

P04-142 – Fontaine Estates

- REQUEST:
- A. **Environmental Determination:** Exempt 15332
  - B. **Tentative Map** to subdivide two lots into six lots on 1.28± vacant acres in the Standard Single Family (R-1) zone
  - C. **Subdivision Modification** to create one lot greater than 160 feet in depth.

LOCATION: 5041 Sully Street and 340 Pinedale Avenue  
APNs: 226-0070-037 & -059  
North Sacramento Community Plan  
Robla School District  
Council District 2

APPLICANT: JTS Engineering  
1808 J Street  
Sacramento, CA 95814

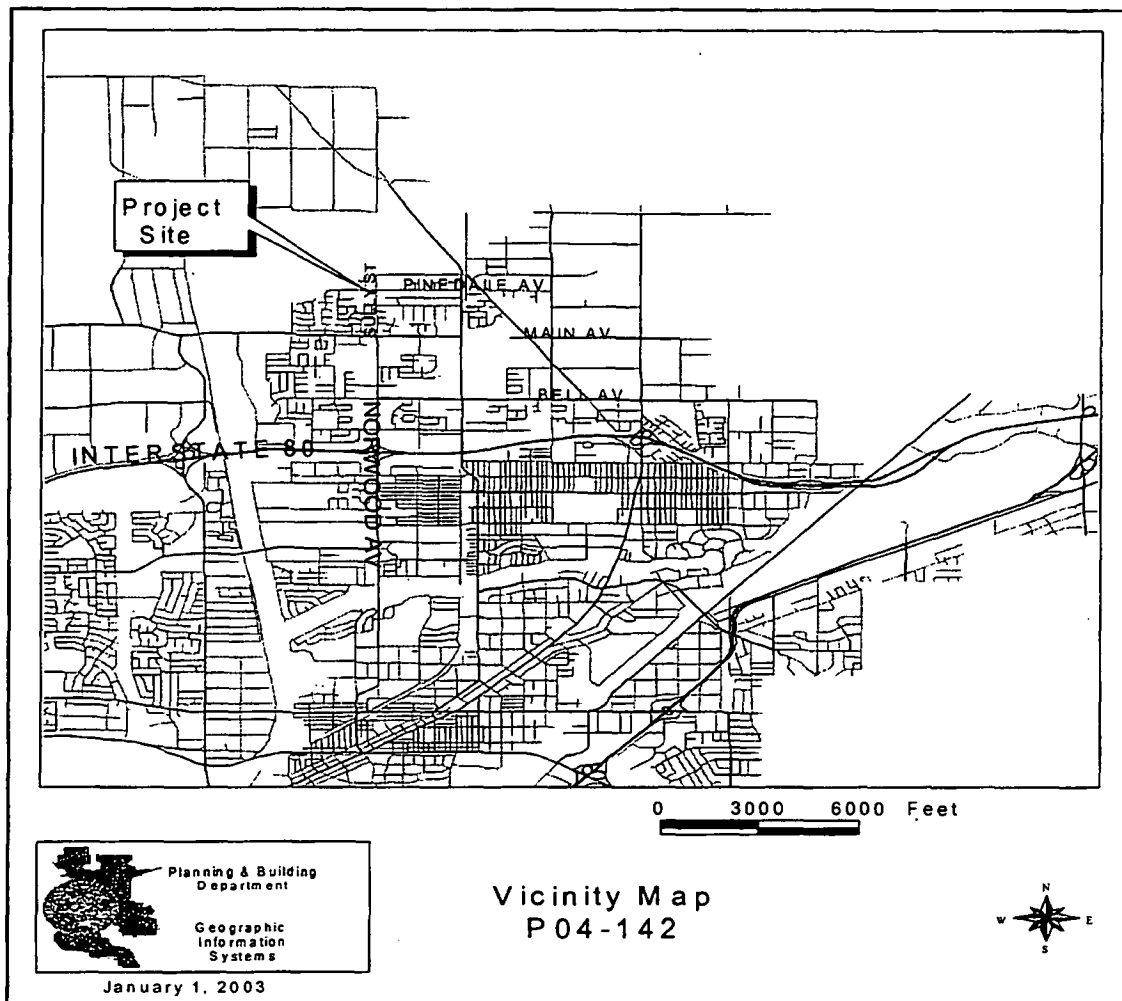
OWNER: David Fontaine  
4660 Natomas Blvd.  
Sacramento, CA 95835

