



CITY OF SACRAMENTO

24

CITY PLANNING DEPARTMENT
927 TENTH STREET
SUITE 300
SACRAMENTO, CA 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

March 10, 1982

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: 1. Environmental Determination
2. Rezoning from R-1 to R-1A
3. Subdivision Modification to waive street lights
4. Tentative Map (P-9665)

APPROVED
BY THE CITY COUNCIL

MAR 16 1982

OFFICE OF THE
CITY CLERK

LOCATION: 4120 Second Avenue

SUMMARY:

This is a request for entitlements necessary to develop two halfplex units on a corner lot located in an existing single family subdivision. The staff and Planning Commission recommend approval of the request subject to conditions. The Commission also approved a special permit to allow the halfplex units.

BACKGROUND INFORMATION:

The subject site is located in an area that is developed with single family dwellings. The proposed halfplex units are compatible with surrounding uses and consistent with the community plan.

The only concern expressed by the staff, Commission and Oak Park PAC is related to the exterior elevations. The Commission required that the project be reviewed by the Architectural Review Board.

On reference to the subdivision modification to waive street lights, the City Engineering Department indicated that it would not be feasible to require a single property owner to install street lights in this area.

The Environmental Coordinator has determined that the proposed project will not have a significant adverse effect on the environment and has filed a Negative Declaration.

VOTE OF PLANNING COMMISSION

On February 11, 1982, the Planning Commission by a vote of seven ayes, two absent recommended approval of the project.

RECOMMENDATION:

The staff and Planning Commission recommend that the City Council approve the project by:

1. Ratifying the Negative Declaration;
2. Adopting the attached rezoning ordinance; and
3. Adopting the attached resolution adopting findings of fact, approving the subdivision modification and tentative map with conditions.

Respectfully submitted,


Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:HY:cp
Attachments
P-9665

March 16, 1982
District No. 5

LEGAL DESCRIPTION - P-9665

IN THE STATE OF CALIFORNIA, COUNTY OF SACRAMENTO, CITY OF SACRAMENTO, AND
BEING: THE EAST 38 FT. OF LOT 4 AND ALL OF LOT 5 OF CRESS TRACT, ACCORDING
TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 11, MAP #4, RECORDS OF SAID COUNTY.
EXCEPTING THEREFROM THE SOUTH 33.45 FT. OF SAID LOTS 4 & 5, MEASURED ALONG
THE EASTERLY LINE OF LOT 5 AND THE WESTERLY LINE OF SAID LOT 4.

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-9665

RESOLUTION No. 82-179

Adopted by The Sacramento City Council on date of

March 16, 1982

A RESOLUTION ADOPTING FINDINGS OF FACT,
APPROVING A REQUEST FOR SUBDIVISION
MODIFICATION AND TENTATIVE MAP FOR
PROPERTY LOCATED AT 4120 - 2ND STREET
(APN: 014-111-01)(P-9665)

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 4120 - 2nd Street,

(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 March 16, 1982, 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 Oak Park 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.

APPROVED
BY THE CITY COUNCIL
MAR 16 1982
OFFICE OF THE
CITY CLERK

- 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: There are no street lights in the area and it would not be feasible to require street lights for a single parcel.

- 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 are no facilities to accommodate street lights in this area.

- 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 granting of the subdivision modification will not change the characteristics of the area.

- 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 designated for residential uses.

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. Pursuant to City Code Section 40.1302 (Parkland Dedication), the applicant shall submit to the City an appraisal of the property to be subdivided and pay the required Parkland Dedication in-lieu fees. The appraisal shall be dated not more than 90 days prior to filing the final map.
 2. The applicant shall provide each unit separate sewer and water services.
 3. The applicant shall provide a private sewer easement across Parcel B to Parcel A.
 4. The applicant shall enter into an agreement with the City to participate in any future assessment districts to provide street light facilities. A note shall be placed on the final map referencing the agreement.

