

24



CITY OF SACRAMENTO

CITY PLANNING DEPARTMENT

725 "J" STREET

SACRAMENTO, CALIF. 95814

TELEPHONE (916) 449-5604

MARTY VAN DUYN

PLANNING DIRECTOR

October 1, 1981

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: 1. Environmental Determination
2. Subdivision Modification to waive street lights
3. Tentative Map (P-9464)

LOCATION: 1117½ 23rd Street

SUMMARY

This is a request for entitlements necessary to convert a two-unit dwelling into two condominium units. The staff and Planning Commission recommend approval of the request subject to conditions. The Planning Commission also approved a special permit for the two condominium units and a variance to allow a substandard side yard setback.

BACKGROUND INFORMATION

The subject site is a substandard 24-foot by 80-foot lot. The applicant is near completion of a two-unit dwelling, and he is proposing to create two condominium units in order to allow individual sales of each unit.

Staff has no objection to the request because the project is compatible with surrounding land uses and with the Central City Plan. However, there was concern raised by several Planning Commissioners and residents in the immediate area. Several Commissioners expressed a concern with the elimination of additional rental units in the area. They felt that there is a need to maintain adequate rental housing stock in this area.

Several neighbors were in opposition to the project. They felt that the site was being overbuilt and the structure was too big for the site.

APPROVED
BY THE CITY COUNCIL

Page 1

UCT - 01301

OFFICE OF THE
CITY CLERK

VOTE OF COMMISSION

On August 27, 1981, the Planning Commission, by a vote of five ayes, two noes, 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; and
2. Adopting the attached Resolution adopting findings of fact, approving the Tentative Map and Subdivision Modification with conditions.

Respectfully submitted,

Howard van Duyn for:

Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:HY:jm
Attachments
P-9464

October 6, 1981
District No. 4

RESOLUTION No. 81-731

Adopted by The Sacramento City Council on date of

OCTOBER 6, 1981

A RESOLUTION ADOPTING FINDINGS OF FACT,
APPROVING A REQUEST FOR SUBDIVISION
MODIFICATION AND TENTATIVE MAP FOR PRO-
PERTY LOCATED AT 1117½ 23rd STREET
(APN: 007-096-19) (P-9464)

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 1117½ 23rd 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 October 6, 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 Central City 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

OCT - 6 1981

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 immediate vicinity and it would be impractical to require lights at this time. It would be more feasible to defer installation until an assessment district is formed to provide lights in the area.

- 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 street lights in the area and they will be provided at such time as an assessment district is formed.

- 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 would 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. The applicant shall enter into an agreement with the City to participate in any future assessment districts to provide street lights. A note shall be placed on the final map referencing this agreement.
 - 2. The applicant shall indicate sewer and water easements or relocate these services to the adjacent property to the south if it is determined that said services cross the applicant's property. The relocation or indication of easements, if required, shall be reviewed and approved by the City Sewer and Water Division and provided for prior to filing the final map.

3. The subdivider shall submit to the City an appraisal pursuant to Section 40.1304 of the Subdivision Ordinance (Parkland Dedication) and pay the required in-lieu fee prior to filing the final map.
4. The applicant shall relocate a fence on the easterly property line in order to accommodate two parking spaces prior to recording of the final map. In addition, the applicant shall extend the planter strip located on the southerly property line for the width of the parking stalls.

MAYOR

ATTEST:

CITY CLERK

P-9464

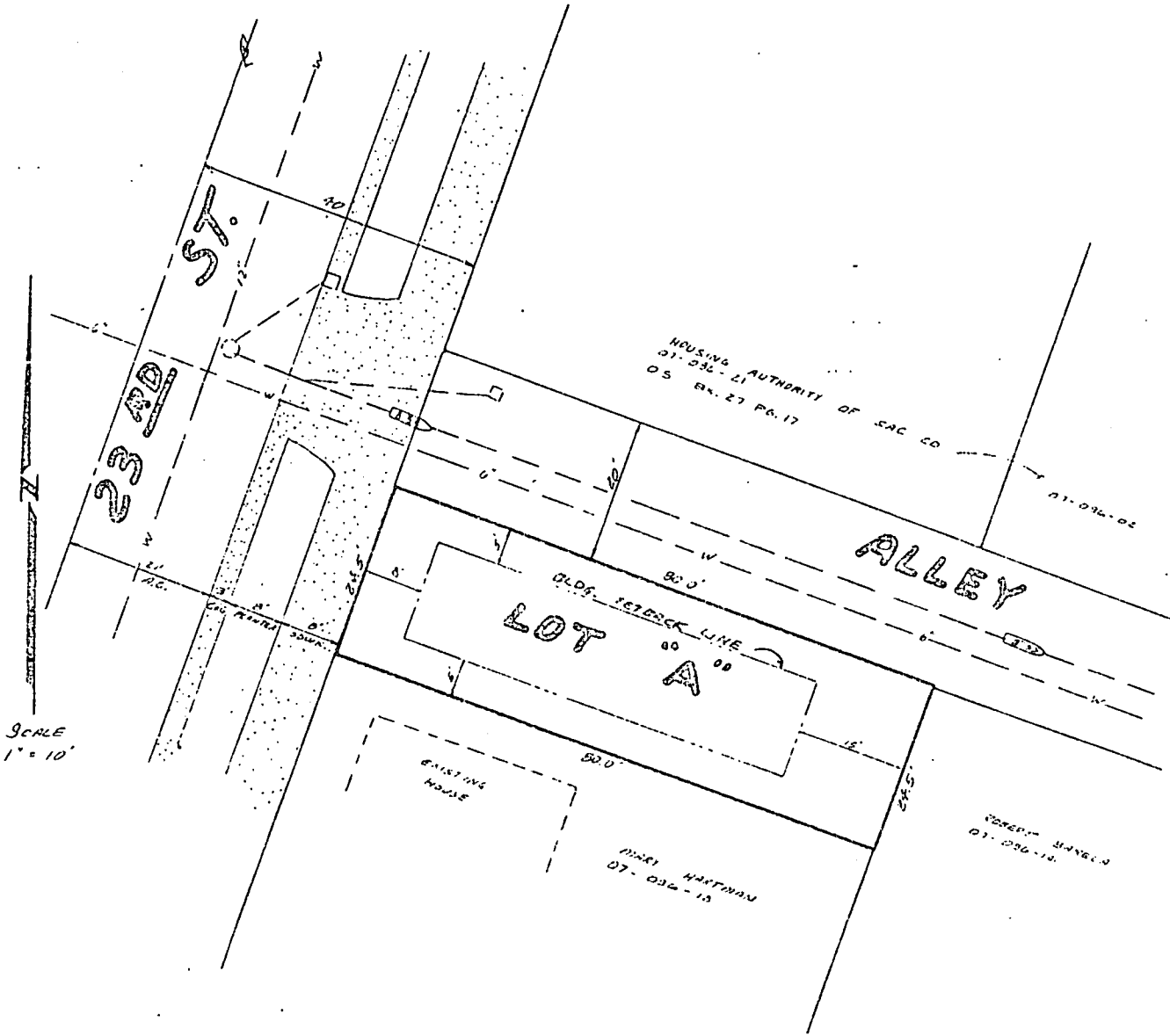
TENTATIVE

MAP

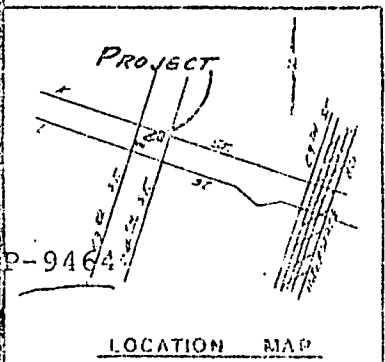
1117 1/2 23 RD STREET
CONDOMINIUM PROJECT



CNA ENGINEERING INC.
CIVIL ENGINEERING LAND SURVEY PLANNING STRUCTURAL DESIGN



SCALE
1" = 10'



OWNER
RICHARD WATERS /
BILL WATSON
2309 W 23RD
SACRAMENTO CA 9

ENGINEER
CNA ENGINEERING
2530 VALLEY RD.
SACRAMENTO, CA 95811

PARCEL NO.
01-096-19

EXISTING USE
UNDEVELOPED

PROPOSED USE
A 110' CONDOMINIUM
PROJECT W/ 6 UNITS

SEWER DISPOSAL SACRAMENTO CITY
WATER SAC CITY

August 17, 1981

Item No. 8

SCHOOL DISTRICT CITY OF SACRAMENTO
FIRE DISTRICT CITY OF SACRAMENTO

PARK DISTRICT CITY OF SACRAMENTO
ELECTRICAL S.D.E.U.M.