APPLICATION FILED: July 13, 2004

STAFF CONTACT: Mark Kraft, 808-8116

**SUMMARY/RECOMMENDATION:**

The applicant is seeking entitlements to subdivide two parcels totaling 1.28± acres in the Standard Single-Family (R-1) zone at 5041 Sully Street and 340 Pinedale Avenue. The subject site will be divided into a total of 6 single-family lots. **Staff recommends approval of the project**, subject to conditions in the Notice of Decision. This recommendation is based on the proposed use and density, which is consistent with the North Sacramento Community Plan designation and zoning for the site, and which is allowed under existing zoning. The recommendation is also based upon the consistency of the proposed project with General Plan policy, which encourages the development of infill housing. There are no outstanding issues with this project.



**PROJECT INFORMATION:**

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

**Surrounding Land Use and Zoning:**

North: Single Family Res;	R-1, R-1A
South: Single Family Res;	R-1
East: Single Family Res;	R-1
West: Single Family Res;	R-1

Property Dimensions:	247' x 168'
Property Area:	1.28 acres
Project Density	4 units per acre
Topography:	Flat
Street Improvements:	None
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>
Final Map	Public Works, Development Services
Building Permit	Building Division
Single Family Design Checklist	Planning Division

**BACKGROUND INFORMATION:**

The subject site consists of two parcels totaling 1.28+ acres. The site is currently vacant. The applicant is proposing to subdivide the property in accordance with the allowed density ranges specified in the General Plan and the North Sacramento Community Plan. The applicant proposes no development at this time, therefore no house plans are available for review. The project site is in the Expanded North Area Design Review District, and will therefore be subject to staff level review when plans are submitted. Staff supports the proposed subdivision.

**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 North 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 4 units per acre. Furthermore, the proposed project is consistent with the General Plan in that it:

The project, in providing lots for future residential ownership opportunities, is consistent with the following General Plan Goals and Policies:

**Sec 1-31 Policy 2-**

It is the policy of the City that adequate quality housing opportunities be provided for all income households and that projected housing needs are accommodated...providing a variety of residential uses near major employment centers...can help insure housing opportunities for all income households employed in those areas.

Section 1-34 Policy 5-

Some neighborhoods are characterized by vacant land skipped over in the process of development. To more fully utilize this resource, efforts to promote infill and remove development constraints will be necessary.

Sec 2-12 Goal B

Provide affordable housing opportunities for all income household categories throughout the city.

Sec 2-13 Goal C

Develop Residential land uses in a manner which is efficient and utilizes existing and planned urban resources.

Sec 2-14 Policy 4

Promote infill development as a means to meet future housing needs...

Sec 3-47 Policy 1

Improve the infill incentive program to maximize housing development on urban vacant properties.

The project is also consistent with the following North Sacramento Community Plan Goals and Policies:

Housing Element Objectives (p.48)

Provide adequate housing opportunities to attract new residents and employment centers.

Provide a mixture of housing types and densities to meet the needs of varying family size, age and income levels.

**B. Site Design****Tentative Map design**

The Tentative Map will create 6 lots on 1.28+ acres. Five of the lots are standard single-family lots ranging in size from 5,203 sf to 6,102 sf. The sixth lot is 15,443 sf in size. The lots will be accessed via existing streets (Sully Street and Pinedale Avenue) no new street are proposed as part of this subdivision. Staff's position is that the proposed subdivision is compatible with existing and proposed single family subdivisions in the area, allows for the construction of necessary utilities, and is designed so as not to preclude or hinder development of parcels adjacent to the project site.

