

**CITY PLANNING COMMISSION**  
 1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

<b>APPLICANT</b> Bahay Industries Inc. 6905 Speckle Way, Sacramento, CA 95842
<b>OWNER</b> Rafael Padilla 6905 Speckle Way, Sacramento, CA 95842
<b>PLANS BY</b> The Sessa Corporation 1220 Melody Lane, Ste #180, Roseville, CA 95678
<b>FILING DATE</b> 6-15-90 <b>ENVIR DET</b> Negative Declaration <b>REPORT BY</b> DTH
<b>ASSESSOR'S PCL. NO.</b> 251-0243-012-0000

**APPLICATION:** A. Negative Declaration

- B. Variance to reduce the required 5 ft. side yard setback to 3 ft. on .11± vacant acres in the Multi-family (R-3A) zone;
- C. Variance to reduce the minimum required 25 ft. street side yard setback to 7 ft. for a single family dwelling; and
- D. Variance to reduce the required outside fence location from 5 ft. to 3 ft. from the property line for a single family dwelling.

**LOCATION:** 3332 Rio Linda Boulevard

**PROPOSAL:** The applicant is requesting the necessary entitlements to construct a single family residence with an attached garage on an existing 40' x 120.5' vacant parcel.

**PROJECT INFORMATION:**

General Plan Designation:	Low Density Residential (4-15 du/na)
1984 North Sacramento	
Community Plan Designation:	Residential (7-15 du/na)
Existing Zoning of Site:	R-3A
Existing Land Use of Site:	Vacant

**Surrounding Land Use and Zoning:**

North: Single Family; R-2A  
 South: Two Family & Vacant; R-2A  
 East: Single Family & Vacant; R-1  
 West: Single Family & Apartment; R-2A

<u>Setbacks:</u>	<u>Required</u>	<u>Provided</u>	<u>Staff Alternative</u>
Front:	25 ft.	25 ft.	25 ft.
Side (Int):	5 ft.	3 ft.	5 ft.
Side (St):	25 ft.	5 ft.	10 ft.
Rear:	15 ft.	15 ft.	15 ft.
Fence St. Side:	5 ft.	3 ft.	5 ft.

Property Dimensions:	40' x 120.5'
Property Area:	.11 ± acres
Square Footage of Building:	1,358 square feet
Height of Building:	One story
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	T1-11 with Vertical Grooves & 2' x 4' wood trim
Roof Material:	Composition Shingle
Proposed Building Colors:	Blue, Gray and White

**PROJECT EVALUATION:** Staff has the following comments:

**A. Land Use and Zoning**

The subject site is .11 ± vacant acres located in the Multi-Family Residential (R-2A) zone. The General Plan designates the site for Low Density Residential (4-15 du/na) and the 1984 North Sacramento Community Plan designates the site for Residential (7-15 du/na). The surrounding land uses and zoning include; single family and vacant zoned Multi-Family Residential (R-2A), to the north, two family and vacant zoned Multi-Family Residential (R-2A), to the south, single family and vacant zoned Single Family Residential (R-1), to the east and single family and apartments zoned Multi-Family Residential (R-2A), to the west.

**B. Applicant's Proposal**

The applicant is requesting the necessary entitlements to construct a 1,358 ± square foot single family residence with an attached garage on an existing 40' by 120.5' vacant parcel. As the existing lot is substandard in width the applicant has requested several variances in order to develop the parcel. The applicant's plans require: a Variance on the interior side yard from the required five feet to three feet, a Variance to reduce the required street side yard setback from twenty five feet to seven feet and a Variance to reduce the required five foot setback for a fence along a street side yard to three feet.

**C. Staff Analysis**

**Interior Side Yard Variance/Fence Variance**

The applicant is requesting a reduction in the interior side yard on an existing 40' x 120.5' parcel in order to construct a 30 ft. wide single family residence on the subject site. In reviewing the applicant's proposal with the Department of Public Works Engineering Development Division staff has verified that there is an excess right-of-way along Carmel Street which could be abandoned in order to increase the size of the existing corner lot (See Exhibit D). Staff has reviewed the proposed development plans and has had discussions with the applicant regarding how the abandonment of the five foot excess right-of-way could help to enhance this development and reduce the need for some of the requested entitlements. If the excess right-of-way were abandoned the applicant could shift the proposed single family dwelling two feet to the south and provide the necessary five foot interior side yard setback. In shifting the proposed unit to the south along with the abandonment of the five foot right-of-way the applicant would have a forty-five foot wide lot and with the five foot side yard setback and the thirty foot wide residence the applicant would have a ten foot street side yard setback remaining (Exhibit D). With the increase in the size of the street side yard the applicant could relocate the proposed fence to

meet the required five foot setback behind the property line. As the applicant has the ability to apply for a summary abandonment of the excess right-of-way staff does not feel that these Variances should be granted.