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE August 27, 1981
 ITEM NO. 8a FILE NO. P-9464
H-

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

Recommendation:

- Favorable
- Unfavorable
- Petition
- Correspondence

LOCATION: 1117-1/2 23rd Street

PROPOONENTS

NAME

ADDRESS

Steve Norman - 2550 Valley Road, Sacramento 95821

OPPONENTS

NAME

ADDRESS

Rick Stearns - 2307 L Street, Sacramento

MOTION NO. 2 of 2

MOTION:

	YES	NO	MOTION	END
Augusta		✓		
Fong	✓			
Goodin	<u>absent</u>			
Holloway	<u>absent</u>			
Hunter	✓		✓	
Larson		✓		
Muraki	✓			✓
Silva	✓			
Simpson	✓			

- 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 amended
- TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
- TO RATIFY NEGATIVE DECLARATION
- TO CONTINUE TO _____ MEETING
- OTHER applicant withdrew Sacramento property in order to accommodate applicant's previous all city development project. This entails a city property sale.

-8-

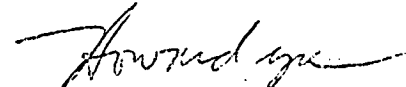
City Planning Commission
Sacramento, California

Members in Session:

Subject: Tentative Map, Special Permit, Subdivision Modification
and Variance request for a two unit condominium project
located at 1117-1/2 23rd Street (P-9464)

This project involves the necessary entitlements to construct a two unit condominium project at 1117-1/2 23rd Street. The item was originally considered by the Planning Commission on August 13, 1981. This item was continued from that meeting in order to allow the project engineer to verify the setbacks and to obtain more information regarding future use and costs of the units. The applicant has indicated that he will present this information during this hearing.

Respectfully submitted,


Howard Yee,
Principal Planner

HY:sg

CITY PLANNING COMMISSION
 915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Raymond Owyang, 2309 K Street, Sacramento, CA 95816		
OWNER	Raymond Owyang & William R. Barton, 2309 K Street, Sacramento, CA 95816		
PLANS BY	CNA Engineering, 2550 Valley Road, Sacramento, CA 95821		
FILING DATE	7-14-81	50 DAY CPC ACTION DATE	REPORT BY: TM:bw
NEGATIVE DEC.	8-3-81	EIR	ASSESSOR'S PCL. NO. 007-096-19

- APPLICATION:
1. Negative Declaration
 2. Tentative Map
 3. Variance to reduce the side yard setback to three feet
 4. Special Permit to develop two airspace condominium units
 5. Subdivision Modification to waive street lights

LOCATION: 1117½ - 23rd Street

PROPOSAL: The applicant is requesting the necessary entitlements to convert a two-unit housing development under construction into two condominium units.

PROJECT INFORMATION

1974 General Plan Designation:	Residential
1980 Central City Community Plan Designation:	Light Density Multiple Family
Existing Zoning of Site:	R-3A
Existing Land Use of Site:	Two units under construction
Surrounding Land Use and Zoning:	
North:	Senior Citizen Housing Project; C-2
South:	Single Family; R-3A
East:	Single Family; R-3A
West:	Single Family; R0, R-3A

Parking Required:	One per unit	Parking Provided:	One per unit
Property Dimensions:	24' x 80'	Property Area:	1,920 sq. ft.
Density of Development:			45 units per acre
Square Footage of Units:			770 square feet
Materials:			Stucco with wood trim and shake roof
Topography:			Flat
Street Improvements:			Existing
Utilities:			Existing

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On July 23, 1981, by a vote of seven ayes, one absent and one abstention, the Subdivision Review Committee recommended approval of the tentative map subject to the following conditions:

1. The applicant shall enter into an agreement with the City to participate in any future assessment districts to provide street lights. A note shall be placed on the final map referencing this agreement.

APPLC. NO. P-9464 MEETING DATE August 27th, 1981 CPC ITEM NO. 8

2. The applicant shall indicate sewer and water easements or relocate those services to the adjacent property to the south if it is determined that said services cross the applicant's property. The relocation or indication of easements, if required, shall be reviewed and approved by the City Water-Sewer Division and provided for prior to the filing of the final map.

The Subdivision Review Committee also recommended approval of the Subdivision Modification to waive street lights. The City Electrical Engineer requested this modification until such time that an assessment district is formed to provide for street lights for the surrounding area. Staff supports this subdivision modification request.

