



CITY OF SACRAMENTO

CITY PLANNING DEPARTMENT

725 "J" STREET

SACRAMENTO, CALIF. 95814

TELEPHONE (916) 449-5604

MARTY VAN DUYN

PLANNING DIRECTOR

July 23, 1981.

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPRE-
HENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED
BY REMOVING PROPERTY LOCATED AT THE NORTHEAST CORNER OF 58th
STREET AND FOLSOM BOULEVARD FROM THE R-1 SINGLE FAMILY RESI-
DENTIAL ZONE AND PLACING SAME IN THE C-2R GENERAL COMMERCIAL
ZONE (P-9414)

SUMMARY

This item is presented at this time for approval of publication
of title pursuant to City Charter, Section 38.

BACKGROUND

Prior to publication of an item in a local paper to meet legal
advertising requirements, the City Council must first pass the
item for publication. The City Clerk then transmits the title
of the item to the paper for publication and for advertising the
meeting date.

RECOMMENDATION

It is recommended that the item be passed for publication of title
and continued to August 4, 1981.

Respectfully submitted,

Marty Van Duyn
Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

jm
Attachments
P-9414

APPROVED PFP +
BY THE CITY COUNCIL
JUL 28 1981 cont. 40
OFFICE OF THE CITY CLERK 8-4-81

July 28, 1981
District No. 3

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AUGUST 4, 1981

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT THE NORTHEAST CORNER OF 58TH STREET AND FOLSOM BOULEVARD FROM THE R-1 SINGLE FAMILY RESIDENTIAL ZONE AND PLACING SAME IN THE C-2R GENERAL COMMERCIAL REVIEW ZONE (FILE NO. P-9414) (APN: 008-363-12, 13, 18, 19, 20)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

The territory described in the attached exhibit(s) which is in the R-1 Single Family Residential zone(s), established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the C-2R General Commercial Review zone(s).

This action rezoning the property described in the attached exhibit(s) is adopted subject to the following conditions and stipulations:

a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.

b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission June 25, 1981, on file in the office of the Planning Department, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Director shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

SECTION 2.

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this ordinance.

SECTION 3.

Rezoning of the property described in the attached exhibit(s) by the adoption of this ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550, Fourth Series, as said procedures have been affected by recent court decisions.

PASSED FOR PUBLICATION:

PASSED:

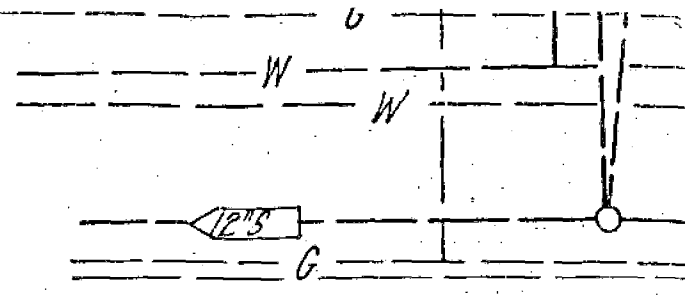
EFFECTIVE:

MAYOR

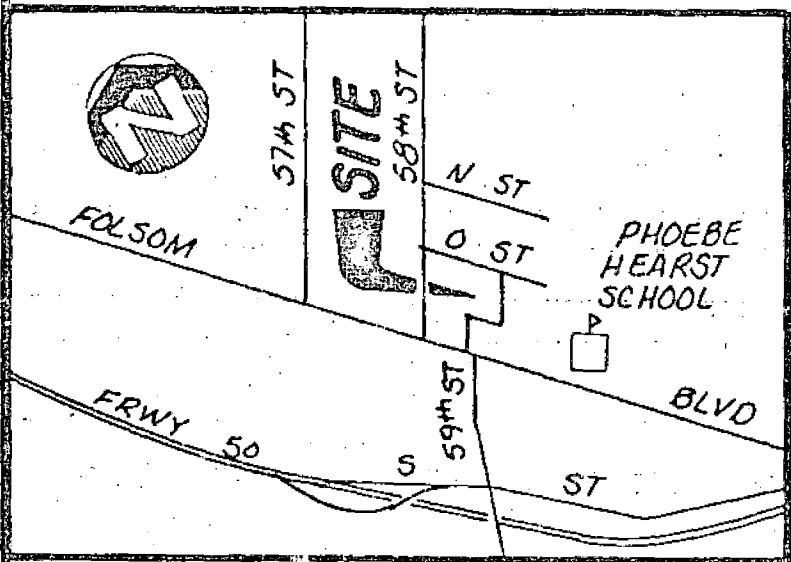
ATTEST:

