

P94-106 - Potomac Avenue Flood Variance

REQUEST: Flood Variance to construct a 1,362 square foot dwelling on 0.24± partially developed acres in the Standard Single Family (R-1) zone while Ordinance #90-005 regarding monitoring of new residential structures in the Natomas Basin is in effect.

LOCATION: 421 Potomac Avenue
APN: 262-0081-011
South Natomas Community Plan Area
North Sacramento and Grant Union High School District
Council District 1

APPLICANT:	Anderson Construction 6848 Fair Oaks Blvd. Sacramento, CA 95608
OWNER:	Mark T. Smith 416 Potomac Avenue Sacramento, CA 95833
APPLICATION FILED:	October 4, 1994
STAFF CONTACT:	Bridgette Williams, 264-5000

SUMMARY/RECOMMENDATION:

Anderson Construction is requesting a Flood Variance to construct a 1,362 square foot residence on 0.24± partially developed acres in the R-1 zone. The proposed project site is under the jurisdiction of Ordinance #90-005 which was adopted February 6, 1990. This ordinance defines the building restrictions for new homes in the Natomas Basin. Staff recommends approval of the project. The recommendation is based on the project's consistency with the General Plan and 1988 South Natomas Community Plan. Furthermore, the project site was acquired by the owner prior to the effective date of the Flood Policy. The proposed project site was previously developed with a single family residential structure and the person who will occupy the proposed structure presently resides in South Natomas. Also, the proposal satisfies the City's goal to encourage development of vacant residential lots and encourage infill development.

PROJECT INFORMATION:

General Plan Designation: Low Density Residential
(4-15 dwelling units per net acre)
Community Plan Designation: Low Density Residential
(4-8 dwelling units per net acre)
Existing Land Use of Site: Single Family Garage
Existing Zoning of Site: R-1

Surrounding Land Use and Zoning:
North: Single Family Residential, R-1
South: Single Family Residential, R-1
East: Single Family Residential, R-1
West: Single Family Residential, R-1

Setbacks	Required	Provided
Front:	25'	25'
Side (east):	5'	25'
Side (west):	5'	10'
Rear:	15'	65'

Parking Required: 1 Space
Parking Provided: 1 Space
Property Dimensions: 75±' X 145±'
Property Area: 0.24± gross acres
Proposed Dwelling Square Footage: 1,362 sq. ft.
Height of Building: 15'
Topography: Flat
Street Improvements: Existing
Utilities: Existing

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>
Design Review (staff level)	Development Services
Building Permit	Building Division

BACKGROUND INFORMATION:

On February 6, 1990, the City Council adopted an Ordinance establishing a Land Use Planning Policy for areas of the City with less than 100-year flood protection. The City Planning Commission recommended adoption of the Policy on February 1, 1990. One component of the policy imposes temporary restrictions on residential development in the North and South Natomas Community Plan areas until the Natomas levees are stabilized. Because of the building restrictions, this application is, therefore, required to obtain a Flood Variance from the City of Sacramento in order to develop a residential dwelling unit on the subject site.

X Since 1990, the Planning Commission has granted ^{five} numerous Flood Variances. The most recent Variances included the following:

Project #	Location	Approval Date	Reason for Approval
P90-348 (1 d.u.)	2225 American Ave. (South Natomas)	11/19/90	● The project site was purchased prior to the effective date of the Flood Policy and with the intent to locate a single family dwelling on the structure.
P90-386 (10 d.u.)	425 West Silver Eagle Rd. (South Natomas)	11/19/90	● The project was low income family housing development funded by HUD that would provide for affordable housing.
P91-005 (1 d.u.)	5310 Sorento Rd. (North Natomas)	8/22/91	● Construction of one residential unit.
P92-189 (1 d.u.)	418 Columbus Ave.	10/8/92	● Replacement of fire damaged structure
P94-077 (1 d.u.)	340 Jefferson Avenue (SNCPA)	8/25/94	● Construction of one residential unit.

