



CITY OF SACRAMENTO

CITY PLANNING DEPARTMENT

725 "J" STREET

SACRAMENTO, CALIF. 95814

TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

July 9, 1980

City Council
Sacramento, California

Honorable Members in Session:

- SUBJECT:
1. Negative Declaration
 2. Subdivision Modification to create lots substandard in width
 3. Tentative Map (P-9037)

LOCATION: 1201 - 39th Street

SUMMARY

This is a request for the necessary entitlements to divide a .274 acre site in an R-1 zone into two parcels. The Planning Commission and the staff recommend approval of the project subject to conditions.

BACKGROUND INFORMATION

The applicant proposes to create a 60-foot wide corner lot and a 45-foot wide interior lot. City Zoning and Subdivision ordinances specify a minimum lot width of 62 feet and 52 feet respectively. However, given the irregular site configuration strict adherence to the dimensional requirements of the ordinance is impossible.

Both proposed lots are large enough to accommodate a dwelling. Proposed Parcel 1 contains an existing dwelling and a garage. Because the existing detached garage will be adjacent to the rear property line, an alteration in wall design may be required.

VOTE OF COMMISSION

On June 12, 1980, the Planning Commission by a vote of six ayes, three absent, recommended approval of the map subject to conditions.

APPROVED
BY THE CITY COUNCIL

JUL 15 1980

OFFICE OF THE
CITY CLERK

City Council

-2-

July 9, 1980

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:DP:bw

July 15, 1980
District 3

Attachments

P-9037

RESOLUTION NO. 80-460

Adopted by The Sacramento City Council on date of

ADOPTING FINDINGS OF FACT, APPROVING A REQUEST
FOR SUBDIVISION MODIFICATION AND TENTATIVE MAP
FOR PROPERTY LOCATED AT 1201 - 39th STREET (P-9037)
(APN: 008-197-16)

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations concerning the request for a tentative map for variance/Subdivision Modification to create lots substandard in width. (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 July 15, 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 East Sacramento Community Plan in that both plans designate 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

JUL 15 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: The overall site configuration makes it impossible to provide standard size width dimensions

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

Fact: There is no feasible way to divide the site and meet all requirements of the subdivision ordinance.

- c. That the modification will not be detrimental to the public health, safety, or welfare or be injurious to other properties in the vicinity.

Fact: The project is compatible to surrounding land uses.

- 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 intended for residential use, 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 applicant shall provide standard subdivision improvements, including a street light, pursuant to Section 40.811 of the Subdivision Ordinance, prior to filing the final map.
 - 2. Relocate water services and provide for an easement over such services as required prior to recordation of the final map.
 - 3. The existing garage on Parcel 1 shall meet all requirements of the Building Code.

MAYOR

ATTEST:

CITY CLERK

bw

P-9037

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE June 12, 1980
 ITEM NO. 2102 FILE NO. P-9037
M-

- GENERAL PLAN AMENDMENT TENTATIVE MAP
 COMMUNITY PLAN AMENDMENT SUBDIVISION MODIFICATION
 REZONING EIR DETERMINATION
 SPECIAL PERMIT OTHER _____
 VARIANCE _____

Recommendation: Favorable Unfavorable
 LOCATION: NE corner of 39th + L St.
 Petition Correspondence

<u>PROPOSERS</u>	
<u>NAME</u>	<u>ADDRESS</u>

<u>OPPOSERS</u>	
<u>NAME</u>	<u>ADDRESS</u>

MOTION NO. _____

	YES	NO	MOTION	2ND
Augusta	✓		✓	
Flores	✓			✓
Goodin	✓			
Hunter	✓			
Larson	✓			
Muraki	✓			
Simpson	✓			
Silva	✓			
Fong	✓			

- MOTION:
- TO APPROVE
 - TO DENY
 - TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
 - INTENT TO APPROVE SUBJ. TO COND. & BASED ON FINDINGS OF FACT DUE _____
 - TO RECOMMEND APPROVAL subject to conditions & FORWARD TO CITY COUNCIL
 - TO RATIFY NEGATIVE DECLARATION
 - TO CONTINUE TO _____ MEETING
 - OTHER _____

EXHIBITS: A. Site Plan
 B. Floor Plan
 C. Elevation

CITY PLANNING COMMISSION

915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Louis F. Butz & Associates, Inc. - P.O. Box 57, Fair Oaks, CA 95628				
OWNER	Henry Schaefer - 1201 39th Street, Sacramento, CA 95816				
PLANS BY	Louis F. Butz & Associates, Inc. - P.O. Box 57, Fair Oaks, CA 95628				
FILING DATE	5-8-80	50 DAY CPC ACTION DATE		REPORT BY	TM:sg
NEGATIVE DEC	6-12-80	EIR		ASSESSOR'S PCL. NO.	008-197-16