STAFF EVALUATION: Staff has the following comments concerning this proposal:

1. The subject requests concern the required entitlements to allow the conversion of a two-unit structure currently under construction into a two-unit condominium development. Staff does not oppose this request because the development is compatible with surrounding developments and does not represent a change in the current land use.
2. The development consists of two one-bedroom units of approximately 770 square feet each. The exterior elevations consist of stucco with wood trim. On-site parking is provided to the rear of the units.
3. The Planning and Community Services Departments have calculated that .0176 acres of land are required for parkland dedication purposes and that fees are to be charged in lieu of the required parkland dedication. The subdivider shall submit to the City an appraisal of the land to be subdivided. Said appraisal shall be submitted and dated within 90 days of the filing of the final map with the City Council. The required fees shall be used to develop parks in the surrounding area.
4. The existing structure has an enclosed window element which projects from the second floor two feet into the required five-foot setback from the alley. Due to the narrow width (24 feet) of the parcel and the adjacent location of the alley, staff recommends approval of the variance.

STAFF RECOMMENDATION: Staff recommends the following actions:

1. Ratification of the negative declaration;
2. Approval of the tentative map subject to conditions which follow;
3. Approval of the subdivision modification to waive street lights;
4. Approval of the special permit based upon findings of fact which follow;
5. Approval of the variance based upon findings of fact which follow.

Tentative Map Conditions

- a. The applicant shall enter into an agreement with the City to participate in any future assessment districts to provide street lights. A note shall be placed on the final map referencing this agreement.
- b. The applicant shall indicate sewer and water easements or relocate these services to the adjacent property to the south if it is determined that said services cross the applicant's property. The relocation or indication of easements, if required, shall be reviewed and approved by the City Sewer and Water Division and provided for prior to the filing of the final map.
- c. The subdivider shall submit to the City an appraisal pursuant to Section 40.1304 of the Subdivision Ordinance (Parkland Dedication) and pay the required in-lieu fee prior to the filing of the final map.

SEE BELOW d.

Findings of Fact - Special Permit

- a. The project is based on sound principles of land use in that the condominium units are compatible to surrounding land uses.
- b. The proposed project will not be injurious to public health or welfare in that adequate setbacks have been provided.
- c. The project is consistent with the 1974 General Plan and the 1980 Central City Community Plan which designates the site for residential uses.

Findings of Fact - Variance

- a. The narrowness of the lot and the adjacent location of the alley are such that the variance would be appropriate for any property owner facing similar circumstances.
- b. The requested variance does not constitute a use variance in that the site is zoned and designated for residential purposes.
- c. The granting of the variance is not injurious to public welfare nor to the adjacent properties because the window element projects into the required setback off of the alley at a height of approximately 10 feet.
- d. The requested variance is in harmony with the intent and purpose of the General Plan to "protect and promote viable, self-containing residential and commercial neighborhoods."