The current owner received the vacant lot as a gift from his grandparents (Mr. & Mrs. Baldwin) have been owners of the property for over 20 years. The new owner (Mark Smith) lives with his grandparents next door to the subject site. Mr. Smith excepted this gift from his grandparents (Mr. & Mrs. Baldwin) with the intent to locate a single family

dwelling on the lot for his residency. The project showed good and sufficient cause to locate a dwelling on the site in that the site was vacant and an existing single car garage is located on the property. It was determined that the failure to grant the variance would result in exceptional hardship to the applicant in that the site was gifted to a relative and accessory structures are already on the lot. In addition, payments have been made to Anderson Construction Company to construct the single family dwelling. Approval was granted because it was determined that the project would not result in increased flood heights, extraordinary public expense, create a nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances because:

- 1) The future tenant currently resides within South Natomas with relatives and the proposal would, therefore, not increase the number of persons living in South Natomas;
- 2) No additional persons residing outside of South Natomas would be relocating to the subject site; and
- 3) The improvement cost did not constitute a substantial risk based on FEMA's standard limit of \$50,000 valuation.

Most recently, at the end of 1993, the Sacramento City Council directed Planning and Development Department staff to apply less rigorous findings for individual single family projects. This decree was made in an attempt to encourage infill development and to promote the continued revitalization of the older neighborhoods in South Natomas.

STAFF EVALUATION:

A. Policy Considerations

Flood Policy: The City's Flood Policy language provides for two types of variance procedures for project application requesting to develop residential uses in North or South Natomas. The two types of variances are: Zoning Administrator's Flood Variance and Planning Commission Flood Variance. The qualifying criteria for each of the two types of variances are as follows:

ZONING ADMINISTRATOR'S FLOOD VARIANCE QUALIFYING CRITERIA:

- Intended for applicants who: 1) propose to construct one new single family structure, 2) that will be occupied by the applicant, and 3) on a parcel that was owned by the applicant prior to January 1, 1990.

PLANNING COMMISSION FLOOD VARIANCE QUALIFYING CRITERIA:

- Intended for applicants who propose to construct one or more new residential structures and do not meet all the criteria of the Zoning Administrator's Flood Variance.

According to the Flood Variance Policy (Ordinance #90-005), Flood Variances shall only be issued by the City Planning Commission upon;

- (a) A showing of good and sufficient cause;
- (b) A determination that failure to grant the Variance would result in exceptional hardship to the applicant; and
- (c) A determination that the granting of a Variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

The elevation for the subject site is in the A-99 zone and is subject to a 100 year flooding. The City's self-imposed building restrictions in the Natomas Basin would not permit development absent a Variance. The depth of the flooding of this location is substantially less than at the center of the Natomas Basin, and is less than other areas of the City not subject to the City's restrictions (e.g., Meadowview and Pocket Areas).

Staff determined that the proposal is showing good and sufficient cause to provide infill development in the residential area on an interior vacant lot surrounded by single family dwellings. The proposal satisfies the City's goal to encourage development of vacant residential lots and encourage infill development. The proposed project meets the qualifying criteria for Flood Variances in that only one structure is proposed. Staff has concluded that the project would create a balanced distribution of affordable housing throughout the South Natomas Community Plan area.

The subject site was owned by the grandparents for over 20 years, which was prior to the adoption of the effective Flood Policy. The grandson will be moving to the subject site from another residence in South Natomas (415 Potomac Avenue). The project site previously supported a single family structure that was located on the premises over 20 years ago. The newly constructed dwelling will comply with the City's Zoning Ordinance and will be required to meet Building Code regulations prior to issuance of building permits.

After examining the applicant's hardships, staff found that the project generally meets the objectives imposed by FEMA and, therefore, supports the Flood Variance request. In granting the Flood Variance, the City Planning Commission must review staff findings in justifying the recommendation and determine whether or not the objectives are being met.

The General Plan designates the subject site as Single Family Residential (4-15 dwelling units per net acre) and the South Natomas Community Plan designates the site as Residential (4-8 dwelling units per net acre). The new dwelling is

consistent with the General Plan and Community Plan designations for the project site. The project as proposed, supports the goals and policies of Section 3 of the General Plan in regards to housing. Policy 1 of the General Plan recommends maximizing housing development on vacant urban properties. Furthermore, the subject site is in an area that is developed with predominantly detached single family residences. The subject site is zoned for single family residential development. Keeping the R-1 zoning designation and developing the site as proposed will maintain and improve the quality and character of the surrounding residential neighborhood.

