

Amended by Applicant (2/7/94) and Staff (4/12/94)

P93-172 - Crupper Lot Split

- REQUEST:
- A. Tentative Map to subdivide .21± developed acres into two lots for two existing single-family residences in the Standard Single-Family Residential (R-1) zone.
 - B. Subdivision Modification to create two lots less than 100 feet deep.
 - C. Subdivision Modification to create two lots of less than 5,200 square feet.
 - D. *Subdivision Modification to create two lots with common sewer service. (Added by Applicant 2/7/94)*

LOCATION: North of Fruitridge Road, 4981 Martin Luther King Jr. Blvd.
APN: #022-0101-001
East Broadway Community Plan Area
Sacramento Unified School District
Council District 5

APPLICANT:	Eric LaBrie, Vail Engineering, (916) 929-3323 2033 Howe Ave. #220, Sacramento, CA 95825
OWNER:	Jessee & Cleo Crupper 4980 Mascot Avenue, Sacramento, CA 95820
PLANS BY :	Vail Engineering Corporation 2033 Howe Ave. #220, Sacramento, CA 95825
APPLICATION FILED:	11/24/93
STAFF CONTACT:	Colleen Carollo, 264-5691

SUMMARY/RECOMMENDATION:

The applicant proposes to subdivide .21± developed acres into two parcels to provide separate ownership of each of the two existing residences. The site is currently one parcel measuring 66 feet in width by 140 feet in depth. There are currently two single-family residences located on this parcel. This site is located within the East Broadway Community Plan area, as well as the Oak Park area. In order to meet the applicant's

objectives, the project requires the discretionary entitlements described above. **Staff recommends approval of the project *with the exception of the Subdivision Modification to create two lots with common sewer service. (Amended by Staff 4/12/94)*** This recommendation *for approval* is based upon the proposal's consistencies with the land use designations of the Sacramento General Plan Update (SGPU) of Low Density Residential. *The recommendation for denial of the Subdivision Modification to create two lots with common sewer service is based upon the proposal's inconsistencies with the Subdivision Ordinance. (Amended by Staff 4/12/94)*

PROJECT INFORMATION:

General Plan Designation:	Low Density Residential (4-15 du/na)
Community Plan Designation:	N/A
Existing Land Use of Site:	Developed w/ two single-family residences
Existing Zoning of Site:	R-1 (Standard Single-Family)

Surrounding Land Use and Zoning:

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

Setbacks:	Required	Provided
Front:	25'	20' (average of other setbacks on the block)
Side(south):	5'	5'
Side(north):	5'	8' & 14'
Rear:	15'	15'

Property Dimensions:	140' x 66'
Property Area:	.21 ± gross acres
Density of Development:	9 dwelling units per net acre
Square Footage of Unit:	approx. 1500 square feet per unit
Height of Building:	15 feet
Exterior Building Materials:	Stucco
Roof Material:	Composition Shingles
Parking Provided:	2-car garages
Parking Required:	1 space
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
	Need separate utilities for each site

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OTHER APPROVALS REQUIRED: In addition to the entitlement requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

<u>Permit</u>	<u>Agency</u>
Final Map or Certificate of Compliance	Public Works, Development Services

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The project site is located within the Oak Park Design Review area. The project is consistent with the Sacramento General Plan Update (SGPU) land use designation of Low Density Residential (4-15 du/na). The density of the project, as proposed, is 9 dwelling units per acre. The project also promotes the Sacramento General Plan goal of maintaining and improving the quality and character of existing residential neighborhoods (SGP, 2-1).

B. Tentative Map Design/Subdivision Ordinance Requirements

The proposed Tentative Map subdivides the site into two developed parcels (w/ existing single-family residences). The resulting dimensions for lots 1 and 2 will be 66' X 73' and 66' X 67', respectively. Because of the design of the map, the applicant is also required to obtain a Subdivision Modification to create two lots of less than the required 5,200 square feet and a Subdivision Modification to create two lots with less than the required 100 foot depth. The project density is consistent with the density of the General Plan. Therefore, staff recommends approval of the Tentative Map.

The project site contains two existing single family residences. When two structures are located on one parcel, separate sewer services are not required. The applicant is requesting a Tentative Map to subdivide one parcel into two parcels to facilitate separate ownership of the existing residences (project application information). The Subdivision Ordinance requires the installation of sanitary sewer service to serve each lot in a subdivision (§40.1211 Improvement Requirements). In the event of separate ownership of each residence, common sewer service would involve the need for cooperation of both owners for repair and maintenance matters. If cooperation does not occur, the health and safety of residences served could be jeopardized. Therefore, staff recommends denial of the Subdivision Modification to create two lots with common sewer service. (Amended by Staff 4/12/94)

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C. Site Plan Design/Zoning Requirements

The site is zoned for Standard Single-Family Residential development and currently contains two single-family residences. The proposed project creates two lots with less than the required 5,200 square feet and with less than the required 100 foot depth. Therefore, the project requires the Subdivision Modifications listed in Section B. The proposed project meets the minimum setback requirements and parking requirements of the Zoning Ordinance for the Standard Single-Family Residential (R-1). Therefore, no variances are required. Staff recommends approval of the Subdivision Modifications *to create two lots less than 100 feet deep and of less than 5,200 square feet. (Amended by Staff 4/12/94)*

D. Building Design

The proposed project is within the Oak Park Design Review area. ~~Although the area is one which requires sensitivity in design,~~ The applicant is not proposing any *new structures or modifications* to the existing residences *(Amended by Staff 4/20/94)*. Therefore, building design is not being evaluated.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project is exempt from environmental review pursuant to State CEQA Guidelines (Section 15315).

