

REPORT AMENDED BY CPC 2-14-91
CITY PLANNING COMMISSION
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT Paul J. Mendoza, 5047 #A North Ave., Sacramento, CA 95608
OWNER Gregory Tolson, 1317 48th Street, Sacramento, CA 95819
PLANS BY Paul J. Mendoza, 5047 #A North Ave., Sacramento, CA 958608
FILING DATE 5-30-90 ENVIR. DET. Negative Declaration REPORT BY JC
ASSESSOR'S PCL. NO. 008-0281-018

APPLICATION:

- A. Negative Declaration
- B. Tentative Map to subdivide one lot totaling 0.19± developed acres into two lots in the Standard Single Family (R-1) zone.
- C. Subdivision Modification to create one lot less than 52 feet wide in the Standard Single Family (R-1) zone.
- D. Subdivision Modification to create two lots less than 5,200 square feet in area in the Standard Single Family (R-1) zone.
- E. Variance to create one lot less than 52 feet wide in the Standard Single Family (R-1) zone.
- F. Variance to create two lots less than 5,200 square feet in area in the Standard Single Family (R-1) zone.
- G. Variance to exceed the 40% lot coverage by 4% (total 44% coverage) in the Standard Single Family (R-1) zone. (Withdrawn)
- H. Variance to allow a detached accessory structure to exceed the 25% rear yard coverage by 25% (total 50% coverage) in the Standard Single Family (R-1) zone.

LOCATION: 1317 48th Street

PROPOSAL: The applicant is requesting the necessary entitlements to subdivide an existing 40' X 208' lot into two lots one measuring 40' X 106.5' (Parcel A) and the other measuring 40' X 101.5' (Parcel B) in order to construct an additional single family unit and for possible future sale of Parcel A.

PROJECT INFORMATION:

General Plan Designation: Low Density Residential (4-15 du/ac)
Existing Zoning of Site: R-1
Existing Land Use of Site: Single Family Residential

Surrounding Land Use and Zoning:

North: Single Family; R-1
South: Single Family; R-1
East: Single Family; R-1
West: Single Family; R-1

Setbacks:	Required	Provided
Front:	25'	25'
Side(Int):	5'	5'-8'
Rear:	15'	15'

Parking Required: 1
Parking Provided: 1
Property Dimensions: 40' X 208'

APPLC. NO. P90-253

MEETING DATE February 14, 1991

ITEM NO. 5

Property Area: 0.19+ acres
Density of Development: 10 du/ac
Square Footage of Building: 3000 sq. ft. (proposed unit)
Height of Building: 24 feet
Topography: Flat
Street Improvements: To Be Provided
Utilities: To Be Provided
Exterior Building Materials: Stucco and Wood
Roof Materials: Shingles

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On October 24, 1990, by a vote of six ayes and three absent, the Subdivision Review Committee voted to recommend approval of the tentative map and the Subdivision Modifications subject to the attached conditions.

Project Evaluation: Staff has the following comments:

A. Land Use and Zoning

The subject site consist of a lot with frontage on both 48th and 49th Streets totaling 0.19+ acres in the Standard Single Family (R-1) zone. The Zoning Ordinance defines a lot with frontage on two public streets as a through lot. The west 106.5' of the site is developed with a single family home and detached garage. The east 101.5' is currently used as yard area for the single family home. The General Plan designates the site as Low Density Residential (4-15 du/ac). The surrounding land use and zones are single family (R-1) to the north, south, east and west.

B. Applicant's Proposal

The applicant proposes to subdivide the 40' X 208' lot into two lots. The subdivision would allow for the sale of the lot on 48th Street in the future if necessary. The applicant proposes to construct a single family home on 49th Street. Due to the size of the property, a number of variances and subdivision modifications are required.

C. Policy Considerations:

The Residential Land Use Element of the General Plan allows smaller lots to facilitate efficient urban use. Staff finds the applicant's proposal to be consistent with the General Plan Policy.

D. Variances/Subdivision Modification

Six variances and two subdivision modifications were originally requested. The variance for lot coverage has been withdrawn due to a reduction in size of the proposed dwelling unit. A smaller unit will meet the lot coverage (40%) requirement.