B. Zoning Requirements

1. Setbacks

The proposed project will not result in an encroachment upon the required from setbacks, rearyard setbacks, or lot coverage. The proposed 30 foot building setback is consistent with the frontyard setbacks along Potomac Avenue and in the project vicinity. Adequate rearyard and sideyard setbacks are proposed. The submitted site plan indicates that the existing garage will remain. Adequate rearyard area will be provided with the garage remaining on the lot.

2. Parking/Circulation

Access to the site will be provided from Potomac Avenue which is a minor residential roadway that feeds off of Northgate Boulevard. Potomac Avenue is adequately sized to serve the proposed development.

C. Building Design

The proposed elevations depict vertical T-111 siding. The house colors will be white with blue trim and roof materials will consist of asphalt shingles. To improve the design and architectural style in the neighborhood, staff is recommending that the proposed dwelling be reviewed and approved by design review staff prior to issuance of a building permit. This review would examine, but is not limited to, the following:

- Exterior building and roof materials
- Building height
- Compatibility of design with surrounding area
- Landscaping

PROJECT REVIEW PROCESS:**A. Environmental Determination**

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

B. Public/Neighborhood/Business Association Comments

The proposed project application packet was sent to the Natomas Community Association and to property owners within a 500 foot radius of the project site. The Natomas Community Association phoned City staff and indicated that they were not opposed to the request for a Flood Variance to construct a dwelling on the vacant lot.

C. Summary of Agency Comments

The proposal was routed to the City's Traffic Engineer, Engineering Development Services Section, Building Division, Police Department, Fire Department and Utility Department. The following summarizes the comments received:

1. Utilities Department

The Utilities Department requested that the following additional information be provided by the applicant as a condition of approval:

- a. A plan indicating the proposed elevation in relation to mean sea level of the lowest floor of the residential structure to be constructed;
- b. A plan indicating the proposed elevation in relation to mean sea level to which the structure will be floodproofed;
- c. A plan indicating the base flood elevation assigned to the project site on the USCOE January 1989 Working Map or any amendments hereto.
- d. The extent to which any water course will be altered or relocated as a result of this project.

PROJECT APPROVAL PROCESS:

The Planning Commission has the authority to approve or deny the requested Flood Variance. The decision of the Planning Commission may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

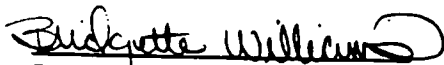
RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

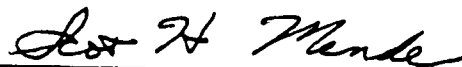
- A. Ratify the Negative Declaration
- B. Adopt the attached Resolution approving a Flood Variance to construct a 1,362 square foot house on a partially developed 0.24± acre lot in the Natomas Basin.

Report Prepared By,

Report Reviewed By,



Bridgette Williams
Associate Planner



Scot Mende
Senior Planner

Attachments

Attachment A	Vicinity Map
Attachment B	Land Use and Zoning Map
Attachment C	Resolution approving the Flood Variance
Exhibit C-1	Site Plan
Exhibit C-2	Floor Plan
Exhibit C-3	Elevations

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF DECEMBER 8, 1994

**A RESOLUTION ADOPTING FINDINGS OF FACT
AND APPROVING A FLOOD VARIANCE FOR
PROPERTY LOCATED AT 421 POTOMAC
AVENUE**

(P94-106)(APN:262-0081-011)

WHEREAS, the City Planning Commission on December 8, 1994, held a public hearing on the request for approval of a Flood Variance to allow development on an infill parcel at the property located at the above described location;

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 Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed development;

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

- 1. The Flood Variance is hereby approved based upon the following findings of fact:**
 - A. The proposal is showing good and sufficient cause to construct a dwelling on the site in that:**
 - 1. The project will create a balanced distribution of affordable housing throughout the City of Sacramento.**
 - 2. The subject site was owned by the grandparents for over 20 years, which was prior to the effective Flood Policy;**
 - 3. The lot was gifted to the grandson with the intent to locate a dwelling on the lot.**
 - 4. The subject site is currently contains a single family garage with existing dwellings adjacent to the property.**