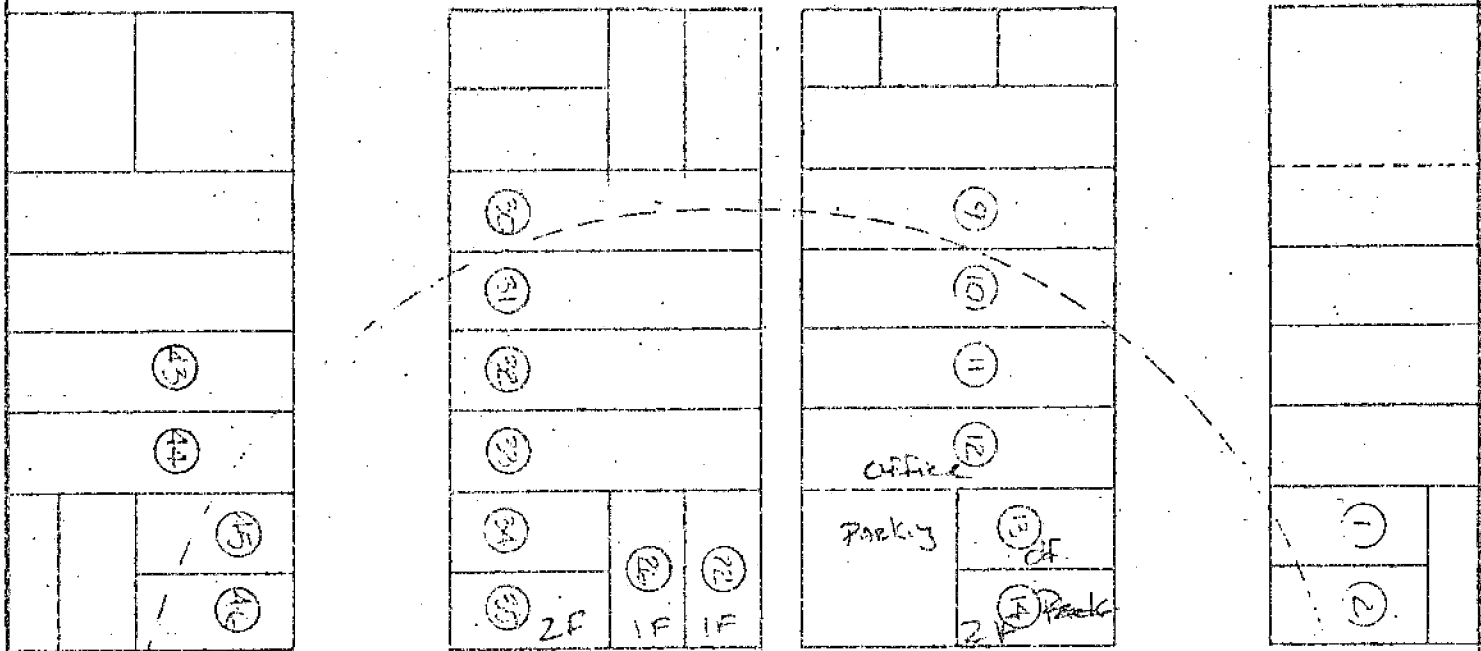
P-9464

August ²⁷~~13~~, 1981

Item No. 8

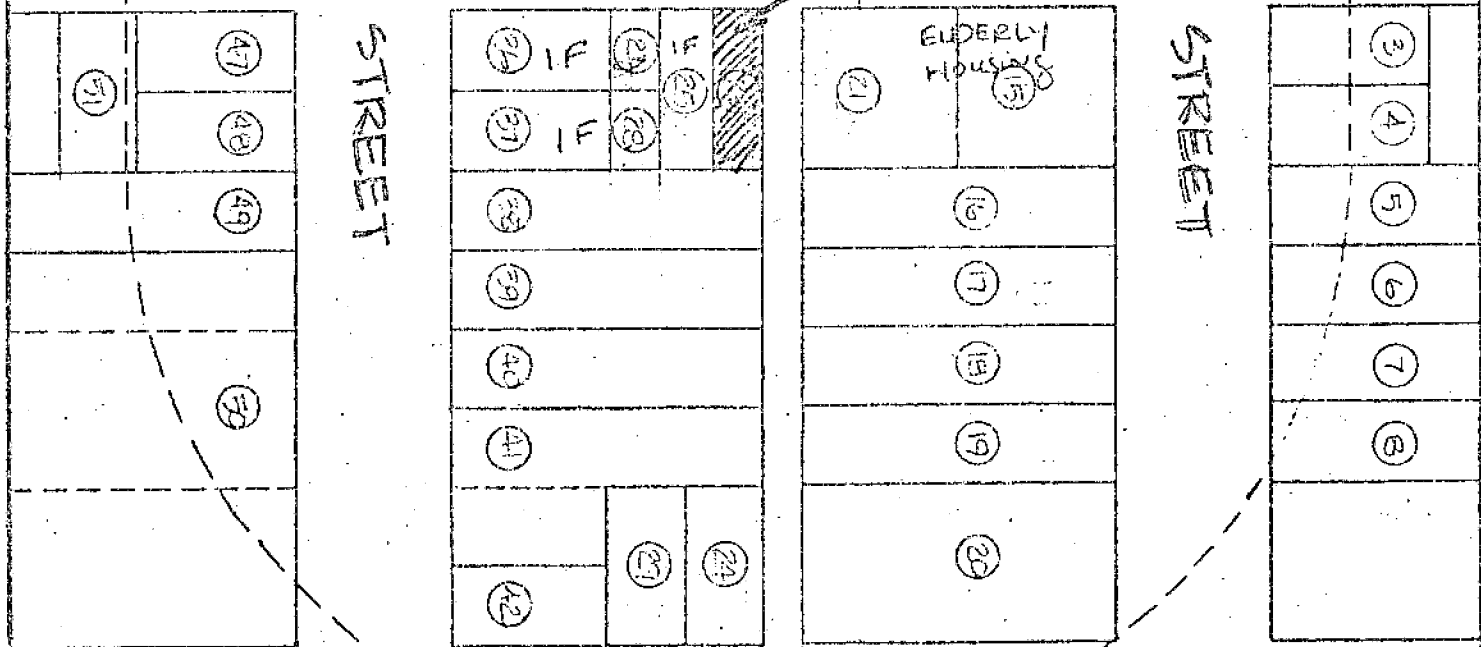
- * d. Applicant shall relocate fence on easterly property line in order to accommodate 2 parking spaces prior to recordation of final map. In addition, applicant shall extend planter strip located on southerly property line for the width of the parking stalls.