Approval of the remaining variances and subdivision modification request will allow the creation of two substandard parcels. The two lots which will be created will be 40' X 106.5" (Parcel A) and 40' X 101.5'(Parcel B). The existing lot (Parcel A) will be substandard in lot area only (4,260 square feet), since the existing lot is 40 feet wide. The newly created lot (Parcel B) will be substandard in width (40 feet) and area (4060 square feet). The two lots will result in a substantial reduction in area from the standard 5200 square feet required for single family lots. The proposed parcels will be smaller than the majority of the lots on this block, however, there are several existing lots in the area which are equal to or smaller in size than the proposed lots. The lot split requires a variance for an existing two car garage which will be located on the proposed rear property line and covers more than 25% of the required rear yard. Staff supports the variance for rear yard coverage since the two car garage is existing and allows for vehicles to be parked on the site rather than on the public street. The proposed unit an accessory structure on Parcel B is situated on the lot to allow adequate open space between structures.

Although the proposed lots will be substandard in area staff supports approval of the project. The lots to be created will be consistent in size and area of other lots in

the surrounding neighborhood. The subject site is considered a through lot, although 49th Street is an unimproved street. The Zoning Ordinance states that a through lot with a depth of 125 feet or more, may be assumed to be two lots with the rear lines of each approximately equal distant from the front lot lines, provided each such lot shall have an area of not less than 2,500 square feet; provided further that all yard requirements are complied with for the zone in which said through lot is located. The Zoning Ordinance allows the lot to be developed as two distinct lots, therefore, the applicant would be allowed to construct an additional unit facing 49th Street by right without review by Planning Commission. As a result of the map, street improvements will be provide on 49th Street. The project is consistent with density and existing development in the area.

E. Building Design

The proposed unit on Parcel B will be a two story, three bedrooms and two and a half bath structure totaling 2,136+ square feet. The building material will be brick with horizontal lap siding on the front, stucco on the sides and rear. The roofing materials will be a composition shingle. The plans propose a balcony on the east and west elevations, these balconies are to remain uncovered except for the two feet overhang of the eaves. Staff finds the proposed building design and materials compatible with the residences in the surrounding area.

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)a 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:

Air

Traffic associated with the occupancy of the house and garage unit will produce emissions of various compounds which contribute to regional and local air quality problems. Sacramento is a non attainment area for ozone and Carbon Monoxide (CO). Violation in CO standards are expected in a few areas within the Airport Meadowview Community near congested intersections of major arterials. No violation of the CO standards are expected from the implementation of this project. Residential projects of 300 single family units or more are generally recognized as potentially capable of producing significant levels of pollutants per day (SCAQMD, Air Quality Handbook for preparing EIR's). One additional unit is anticipated to produce less than significant levels of these pollutants. In addition, residential development for this site and the subsequent impacts on air quality were anticipated in the 1986-2006 SGPU DEIR>

Development of the site will result in short term particulate matter impacts. The following mitigation measures shall apply to reduce these impacts below a level of significance.

- 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:
- o 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%.
 - o Cover stockpiles of sand, soil, and similar materials with a tarp.
 - o Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces.
 - o Sweep up dirt or debris spilled onto paved surfaces immediately to

reduce resuspension of PM 10 through vehicle movements over these surfaces.

- o Increase the frequency of city street cleaning along streets in the vicinity of construction site.
- o Require construction contractors to designate a person or persons to oversee the dust abatement program and to order increased watering, as necessary.

Light and Glare

Light and glare from the subject site could impact the adjacent residential uses. The applicant has agreed to the following mitigation measure to reduce potential light and glare impacts to a less-than-significant level:

- B. All exterior lighting will be directed away from or properly shaded to eliminate glare on existing residential uses and oncoming traffic.

Non-compliance with, or deletion of any of the above 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 action:

- A. Ratify the Negative Declaration;
- B. Recommend approval of the Tentative Map subject to the following conditions and forwarding to City Council;
- C. Recommend approval of the Subdivision Modification to create one lot less than 52 feet;
- D. Recommend approval of the Subdivision Modification to create two lots less than 5,200 square feet in area;
- E. Approve the Variance to create one lot less than 52 feet wide subject to conditions and based upon findings of fact which follow;
- F. Approve the Variance to create two lots less than 5,200 square feet in area subject to conditions and based upon findings of fact which follow;
- G. Withdraw the Variance to exceed the 40% lot coverage, and;
- H. Approve the Variance to allow a detached accessory structure to exceed the 25% rear yard coverage subject to conditions and based upon findings of fact which follow:

Map Conditions:

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. Provide standard subdivision improvements pursuant to Section 40.811 of the city code consisting of curbs, gutters, sidewalks, paving and street lights adjacent to Parcel B to the street centerline;
- 2. Provide standard subdivision improvements pursuant to Section 40.811 of

the City Code consisting of curbs, gutters and paving on the west half of 49th Street from Parcel B to M Street.