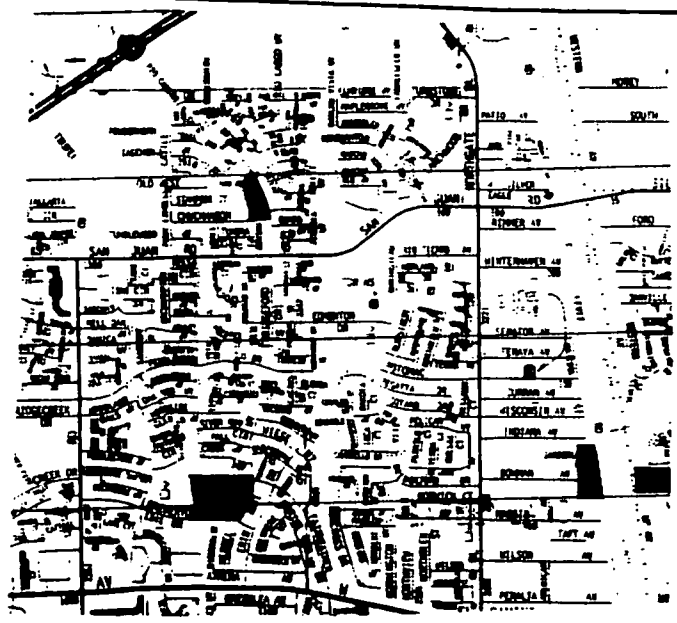
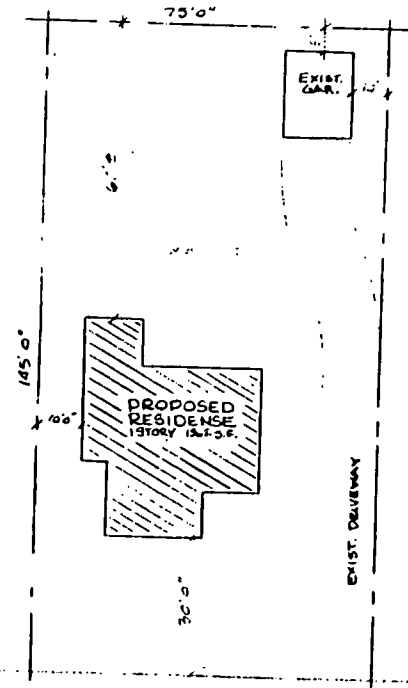
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5. A single family residential structure was located on the subject site prior to 1980.
- B. A determination was made that failure to grant the Flood Variance would result in exceptional hardship to the applicant in that the lot was a gift and funding has been paid to Anderson Construction & Pacific Modern for development plans.
- C. Granting of the Flood Variance will not result in increased flood heights, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances in that, the proposed development will be constructed to comply with current Building Codes and the City Zoning Ordinance.
- D. The project meets the objectives of FEMA's Flood Plain Management Regulations and therefore also complies with the City's adopted Flood Policy; and
- E. The circumstances are such that the same Variance would be appropriate for other property owners wishing to re-establish a single family dwelling in the A99 Flood Zone.
- F. The proposal does not constitute a use variance in that new single family dwelling may be established in the A99 Flood Zone subject to the appropriate Flood Variance procedures and lots are allowed in R-1 zone.
- G. The proposal, as conditioned, will not be injurious to the public welfare nor to property in the vicinity of the applicant in that:
1. The proposal will not result in an increase in flood levels during the base flood discharge; and
 2. The proposal will not result in additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing local laws or ordinances.
- H. The Variance is consistent with the General Plan and the South Natomas Community Plan in that the subject site is designated for residential use.
- I. The project, as conditioned, is based upon sound principles of land use in that the proposed project will result in a single family development that is similar in size to that of other single family developments in the area.