#### Street Side Yard Variance

The proposed single family residence is being constructed on a corner parcel which is zoned Multi-Family (R-2A) which requires a 25 ft. street side yard setback. If the proposed single family residence were located on a corner lot in the Standard Single Family (R-1) zone the required street side yard setback would only be 12 1/2 feet. With the increase in the size of the parcel by eliminating the five feet of excess right-of-way the applicant could relocate the proposed building in order to increase the size of the street side yard from seven feet to ten feet. Staff recommends that the applicant submit a revised set of plans showing the increase in the size of the subject parcel by eliminating the excess right-of-way along Carmel and the relocation of the proposed residence reflecting the five foot interior side yard setback and the five foot setback for the proposed fence along Carmel Street. With the revised plans the applicant will still require a variance of the required street side yard setback from twenty five feet to ten feet.

Staff has reviewed the possibility of redesigning a different style residence with the Design Review Staff but has determined that due to the size of the parcel and in order to be compatible with the surrounding area a variance to reduce the required street side yard setback would be the better alternative. The existing corner parcel with the Multi-Family Zoning would allow two units (halfplex/duplex) to be constructed on the subject parcel. As the lot is irregular in size and the applicant is only proposing a single family residence on the parcel staff has no objections to the proposed Variance to reduce the required street side yard setback provided that no additional units be constructed on the parcel in the future.

#### D. Agency Review

The proposed project was reviewed by the City's Traffic Engineering, Engineering Development, Building, Fire, Police and Water and Sewer Divisions. The following comments were received:

##### Traffic Engineering Division

Provide a detailed drawing showing the distance between curb, gutter, and sidewalk to the property line on Carmel Street.

##### Engineering Development Division

1. The applicant would be able to reduce the setback variances if the five feet of right-of-way on Carmel Street is abandoned. The applicant may apply for a summary abandonment through the Public Works Department - Development Services Division at 927 10th Street.
2. Notice: Property to be developed in accordance with this special permit may be subject to flooding. Interested parties should ascertain whether and to what extent such flooding may occur. The applicable base flood elevations for the property should be reviewed. Base flood elevations are contained in the U.S. Army Corps of Engineers Flood Insurance Study Working Map for the Sacramento Community, dated January 1989, available for review at the City of Sacramento's Public Works Department, Development Services Division, Room 100, 927 10th Street.

**ENVIRONMENTAL DETERMINATION:**

The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated the following mandatory mitigation measures into the project plans to avoid identified effects or to mitigate such effects to a point where clearly no significant effects will occur. These mitigation measures are listed below.

Non-compliance with, or deletion of any of the mitigation measures by any party will require the project to be reprocessed for additional environmental review. If this review determines that there is the possibility for significant adverse environmental impact due to the development of the project, additional mitigation measures may be required, or the applicant may be requested to prepare an Environmental Impact Report if identified impacts cannot be reduced to less than a significant level through mitigation.

**RECOMMENDATION:** Staff recommends the Planning Commission take the following actions:

- A. Ratify the Negative Declaration;
- B. Deny the Variance to reduce the required 5 ft. side yard setback to 3 ft. based upon findings of fact which follow;
- C. Approve the Variance to reduce the minimum required 25 ft. street side yard setback to 5 ft. subject to conditions and based upon findings of fact which follow; and
- D. Deny the Variance to reduce the required street side yard fence location from 5 ft. to 3 ft. from the property line subject to conditions and based upon findings of fact which follow.

**Conditions**

1. The applicant shall apply for a Summary Abandonment, of the excess five feet of right-of-way along Carmel Street, with the Public Works Development Services Division at 927 10th Street;
2. The applicant shall comply with all of the requirements of the Design Review Staff approval of the project;
3. All necessary building permits shall be obtained prior to construction.
4. No further units shall be constructed on the subject parcel in the future.
5. All required setbacks shall be maintained with the exception of the street side yard setback which shall be ten feet.

