstruct the fence, it should be removed.
3. Staff has no objection with the Subdivision Modifications and Variance on Lot 1. This portion of the site has existing development and could accommodate one additional unit with the approval of a special permit. The remaining lots conform to subdivision design criteria.

STAFF RECOMMENDATION: Staff recommends the following actions:

1. Ratification of the Negative Declaration;
2. Approval of the Subdivision Modification/Variance to create a lot substandard in width;
3. Approval of the Subdivision Modification to create a deep lot;
4. Approval of the Tentative Map, as shown on Exhibit A, subject to the following conditions:
 - a. the fence between proposed Lots 2 and 4 be reconstructed along the proposed lot line or be removed;
 - b. the applicant shall place the following note on the final map: Water and sewer service connections do not exist between the main line and Lots 2 and 3. These services must be paid for and installed at the time of obtaining building permits;
 - c. the existing structure on Lot 1 must comply with all building code requirements or the easterly lot line moved five feet farther to the east.

Findings of fact for approval of the Variance:

- a. The project is based on sound principles of land use in that the project is compatible with the surrounding area which is comprised of other parcels of similar width;
- b. The project will not be injurious to surrounding properties in that the proposal will not significantly alter the characteristics of land use which is residentially developed, R-1 property;
- c. The project is consistent with the 1974 General Plan which designates the site as residential.

TENTATIVE MAP

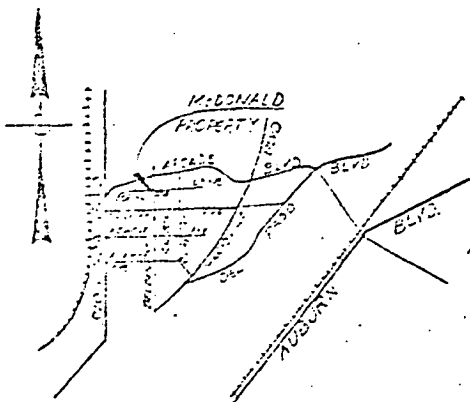
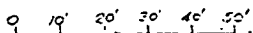
OF

McDONALD PROPERTY (APN 265-022-05)

A PORTION OF LINDA VISTA SUBDIVISION NO. 1 (14/51)

ALSO KNOWN AS LOT 4 OF BLOCK 6 OF SUBDIVISION NO. 3 NORTH SACRAMENTO (11/34-35)

COUNTY of SACRAMENTO, CALIFORNIA AUGUST 8, 1980 SCALE: 1"=20'



VICINITY MAP

OWNER OF RECORD:

(INTS)

- LEVIE McDONALD
2104 BELDEN AVENUE
SACRAMENTO, CA. 925-6399
- BOYMAN, McDONALD
5331 ETHEL WAY
SACRAMENTO, CA. 426-4624
- WILLIAM W. McDONALD
760 LEWIS AVE
SACRAMENTO, CA. 468-222-3929

INTERESTED REPRESENTATIVE:

- FRANK FERNANDEZ, INC. 19730
5551 DANFELS WAY
FOLSOM, CA. 568-8014

WATER (SEWER)

- PUBLIC UTILITIES

ACCPAGE:

- 0.71 (21,000 sq ft)