**Subdivision Modifications**

The applicant is requesting a subdivision modification to create a lot greater than

160 feet deep. Lot 6 of the subdivision will be 246 feet deep, and a total of 15,443 sf in size. It is staff's position that, given the size and configuration of the lots, the proposed subdivision is the best method of utilizing the existing property. The proposed design will facilitate the possibility of a future split for this lot, wherein the rear western portion of the lot could be developed along with vacant property to the south, and accessed from Main Avenue. Preserving this possibility is viewed by staff as superior to the other option of creating Lots 1-3 as 164-foot deep lots. The project will be conditioned that Lot 6 shall not be developed as a Deep Lot development (i.e. multiple units on one parcel) to help facilitate the future subdivision of Lot 6. Staff therefore, supports the subdivision modification to create a parcel deeper than 160 feet.

#### Subdivision Review Committee

The project was heard and approved by the Subdivision Review Committee on December 1, 2004. Conditions of Approval are included in the attached Notice of Decision.

#### PROJECT REVIEW PROCESS:

##### **A. Environmental Determination**

The Environmental Services Manager has determined that the project, as proposed, is exempt from environmental review pursuant to CEQA Section 15332 (infill development).

##### **B. Public/Neighborhood/Business Association Comments**

The proposed project was routed the Robla Park Community Association, as well as to landowners within a 500 foot radius of the project site. As of the writing of this report, no objections or concerns have been raised regarding the project.

##### **C. Summary of Agency Comments**

The project has been reviewed by several City Departments and other agencies. Comments are included as conditions in the attached notice of Decision.

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny items A-C. 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. Adopt the attached Notice of Decision and Findings of Fact which finds that the project is Exempt 15332
- B. Adopt the attached Notice of Decision and Findings of Fact approving the Tentative Map to subdivide two lots into six lots on 1.28+ vacant acres in the Standard Single Family (R-1) zone
- C. Adopt the attached Notice of Decision and Findings of Fact approving the Subdivision Modification to create one lot greater than 160 feet deep.

Report Prepared By,



Mark Kraft, Associate Planner

Report Reviewed By,



Jeanne Corcoran, Senior Planner

Attachments

Attachment 1	Notice of Decision & Findings of Fact
Exhibit 1A	Tentative Map
Attachment 2	Land Use and Zoning Map
Attachment 3	Aerial of Project Site

**ATTACHMENT 1**  
**NOTICE OF DECISION AND FINDINGS OF FACT FOR FONTAINE ESTATES,**  
**LOCATED AT 5041 SULLY STREET AND 340 PINEDALE AVENUE,**  
**SACRAMENTO, CALIFORNIA IN THE STANDARD SINGLE FAMILY (R-1) ZONE.**  
**(P04-142) APN: 226-0070-037 & 059**

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At the regular meeting of January 27, 2005, 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 15332
- B. Approved the Tentative Map to subdivide two lots into six lots on 1.28+ vacant acres in the Standard Single Family (R-1) zone
- C. Approved the Subdivision Modification to create one lot greater than 160 feet deep.

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

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**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.
- B. The Tentative Map to subdivide two lots into six lots on 1.28+ vacant acres in the Standard Single Family (R-1) zone is approved based upon the following findings of fact:
  - 1. That the proposed map is consistent with the general plan or any applicable specific plan, or other applicable provisions of this code;
  - 2. That the site is physically suitable for the type of development;
  - 3. That the site is physically suitable for the proposed density of development;
  - 4. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

5. That the design of the subdivision or the type of improvements are not likely to cause serious public health problems;
6. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the planning commission may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction, and no authority is granted to the planning commission to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision; or
7. Subject to Section 66474.4 of the Subdivision Map Act, that the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (commencing with Section 51200 of the Government Code) and that the resulting parcels following a subdivision of the land would be too small to sustain their agricultural use. (Section 66474). (Ord. 2002-002 § 4, 2002)

**C. The Subdivision Modification** to create one lot greater than 160 feet deep is hereby approved, subject to the following findings of fact:

1. The Planning Commission finds that is undesirable in this particular case to conform to the strict application of City Code Chapter 16 in that the property is less than two acres and is constrained by the adjacent street and lotting pattern.
2. The cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification.
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 the design will allow for possible inclusion of a portion of the property in future development to the south.
4. The granting of 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 residential.



