

# CITY PLANNING COMMISSION

927 10TH STREET, SUITE 300 - SACRAMENTO, CALIFORNIA 95814

APPLICANT	JTS Engineering, 811 'J' Street, Sacramento, CA 95814		
OWNER	Tim & Phyllis O'Brien, 4525 'T' Street, Sacramento, CA 95819		
PLANS BY	JTS Engineering, 811 'J' Street, Sacramento, CA 95814		
FILING DATE	5/11/84	50 DAY CPC ACTION DATE	REPORT BY: SD:bw
NEGATIVE DEC	6/18/84	EIR	ASSESSOR'S PCL. NO. 016-171-02

- APPLICATION:
- A. Ratify Negative Declaration
  - B. Tentative Map to divide 1.7± acres into two parcels (Ch. 40-City Code)
  - C. Variance to create one lot substandard in width (Sec. 3-D-19)
  - D. Subdivision Modification to create a lot substandard in width (Sec. 40.322a)
  - E. Subdivision Modification to create lots in excess of 160 feet in depth (Sec. 40.322c)

LOCATION: 983-985 Piedmont Drive

PROPOSAL: The applicant is requesting the necessary entitlements to divide 1.7± acres located along the Sacramento River into two residential parcels.

PROJECT INFORMATION:

1974 General Plan Designation: Residential  
1965 Sutterville Heights  
Community Plan Designation: Light Density Residential  
Existing Zoning of Site: R-1 and F  
Existing Land Use of Site: Vacant

Surrounding Land Use and Zoning:

North: River-Flood  
South: Single Family; R-1 and Flood  
East: Single Family; R-1  
West: Single Family; R-1

Density of Development: 1.2 du/ac  
Property Area: 1.7 acres  
Significant Features of Site: Numerous trees; proximity to Sacramento River  
Topography: Flat to sloping  
Street Improvements: Existing except sidewalk  
Utilities: To be provided

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On June 13, 1984, by a vote of seven ayes and two absent, the Subdivision Review Committee voted to recommend approval of the tentative map and subdivision modifications. The applicant shall satisfy each of the following conditions prior to filing the final map unless a different time for compliance is specifically noted:

1. Prepare a grading plan for the review and approval of the City Public Works Director;
2. Provide separate sewer and water services to each lot;
3. Expand existing pipe line easement from 10 feet to 15 feet;
4. Expand pump station easement from 20 feet to 40 feet for future reconstruction;

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APPLC. NO. P84-186

MEETING DATE 9-13-84  
June 28, 1984

CPC ITEM NO. 173

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5. Place the following note on the final map: "Easements to the City of Sacramento for drain lines and drainage pump station shall be kept free and clear of structures or other facilities that will inhibit access or maintenance activities";
6. Construct standard sidewalk;
7. Dedicate all land north of the levee right-of-way boundary to the City of Sacramento to become part of the Sacramento River Parkway;
8. Dedicate an easement 10 feet in width from the landward toe of the levee to the Reclamation Board for maintenance of the levee.

STAFF EVALUATION: Staff has the following comments:

1. The subject site is located in an area of single family development in the R-1 zone. Lots located on the west side of Piedmont Drive, which backup to the Sacramento River, are approximately .8± of an acre. This is because property owners retain ownership of the land to the river edge. Property from the landward toe of the levee to the river edge is zoned Flood (F). The subject site is one of the few remaining undeveloped parcels in the area.
2. The applicant proposes to divide the parcel into two lots. Because of the location of the parcel at the northern elbow of Piedmont Drive, a variance/subdivision modification is necessary to create a lot less than 52 feet wide. Staff has no objection to this proposal since the lot exceeds depth and area requirements. Future development of the site will require no further variances. In addition, the driveway width is adequate for vehicular access.
3. An additional subdivision modification is requested to create lots in excess of 160 feet. The excess depth is located in the Flood zone in which no structure can be erected. The resulting lots are consistent in size with the other lots on the west side of Piedmont Drive.
4. The Subdivision Review Committee placed a condition on the map requiring the applicant to dedicate the land from the landward toe of the levee to the river edge to the City for parkway purposes. The Community Services Department has indicated that dedication of a recreational easement for public purposes is acceptable. Due to this revision in map conditions, the applicant is now responsible for parkland dedication in-lieu fees. The Planning and Community Services Departments have determined that .03 acres of land are required for dedication purposes. The applicant shall submit an appraisal of the land to be subdivided. The appraisal shall be dated and submitted not more than 90 days prior to filing the final map.
5. There are 50 trees of various species located on the subject site. Although none of these trees qualify as Heritage candidates, it is desirable to insure retention of some of these trees as riparian wildlife habitat. In addition, the concentration of such a number of trees is unusual in the City. The Negative Declaration has mitigation measures addressing this issue.