MAYOR

ATTEST:

CITY CLERK

P-9665

STAFF REPORT CORRECTED 2-11-82
CITY PLANNING COMMISSION

927 - 10th Street - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Theodore & Kathy Terlecky, 217 E Street, Davis, CA 95616		
OWNER	Theodore & Kathy Terlecky, 217 E Street, Davis, CA 95616		
PLANS BY	NK Engineering & Surveying Co. Inc., P.O. Box 534, Davis, CA 95616		
FILING DATE	1-8-82	50 DAY CPC ACTION DATE	REPORT BY: PB:bw
NEGATIVE DEC.	2-1-82	EIR	ASSESSOR'S PCL. NO. 014-111-01

- APPLICATION:
1. Environmental Determination
 2. Rezone from R-1 (Single Family) to R-1A (Townhouse)
 3. Tentative Map to divide a .15+ acre vacant corner lot into two halfplex lots
 4. Special Permit to construct two halfplex units
 5. *Subdivision Modification to waive street lights*

LOCATION: 4120 Second Avenue

PROPOSAL: The applicant is requesting the necessary entitlements to develop two halfplex dwellings on a corner lot in the R-1 zone.

PROJECT INFORMATION:

1974 General Plan Designation: Residential
1972 Oak Park Redevelopment
Plan Designation: Single Family Residential
Existing Zoning of Site: R-1
Existing Land Use of Site: Vacant

Surrounding Land Use and Zoning:
North: Residential; R-1
South: Residential; R-1
East: Residential; R-1
West: Residential; R-1

Parking Required: 2 spaces
Parking Provided: 2 spaces
Parking Ratio: 1:dwelling unit
Property Dimensions: 80' x 85' (approximate)
Property Area: 6,800 sq. ft. (approximate)
Density of Development: 13 du/ac
Square Footage of Building: 2,400
Topography: Flat
Street Improvements/Utilities: Existing

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: At the January 27, 1982 meeting, by a vote of seven ayes, one absent and one abstention, the Subdivision Review Committee recommended approval of the tentative subdivision map and subdivision modification to waive street lights. 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. Enter into an agreement with the City to participate in any future assessment districts to provide street and light facilities. A note shall be placed on the final map referencing the agreement.
2. Pursuant to City Code Section 40.1302 (Parkland Dedication), the applicant shall submit to the City an appraisal of the property to be subdivided and pay the required parkland dedication in-lieu fees. The appraisal shall be dated not more than 90 days prior to the filing of the final map.

APPLC. NO. P-9665

MEETING DATE February 11, 1982

CPC ITEM NO. 15

3. Provide private sewer easement across Parcel B to Parcel A.
4. Provide separate water and sewer services to each lot.

STAFF EVALUATION: Staff has the following observations and comments:

1. The applicant is requesting the necessary entitlements to develop an existing, small, single family lot into two halfplex units. The proposed halfplexes do not represent a more intense land use than currently permitted in the R-1 zone. The halfplexes allow an alternate housing type in that individual units may be sold separately.
2. The Planning and Community Services Departments have determined that .0298 acres of land are required for parkland dedication purposes and that fees will be charged in-lieu of the required parkland dedication. The subdivider shall submit to the City an appraisal of the land to be subdivided. Such appraisal shall be submitted and dated no more than 90 days prior to filing the final map with the City Council. Fees shall be paid prior to final map recordation.
3. The submitted elevations indicate minimal glazing on the south side of the structure. Since the lots are north/south oriented and the structures provide for potential solar access, staff suggests glazing be increased on south facing rooms, along with adequate south and west wall shading for summer. This redesign would result in an energy savings for the new residential building.
4. Staff believes the elevations of the halfplexes need to be reworked in order to acquire a better design continuity. The window and door openings appear to be out of proportion with the mass of the structure. Additional exterior decorative trim would also soften the stark appearance of the structure. Staff therefore suggests this project be reviewed, modified and approved by the Architectural Review Board as indicated above.
5. The Oak Park Project Area Committee has reviewed and approved this proposal. PAC has the following comments: The applicant should provide additional architectural relief to the flat walls. No specifications were given to the type of siding, and a landscape plan was not provided.
6. The final map and revised elevations and floor plan should reflect the site plan change relocating the garage facing 42nd Street back to allow for a 20-foot long driveway (see Exhibit A).