CONDITIONS OF APPROVAL

B. The Tentative Map to subdivide two lots into six lots on 1.28+ vacant acres in the Standard Single Family (R-1) zone is approved subject to the following conditions:

CONDITIONS: Tentative Map

**NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P04-142). 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. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.
- B2. 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.
- B3. Show all continuing and proposed/required easements on the Final Map.
- B4. 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

- B5. 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.

- B6. 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 street lights.
- B7. Dedicate sufficient right-of-way for the design and construction of **Sully Street** to a standard 83-foot street section, to the satisfaction of the Development Engineering and Finance Division.
- B8. Construct full frontage improvements on **Sully Street**. Frontage Improvements shall include construction of **Sully Street** to a 41.5-foot half-street section. This shall include a 5' separated sidewalk, 6' landscaped planter, vertical curb with gutter, and a 30' paved area measured from the face of curb. All improvements shall be designed and constructed to City Standards to the satisfaction of the Development Engineering and Finance Division.
- B9. Dedicate sufficient right-of-way for the design and construction of **Pinedale Avenue** to a standard 53-foot street section, to the satisfaction of the Development Engineering and Finance Division.
- B10. Construct full frontage improvements on **Pinedale Avenue**. Frontage Improvements shall include construction of **Pinedale Avenue** to a 26.5-foot half-street section. This shall include a 5' separated sidewalk, 6' landscaped planter, vertical curb with gutter, and a 15' travel lane measured from the face of curb. All improvements shall be designed and constructed to City Standards to the satisfaction of the Development Engineering and Finance Division.
- B11. Construct A.D.A. compliant ramps at the Southwest corner of the intersection of Sully Street and Pinedale Avenue to the satisfaction of the Development Engineering and Finance Division.

#### **PUBLIC/PRIVATE UTILITIES**

- B12. Dedicate a 12.5-foot public utility easement for overhead and underground facilities and appurtenances adjacent to all public street rights of ways except where buildings and structures are located.

#### **CITY UTILITIES**

- B13. Only one domestic water service will be allowed per parcel. Any new domestic water services shall be metered.
- B14. Provide additional fire hydrants along Pinedale Avenue and/ or Sully Street to the satisfaction of the Department of Utilities and the Fire Department.
- B15. Provide separate sanitary sewer services to each parcel to the satisfaction of the Department of Utilities.
- B16. 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 identify all existing off-site flows that are blocked by the proposed project and shall propose drainage facilities to convey these flows. Sufficient off-site and on-site spot elevations shall be provided in the drainage study to determine the direction of storm drain runoff. 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. Note: the site is located within Drainage Shed 140, which is pumped at a rate of 0.39 cfs/acre with all pumps operating.
- B18. 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.
- B19. 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. On-site drainage shall be directed to the adjacent streets, unless approved by the Department of Utilities.
- B20. 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](http://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.

- B21 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**

- B22. 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.
- B23. 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).
- C. The Subdivision Modification to create one lot greater than 160 feet deep is approved subject to the following conditions:
- C1. Lot 6 shall not be developed as a Deep Lot Development (i.e., multiple residential units on one lot).