6. There are many known archaeological sites along the Sacramento River. Although a record search indicates no cultural resources located within the boundaries of the subject site, the possibility of an unknown subsurface archaeological site exists. Again, the Negative Declaration contains measures to mitigate the impact of development on archaeological specimens.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has reviewed the project and has filed a Negative Declaration, based upon compliance with the following mitigation measures:

1. "The applicant shall submit the building permit plans for Planning staff review and approval prior to issuance of building permits. These plans shall be reviewed to insure the retention of as many on-site trees as practical."
2. "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."

STAFF RECOMMENDATION: Staff recommends:

- A. Ratification of the Negative Declaration;
- B. Approval of the Tentative Map, subject to conditions which follow;
- C. Approval of the Variance to create one lot substandard in width, based upon Findings of Fact which follow.
- D. Approval of the Subdivision Modification to create one lot substandard in width;
- E. Approval of the Subdivision Modification to create lots in excess of 160 feet in depth.

Conditions - Tentative Map

The applicant shall satisfy each of the following conditions prior to filing the final map unless a different time for compliance is specifically noted:

1. Prepare a grading plan for the review and approval of the City Public Works Director;
2. Provide separate sewer and water services to each lot;
3. Expand existing pipe line easement from 10 feet to 15 feet;
4. Expand pump station easement from 20 feet to 40 feet for future reconstruction;
5. Place the following note on the final map: "Easements to the City of Sacramento for drain lines and drainage pump station shall be kept free and clear of structures or other facilities that will inhibit access or maintenance activities";
6. Construct standard sidewalk;
7. Dedicate an easement to the City for public recreation purposes that includes land from the landward toe of the levee to the river edge;

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8. Locate the landward toe of the levee and dedicate an easement 10 feet in width from the landward toe of the levee to the Reclamation Board for maintenance of the levee, if necessary;
9. The applicant shall submit the building permit plans for Planning staff review and approval prior to issuance of building permits. These plans shall be reviewed to insure the retention of as many on-site trees as practical. A note shall be placed on the final map referencing this condition.
10. 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 map referencing this condition;
11. The applicant shall submit an appraisal of the property to be subdivided, pursuant to City Code Section 40.1302 (Parkland Dedication), and pay parkland dedication in-lieu fees. Said appraisal shall be dated and submitted not more than 90 days prior to filing the final map.

Findings of Fact - Variance

1. Granting the variance does not constitute a special privilege extended an individual owner in that the location of the subject site at a turn in the street prevents the creation of two standard width lots.
2. The request is not a use variance in that residential uses are allowed in the R-1 zone.
3. Granting the variance does not constitute a disservice to surrounding property owners in that:
  - a. the resulting lot has sufficient depth and area to erect a standard single family residence;
  - b. lots in the vicinity are of similar area.
4. The request conforms to the 1965 Sutterville Heights Community Plan and the 1974 General Plan which designate the site for residential purposes.

003323

City Planning Commission  
Sacramento, California

Members in Session:

SUBJECT: A. Negative Declaration  
B. Tentative Map  
C. Variance to create one lot substandard in width  
D. Subdivision Modification to create one lot substandard in width  
E. Subdivision Modification to create lots in excess of 160 feet in depth

LOCATION: 983-985 Piedmont Drive

SUMMARY: The proposed project consists of a tentative parcel map, variance, and subdivision modifications necessary to develop two single family residences. This project was originally scheduled for Commission hearing on June 28, 1984. However, prior to the Commission hearing, an appeal of the Negative Declaration was filed with the Planning Division. On August 28, 1984, the City Council denied the appeal and referred the project back to the Planning Commission. Staff recommends approval of the requests, subject to conditions.

BACKGROUND INFORMATION: The subject site consists of a large, 1.8+ acre lot which is zoned both Single Family (R-1) and Floodway (F). This is because the lot extends westward from Piedmont Drive to the Sacramento River. This is also true of other lots on the westward side of Piedmont Drive.