STAFF RECOMMENDATION: Staff recommends the following actions:

1. Ratification of the Negative Declaration;
2. Approval of the Rezoning from R-1 to R-1A;
3. Approval of the Special Permit subject to conditions and based on Findings of Fact to follow; and
4. Approval of the Tentative Map subject to conditions.
5. *Approval of the Subdivision Modification to waive street lights.*

Conditions - Special Permit

- a. The project shall be reviewed and approved by the Architectural Review Board based on the design concerns in Staff Evaluation Item 4.

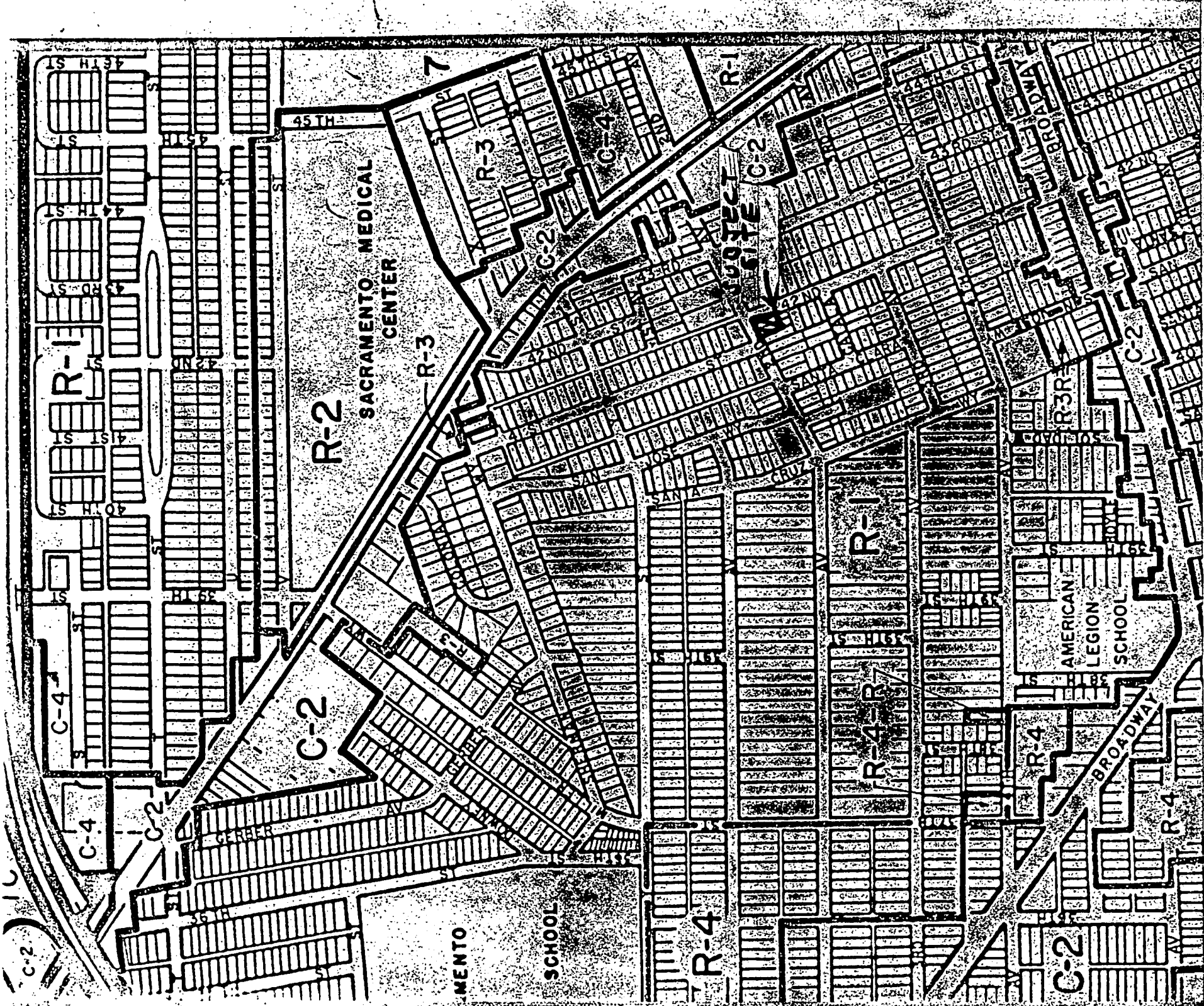
- b. A detailed landscape plan shall be reviewed and approved by staff prior to building permit issuance.
- c. The applicant shall redesign the project by increasing the amount of glazing on the south facing rooms and provide adequate south and west wall shading for summer.
- d. Revised elevations and floor plans shall reflect the site plan change, moving the garage facing 42nd Street back to allow for a 20-foot driveway. These plans shall be reviewed and approved by the Planning Director prior to issuance of building permits.