**ADVISORY NOTES:**

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

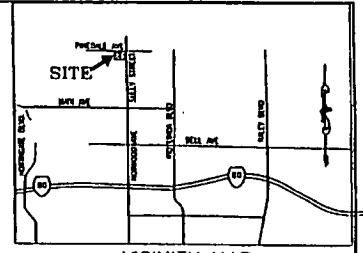
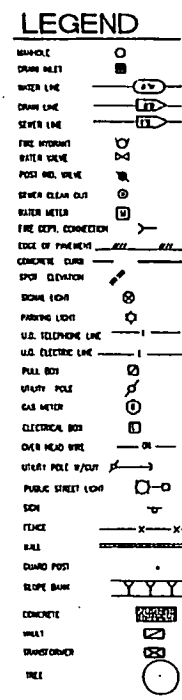
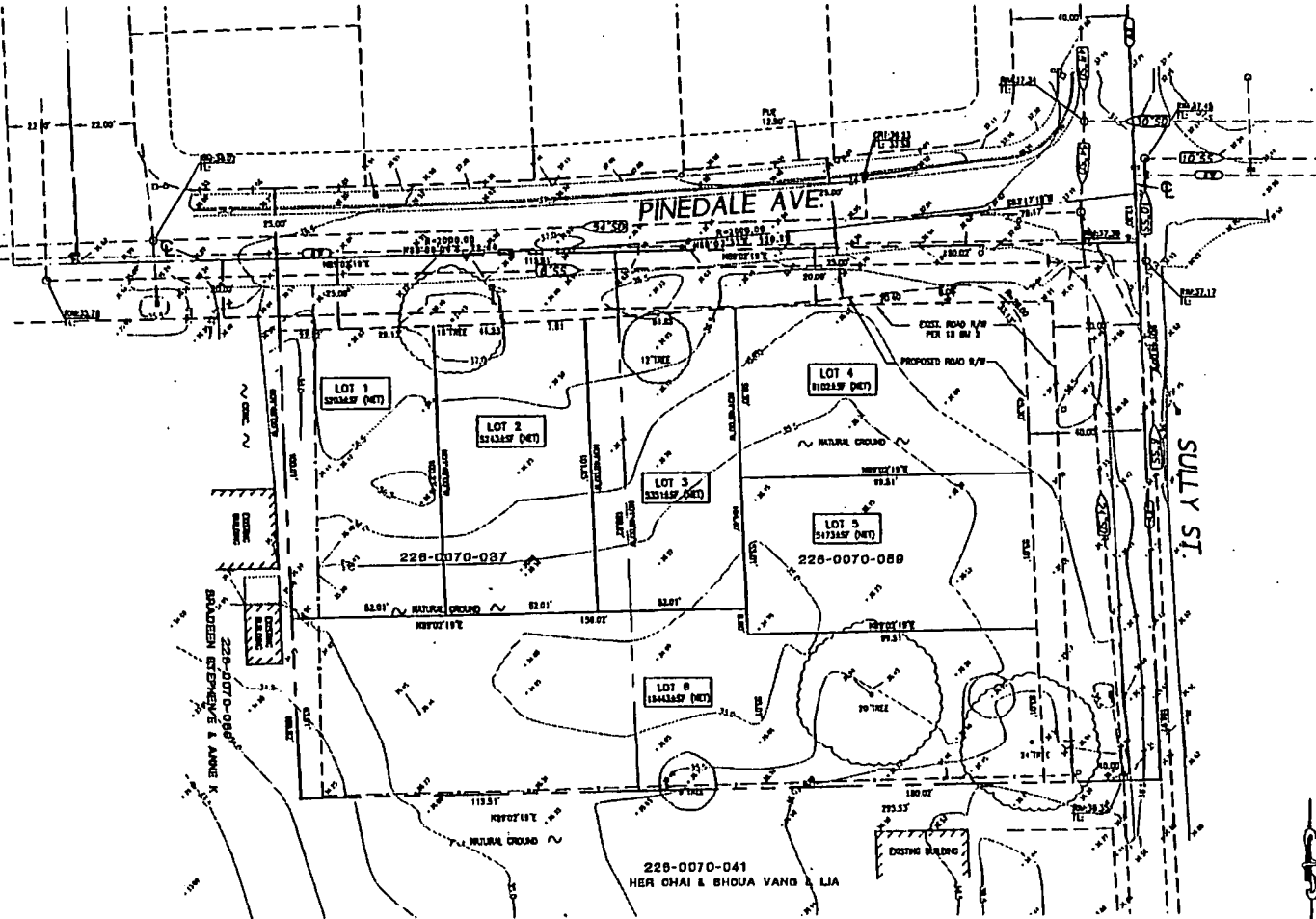
1. The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated July 6, 1998. Within the X zone, there are no requirements to elevate or flood proof.

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CHAIRPERSON

ATTEST: \_\_\_\_\_  
SECRETARY TO CITY PLANNING COMMISSION  
Date \_\_\_\_\_  
(P04-142)

S:\2004\1000\1000-0001\C10-TPM.dwg, 7/14/2004 8:17:10 AM JTS Engineering Consultants



**EXISTING LEGAL DESCRIPTION**

APN: 226-0070-037  
 THE NORTH 1/2 (1/2) FEET OF THE EAST 1/2 (1/2) FEET OF LOT 42, AS SHOWN ON THE OFFICIAL "PLAT OF 800 LOTS SUBDIVISION NO. 8", RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SACRAMENTO COUNTY ON JUNE 18, 1914, IN BOOK 19 OF MAPS, MAP NO. 2.