3. Provide a sewer, water and drainage study. Offsite extensions will be required for sewers and water mains to connect to M Street. Offsite extension may be required for drainage pipes.
4. Pursuant to City Code Section 40.1302 (Parkland Dedication), the applicant shall submit to the city, an appraisal of the property to be subdivided (Parcel B) 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; and,
5. Submit a soils report prepared by a registered engineer to be used in street design.
6. The tentative map shall expire two years from date of approval unless the map is recorded. A request for a time extension may be requested 30 days prior to expiration of the map subject to review and approval of the City Council.

Conditions - Variance

1. No other structures or expansion of the existing structure shall be allowed in the rear yard area of Parcel A.
2. The balconies shall remain uncovered except for the two foot eave overhang.
3. The house and garage shall be constructed per the submitted plans.
4. The variance shall expire one year from date of approval unless a building permit has been issued and construction commenced. A one year time extension may be requested 30 days prior to expiration of the variance subject to review and approval of the Planning Commission.
5. *The applicant shall provide a second story window opening or a french door on the east (front) elevation subject to approval of the Design Review staff. (CPC Amended)*

Findings of Fact:

1. The proposed project, as conditioned, is based upon sound principles of land use in that the project is compatible with the residential uses to the north, south, east and west.
1. The proposed project, as conditioned, will not constitute a special privilege in that the several lots in the surrounding area are similar in width, depth and size.
2. The proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that
 - a. a second single family home could be constructed on the without Planning approval,
 - b. adequate setbacks and lot coverage will be provided, and
 - c. street improvements will be extended on 49th Street.
3. The proposed project, as conditioned, does not constitute a use variance in that single family dwellings are permitted in the Standard Single Family (R-1) zone.

4. The proposed project is consistent with the General Plan in that the site is designated low density residential.

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PLANS BY	Paul J. Mendoza, 5047 #A North Ave., Sacramento, CA 958608
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ASSESSOR'S PCL. NO.	008-0281-018
REPORT BY	JC

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PROPOSAL: The applicant is requesting the necessary entitlements to subdivide an existing 40' X 208' lot into two lots one measuring 40' X 106.5' (Parcel A) and the other measuring 40' X 101.5' (Parcel B) in order to construct an additional single family unit and for possible future sale of Parcel A.

PROJECT INFORMATION:

General Plan Designation: Low Density Residential (4-15 du/ac)
 Existing Zoning of Site: R-1
 Existing Land Use of Site: Single Family Residential

Surrounding Land Use and Zoning:		Setbacks:	Required	Provided
North:	Single Family; R-1	Front:	25'	25'
South:	Single Family; R-1	Side(Int):	5'	5'-8'
East:	Single Family; R-1	Rear:	15'	15'
West:	Single Family; R-1			

Parking Required: 1
 Parking Provided: 1
 Property Dimensions: 40' X 208'
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Height of Building: 24 feet
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Approval of the remaining variances and subdivision modification request will allow the creation of two substandard parcels. The two lots which will be created will be 40' X 106.5" (Parcel A) and 40' X 101.5'(Parcel B). The existing lot (Parcel A) will be substandard in lot area only (4,260 square feet), since the existing lot is 40 feet wide. The newly created lot (Parcel B) will be substandard in width (40 feet) and area (4060 square feet). The two lots will result in a substantial reduction in area from the standard 5200 square feet required for single family lots. The proposed parcels will be smaller than the majority of the lots on this block, however, there are several existing lots in the area which are equal to or smaller in size than the proposed lots. The lot split requires a variance for an existing two car garage which will be located on the proposed rear property line and covers more than 25% of the required rear yard. Staff supports the variance for rear yard coverage since the two car garage is existing and allows for vehicles to be parked on the site rather than on the public street. The proposed unit an accessory structure on Parcel B is situated on the lot to allow adequate open space between structures.