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- J. Granting the request will not be injurious to public welfare nor to property in the vicinity in that adequate setbacks and lot coverage will be provided and a garage is currently located on the property to provide off street parking.
2. The Flood Variance for development on the parcel located at 421 Potomac Avenue is hereby approved subject to the following conditions:
- A. Prior to issuance of a building permit the applicant shall submit plans to the Utilities Department staff for approval. The plans submitted to the Utilities Department staff shall include:
1. A plan indicating the proposed elevation in relation to mean sea level of the lowest floor of the residential structure to be constructed;
 2. A plan indicating the proposed elevation in relation to mean sea level to which the structure will be floodproofed;
 3. A plan indicating the base flood elevation assigned to the project site on the USCOE January 1989 Working Map or any amendments hereto.
 4. The extent to which any water course will be altered or relocated as a result of the project.
- B. The proposed dwelling shall be reviewed and approved by design review staff prior to issuance of a building permit.

CHAIRPERSON

ATTEST:

SECRETARY TO PLANNING COMMISSION



VACINITY MAP (N.T.S.)

RESIDENCE FOR:
 MR & MRS. BALDWIN
 415 POTOMAC WAY
 SACRAMENTO, CA.

421
POTOMAC WAY
 APN: 262-0081-11-000

REVISIONS	BY

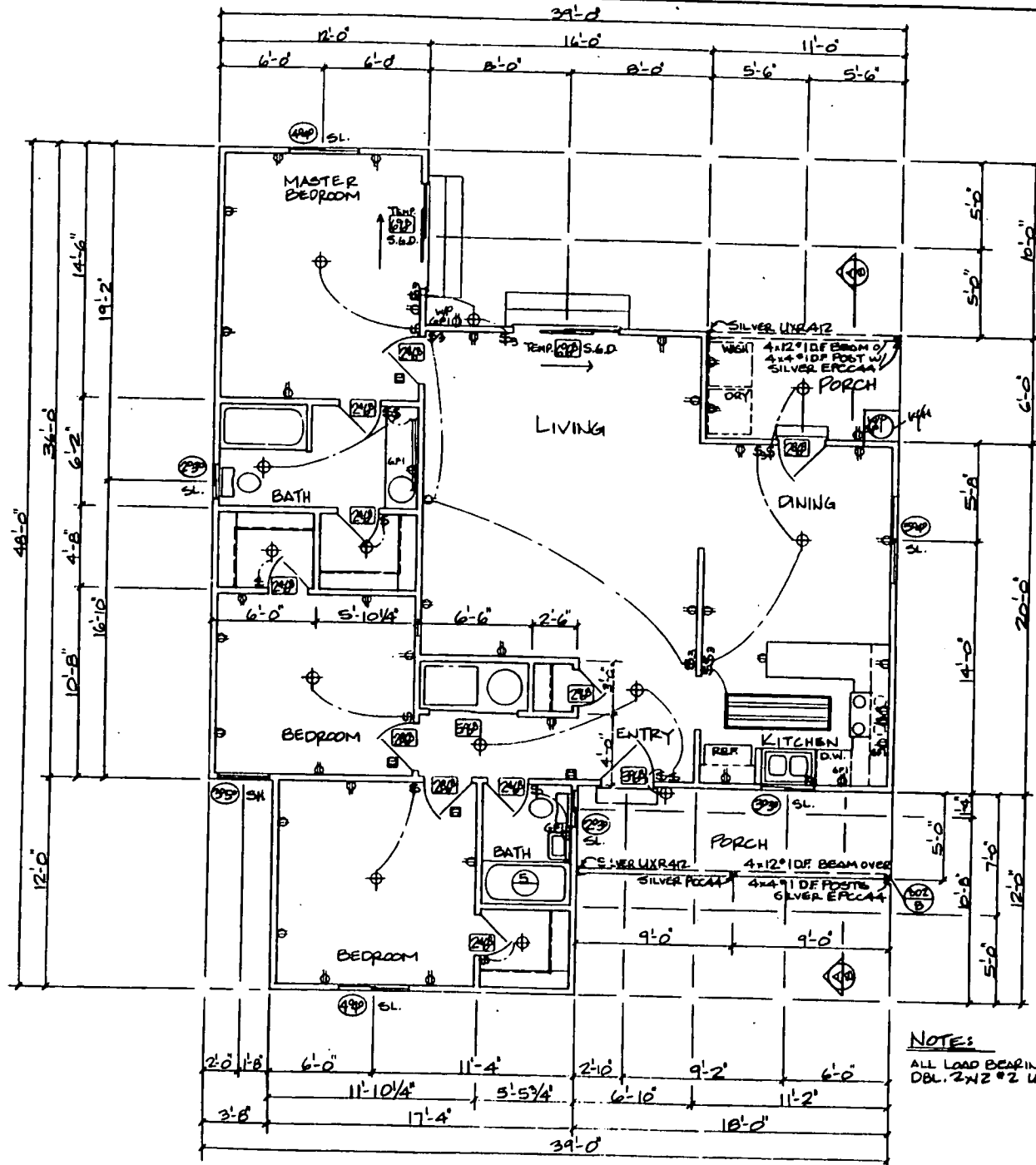
6040 FAIR OAKS BLVD.
 CARMICHAEL, CA. 95608
 (916) 486-3881