APN: 226-0070-017  
 THE WEST 1/2 (1/2) FEET OF THE NORTH 1/2 (1/2) FEET OF THE EAST 1/2 (1/2) FEET OF LOT 43, AS SHOWN ON THE OFFICIAL "PLAT OF 800 LOTS SUBDIVISION NO. 8", RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SACRAMENTO COUNTY ON JUNE 18, 1914, IN BOOK 19 OF MAPS, MAP NO. 2.

**OWNER/APPLICANT:** BOY INVESTMENTS, C/O-DAVID W. FONTAINE  
 4500 MADONNA BLVD., #120-125  
 SACRAMENTO, CA 95814  
 TEL: (916) 441-8700  
 FAX: (916) 441-8338  
 CONTACT: JAYVO S. SOODORA, P.E.

**ENGINEER:** JTS ENGINEERING CONSULTANTS INC.  
 1808 J STREET  
 SACRAMENTO, CA 95814  
 TEL: (916) 441-8700  
 FAX: (916) 441-8338  
 CONTACT: JAYVO S. SOODORA, P.E.

**PROJECT ADDRESS:** 840 PINEDALE AVE AND 5041 SULLY ST.  
 SACRAMENTO, CA 95819

	EXISTING	PROPOSED
<b>ZONING:</b>	R1	R1
<b>USE:</b>	VACANT, RES.	SINGLE FAMILY
<b>LOT:</b>	7	8
<b>AREA:</b>		AS SHOWN ON MAP

**SCHOOL DISTRICT:** CROWN LEIGH

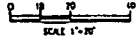
**REQUEST:**

- 1) IMPROVEMENT TO OPEN THE EXISTING TWO PARCELS INTO ONE SINGLE FAMILY PARCELS.
- 2) SUBDIVISION MODIFICATION TO CREATE 1 DEEP LOT #8.

**UTILITY BLOCK.**

TELEPHONE	PACIFIC BELL (JOHN BEVIS)	453-7016
GAS	PG&E (DIANE HOLLAND)	386-5009
ELECTRICITY	SMUD (L. WILKINS)	732-5776
WATER	CITY OF SACRAMENTO (MARK DILLEY)	808-7492
DRAINAGE	CITY OF SACRAMENTO (MARK DILLEY)	808-7492
CABLE	COMCAST COMMUNICATION (LAURA SWIFT)	927-2223
SEWER	CITY OF SACTO (MARK DILLEY)	808-7492
FIRE	CITY OF SACRAMENTO (ROSS WOODMAN)	433-1616
UNDERGROUND TRAFFIC ALLEY		(808)227-2600

*Handwritten signature and date: 7/14/04*



BENCHMARK ELEV. AS SHOWN  
 FIELD BOOK NO. PD.