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49th Street is an unimproved street. The Zoning Ordinance states that a through lot with a depth of 125 feet or more, may be assumed to be two lots with the rear lines of each approximately equal distant from the the front lot lines, provided each such lot shall have an area of not less than 2,500 square feet; provided further that all yard requirements are complied with for the zone in which said through lot is located. The Zoning Ordinance allows the lot to be developed as two distinct lots, therefore, the applicant would be allowed to construct an additional unit facing 49th Street by right without review by Planning Commission. As a result of the map, street improvements will be provide on 49th Street. The project is consistent with density and existing development in the area.

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reduce resuspension of PM 10 through vehicle movements over the surfaces.

- o Increase the frequency of city street cleaning along streets in the vicinity of construction site.
- o Require construction contractors to designate a person or persons to oversee the dust abatement program and to order increased watering, as necessary.

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Recommendation: Staff recommends the Planning Commission take the following action:

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- C. Recommend approval of the Subdivision Modification to create one lot less than 52 feet;
- D. Recommend approval of the Subdivision Modification to create two lots less than 5,200 square feet in area;
- E. Approve the Variance to create one lot less than 52 feet wide subject to conditions and based upon findings of fact which follow;
- F. Approve the Variance to create two lots less than 5,200 square feet in area subject to conditions and based upon findings of fact which follow;
- G. Withdraw the Variance to exceed the 40% lot coverage, and;
- H. Approve the Variance to allow a detached accessory structure to exceed the 25% rear yard coverage subject to conditions and based upon findings of fact which follow;

Map Conditions:

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2. Provide standard subdivision improvements pursuant to Section 40.811

the City Code consisting of curbs, gutters and paving on the west half of 49th Street from Parcel B to M Street.