22ND STREET



23RD STREET

SUBJECT SITE



24TH STREET



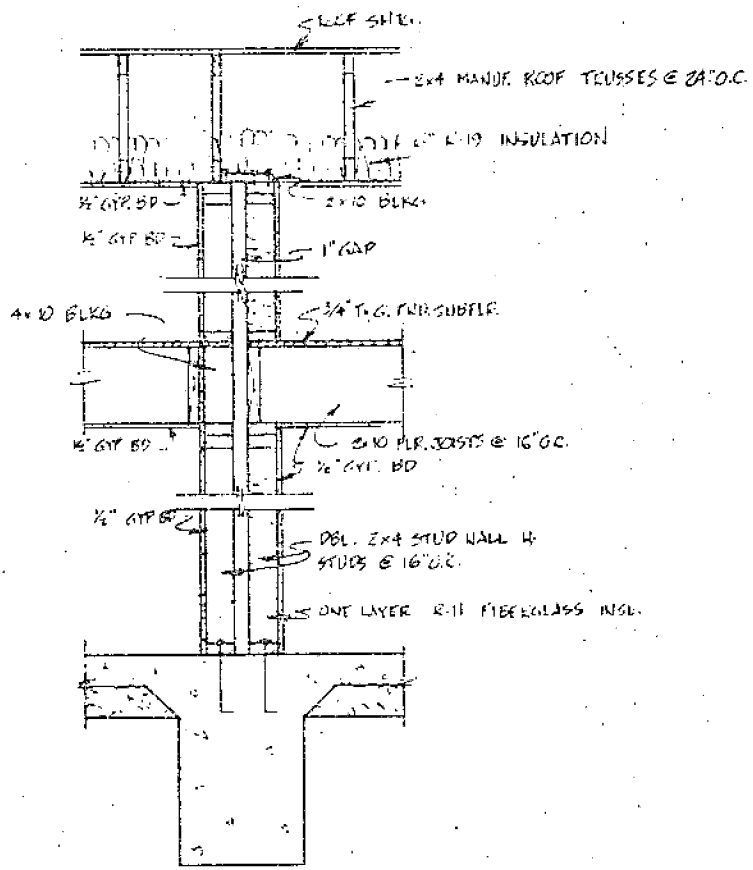
P-9464

1117 73RD ST DUPLEX
 ADDENDUM SHEET TO SHOW REVISED
 PARTY WALL & ELEVATIONS 3/17/81

August 27, 1981

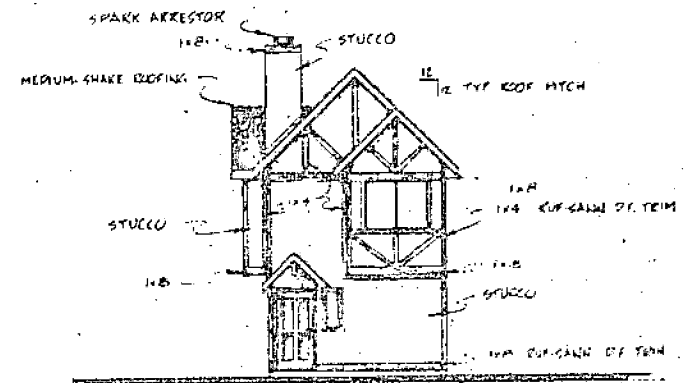
14-

Item No. 8



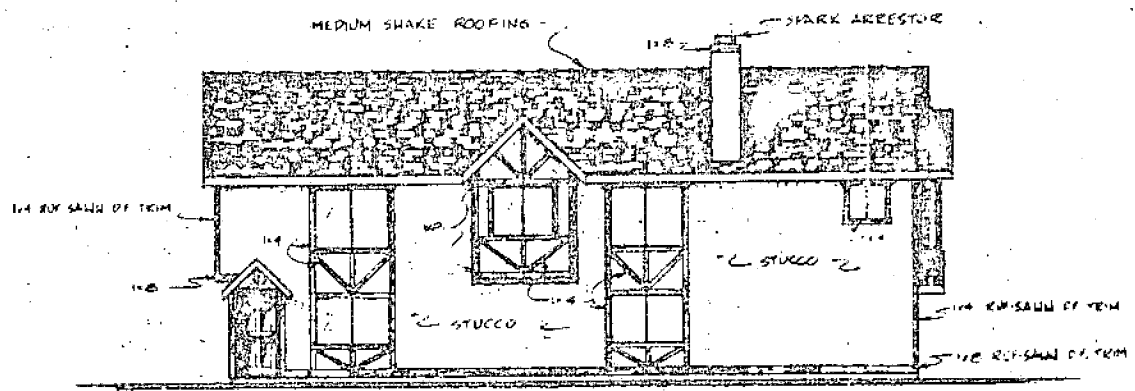
PARTY WALL

SCALE: 1"=1'-0"