**JTS ENGINEERING CONSULTANTS, INC.**  
 1808 J STREET  
 SACRAMENTO CALIFORNIA 95814 (916) 441-8700

DESIGNED: N/A  
 DRAWN: JMA  
 CHECKED: JS  
 SUBMITTED: JAYVO S. SOODORA  
 RCE: 25924



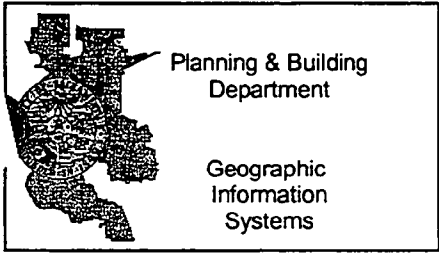
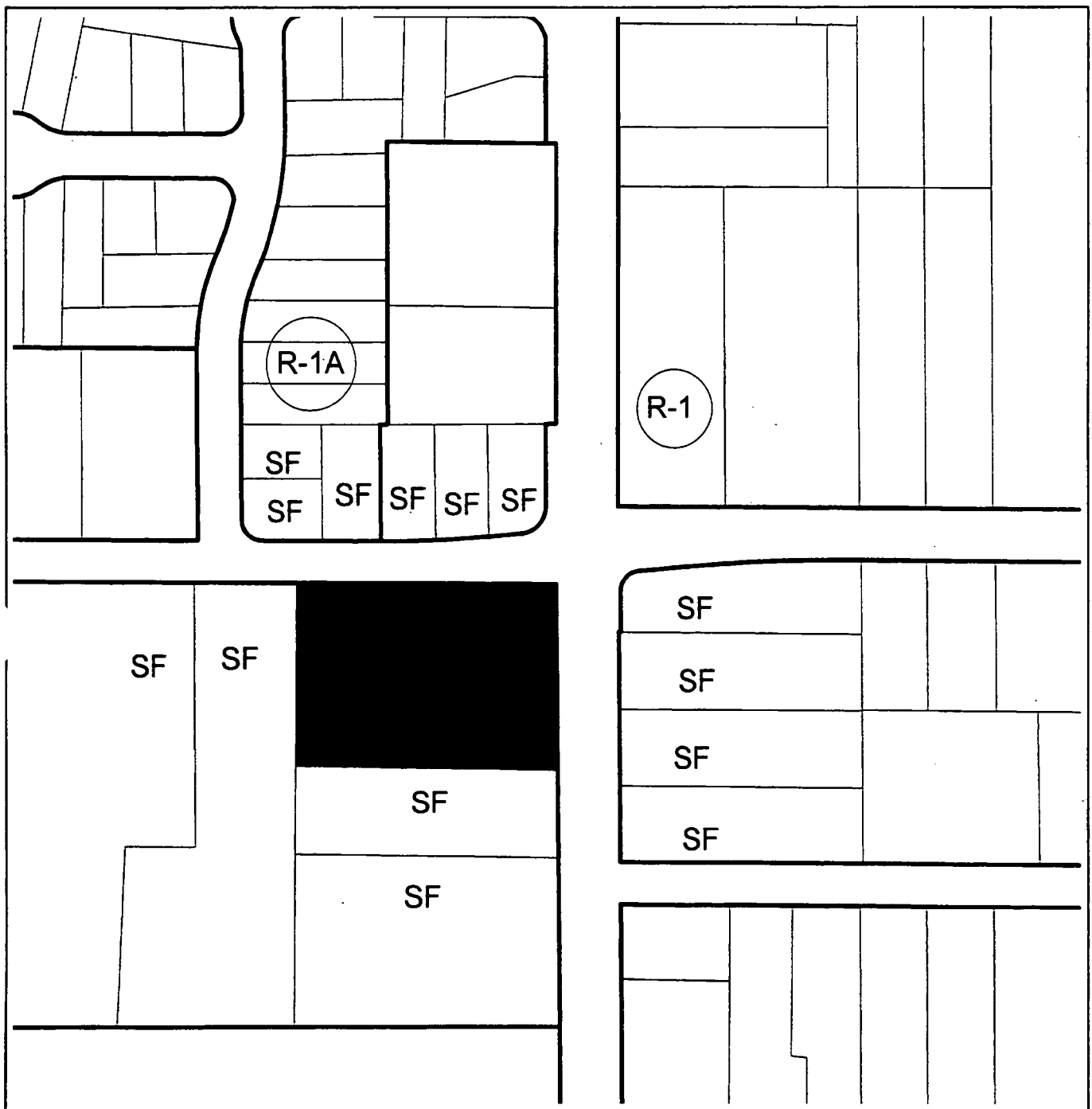
NO.	DATE	REVISION	APPROVAL	BY

TENTATIVE SUBDIVISION MAP  
**FONTAINE ESTATES**  
 840 PINEDALE AVE AND 5041 SULLY ST  
 APN: 226-0070-037 AND 059  
 CITY OF SACRAMENTO  
 WORK-IN-PROGRESS