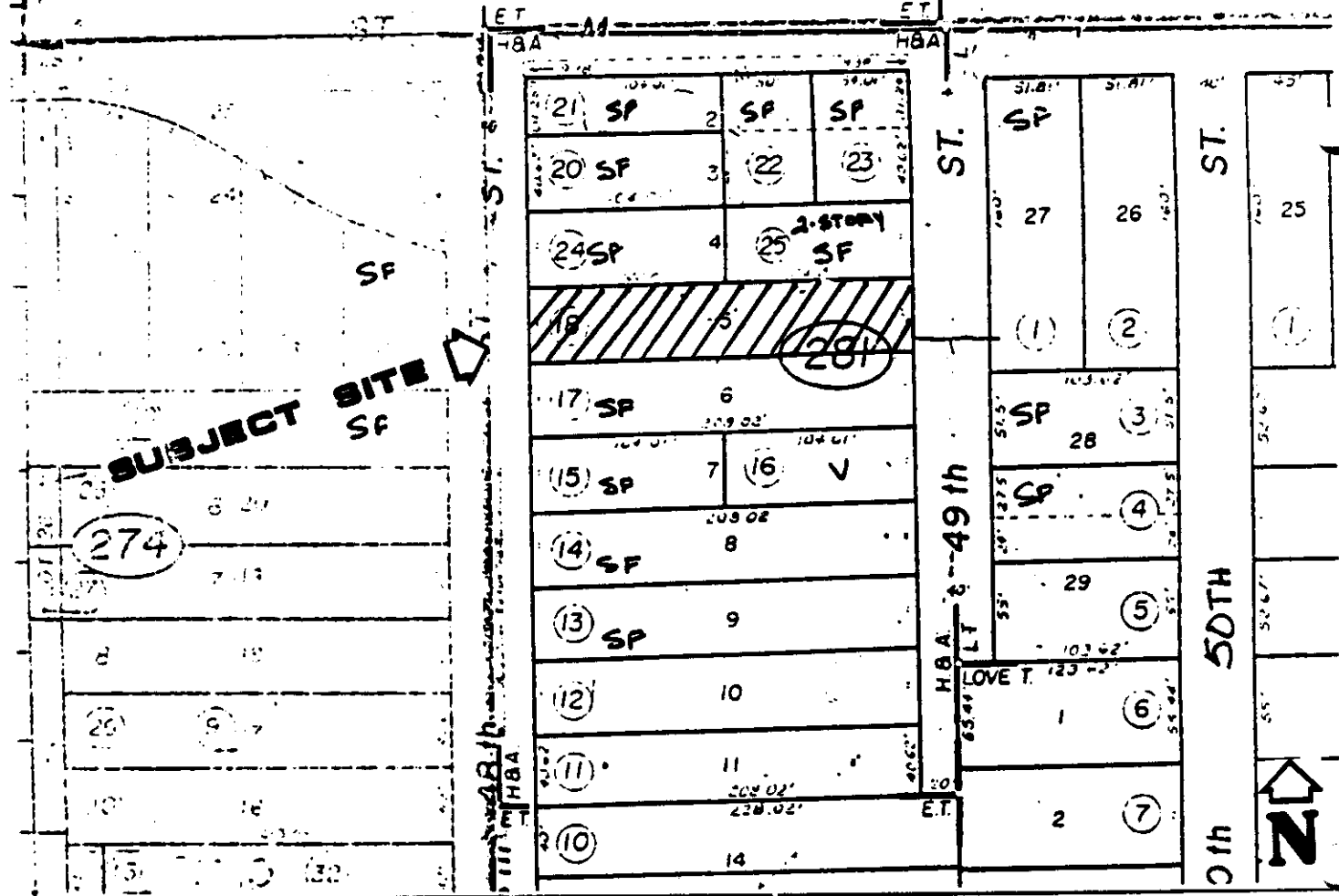
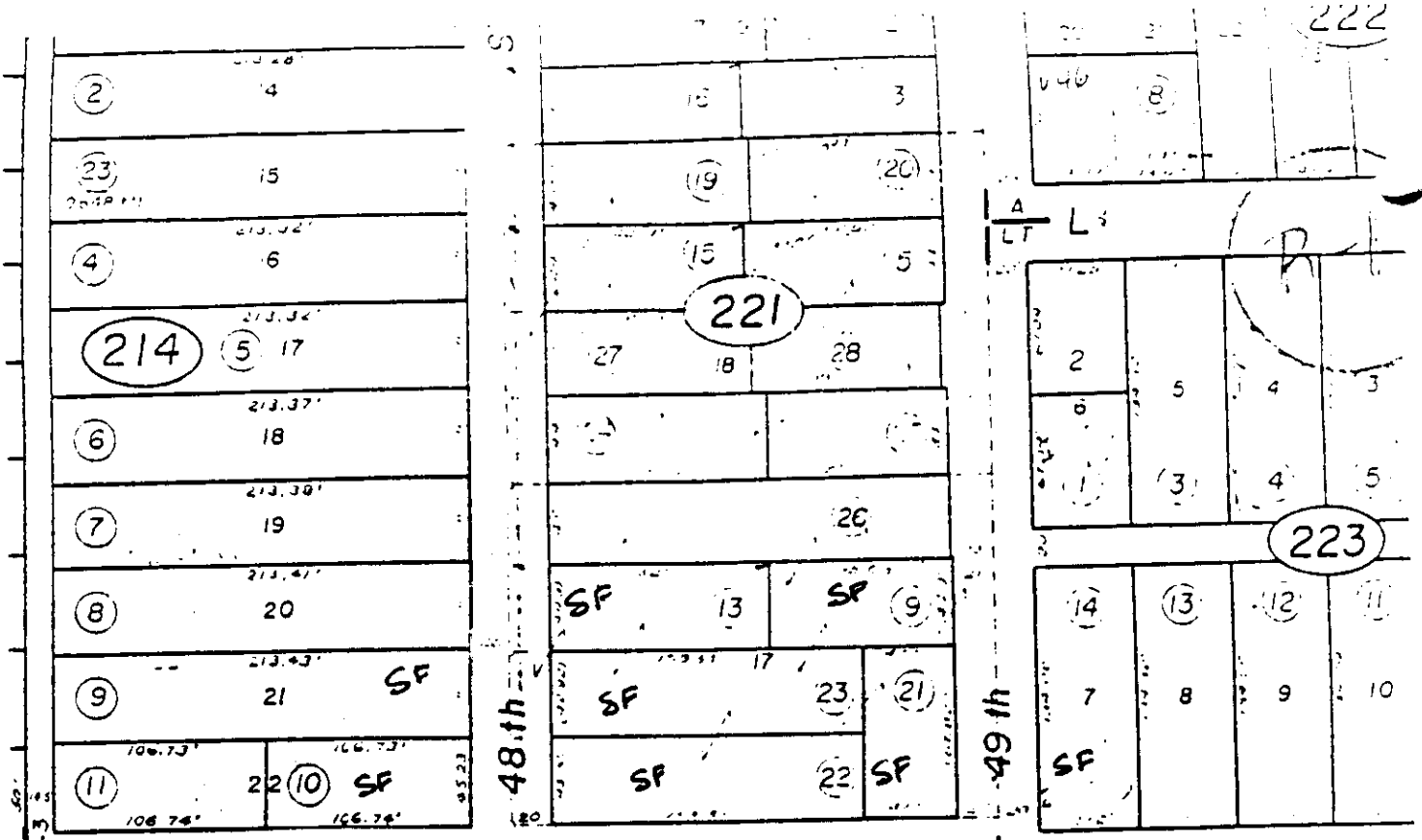
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6. The tentative map shall expire two years from date of approval unless the map is recorded. A request for a time extension may be requested 30 days prior to expiration of the map subject to review and approval of the City Council.