**Mandatory Mitigation Measures**

- A. Require construction contractors to implement a dust abatement program that will reduce the effect of construction on local PM 10 levels in the vicinity of construction zones. Elements of this program should include the following:

- Sprinkle all unpaved construction areas with water at least twice per day during demolition and excavation to reduce dust emissions. Additional watering should be carried out on hot or windy days. Watering could reduce particulate emissions by about 50 percent.
- Cover stockpiles of sand, soil, and similar materials with a tarp.
- Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces.
- Sweep up dirt or debris spilled onto paved surfaces immediately to reduce resuspension of PM 10 through vehicle movements over these surfaces.
- Require construction contractors to designate a person or persons to oversee the dust abatement program and to order increased watering, as necessary.

B. The following general requirements shall be adhered to in the preservation of plant life:

- In the event any grading, storage of construction materials or parking of vehicles takes place during construction, a chain link fence shall be installed around the dripline of the tree in the rear yard site. No storage of materials, parking of vehicles or grade changes are allowed within the chain link fence.
- Trees that previously existed in the front yard shall be replaced with two 24 inch box trees.

C. The following general requirements shall be adhered to in the construction of the project:

-To mitigate exterior noise

- A 6 foot high noise barrier should be constructed along the property line on Carmel Street. The barrier should extend from the rear corner of the project site to any location along the structure exterior that would provide enclosure for the back yard.
- Barrier materials must be massive and airtight with no significant gaps in construction. Suitable materials for barriers include masonry block, precast concrete panels and 3/4" plywood sheathing with caulked overlapping joints.

-To mitigate interior noise

- All joints in exterior walls shall be grouted or caulked airtight.
- Window or through-the-wall ventilation and air conditioning units shall not be permitted.
- All penetrations of exterior walls shall include a 1/2 inch airspace. This space shall be filled loosely with fiberglass insulation. The space shall then be sealed airtight on both sides of the wall with a resilient, non-hardening caulking or mastic.
- Windows must have a minimum STC rating of 29 or better. Windows facing the noise source should comprise less than 25 percent of the wall area. Windows shall have an air infiltration rate of less than or equal to 0.20 CFM/lin. ft. when tested with a 25 mile an hour wind per ASTM standards.

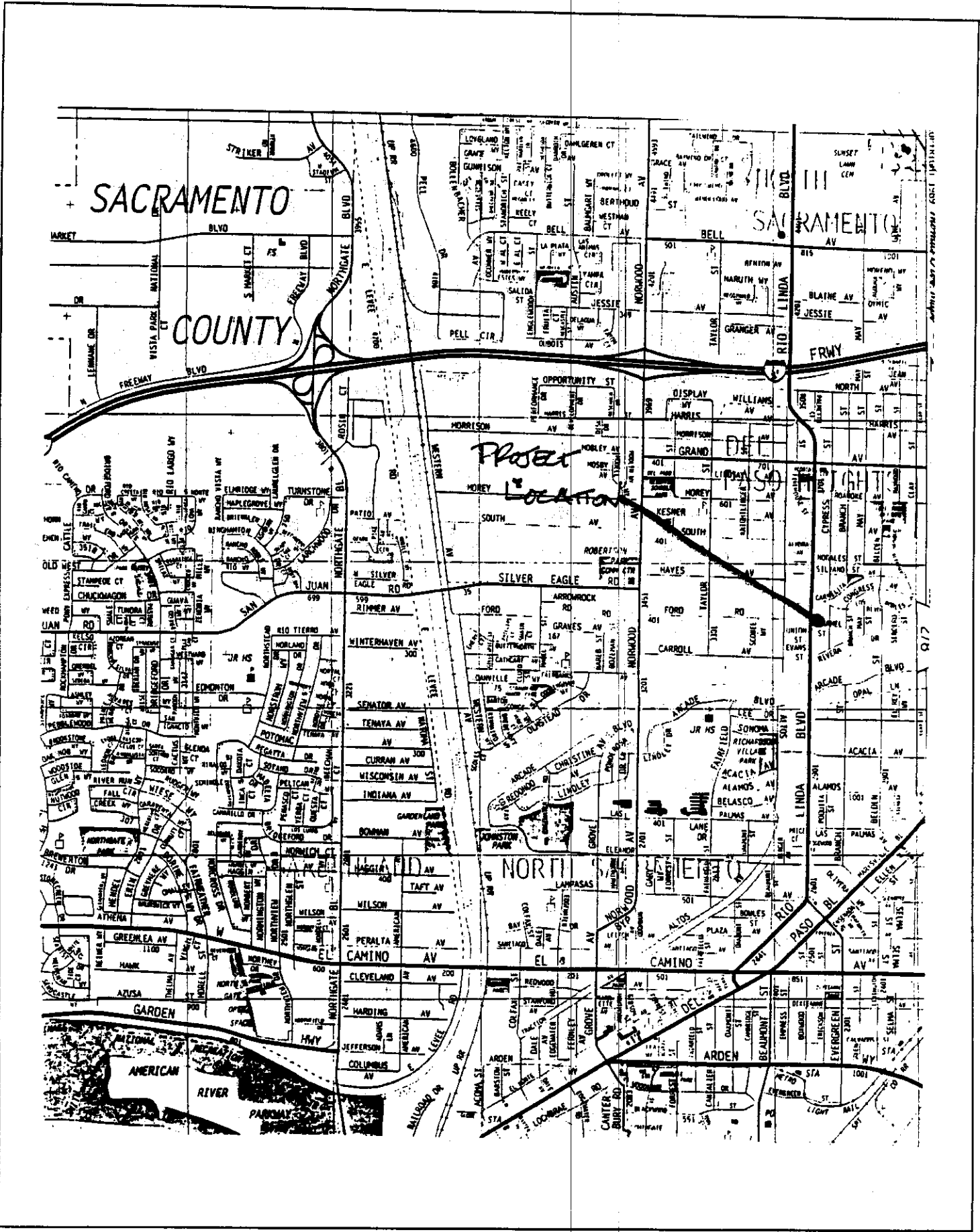
- Sliding glass doors must carry an STC rating of 31 or better. They should be double glazed and they must meet or exceed the window air infiltration rating given above.
  - Exterior entrance doors should have a minimum STC rating of 30. They must include complete perimeter door seals.
- D. All exterior lighting will be directed away from or property shaded to eliminate glare on existing residential uses and oncoming traffic.