FRONT ELEVATION

SCALE: 1/8"=1'-0"

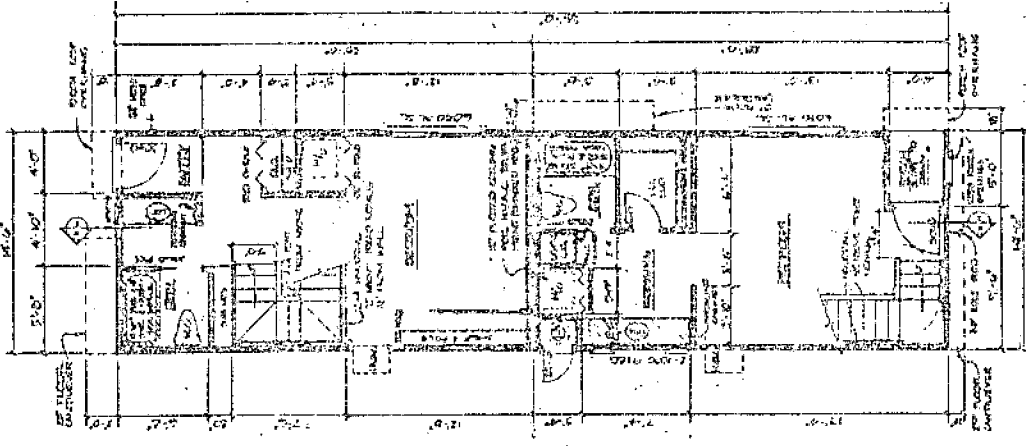


LEFT
RIGHT SIDE ELEVATION

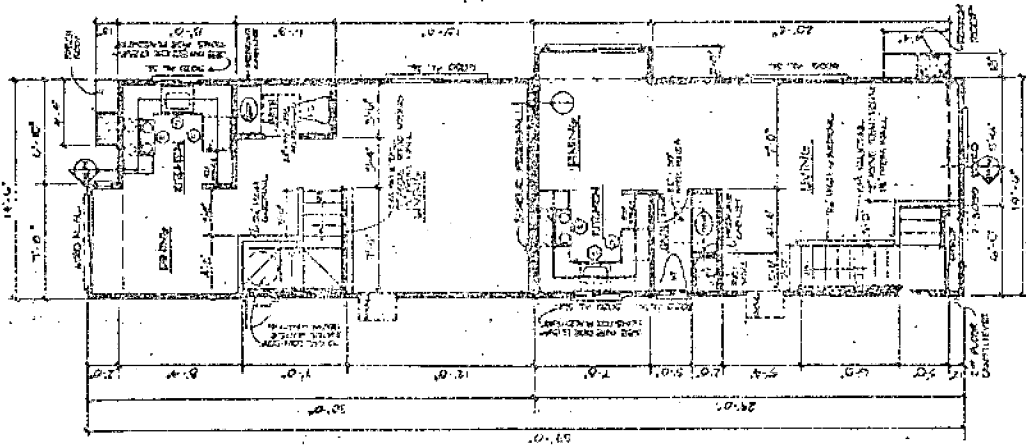
SCALE: 1/8"=1'-0"



19151 447-7571
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FIRST FLOOR
 1/8" = 1'-0"