- APPLICATION:
1. Negative Declaration
 2. Variance/Subdivision Modification to create lots substandard in width.
 3. Tentative Map

LOCATION: 1201 39th Street

PROJECT INFORMATION:

General Plan Designation: Residential
1965 East Sacramento Community
Plan Designation: Light Density Residential
Existing Zoning of Site: R-1
Existing Land Use of Site: Single Family Residence and Detached Garage
Surrounding Land Use and Zoning:
North: Residential; R-1
South: Residential; R-1
East: Residential; R-1
West: Residential; R-1
Property Dimensions: .274 Acres
Topography: Flat
Street Improvements: Existing
Utilities: Existing
School District: Sacramento Unified School District

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On May 28, 1980, by a vote of six ayes and three absent, the Subdivision Review Committee recommended approval of the tentative map, subject to the following conditions:

1. The applicant shall provide standard subdivision improvements, including a street light, pursuant to Section 40.811 of the Subdivision Ordinance prior to filing the final map.
2. Relocate water services and provide for an easement over such services as required prior to recordation of the final map.

STAFF EVALUATION: The applicant is requesting the necessary entitlements to divide .274 acres in the R-1 zone into two parcels. One of the proposed parcels has an existing dwelling unit and garage while the other is presently vacant.

The Zoning/Subdivision Ordinance requires that the minimum lot width for corner and interior lots be 62 feet and 52 feet, respectively. The applicant is proposing to create a 60 foot wide corner lot and a 45 foot interior lot. Staff has no objection to this proposal because the configuration of the lot makes it impossible to meet all dimensional requirements. Also, the proposed lots are large enough to accommodate a dwelling.

APPLC. NO. P-9037

MEETING DATE June 12, 1980

CPC ITEM NO. 21

Proposed parcel 1 results in a detached garage that will be located adjacent to the rear property line. This may require an alteration in wall design because of its location along the property line. Staff suggests that the garage meets all requirements of the Building Code.

STAFF RECOMMENDATION: Staff recommends the following action:

1. Ratification of the Negative Declaration.
2. Approval of the Variance/Subdivision Modification, based on findings of fact which follow:
3. Approval of the Tentative Map, subject to conditions which follow:
 - a. The applicant shall provide standard subdivision improvements, including a street light, pursuant to Section 40.811 of the Subdivision Ordinance, prior to filing the final map.
 - b. Relocate water services and provide for an easement over such services as required prior to recordation of the final map.
 - c. The existing garage on parcel 1 shall meet all requirements of the Building Code.

Findings of Fact - Variance

- a. The granting of a variance does not constitute a special privilege in that the irregular shape of the property cannot be subdivided in a manner which is in strict compliance with the Zoning/Subdivision Ordinance.
- b. The variance will not constitute a use variance in that the single family dwellings are permitted in the R-1 zone.
- c. The project will not be injurious to public welfare nor to property in the vicinity because it will not significantly alter the characteristics of the area.
- d. The variance is in harmony with the General Plan in that the area is designated for single family dwellings.

TENTATIVE PARCEL MAP

A PORTION OF LOTS 34 & 35,
"J" STREET SUBURBAN TRACT NO. 4

SACRAMENTO COUNTY, CALIFORNIA

LOUIS F. BUTZ & ASSOCIATES, INC.

OWNER: MR. HENRY SCHAEFER
1201 39TH STREET
SACRAMENTO, CALIFORNIA 95816

DEVELOPER: ARL'EMAN E. MECUM
4100 FOLSOM BOULEVARD #2D
SACRAMENTO, CALIFORNIA 95819
(916) 457-3210

ENGINEER: LOUIS F. BUTZ & ASSOCIATES, INC.
10512 FAIR OAKS BOULEVARD
P O BOX 57
FAIR OAKS, CALIFORNIA 95628
967-4713
CONTACT: NEIL A. WATERS, L.L.S. 3423