DESIGN
 DRAFTING
 CONSTRUCTION




Exhibit C-1

Date 6-2-93
 Scale 1" = 20' 0"
 Drawn KRS
 Job BALDWIN
 Sheet SITE..



NOTES:

ALL LOAD BEARING WINDOW AND DOOR HEADERS TO BE DBL. 2x12 #2 UNLESS OTHERWISE NOTED.

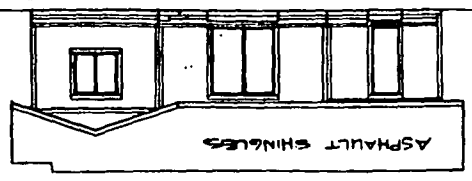
		PACIFIC MODERN HOMES, INC. P.O. BOX 870 ELK GROVE, CALIFORNIA 95758-0870 (916) 482-9150	
SHEET 1 OF 8	DATE 5-20-95	PLAN NAME #4726 BALDWIN	DRAWN BY <i>Michael J. Cooper</i>
			FLOOR PLAN

Submit C-2

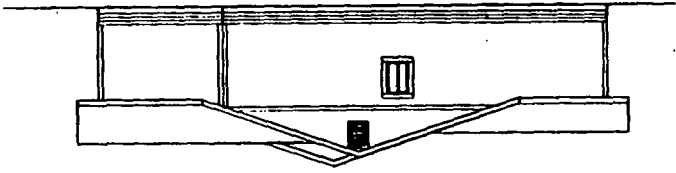
Exhibit C-3

PROJECT	DATE	PLAN NAME & DATE
2 of 8	5-20-93	BALDWIN
DESIGN BY Michael Cooper		BALDWIN
ELEVATIONS		

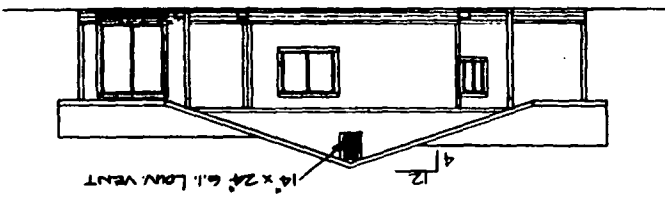
REAR ELEVATION 1/8"=1'-0"



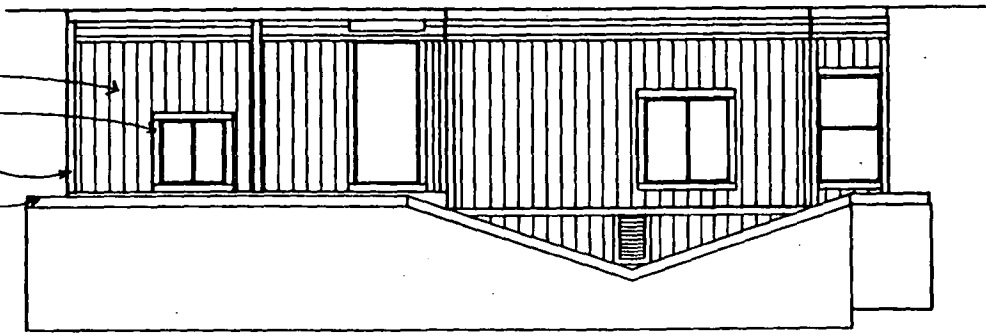
LEFT SIDE 1/8"=1'-0"



RIGHT SIDE 1/8"=1'-0"