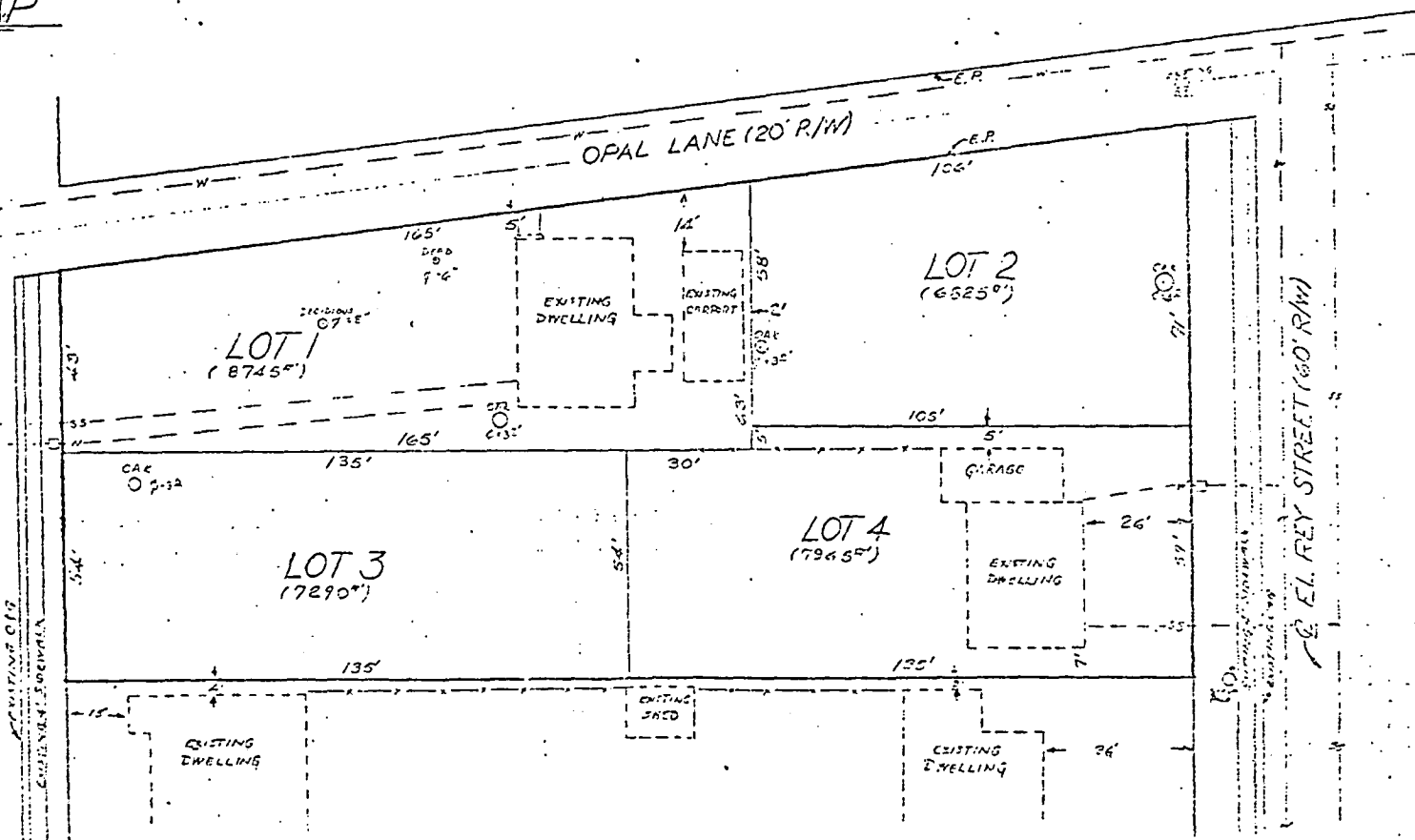
EXISTING ZONE:

- R-1

PROPOSED ZONE:

- P-1
- PROPOSED USE:
- 1 SINGLE FAMILY LOTS

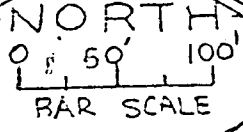
E BELDEN STREET (60' R/W)
(formerly ELEVENTH ST)



9-11-80

MCDONALD PROPERTY

RSF
8/2/80



1"=100'