**Findings of Fact - 5 ft. Side Yard Variance/Fence Variance**

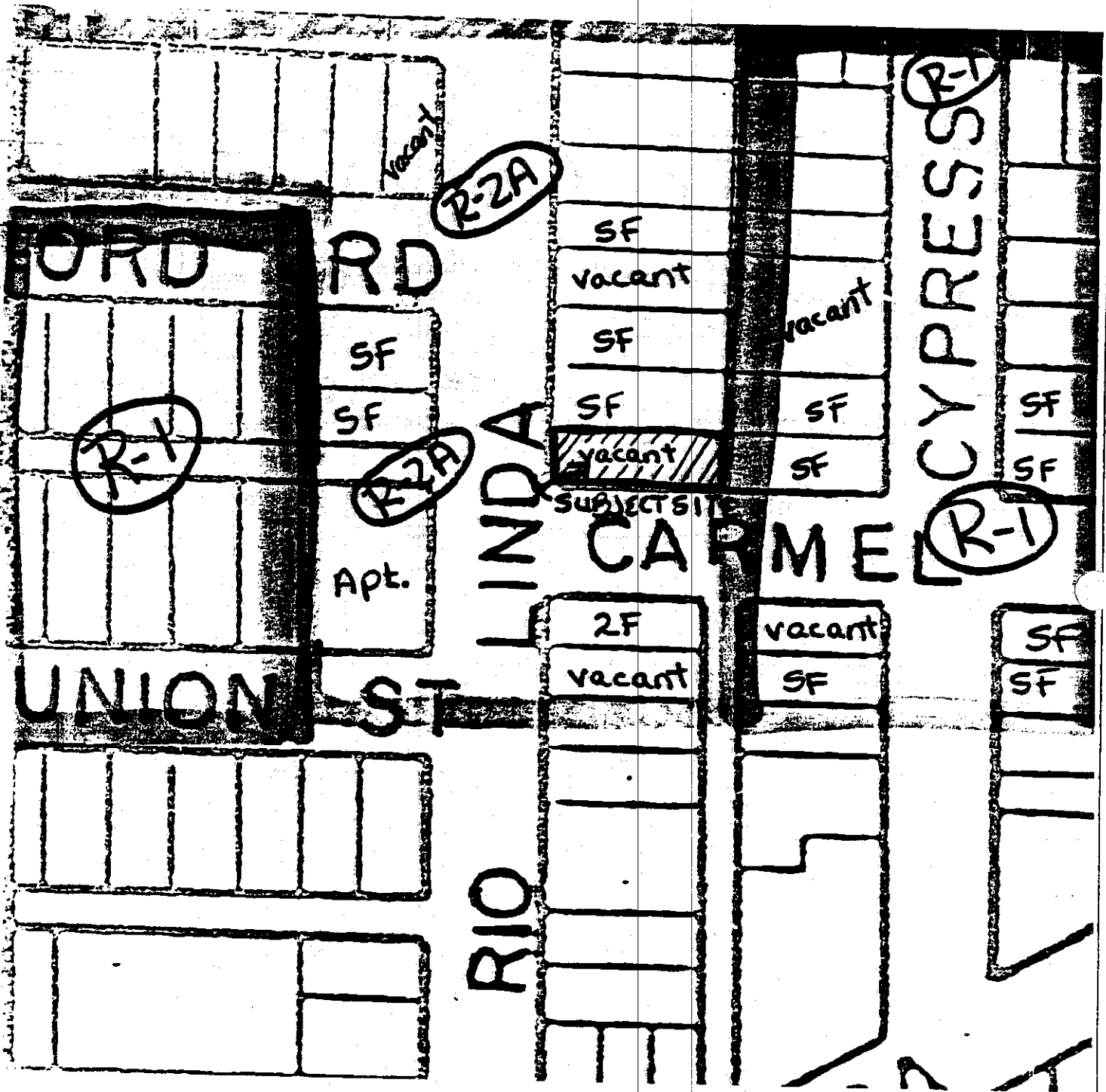
1. Granting the variance would constitute a special privilege extended to an individual property owner in that there are alternatives available to the applicant to eliminate these requested variances.
2. Granting the variance would be injurious to the welfare of the public and neighboring residences in that the granting of these variances would result in the following:
  - a. a reduction in the required side yard setback would result in a reduction in useable yard area, light and air; and
  - b. if the fence were to be located closer to the property line than the required 5 ft. there would be a reduction in visibility.