PREPARED: APRIL, 1980

PROPOSED USE: RESIDENTIAL - SINGLE FAMILY

PROPOSED ZONING: R-1

PRESENT USE: RESIDENTIAL - SINGLE FAMILY

PRESENT ZONING: R-1

WATER SUPPLY: CITY OF SACRAMENTO

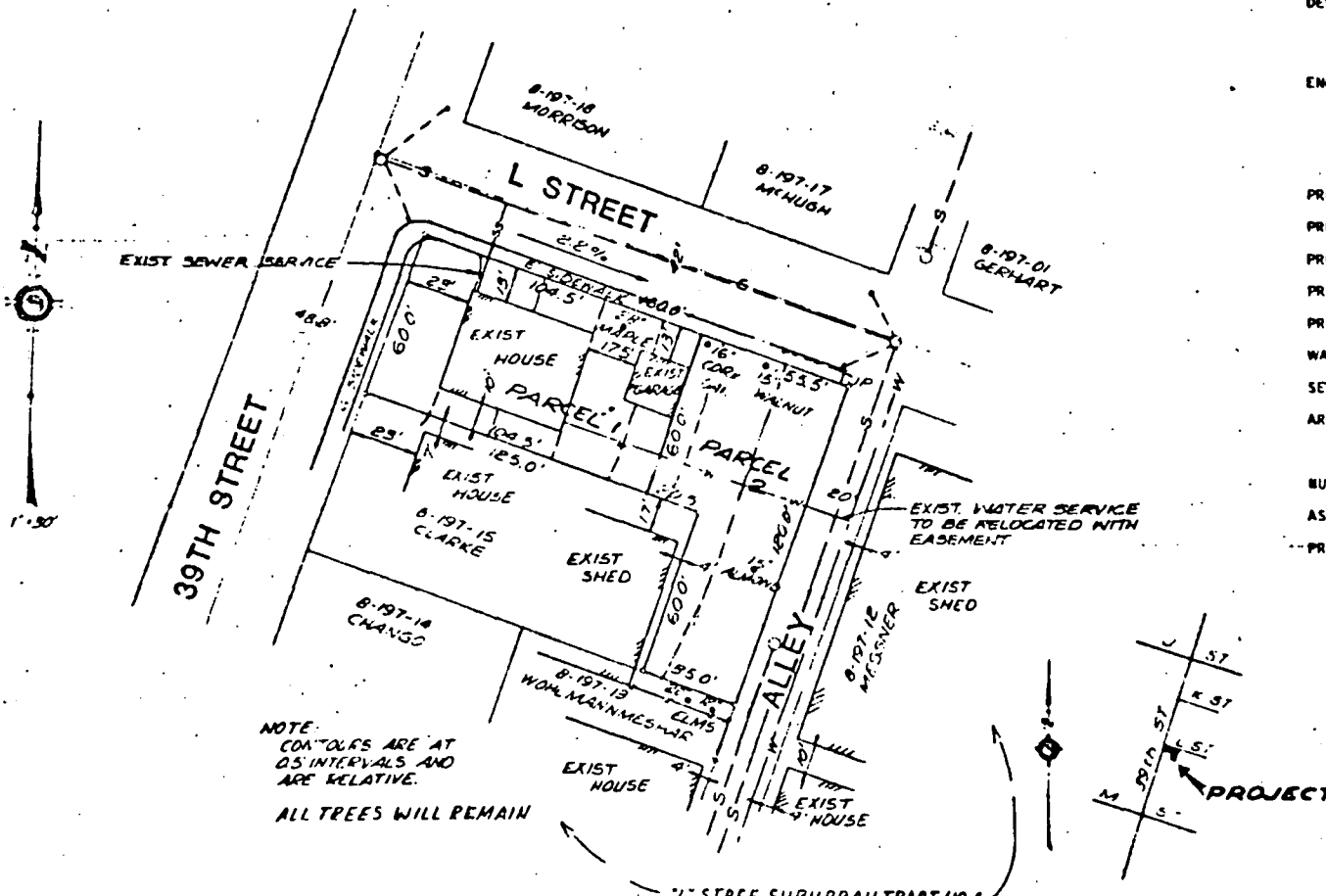
SEWAGE DISPOSAL: CITY OF SACRAMENTO

AREA: TOTAL AREA = 0.274 ACRES, 11,940 SQUARE FEET
PARCEL 1 - 0.146 ACRES, 6,375 SQUARE FEET
PARCEL 2 - 0.128 ACRES, 5,566 SQUARE FEET

NUMBER OF LOTS: TWO (2)

ASSESSOR'S PARCEL NO.: 08-197-16

PROPERTY DESCRIPTION: PORTION OF LOTS 34 AND 35 OF
"J" STREET SUBURBAN TRACT NO. 4



LOCATION MAP

LF LOUIS F. BUTZ & ASSOCIATES, INC.
 10512 FAIR OAKS BOULEVARD
 SACRAMENTO, CALIFORNIA 95628
 (916) 457-3210



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK
915 I STREET SACRAMENTO, CALIFORNIA 95814
CITY HALL ROOM 203 TELEPHONE (916) 449-8428

JACI PAPPAS
CITY CLERK
HUBERT F. ROGERS
CHIEF DEPUTY CITY CLERK

July 16, 1980

Mr. Henry Schaefer
1201 39th Street
Sacramento, CA 95816

Dear Mr. Schaefer:

On July 15, 1980, the City Council adopted the enclosed certified resolution adopting Findings of Fact, approving request for subdivision modification and Tentative Map for property located at 1201 39th Street (P-9037)

Sincerely,


Lorraine Magana
City Clerk

LM:sj

Encl.

cc: Louis F. Butz & Associates, Inc.

Item No. 37