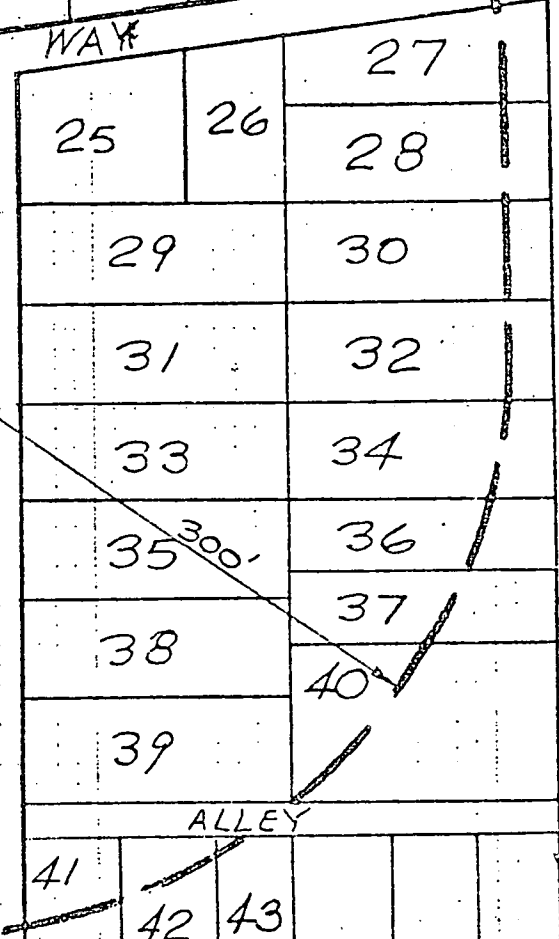
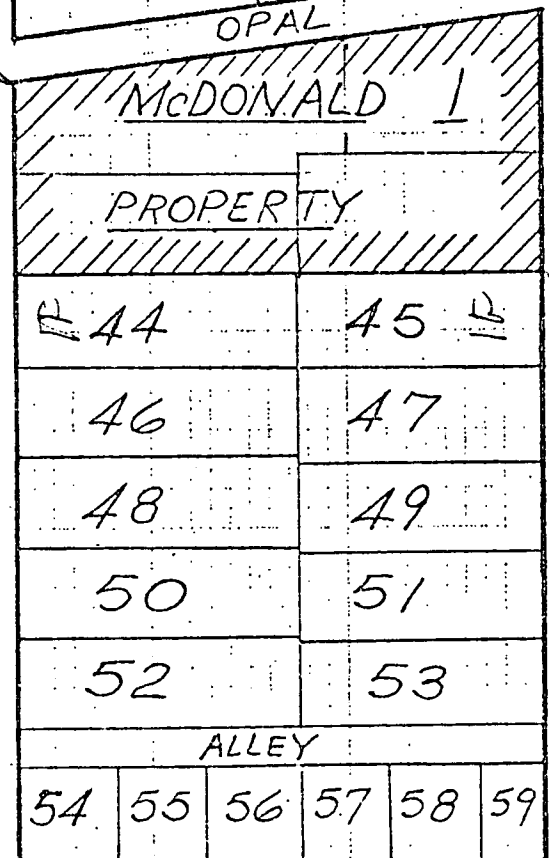