**Findings of Fact - Street Side Yard Variance**

1. Granting of the variance does not constitute a special privilege extended to one individual property owner in that:
  - a. the existing lot is an existing substandard size lot;
  - b. the City would support a similar variance for any other property owner with similar circumstances.
2. Granting the request will not be injurious to public welfare nor to property in the vicinity in that adequate parking and open space will be provided.
3. The proposed project is consistent with the General Plan and the 1984 North Sacramento Community Plan which designates the site as residential.



**VICINITY MAP**



LAND USE & ZONING MAP



# EXHIBIT A SITE PLAN

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G-1

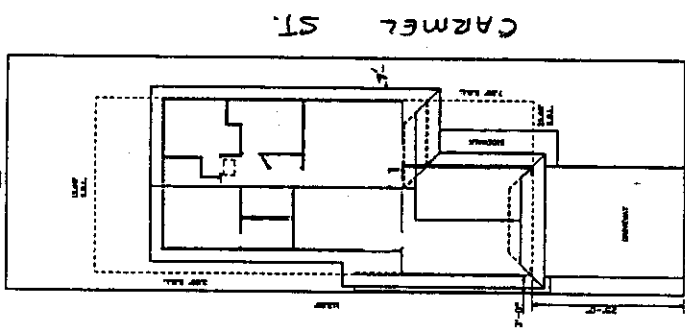
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2000-08-08 09:00 AM  
 THE INFORMATION CONTAINED HEREIN IS THE PROPERTY OF THE CONSULTANT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE CONSULTANT.

## MANDATORY COMPLIANCE DATA

- MANDATORY FEATURES AND DEVICES.
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TYPICAL LAYOUT FOR  
 OF  
 BLOCK 243, RIO LINDA BLVD,  
 NORTE SACRAMENTO, CALIFORNIA



### DRAWING INDEX

DRAWING	DESCRIPTION
G-1	GENERAL DATA & SITE PLAN
A-1	FLOOR PLANS
A-2	EXTERIOR ELEVATIONS
A-3	INTERIOR ELEVATIONS
S-1	FOUNDATION PLAN
S-2	FLOOR FRAMING PLANS (W/A)
S-3	ROOF FRAMING PLAN
S-4	CROSS SECTIONS
E-1	ELECTRICAL PLANS