The applicant proposes to divide the existing lot into two lots. Because of the location of the site at the northern elbow of Piedmont Drive, as well as due to the proposed lot configuration, a variance/subdivision modification has been requested to allow a parcel of less than 52 feet of street frontage.

PROJECT EVALUATION: Staff has the following comments:

- A. The subject application previously included a requirement for dedication of the river side of the levee area to the City, pursuant to the Sacramento Parkway Plan (see attached staff report). However, the Parks and Community Services Department subsequently withdrew the requested dedication because the State Map Act allows the imposition of this condition only for subdivisions consisting of 50 or more lots. Acquisition and development of this portion of the Sacramento Parkway is therefore not part of this application.
- B. As indicated in the attached report, staff supports the subject requests. This support is based upon the following facts:

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1. Lot Size: The existing lot totals 1.8± acres which is substantially larger than the subdivision ordinance minimum lot size of 5,200 sq. ft. (0.9 acres). The proposed land division would create two lots which, separately, consists of approximately 39,000 sq. ft. Approximately 17,000 sq. ft. of each of these lots is on the Piedmont side of the levee and, therefore, developable. Exclusive of all required easements and setbacks there remains a substantial amount of developable area on each proposed lot.
2. Lot Compatibility: As stated previously, the existing lot is substantially larger than other lots in the area due to its location on the northern elbow of Piedmont Drive. The proposed lots would result in parcels less than 10% smaller than other lots on the west side of Piedmont. In addition, a parcel map was approved for a property located one lot away from the subject site (see Exhibit A). This previously approved parcel map allowed the creation of two lots substantially smaller than the applicant's proposal.

Section 40.324 of the City Subdivision Ordinance stipulates that the City may require lots to be increased in size by up to 50% of the minimum area requirement to more closely conform to nearby lots. The proposed lots exceed the minimum area requirements by approximately 600%.

3. Lot Configuration and Adjacent Uses: It is possible to divide the existing lot into two parcels having 52 feet of frontage at the 25 foot setback line. However, due to the existing access road to the City Pump Station, the applicant proposes to create a modified flag-shaped lot similar to an existing lot just east of the site. Also, the proposed configuration provides for a transition from the larger lots south on Piedmont to the two-family lot immediately east of the subject site and the recently divided lot as indicated on Exhibit A.
- C. A subdivision modification is necessary to create lots in excess of 160 feet. The excess depth is located in the Flood Zone in which no structure can be erected. The resulting lots are consistent in size with the other lots on the west side of Piedmont Drive.
- D. The Planning and Community Services Departments have determined that .03 acres of land are required for dedication purposes. The applicant shall submit an appraisal of the land to be subdivided. The appraisal shall be dated and submitted not more than 90 days prior to filing the final map.
- E. There are approximately 50 trees of various sizes and species located on the subject site. Although the removal of all the on-site trees is permitted without City review at this time, staff determined that efforts should be made to retain as many of the larger and healthy trees as possible. The Negative Declaration and Tentative Map have been conditioned to reflect this.

- F. There are many known archaeological sites along the Sacramento River. Although a record search indicates no cultural resources located within the boundaries of the subject site, the possibility of an unknown subsurface archaeological site exists. Again, the Negative Declaration and Tentative Map conditions contain measures to mitigate the impact of development on archaeological specimens.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has reviewed the project and has filed a Negative Declaration, based upon compliance the following mitigation measures:

- A. The applicant shall submit the building permit plans for Planning staff review and approval prior to issuance of building permits. These plans shall be reviewed to insure the retention of as many on-site trees as practical.
- B. 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.

STAFF RECOMMENDATION: Staff recommends:

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5. Place the following note on the final map: Easements to the City of Sacramento for drain lines and drainage pump station shall be kept free and clear of structures or other facilities that will inhibit access or maintenance activities.
6. Construct standard sidewalk.
7. Locate the landward toe of the levee and dedicate an easement 10 feet in width from the landward toe of the levee to the Reclamation Board for maintenance of the levee if necessary;
8. The applicant shall submit the building permit plans for Planning staff review and approval prior to issuance of building permits. These plans shall be reviewed to insure the retention of as many on-site trees as practical. A note shall be placed on the final map referencing this condition.
9. 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 map referencing this condition.
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Findings of Fact - Variance

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2. The request is not a use variance in that residential uses are allowed in the R-1 zone;
3. Granting the variance does not constitute a disservice to surrounding property owners in that:
  - a. the resulting lot has sufficient depth and area to erect a standard single family resident;
  - b. lots in the vicinity are of similar area.