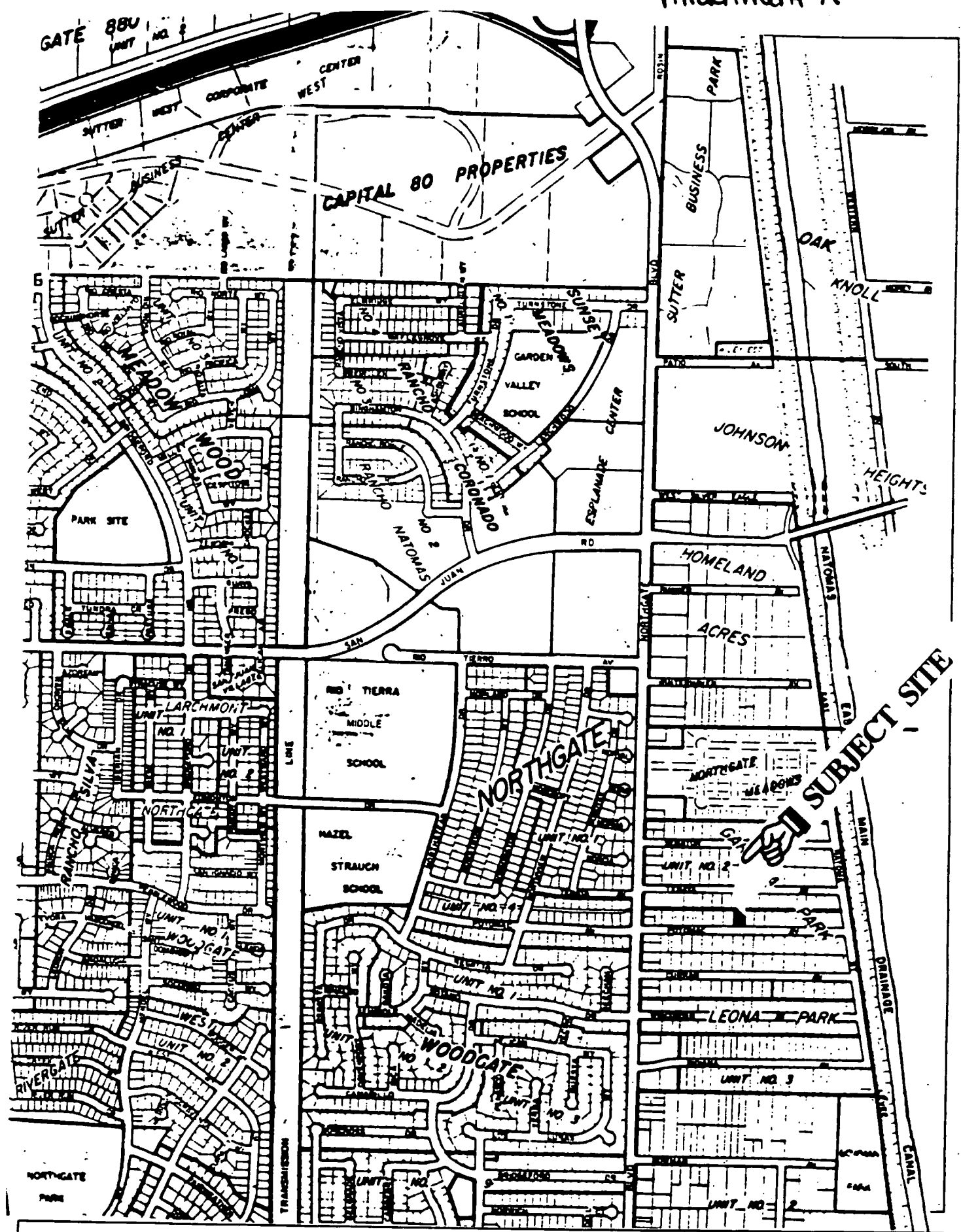
FRONT ELEVATION 1/4"=1'-0"



- 2x6 REMAIN FASCIA AND DAPPE (TP)
- 4x4 #1 DF POST w/ 4x12 #1 DF BEAM
- 1x4 PDS TRIM (TYPICAL)
- 7/16" O.C. GROOVED OSB SIDING OVER TRUCK PAPER (TP)