### MATERIAL LEGEND

	GYT INSULATION
	XPS INSULATION
	WALL
	CONCRETE
	BRICK
	INSULATED LUMBER
	FINISH LUMBER
	EARTH
	STP BOARD OR PLASTER
	GRANITE OR CERAMIC TILE

### DESIGN CRITERIA

OVERLOADING CODES  
 UNIFORM BUILDING CODE  
 UNIFORM PLUMBING CODE  
 NATIONAL ELECTRICAL CODE

LOADS  
 DEAD LOAD - ACTUAL  
 WIND LOAD - 10 MPH, E.P.C.  
 ROOF LIVE LOAD - 20 PSF  
 FLOOR LIVE LOAD - 40 PSF  
 SNOW LOAD - NONE  
 SEISMIC ZONE - III

### ARCHITECTURAL DRAWING SYMBOLS

SECTION  
 SECTION INDICATOR LETTER  
 SECTION INDICATOR NUMBER  
 SECTION INDICATOR SYMBOL

DETAIL  
 DETAIL INDICATOR LETTER  
 DETAIL INDICATOR NUMBER  
 DETAIL INDICATOR SYMBOL

SECTION INDICATOR SYMBOLS  
 SECTION INDICATOR SYMBOLS

RIO LINDA BOULEVARD  
 SITE PLAN

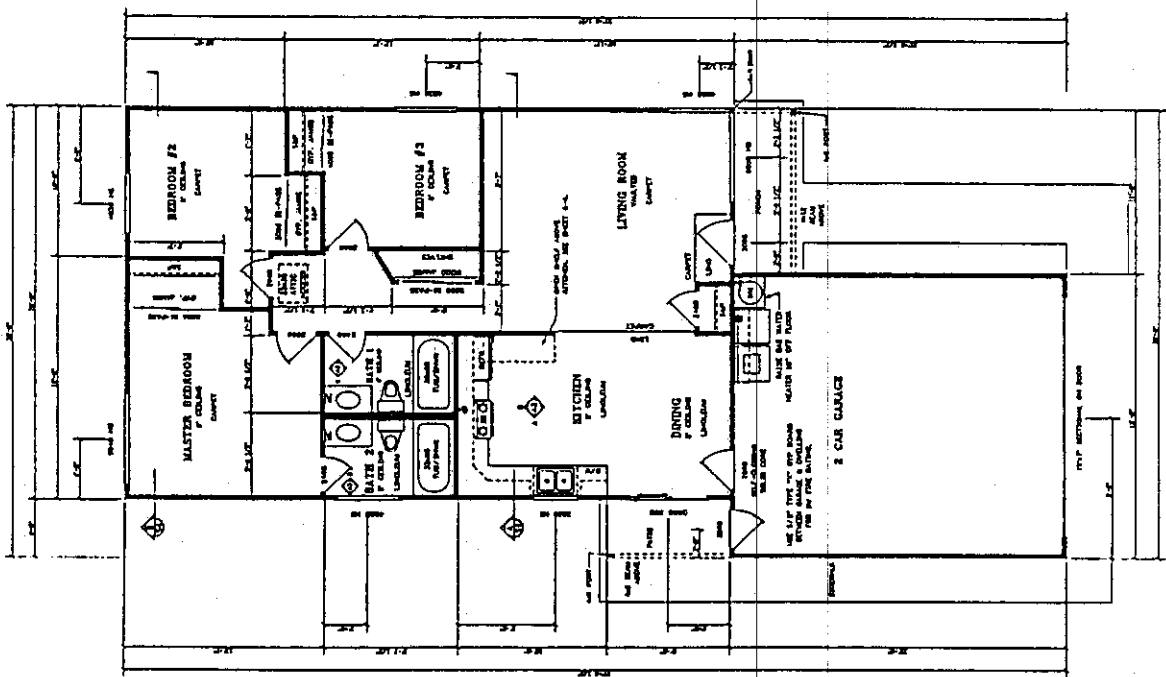
# EXHIBIT B FLOOR PLANS

THE D  
DEPAI  
1220 W. 100th Ave. SW  
THE GCSSA

DATE: 11/11/11	SCALE: 1/4" = 1'-0"
PROJECT: 111111	DATE: 11/11/11
BY: [Signature]	CHECKED: [Signature]
SHEET 2 OF 11	

REVISION	BY

THIS DRAWING IS TO BE USED FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS DRAWING.



