

REPORT AMENDED BY STAFF 3-23-89
CITY PLANNING COMMISSION

1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT The Spink Corporation - 2590 Venture Oaks Way, Sacramento, CA 95833
OWNER L & P Pacific Teicher - 6355 Riverside Blvd., Ste. C, Sacramento 95831
PLANS BY The Spink Corporation - 2590 Venture Oaks Way, Sacramento, CA 95833
FILING DATE 2-10-89 ENVIR. DET. Neg. Dec. 2-17-89 REPORT BY PW:sg
ASSESSOR'S PCL. NO. 031-1030-016

APPLICATION:

- A. Negative Declaration
- B. Amend Pocket Community Plan for 11.6+ vacant acres from Low Density Residential (7-15 du/ac) to Low Density Residential (3-6 du/ac)
- C. Rezone 10.0+ vacant acres from R-1A(PUD) to R-1(PUD)
- D. Tentative Map to divide 11.6+ vacant acres into 37 single family lots, 7 halfplex lots and one lot for a private roadway
- E. Special Permit to develop 14 halfplex units
- F. LPPT PUD Schematic Plan Amendment for single family development
- G. Subdivision Modification to modify standard sidewalk and street light construction

LOCATION: Lake Front Drive at northeast corner of Pocket Road and Eastshore

PROPOSAL: The applicant is requesting the necessary entitlements to divide 11.6+ acres into a single family subdivision.

PROJECT INFORMATION:

General Plan Designation: Low Density Residential (4-15 du/na)
Pocket Community
Plan Designation: Low Density Residential (7-15 du/na)
Existing Zoning of Site: R-1A(PUD)
Existing Land Use of Site: Vacant

Surrounding Land Use and Zoning:

North: Vacant, lake; R-1A(PUD), OB(PUD)
South: Single family, townhouse; R-1A(PUD), R-1(PUD)
East: Future commercial; C-1(PUD)
West: Single family; R-1(PUD)

Property Dimensions: Irregular
Property Area: 11.6+ vacant acres
Density of Development: 4.4 d.u. per acre
Topography: Flat
Street Improvements: Existing and to be provided
Utilities: Existing and to be provided

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SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On March 8, 1989, by a vote of six ayes and three absent, the Subdivision Review Committee voted to recommend approval of the tentative map subject to the attached conditions.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of 11.6+ vacant acres in the LPPT PUD and located in the R-1A(PUD) zone. The LPPT PUD designates the site for townhouse uses zoned R-1A(PUD) with a maximum density of 10 du/ac. Surrounding land uses include Riverlake and vacant property to the north zoned OB(PUD), single family and townhouse zoned R-1(PUD) and R-1A(PUD) to the south, vacant commercial property to the east, and single family zoned R-1(PUD) to the west.

B. Project Description

The applicant is requesting to divide 11.6+ vacant acres into 37 single family lots and 7 halfplex lots in two phases. The site is known as parcel 12 in the LPPT PUD and is currently designated for townhouse use under R-1A zoning with a maximum density of 10 du/ac allowed. Therefore, the application as submitted requires a rezoning to R-1(PUD) as well as Community Plan and LPPT PUD schematic plan amendments to reduce the residential density of the site.

However, the applicant has indicated a desire to have the flexibility as to when the effective date of the plan amendments and rezoning takes place. The applicant is proposing to have the plan amendment and rezoning become effective if and when each phase of the map is recorded. If the maps are never recorded the current plans, zoning and densities would be retained. The process would be that rezoning to R-1 would be sought in conjunction with approval of a two-phase tentative map dividing the property into single family lots (with corner halfplex lots). The rezoning to R-1 would be approved but would expressly be made effective with respect to a particular phase only as, if and when a final map in general conformity with the approved tentative map was recorded, and even then provided that such map recordation took place within some stated period (e.g. two years from the date of City Council action on rezoning and tentative map). If the applicant recorded a final map on phase I at for example six months after the Council action on the request, and the final map conformed to the approved tentative, then the plan amendments, rezoning for phase I would become effective upon the recording of such map. Rezoning of phase 2 would become effective, if at all, if a conforming final map were recorded within the two year period. The plan amendments associated with the proposed rezoning would follow the same delayed effective date process. Based on the above scenario the applicant has three development alternatives.

Alternative 1 (existing)

R-1A 11.6 ac. at 10 du/ac. 117 units

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Alternative 2 (as submitted)

R-1	10.45 ac.	37 units
R-1A	1.75 ac.	<u>14</u> units
		51 units

Alternative 3 (phased)

R-1 phase I		13 units	13 units
R-1A phase II	8.75+ ac. at 10 du/ac	88 units	<u>104</u> units
	11 du/ac	101 units	117 units

The City Attorney has indicated to Planning staff that delaying the effective date on the rezoning and plan amendments is possible. The City Attorney is preparing the proper language to condition the rezoning and plan amendments appropriately.

Planning staff has no objections to the applicant's three alternatives in that the overall density of the site will be decreased from the maximum allowed 117 units. If alternatives 1 or 3 are chosen by the applicant, staff and the Commission will have the opportunity to review the proposal in that special permit approval will be required.

C. Special Permit for Halfplex Development

The corner lots in the proposed single family subdivision are anticipated to be developed with custom halfplex units. The applicant has requested that the corner halfplex lots remain zoned R-1A as the custom units may not meet all the requirements for halfplex units in the R-1 zone and the applicant desires the opportunity to take advantage of the design flexibility allowed in the R-1A zone. The applicant has developed minimum setback standards and minimum usable yard area standards for custom halfplexes for five other single family subdivisions in the LPPT PUD (P86-432) and is requesting that these standards also apply to the corner lots in the proposed subdivision. Planning staff has found these standards to be workable in the other subdivisions found in the planned unit development and has no objections to this request. Each halfplex unit will be subject to planning staff review and approval to assure that the appropriate setbacks are met and that the design and materials of the unit are compatible with adjacent single family uses.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the proposed project, as proposed, will not have a significant impact on the environment; therefore, a negative declaration has been prepared.