CITY CLERK

P-9414



DAVI
08-010



VICINITY MAP
NO. SCALE

BENCHMARK ELEV. _____

N/A

FIELD BOOK NO. _____ PG. _____

BRUNING 33035-1



**ENGINEER
CONSULTANT**
811 J. STREET
SACRAMENTO



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

915 I STREET
CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5426

LORRAINE MAGANA
CITY CLERK

August 12, 1981


Akira Mujai
5808 "O" Street
Sacramento, CA 95819

Dear Mr. Mujai:

On 8-11-81, the City Council approved the following for property located at the north-east corner of 58th Street and Folsom Boulevard, (P-9414):

- A. Adopted an Ordinance rezoning 0.4+ acres from R-1 Single Family to C-2R General Commercial Review Zones
- B. Adopted a Resolution adopting Findings of Fact and approving a Tentative Map to resubdivide 1+ acre of five lots into four lots for residential use and savings and loan, and a Subdivision Modification to waive water and sewer services

Sincerely,


Lorraine Magana
City Clerk

LM/rs/20
Enclosures

cc: El Dorado Savings & Loan
Planning Department
JTS Engineering

CERTIFIED AS TRUE COPY OF
Ordinance No. 80-076 4th Series

DATE CERTIFIED AUG 15 1981

DEPUTY City Clerk, City of Sacramento

ORDINANCE NO. 80-076

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AUG 11 1981

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT THE NORTHEAST CORNER OF 58TH STREET AND FOLSOM BOULEVARD FROM THE R-1 SINGLE FAMILY RESIDENTIAL ZONE AND PLACING SAME IN THE C-2R GENERAL COMMERCIAL REVIEW ZONE (FILE NO. P-9414) (APN: 008-363-12, 13, 18, 19, 20)

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b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission June 25, 1981, on file in the office of the Planning Department, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Director shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

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PASSED FOR PUBLICATION:

PASSED: AUG 11 1981

EFFECTIVE: SEP 10 1981

PHILLIP L. ISENBERG

MAYOR

ATTEST:

Lorraine Magana

CITY CLERK

P-9414

LEGAL DESCRIPTION FOR REZONE FROM R-1 to C-2

SOUTHERLY 64 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

Lots 58 and 59 of Smith Tract No. 3, according to the official plat thereof, filed in the Sacramento County Recorder's Office on December 23, 1903 in Book 5 of Maps, Map No. 29.

EXCEPTING THEREFROM the following tree (3) parcels:

- (1) The Southwesterly 125 feet of said Lots 59 and 58
- (2) All that portion of said Lots 59 and 58 lying Northeasterly of the Southwesterly line of "O" Street, as said street is shown on the plat of Arnold Tract No. 2, filed in Book 24 of Maps, Map No. 43.
- (3) All that portion of said Lots 58 and 59 described in that certain deed from Akira Miyai, also known as Arthur Miyai, also known as Arthur A. Miyai, and Amy Miyai, his wife, recorded September 17, 1968, in Book 680917, Official Records, page 14, and described as follows:

All that portion of Lot 58 and 59 of "Smith Tract No. 3", according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on December 23, 1903, in Book 5 of Maps, Map No. 29, described as follows:

Beginning at a point in said Lots 58, said point also being on the Southerly line of "O" Street as shown on the "Plat of Arnold Tract No. 2", according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on November 18, 1946, in Book 24 of Maps, Map No. 43, located the following two (2) courses and distances from the most Northerly corner of said Lot 58, South 24° 57' West 371.0 feet, and South 63° 41' East 72.0 feet; THENCE FROM SAID POINT OF BEGINNING, along said Southerly line of "O" Street and the Southerly line of said Arnold Tract No. 2, South 63° 41' East 76.00 feet to a point in said Lot 59; thence South 24° 57' West 102.0 feet; thence parallel with the Southerly line of said "O" Steet and the Southerly line of said Arnold Tract No. 2, North 63° 41' West 76.0 feet; thence North 24° 57' East 102.0 feet to the point of beginning.

P 9414

ORDINANCE No. 80-076
AUG 11 1981

CERTIFIED AS TRUE COPY
of Resolution No. 81-606
AUG 13 1981
DATE CERTIFIED
DEPUTY CITY CLERK, CITY OF SACRAMENTO

RESOLUTION No. 81-606

Adopted by The Sacramento City Council on date of

AUG 11 1981

A RESOLUTION ADOPTING FINDINGS OF FACT,
APPROVING A REQUEST FOR SUBDIVISION
MODIFICATION AND TENTATIVE MAP FOR 58TH
STREET AND FOLSOM BOULEVARD (P-9414)
(APN: 008-363-12, 13, 18, 19, 20)

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations concerning the request for Subdivision Modification and Tentative Map for property located at the north-east corner of 58th Street and Folsom Boulevard (hereinafter referred to as the proposed subdivision).

WHEREAS, the Council of the City of Sacramento, based on testimony submitted at public hearing(s) conducted on August 4, 1981 and August 11, 1981 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/commercial 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.

141A

- 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.
- 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: Given that the street improvements are already existing, it is impractical to provide the service connections at this time.

- 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 waiver of service connections in that the connections will be provided when the site is built.

- 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: Since the services will be obtained at the time of securing building permits, the modification does not constitute a hazard to 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 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 pursuant to Section 40.811 of the Subdivision Ordinance prior to filing the final map.
 2. The applicant shall place the following note on the final map: Water and sewer service connections do not exist between the main lines and Lots 3 and 4. These services must be paid for and installed at the time of obtaining the building permits.
 3. The applicant shall locate existing sewer and water for Lots 1, 2, and 5 prior to filing the final map. Reciprocal easements shall be placed on the final map or new services and hook-ups provided prior to filing the final map.

4. The applicant shall submit an appraisal of the residential land to be subdivided. The appraisal shall be submitted 90 days prior to the filing of the final map.
5. The applicant shall remove the two existing bilboards located on the site prior to filing the final map.

PHILLIP L. ISENBERG

MAYOR

ATTEST:

Lorraine Magana

CITY CLERK

P-9414

- 9 - RESOLUTION No. 81-606

AUG 11 1981

P.9414

-10-

RESOLUTION No. 81-608

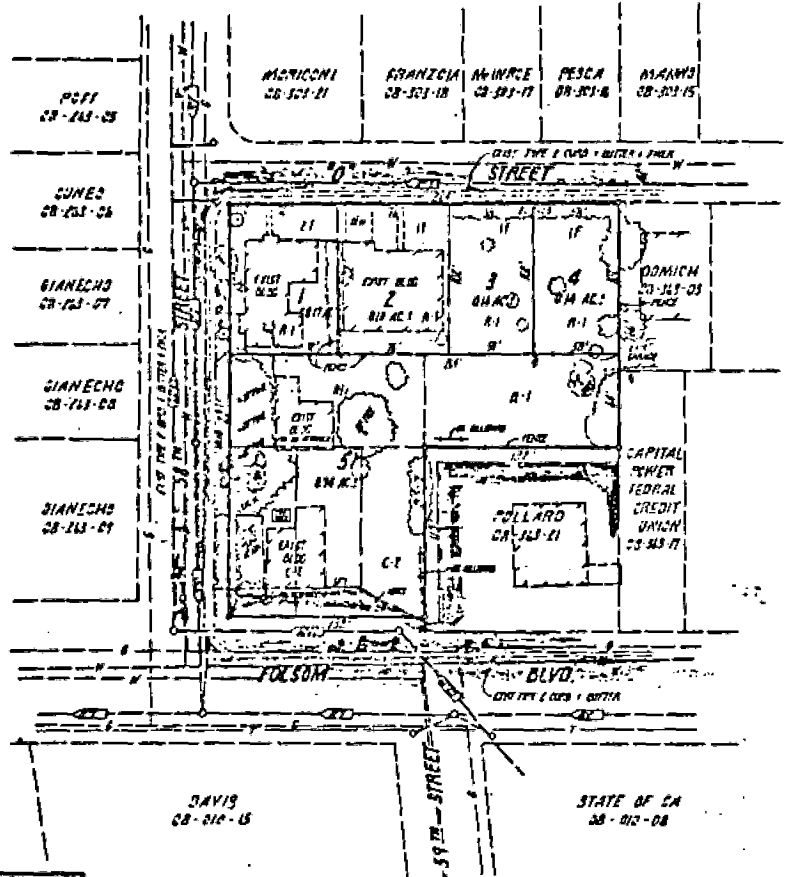
TENTATIVE PARCEL MAP

APN: 08-363-12, 13, 18, 17 & 20

CITY OF SACRAMENTO
MARCH, 1981

CALIFORNIA
SCALE 1"=40'

J.T.S. ENGINEERING
CONSULTANTS



OWNER/DEVELOPER

ALFA MITAL
501 J STREET
SACRAMENTO, CA 95811

ENGINEER

J.T.S. ENGINEERING CONSULTANTS, INC. PHONE 441-6700
501 J STREET
SACRAMENTO, CA 95811

APN

08-363-12, 13, 18, 17 & 20

ACREAGE AND NO. OF PARCELS

1.8 ACRES ±

PRESENT AND PROPOSED USE

PRESENT - BUSINESS / RESIDENTIAL
PROPOSED - SAME

ZONING

R-11-C2

IMPROVEMENTS

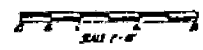
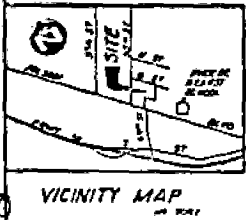
DEVELOP BY FRESH AIR, 30" X 12" & 18"

UTILITIES

POWER SHW B
GAS P&T
TELEPHONE PRIVATE TELEPHONE COMPANY
WATER CITY OF SACRAMENTO
SEWER CITY OF SACRAMENTO
DRAINAGE CITY OF SACRAMENTO

LEGAL DESCRIPTION

SECTION 16, T13N, R12E AND 17, 18, 17 & 20, T13N, R12E, S4, FILED IN THE SACRAMENTO COUNTY RECORDER'S OFFICE IN BOOK 1 OF MAPS, 2447, 2448, 2449



REVISIONS
NO. DATE REVISIONS
1 NA

J.T.S. ENGINEERING CONSULTANTS, INC.
501 J STREET
SACRAMENTO, CALIFORNIA 95811 (916) 441-6700

DRAWN BY: J. W. RICE
CHECKED BY: J. W. RICE
DATE: 3/1/81
SCALE: 1"=40'

NO.	DATE	REVISIONS	DRAWN BY	CHECKED BY

TENTATIVE PARCEL MAP
5801 FOLSOM BLVD.
CITY OF SACRAMENTO APN: 08-363-12, 13, 18, 17 & 20 CALIFORNIA

AUG 11 1981