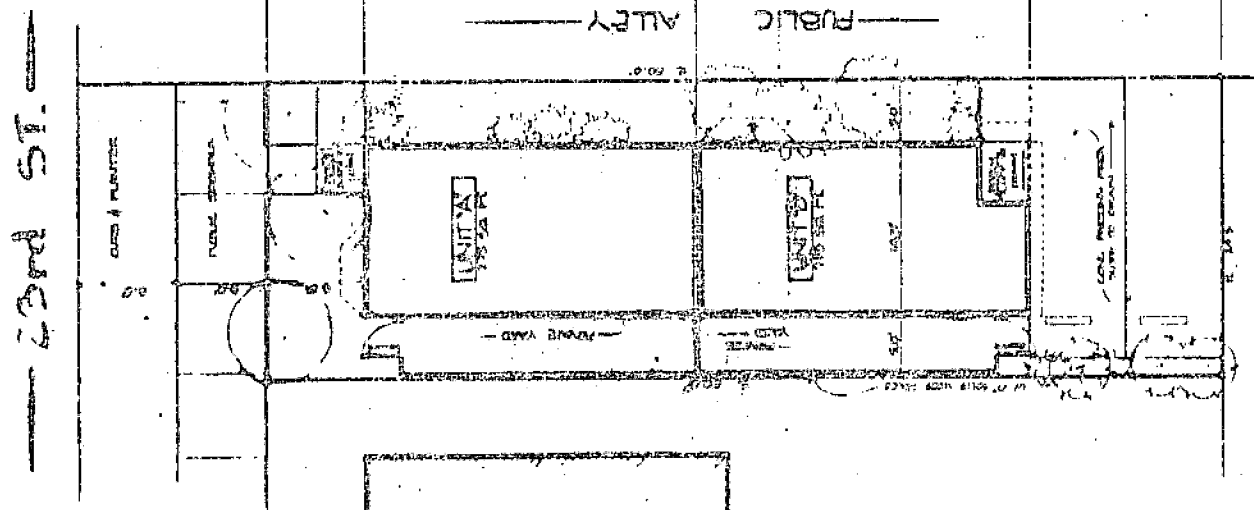
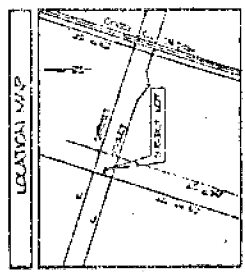
SECOND FLOOR
 1/8" = 1'-0"

NOTES

1. CONDITIONS & NOTES INDICATED SHALL BE OBSERVED BY THE CONTRACTOR TO LIMIT THE WATER FLOW MAXIMUM OF 3 GALLONS PER MINUTE.
2. ALL EXTERIOR DOORS & WINDOWS SHALL BE FULLY WEATHERSTRIPPED AND GASKETED ALL MANUFACTURED WINDOWS & SLIDING GLASS DOORS SHALL BE CERTIFIED AND LABELED.
3. ALL INTERIOR WALLS SHALL BE INSULATED WITH 2" MINIMUM INSULATION BETWEEN INTERIOR STUD WALLS.
4. ALL WORK TO CORRECT IS TO BE PERMITTED BY THE UNIFORM BUILDING CODE.
5. ALL EXISTING STRUCTURES IN CONTACT WITH THE EXISTING STRUCTURE SHALL BE REMOVED AND RECONSTRUCTED TO BE CONFORMANT WITH THE UNIFORM BUILDING CODE.
6. ALL EXISTING INSULATION ON 2ND FLOOR SHALL BE REMOVED AND RECONSTRUCTED TO BE CONFORMANT WITH THE UNIFORM BUILDING CODE.
7. ALL EXISTING INSULATION ON 2ND FLOOR SHALL BE REMOVED AND RECONSTRUCTED TO BE CONFORMANT WITH THE UNIFORM BUILDING CODE.
8. ALL EXISTING INSULATION ON 2ND FLOOR SHALL BE REMOVED AND RECONSTRUCTED TO BE CONFORMANT WITH THE UNIFORM BUILDING CODE.

KEY TO FIXTURES

1. 2" DIA. W/ BURNER
2. 4" DIA. W/ BURNER
3. 6" DIA. W/ BURNER
4. 8" DIA. W/ BURNER
5. 10" DIA. W/ BURNER
6. 12" DIA. W/ BURNER
7. 14" DIA. W/ BURNER
8. 16" DIA. W/ BURNER
9. 18" DIA. W/ BURNER
10. 20" DIA. W/ BURNER
11. 22" DIA. W/ BURNER
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48. 96" DIA. W/ BURNER
49. 98" DIA. W/ BURNER
50. 100" DIA. W/ BURNER



SITE PLAN
 1/8" = 1'-0"



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

815 I STREET
CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5428

LORRAINE MAGANA
CITY CLERK

October 7, 1981

Raymond Owyang
2309 K Street
Sacramento, CA 95816

Dear Mr. Owyang:

On October 6, 1981, the Sacramento City Council adopted a resolution which approved the following for property located at 1117½ - 23rd Street (P-0464):

- A. Tentative Map to develop two-unit air-space condominium project in the R-3A Zone; and
- B. Subdivision Modification to waive street lights.

Enclosed, for your records, is a fully certified copy of said resolution.

Sincerely,


Lorraine Magana
City Clerk

LM/mm/24
Enclosure

cc: Planning Dept.
CNA Engineering