STAFF RECOMMENDATION: Staff recommends the Commission take the following actions:

- A. Ratify the negative declaration;

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- B. Recommend approval to Amend the Pocket Community Plan for 11.6+ vacant acres from Low Density Residential (7-15 du/ac) to Low Density Residential (3-6 du/ac) and forward to the City Council;
- C. Recommend approval to rezone 10.0 vacant acres from R-1A(PUD) to R-1(PUD) and forward to the City Council;
- D. Recommend approval of the tentative map to divide 11.6 vacant acres into 37 single family lots, 7 halfplex lots and one lot for a private roadway subject to conditions and forward to City Council;
- E. Approve the special permit to develop 14 halfplex units subject to conditions and based upon findings of fact which follow;
- F. Recommend approval of the LPPT PUD schematic plan for single family development and forward to the City Council; and
- G. Recommend approval of the subdivision modification to modify standard sidewalk and street light construction and forward to City Council.

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. Dedicate the private ways as public utility easement for underground electrical and public utility facilities and appurtenances;
2. Dedicate a standard 12.5-foot public utility easement for underground electrical facilities and appurtenances adjacent to all public ways;
3. Emergency access via gated entries to be approved by the Police and Fire Departments.
4. Provide standard subdivision improvements pursuant to Section 40.811 of the City Code along Lake Front Drive;
5. Prepare a sewer and drainage study for the review and approval of the City Engineer;
6. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
5. Pursuant to City Code Section 40.319-1, the applicant shall indicate easements on the final map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the City Engineer after consultation with the U.S. Postal Service;
6. The applicant/developer shall designate and place on the final map those structures and/or lots which will meet the required 80% south orientation

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(including solar access) to the satisfaction of the Planning Director, or comply with Title 24 requirements of the Uniform Building Code;

7. 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 an archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition.
8. Submit a soils test prepared by a registered engineer to be used in street design;
9. Minimum lot pad grade 4.0 feet, minimum gutter grade + 2.5 feet.
10. Submit a soils test prepared by a registered engineer which identifies and recommends solutions for ground water related problems which may occur in both the subdivision lots and the public right-of-way; appropriate facilities shall be constructed to alleviate those problems;
11. Street sections shall be designed to provide for stabilized subgrades and pavement under high ground water conditions;
12. Pay Pocket Bridge fees;
13. Trash collection arrangements shall be addressed in the C.C. & R's to the satisfaction of the City Attorney;
14. Entry bulbs shall be designed to the satisfaction of the Public Works Department;
15. Phasing shall be to the satisfaction of the Public Works Department.

Conditions - Special Permit

1. Halfplex units on the R-1A(PUD) zoned corner lots in the East Shore at Riverlake Subdivision which do not meet the minimum setback requirements of the City Zoning Ordinance shall be subject to the following regulations (see also Exhibits A-D):
 - a. For these corner lots, the following definitions shall apply;

Main Indoor Living Space: Living, dining and/or family room. Does not include bedrooms of halfplex unit.

Rear Yard: The yard area between the halfplex structure and the property line where the main indoor living space is parallel to the property line.

- b. The minimum rear yard setback shall be 7.5 feet for the first floor and 15 feet for the second floor;
 - c. The minimum side yard setback shall be 5 feet for the first and second floor;
 - d. Each halfplex unit shall maintain one outdoor patio of not less than 140 square feet (open to air) behind its minimum rear yard setback directly adjacent to its main indoor living space. The minimum depth of the outdoor living patio shall be 15 feet measured from the rear property line;
 - e. Minimum front yard setback may be reduced to 20 feet;
 - f. Minimum street side yard setback shall be 12.5 feet;
 - g. Minimum driveway length requirement shall be 20 feet;
 - h. Maximum building coverage of the corner lot (the two halfplex lots combined) shall be 40 percent;
 - i. Site plans and building elevations for halfplex units proposed for these corner lots shall be subject to Planning staff review and approval prior to issuance of building permits.
 - j. The issuance of the first building permit for a halfplex and construction of said halfplex shall establish the special permit use for the corner lots in the Eastshore at Riverlake Subdivision.
2. The reduction in building setbacks for the corner lots applies only to halfplex development. The applicant or future owners shall be required to apply for a separate special permit for a single family home on an R-1A(PUD) zoned corner lot if the side and/or rear yard setbacks of the proposed single family residence do not meet Zoning Ordinance requirements. The front yard setback of a single family residence on a corner lot may be reduced to 20 feet subject to Planning Director review and approval.
 3. The applicant shall discuss the requirements for corner lots in the Riverlake C.C. and R's for this subdivision.

Findings of Fact - Special Permit

1. The project, as conditioned, is based upon sound principles of land use in that:
 - a. the proposed custom halfplex units will provide for a housing type which is compatible with adjacent single family residential land uses in terms of density and design; and

- b. adequate outdoor living area will be provided for each halfplex unit.
2. The project, as conditioned, will not be detrimental to the public health, safety or welfare nor result in the creation of a nuisance in that:
 - a. adequate building setbacks will be provided; and
 - b. the custom halfplexes will provide a variety of building elevations for the development.
3. The proposed project is consistent with the Pocket Community Plan in that the site is designated for Low Density Residential use by the Pocket Community Plan and the proposed halfplex use conforms with the plan designation.