Findings of Fact - Special Permit

- a. The project as conditioned is based on sound principles of land use in that the proposed halfplex units are compatible in character with the surrounding residential uses which consist of single family residences.
- b. The special permit as conditioned will not be injurious to surrounding property in that it provides development on a vacant site previously passed over by development.
- c. The project is consistent with the 1974 General Plan which designates the site residential and which encourages a variety of housing types.

Conditions - Tentative Map

- a. Pursuant to City Code Section 40.1302 (Parkland Dedication), the applicant shall submit to the City an appraisal of the property to be subdivided and pay the required Parkland Dedication in-lieu fees. The appraisal shall be dated not more than 90 days prior to filing the final map.
- b. The applicant shall provide each unit separate sewer and water services.
- c. The applicant shall provide a private sewer easement across Parcel B to Parcel A.
- d. The applicant shall enter into an agreement with the City to participate in any future assessment districts to provide street light facilities. A note shall be placed on the final map referencing the agreement.



SACRAMENTO MEDICAL CENTER

R-2

R-3

SACRAMENTO SCHOOL

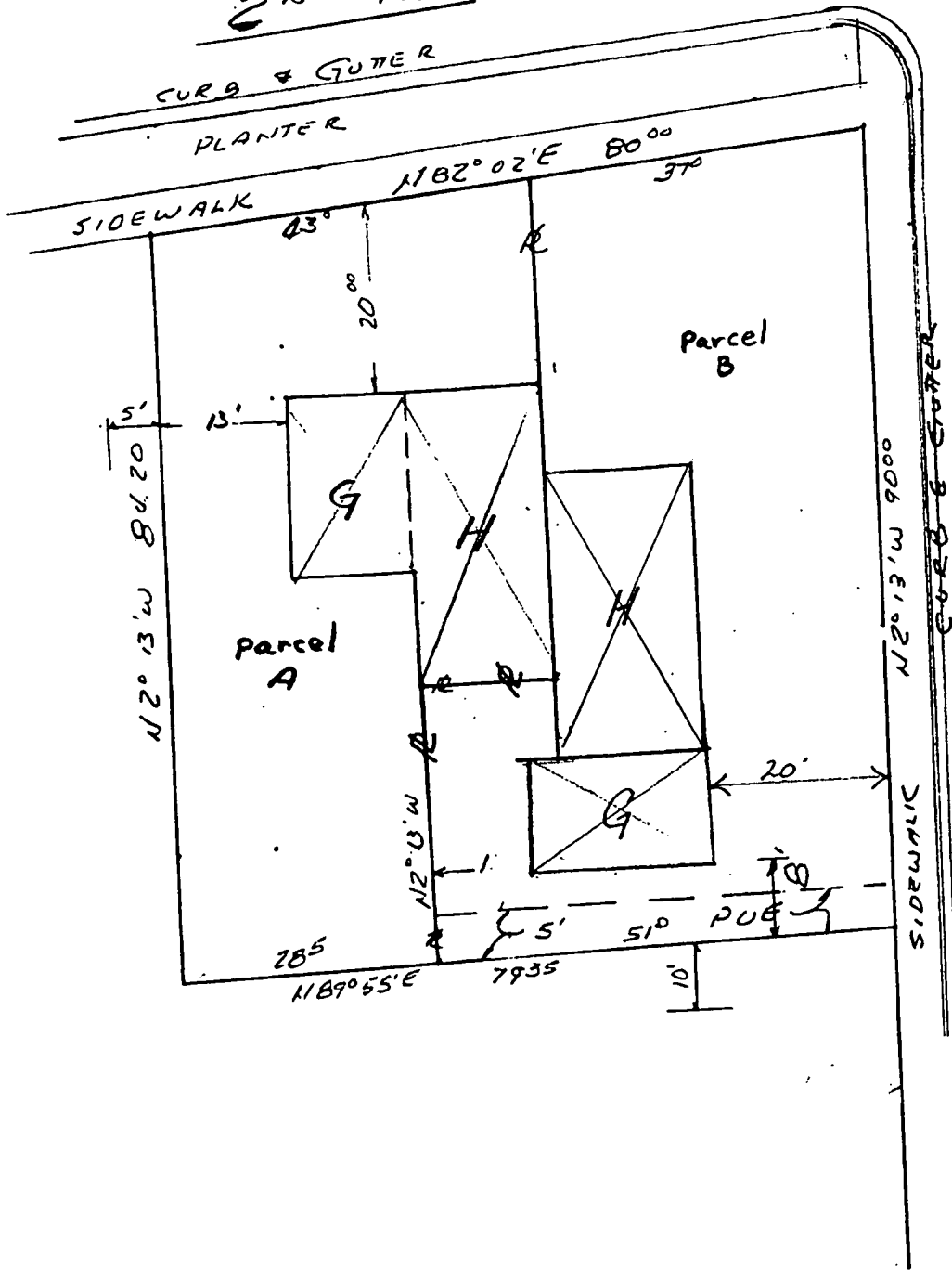
AMERICAN LEGION SCHOOL

9665

2/11/02

No. 15

2ND AVE.



42ND ST.

REVISED
SITE PLAN

TERLECKY HALFPLEX

LOTS 4 & 5 CRESS TRACT

SACRAMENTO CK.

P.9665

Scale 1"=20'