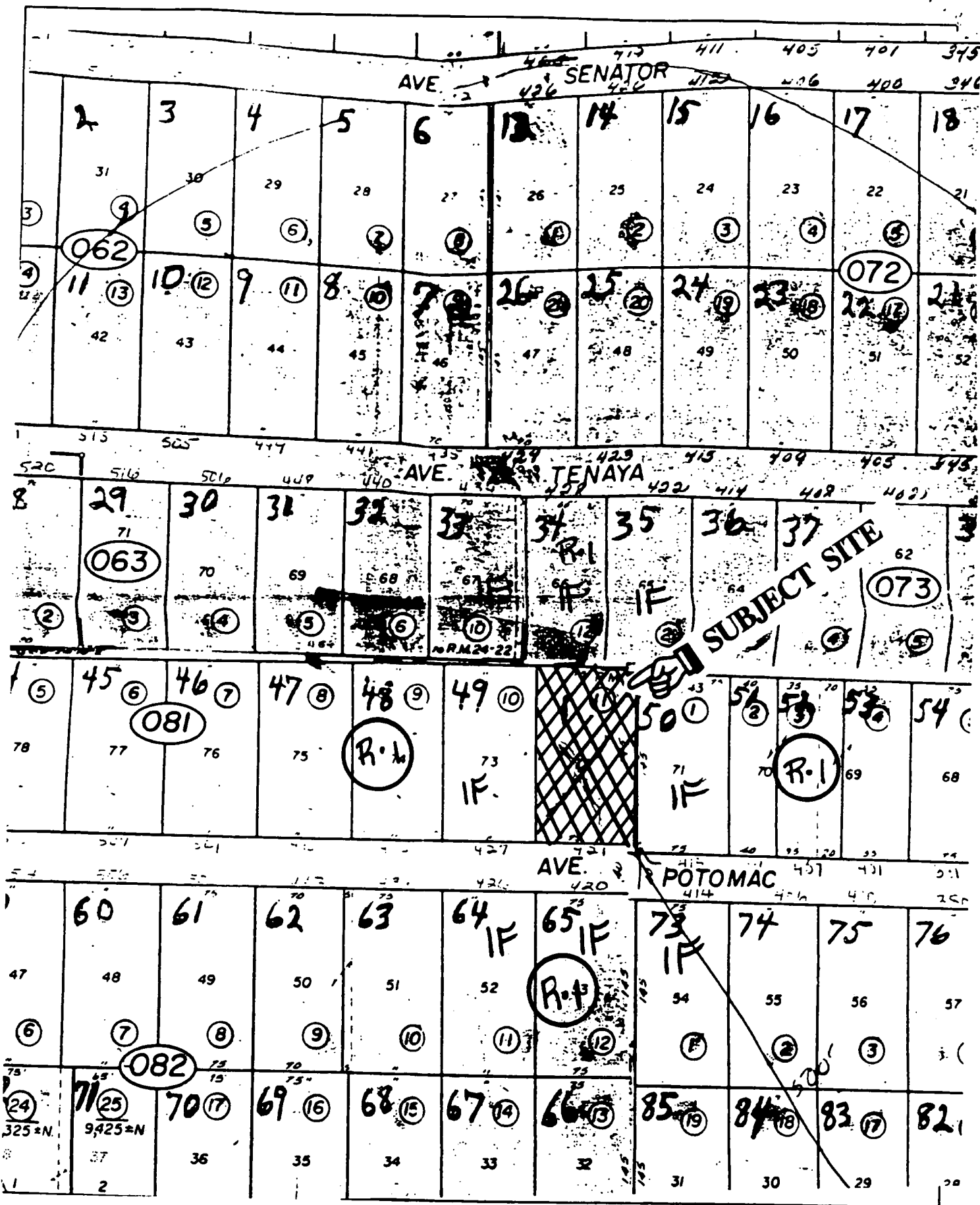


PACIFIC MODERN HOMES, INC.
 P.O. BOX 970 ELI GROVE, CALIFORNIA 91759-0970
 (818) 422-3100 (818) 422-3110



VICINITY MAP





LAND USE & ZONING MAP

PN