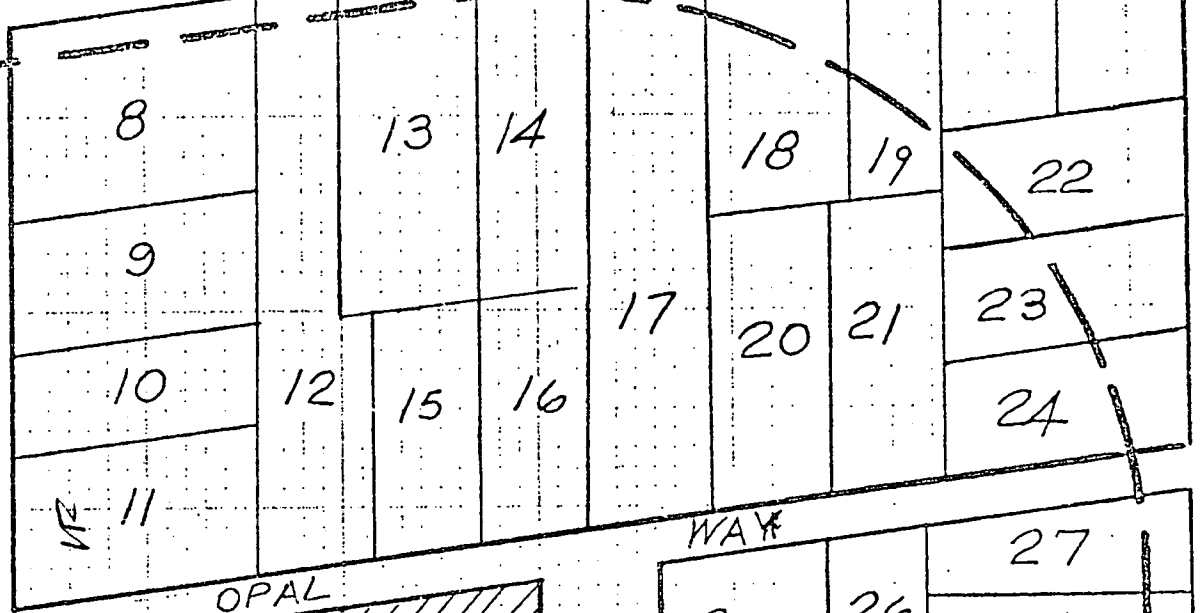
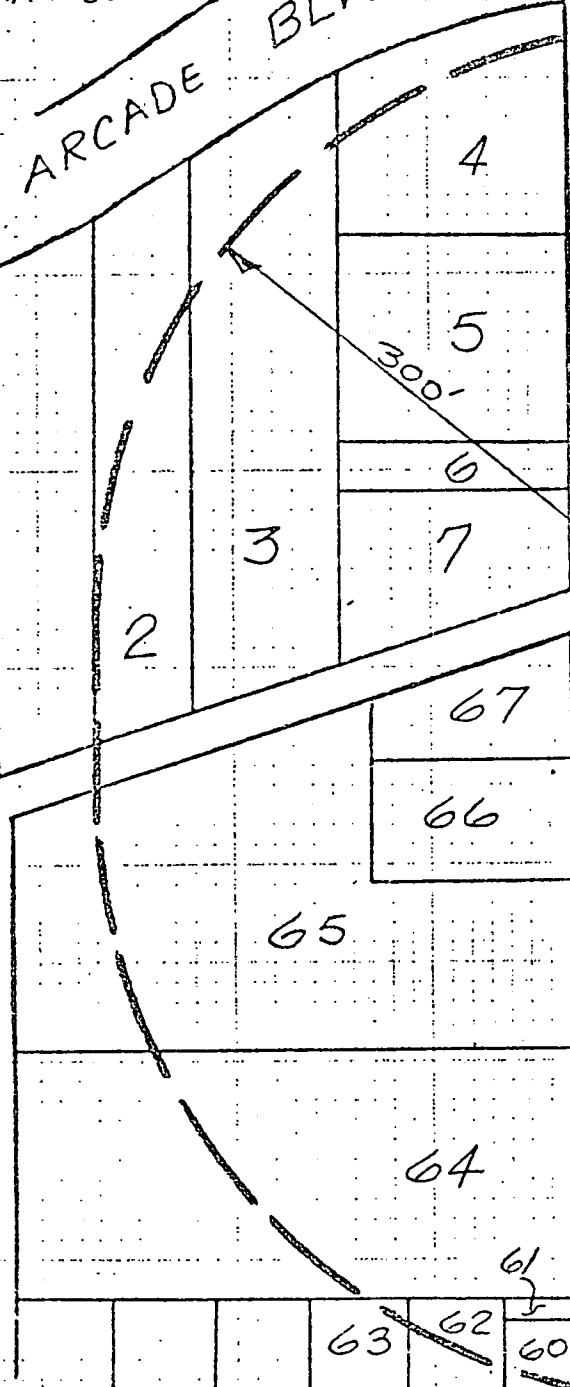
ARCADE BLVD.