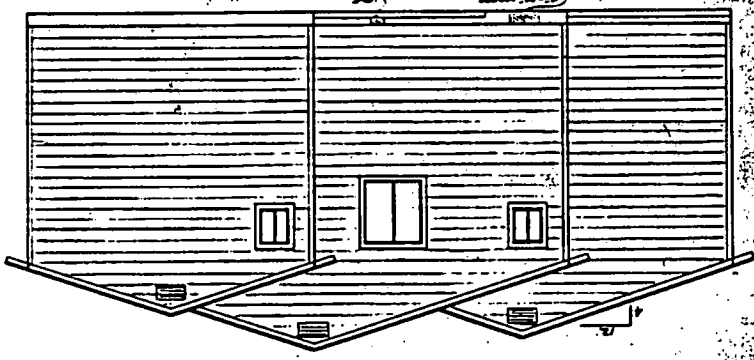
2/11/82 13

No. 15
Permit (24) 1981

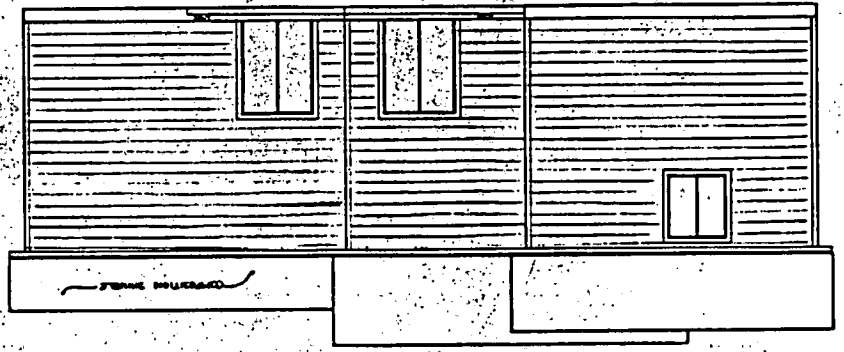
EXHIBIT B

ELEVATIONS	
AGN 01-11-0100 4120 2ND AVE	
DATE	BY
REHAB PARTNERSHIP	

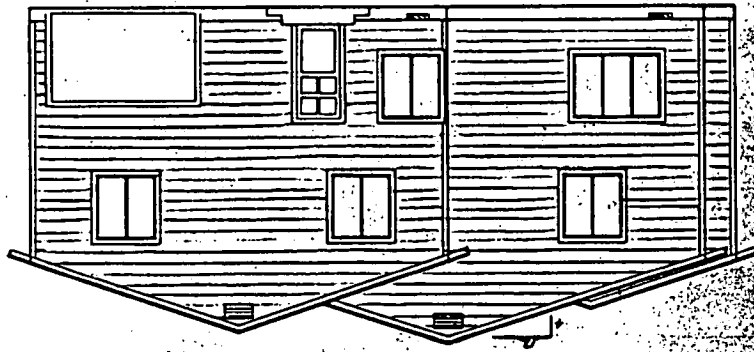
2ND AV. REAR



42ND ST. REAR



2ND AV. FRONT



42ND ST. FRONT



5/1/04

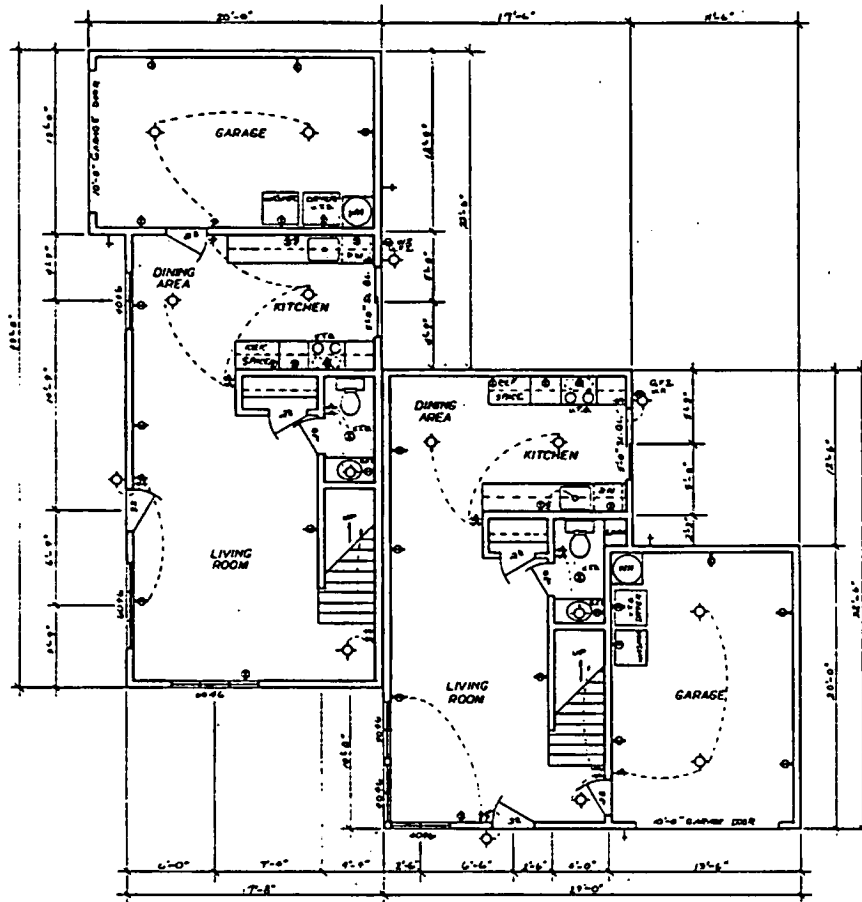
41 28/11/12

5996-D

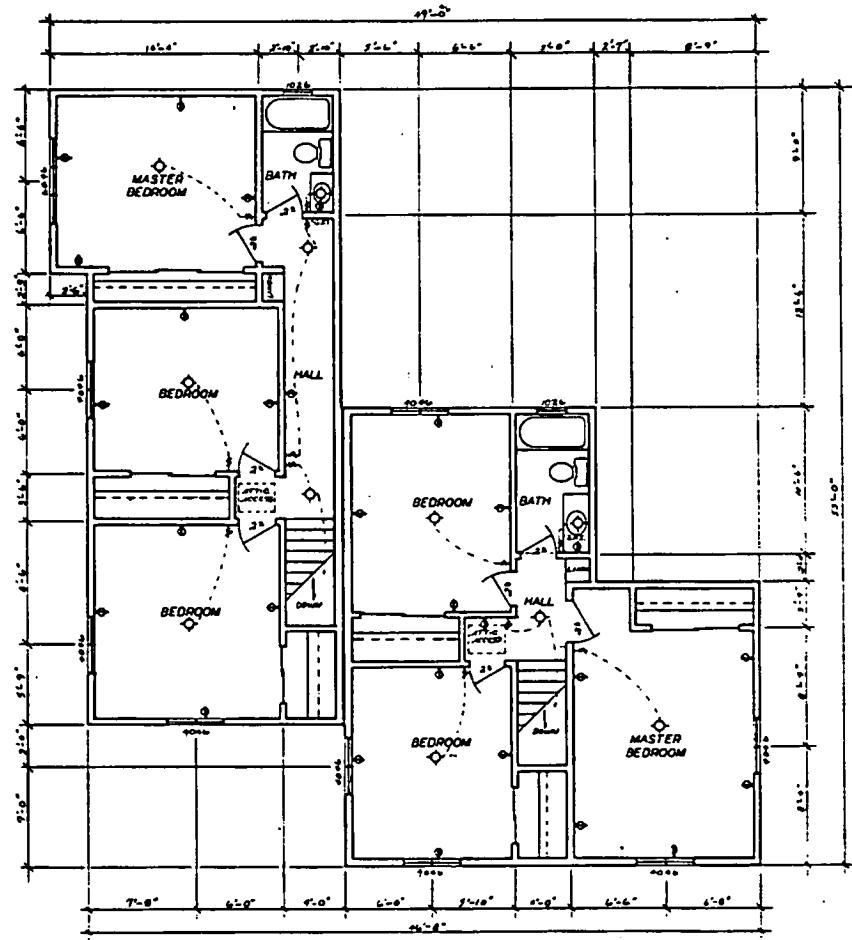
9665

2/11/82 15

No. 15



FIRST FLOOR PLAN



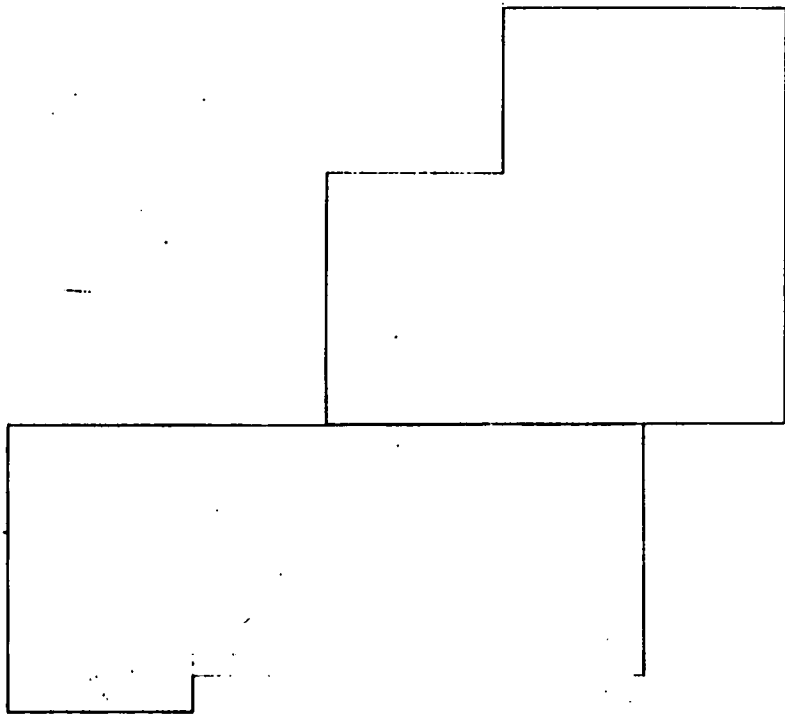
SECOND FLOOR PLAN

REHAB PARTNERSHIP	
ARK 014-11-0100	4120 2ND AVE.
FLOOR AND ELECTRICAL PLAN	7 OF 3

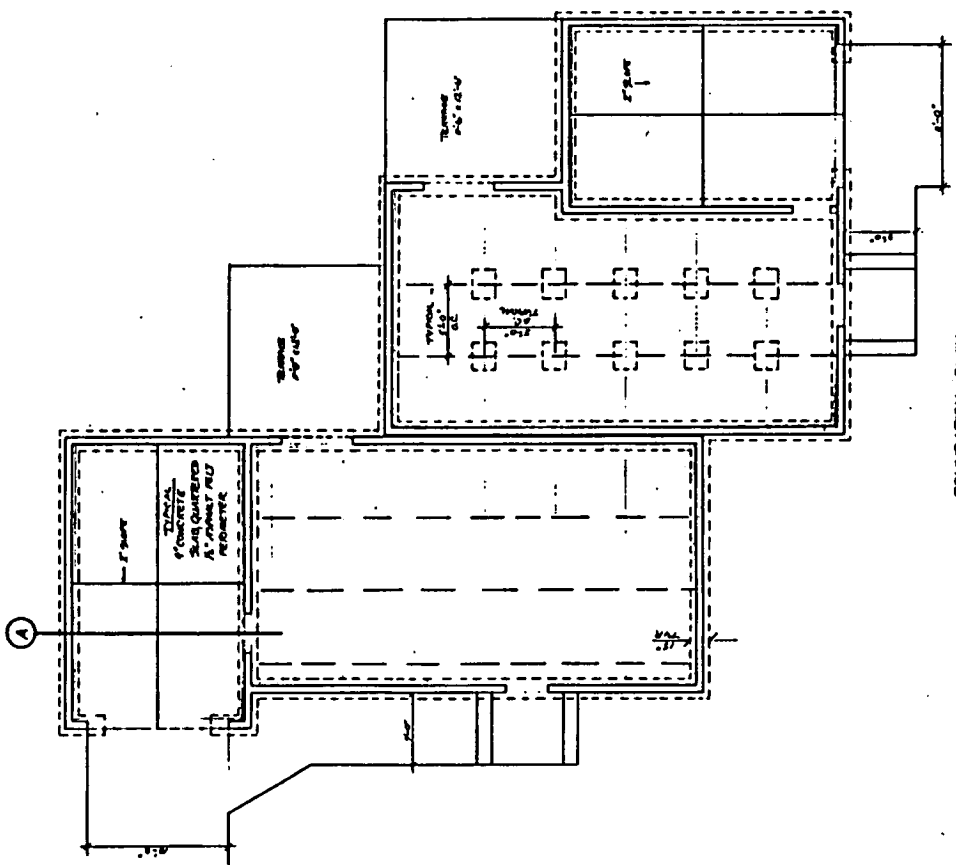
EXHIBIT C

EXHIBIT D