Conditions - Variance

1. No other structures or expansion of the existing structure shall be allowed in the rear yard area of Parcel A.
2. The balconies shall remain uncovered except for the two foot eave overhang.
3. The house and garage shall be constructed per the submitted plans.
4. The variance shall expire one year from date of approval unless a building permit has been issued and construction commenced. A one year time extension may be requested 30 days prior to expiration of the variance subject to review and approval of the Planning Commission.

Findings of Fact:

1. The proposed project, as conditioned, is based upon sound principles of land use in that the project is compatible with the residential uses to the north, south, east and west.
1. The proposed project, as conditioned, will not constitute a special privilege in that the several lots in the surrounding area are similar in width, depth and size.
2. The proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that
 - a. a second single family home could be constructed on the without Planning approval,
 - b. adequate setbacks and lot coverage will be provided, and
 - c. street improvements will be extended on 49th Street.
3. The proposed project, as conditioned, does not constitute a use variance in that single family dwellings are permitted in the Standard Single Family (R-1) zone.
4. The proposed project is consistent with the General Plan in that the site is designated low density residential.



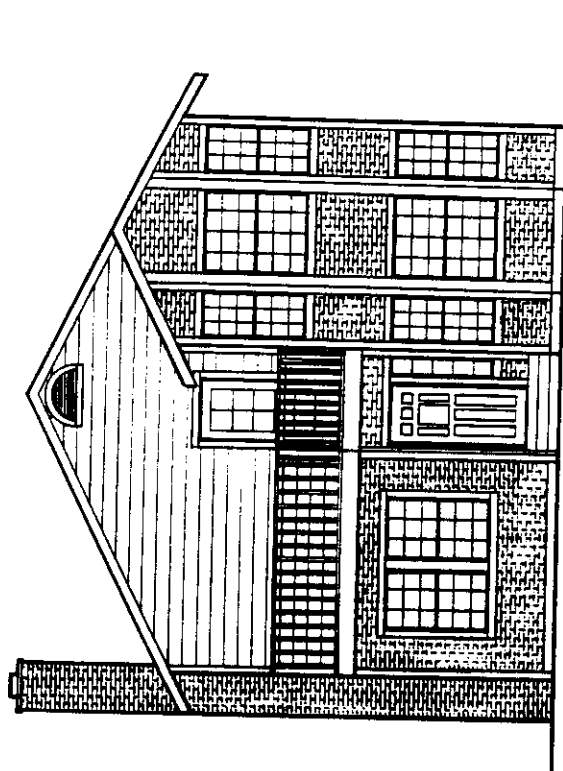
VICINITY, LAND USE & ZONING MAP

PACIFIC MODERN HOMES, INC.
P.O. BOX 670, ELK GROVE, CALIFORNIA 95759 0870
1916-423-3150
(916) 685-9514

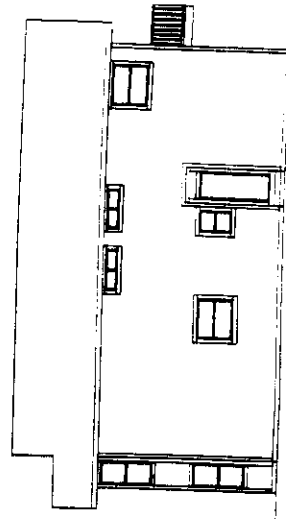


EXHIBIT C ELEVATIONS

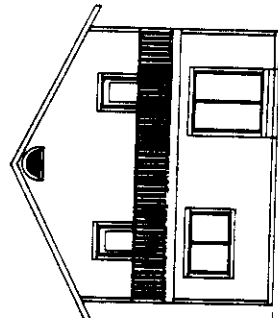
SCALE: AS SHOWN
DATE: 11-10-71
DRAWN BY: [illegible]