DO NOT SCALE  
FIELD DIMENSIONS TAKE PRECEDENCE

FLOOR PLAN  
SCALE: 1/4" = 1'-0"

SEE S-1 FOR ELECTRICAL PLAN  
FLOOR AREA: 1044 SQ FT



NOT SHOWN ARE THE  
DOOR SIZES & SWING AND  
CLOSET SIZES & DISTRIBUTION.

# EXHIBIT C ELEVATIONS

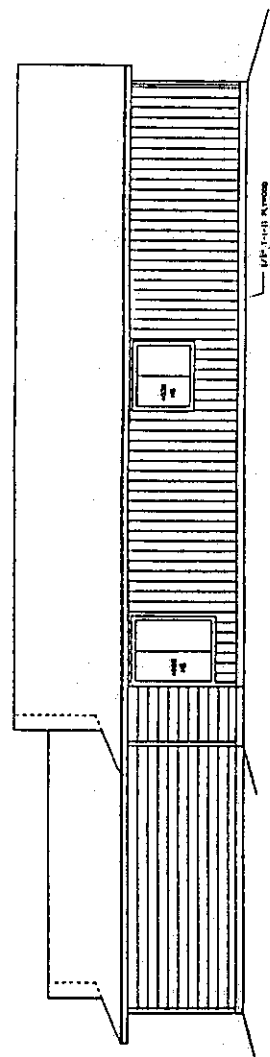
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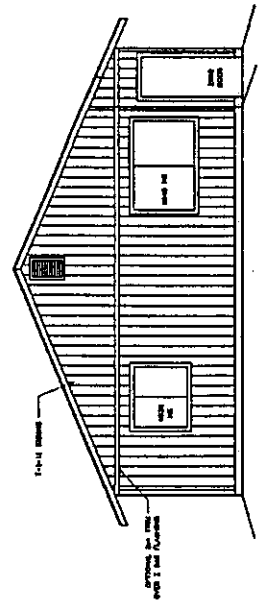
REVISION	BY

2220 MEADOW LANE (PLAN) ELEVATIONS  
 THESE ELEVATIONS SHOW THE EXTERIOR APPEARANCE OF THE BUILDING AS APPROVED BY THE CITY OF LOS ANGELES. THE ARCHITECT ASSURES THAT THE BUILDING WILL BE CONSTRUCTED IN ACCORDANCE WITH THE APPROVED ELEVATIONS. THE ARCHITECT DOES NOT WARRANT THAT THE BUILDING WILL BE CONSTRUCTED IN ACCORDANCE WITH THE APPROVED ELEVATIONS. THE ARCHITECT DOES NOT WARRANT THAT THE BUILDING WILL BE CONSTRUCTED IN ACCORDANCE WITH THE APPROVED ELEVATIONS.

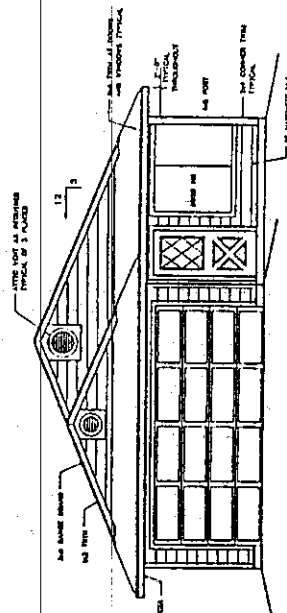
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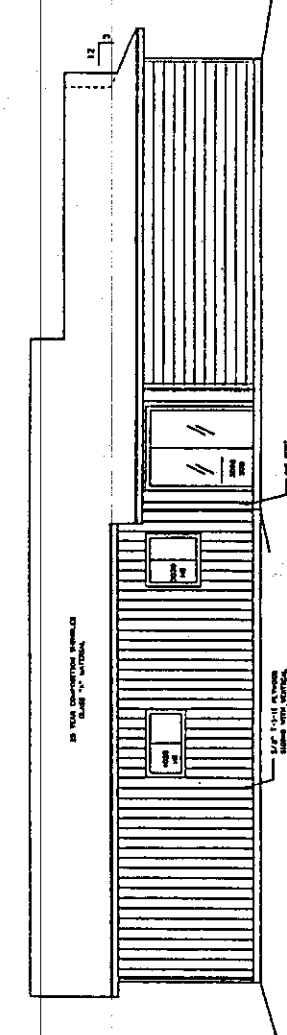
RIGHT ELEVATION  
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BACK ELEVATION  
SCALE: 1/4"=1'-0"