DATE: 7-14-04  
 SHEET: 1 OF 1  
 CALIFORNIA JOB NO. 201-019

EXHIBIT 1A

P14

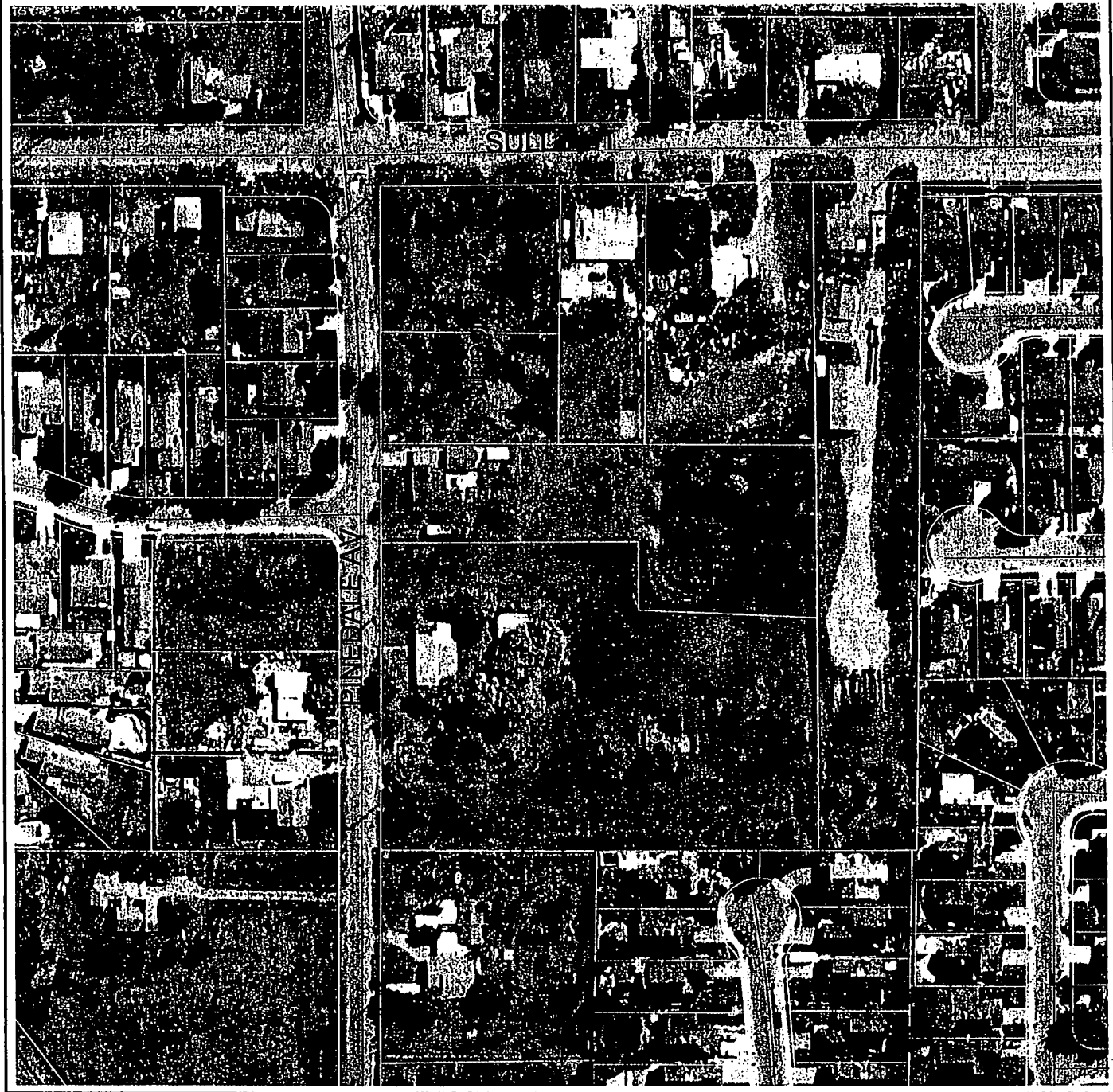


January 1, 2003

# Attachment 2 Land Use & Zoning P04-142




#6  
P16



90 0 90 180 Feet



# Aerial Images Fontain Map P04-142



Planning & Building  
Department

Geographic  
Information  
Systems

Aerial Images 2001