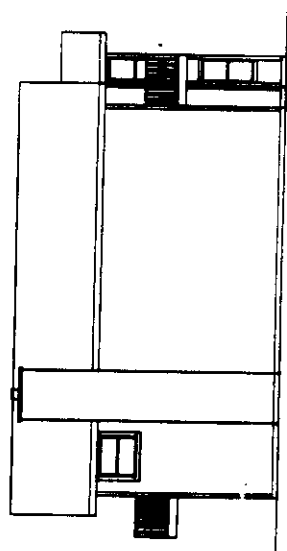
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RIGHT SIDE 1/8"=1'-0"



REAR ELEVATION 1/8"=1'-0"



LEFT SIDE 1/8"=1'-0"

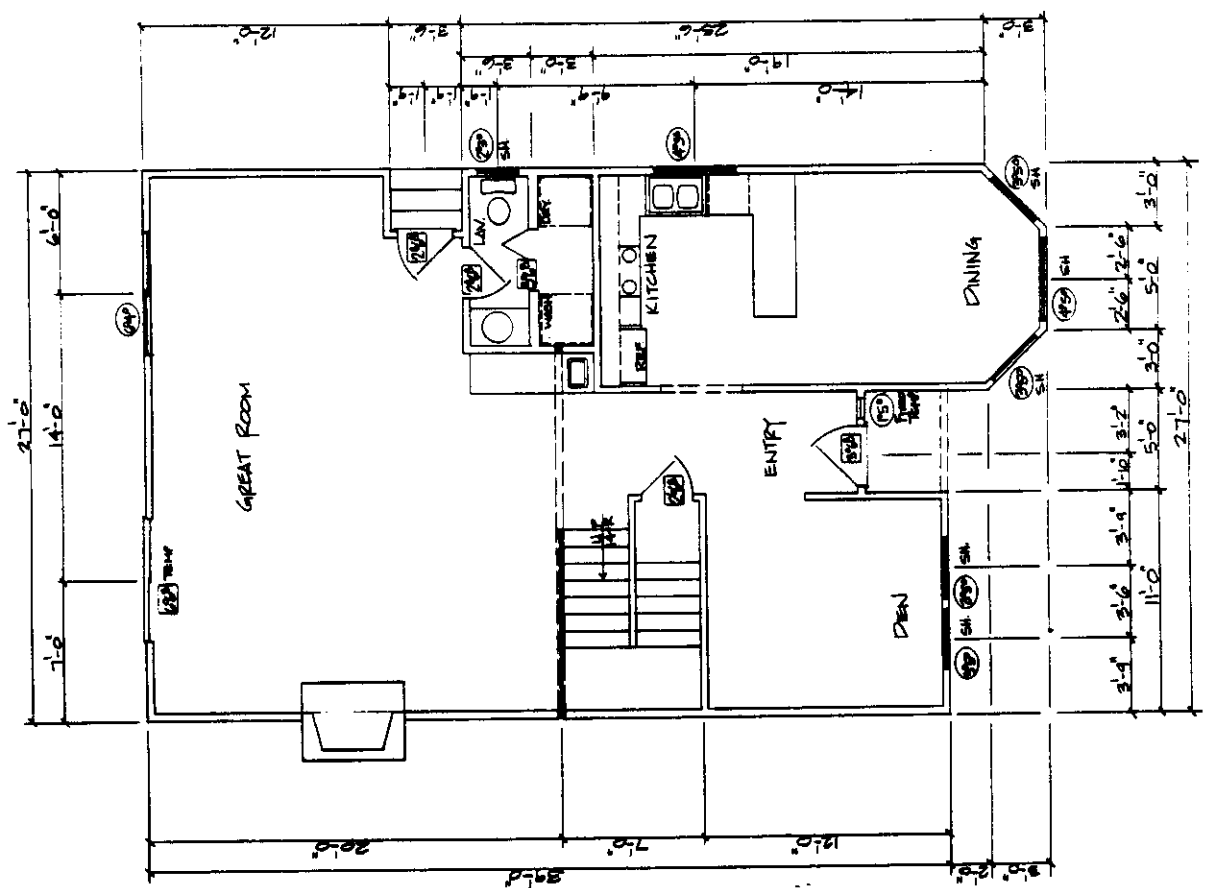
EXHIBIT D FLOOR PLANS

PACIFIC MODERN HOMES, INC.
 P.O. BOX 870 ELK GROVE CALIFORNIA 95759 0870
 (916) 422-3150
 (916) 885-9514



Floor Plan

DATE: 12-1-91
 DRAWN BY: [Signature]
 PROJECT: [Signature]