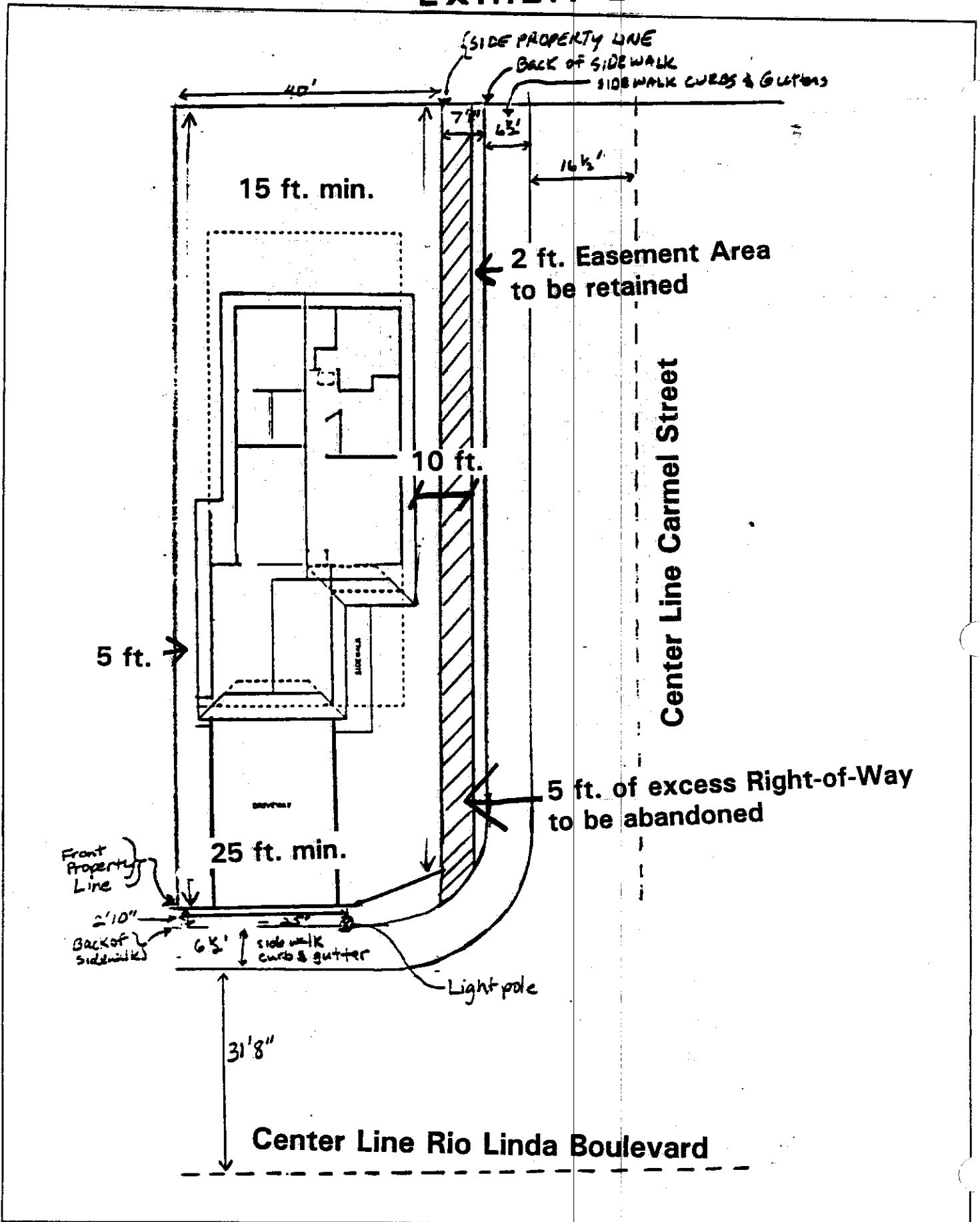
FRONT ELEVATION  
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LEFT ELEVATION  
SCALE: 1/4"=1'-0"

ELEVATION STYLE "A"

# EXHIBIT D



**STAFF RECOMMENDED ALTERNATIVE**