REHAB PARTNERSHIP	
APN 044-11-0100	4120 2ND AVE
FOUNDATION AND ROOF PLAN	
L.C.F. 3	



ROOF PLAN



FOUNDATION PLAN

9665

2/11/82 IL

No. 15



CITY OF SACRAMENTO

3

CITY PLANNING DEPARTMENT

725 "J" STREET

SACRAMENTO, CALIF. 95814

TELEPHONE (916) 449-5604

MARTY VAN DUYN

PLANNING DIRECTOR

February 26, 1982

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Rezone 0.2+ ac. from R-1 to R-1A.

LOCATION: 4120 2nd Avenue

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 March 16, 1982.

Respectfully submitted,


Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION

WALTER J. SLIPE
CITY MANAGER

MVD:cp
Attachment
P-9665

PASSED FOR
PUBLICATION
& CONTINUED
TO 3-16-82

March 9, 1982
District No. 5

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT 4120 2nd AVENUE FROM THE R-1, SIGNLE FAMILY ZONE AND PLACING SAME IN THE R-1A, TOWNHOUSE ZONE (FILE NO. P- 9665) (APN: 014-111-01)

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 zone(s), established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the R-1A, townhouse 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 February 11, 1982, 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-9665



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

915 I STREET
CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5428

LORRAINE MAGANA
CITY CLERK

March 17, 1982

Theodore and Kathleen Terlecky
217 E Street
Davis, CA 95616

Dear Mr. and Mrs. Terlecky:

On March 16, 1982, the Sacramento City Council took the following action(s) for property located at 4120 Second Avenue (P-9665):

- A. Adopted an Ordinance rezoning .2 acre from R-1 to R-1A;
- B. Adopted a Resolution adopting Findings of Fact and approving a Tentative Map to divide .2 acre into two halfplex lots, and a Subdivision Modification to waive street lights, subject to stated conditions.

Enclosed, for your records, are fully certified copies of above referenced documents.

Sincerely,


Lorraine Magana
City Clerk

LM/mm/26
Enclosure

cc: Planning Department