747-253

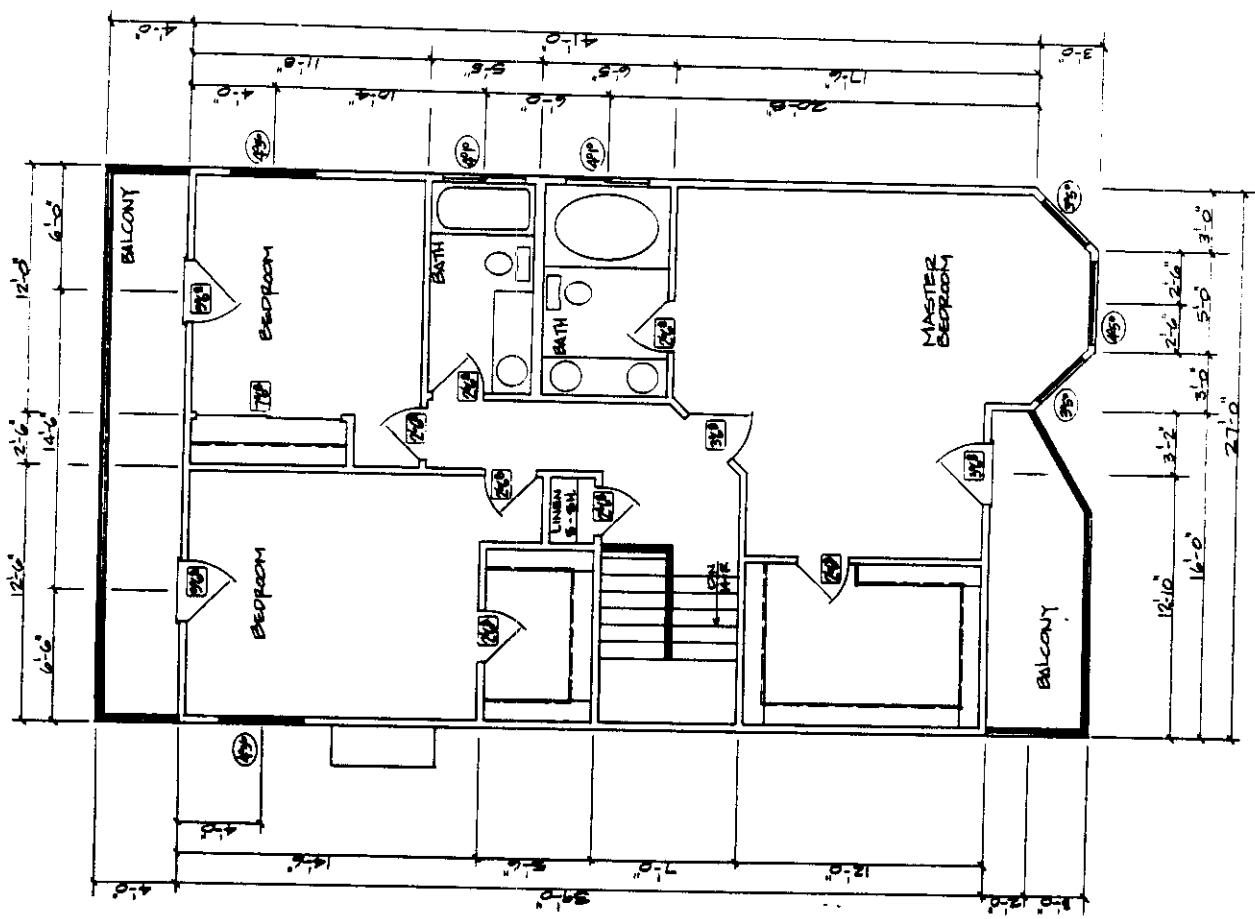
2-14-91

ITEM NO. 5

PACIFIC MODERN HOMES, INC.
 P.O. BOX 870 ELK GROVE CALIFORNIA 95758-0870
 (916) 685-9514



EXHIBIT D-1
FLOOR PLANS
 Floor Plan
 Tolson
 PIN NUMBER 2140
 16-31-91
 2
 2



790-253

2-14-91

ITEM 1005