BELDEN STREET

STREET #9

9-11-80
P-9143

CLAY



P-9143



CITY OF SACRAMENTO

RECEIVED
CITY CLERK'S OFFICE
CITY OF SACRAMENTO

SEP 24 8 07 AM '80
Jm

CITY PLANNING DEPARTMENT

725 "J" STREET

SACRAMENTO, CALIF. 95814

TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

September 22, 1980

PF: 10-7-80
HR: 10-14-80
FCA DATE: 10-21-80

MEMORANDUM

TO: Lorraine Magana
FROM: Jan Mirrione *Jm*
SUBJECT: Request to Set Public Hearings

cc: Van Duyn
Carsten
Miller
Yee

The following items were recommended for approval by the City Planning Commission on September 11, 1980. Please schedule these for public hearings. All necessary support material is attached.

1. Various requests for property located on the north side of Pocket Road, north and south of Rush River Drive. (P-9109) (D8)
 - a. Rezone 2+ acres from A to R-1
 - b. Tentative Map to divide 115+ acres into four parcels.
2. Various requests for property located at the southwest corner of 24th Street and 68th Avenue. (P-9135) (D8)
 - a. Amend 1965 Meadowview Community Plan from Light Density Residential to Multiple Family Residential
 - b. Rezone 1+ acre from R-1 to R-2B
3. Various requests for property located at the southwest corner of 37th Street and Folsom Boulevard. (P-9136) (D3)
 - a. Rezone 0.3+ acre from R-1 to R-1A
 - b. Tentative Map to divide 0.3+ acre into two halfplex lots
 - c. Subdivision Map to waive service connections.
4. Various requests for property located at 3136 Belden Street and 3131 El Rey Way. (P-9143) (D2)
 - a. Tentative Map to divide 0.7+ acre into four parcels
 - b. Subdivision Modification to create a lot substandard in width
 - c. Subdivision Modification to waive service connections and to create a lot substandard in depth.
5. Tentative Map to divide 2+ acres into two office building lots and a common lot. Location: 1990 Third Street (P-9147) (D1)

jm
Attachments

SACRAMENTO CITY PLANNING COMMISSION

APPLICATION INFORMATION

APPLICATION TAKEN BY: DP

Gen. Plan Amend. (GPA) Comm. Plan Amend. (CPA) Rezone (RZ) from _____ to _____

Special Permit (SP) Variance (V) Tentative Map (TM) Sbdvn. Modification (SM)

Other _____

Assessors Parcel No. 265 022 05 Address 3136 Belden St. & 3131 El Rey Way

Request(s) 1) Environmental determination 2) Variance to create a lot sub-standard in width 3) Subdivision modification to create a lot substandard in width and a deep lot 4) Tentative map to divide 31,000+ s.f. containing two dwellings into four parcels in a R-1 zone.

Owner(s) Dorman J., William W., & Louise McDonald 5331 Ethel Way, Sac. 95820

Applicant Robt. Ferwerda, 5101 Sanicle Way, Fair Oaks, Ca 95628 Phone No. 988-2014

X Signature Robert Ferwerda Filing Fee \$205+ 200+90+36=\$521 Receipt No. 2374 DP 9/5/80

C.P.C. Meeting Date 9/11/80

ACTION ON ENTITLEMENT TO USE

Planning Commission (Appeal Period is Ten (10) Consecutive Days From Date of Action).

Approved _____ Approved w/Conditions _____ Approved Based on Find. of Fact Due _____

Rec. Approval _____ Rec. Approval w/Conditions _____ Denied _____

Findings of Fact Approved _____

Copy Sent to Applicant _____

Recommendations and Appeals are Forwarded to City Council for Final Action.

COUNCIL ACTION: (Appeal Period is Thirty (30) Consecutive Days From Date of Action).

Plan Amendment _____ Rezoning _____ Tentative Map _____ Subd. Modification _____ Appeal _____

Approved _____ Approved w/Conditions _____ Denied _____ Return to Planning Commission _____

ENTITLEMENT(S) TO USE: _____ is/are:

Approved _____ Denied _____ Approved w/Conditions _____

By: _____
SEC. TO PLANNING COMMISSION

NOTE: Action authorized by this document shall not be conducted in such a manner as to constitute a public nuisance. Violation of any of the foregoing conditions will constitute ground for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezonings, special permits and variances.

Sent to Applicant: _____
DATE

P No 9143



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

915 I STREET
CITY HALL ROOM 308

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 448-5426

LORRAINE MAGANA
CITY CLERK

October 15, 1980

Dorman J., William W. and Louise McDonald
5331 Ethel Way
Sacramento, CA 95820


Dear McDonalds:

On October 14, 1980, the City Council approved the following for property located at 3136 Belden and 3131 El Rey Street (P-9143):

A. Adopted Resolution adopting Findings of Fact, approving a request for Subdivision Modification to waive service connections and to create a lot substandard in depth and width, and a Tentative Map to divide 9.7± acres into four parcels; subject to conditions outlined in said Resolution.

For your records, a certified copy of the above referenced Resolution is enclosed.

Sincerely,


Anne Mason
Deputy City Clerk

AM/mm/31
Encl.

cc: Robert Ferwerda
Planning Department