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4. The request conforms to the 1965 Sutterville Heights Community Plan and the 1974 General Plan which designate the site for residential purposes.

Respectfully submitted,

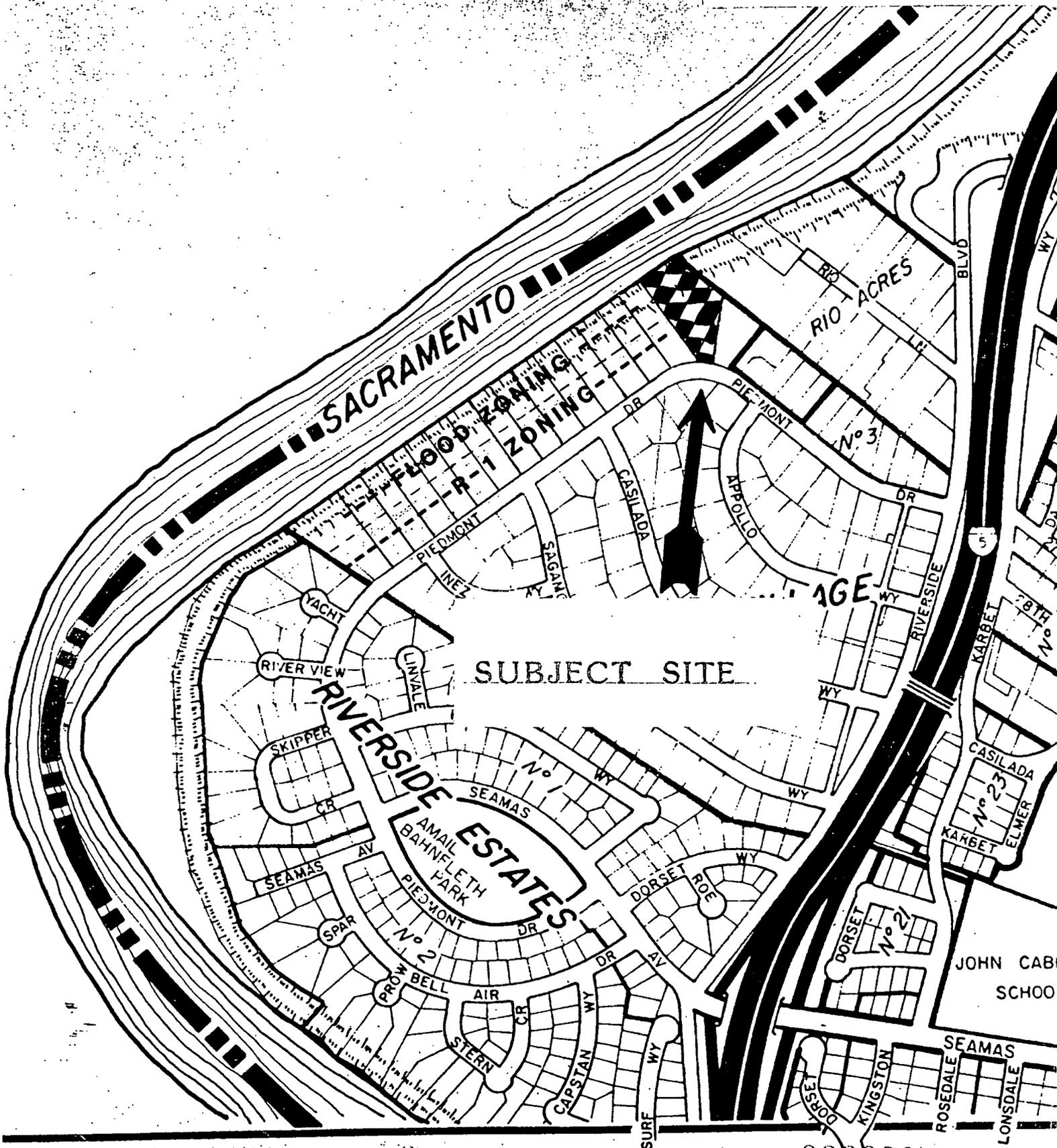
*Art Gee*

Art Gee  
Principal Planner

TM:bw

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LOCATION MAP



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P 84-186

6-28-84

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Nov 17-83