B. Public/Neighborhood/Business Association Comments

The project site is located within the defined areas of interest for the following neighborhood and merchants groups: the Oak Park PAC, the Oak Park Neighborhood Improvement Association, the Rosa Del Rio Homeowners Association, the Stockton Boulevard Business Improvement Association, and the Sierra Curtis Neighborhood Association. As of the date of this report, no comments have been received from these associations.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. The comments received were relating to standard subdivision improvements. *Specifically, the Utilities Department (as required by the Subdivision Ordinance) has required separate sewer service to each parcel. They are, therefore, These comments and requirements are included within the conditions of approval in the attached Resolution (Amended by Staff 4/20/94).*

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D. Subdivision Review Committee Recommendation

On January 19, 1994, the Subdivision Review Committee, by a vote of three ayes, voted to recommend approval of the proposed subdivision subject to the conditions in the attached Tentative Map Resolution.

PROJECT APPROVAL PROCESS: The Planning Commission has the authority to approve or deny the Tentative Map and Subdivision Modifications. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

RECOMMENDATION:

Staff recommends the Planning Commission take the following actions :

- A. Adopt the attached Resolution approving the Tentative Map to subdivide .21± developed acres into two parcels;
- B. Adopt the attached Tentative Map Resolution with findings of approval for the Subdivision Modification to create two lots less than 100 feet deep;
- C. Adopt the attached Tentative Map Resolution with findings of approval for the Subdivision Modification to create two lots of less than 5,200 square feet.
- D. *Adopt the attached Tentative Map Resolution with findings of denial for the Subdivision Modification to create two lots with common sewer service. (Amended by Staff 4/12/94)*

Report Prepared By,

Report Reviewed By,



Colleen Carollo
Assistant Planner



Barbara Wendt
Senior Planner

Attachments

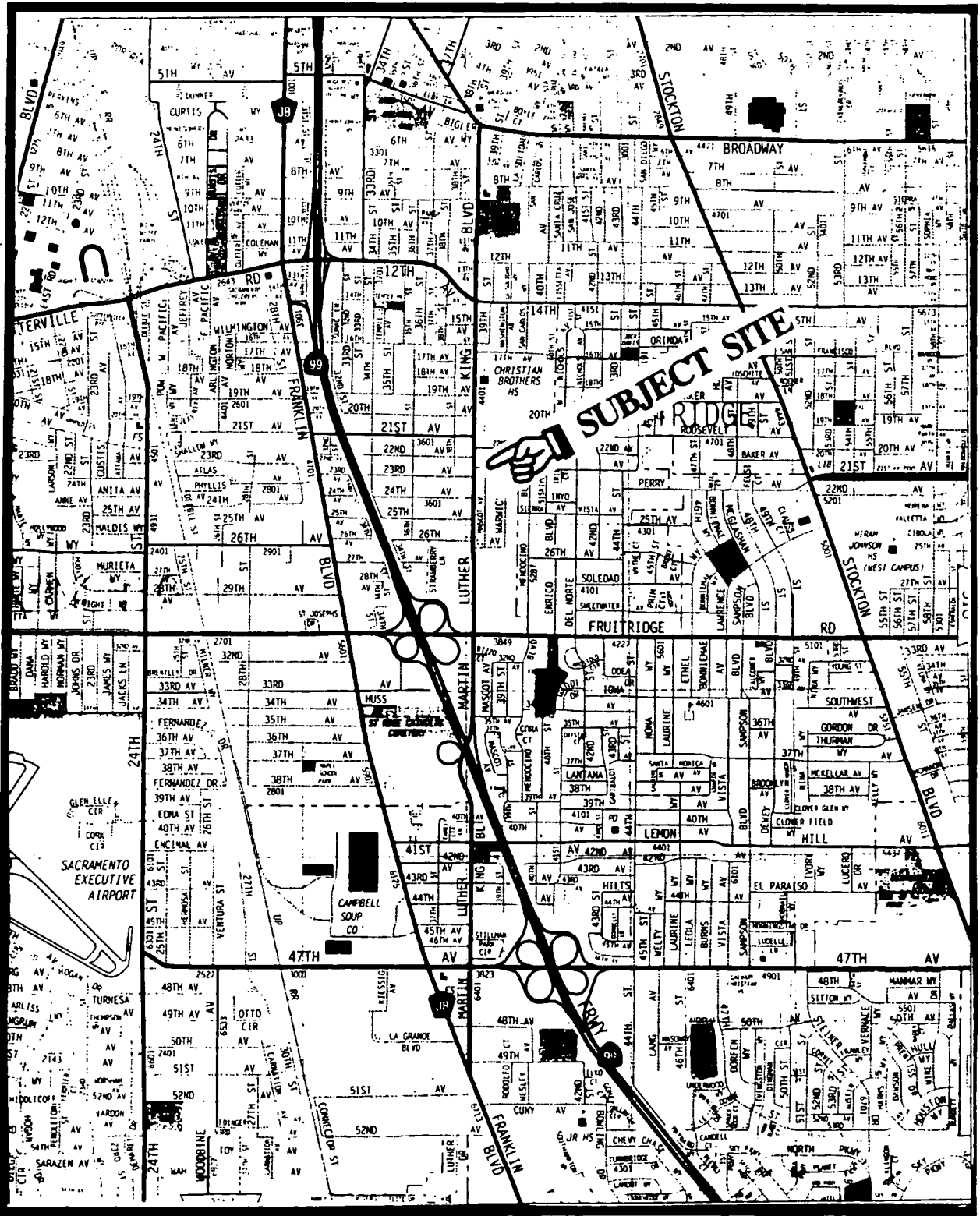
- Attachment A Vicinity Map
- Attachment B Land Use and Zoning Map
- Attachment C Resolution approving the Tentative Map and Subdivision Modifications to create two lots less 100 feet deep and of less than 5,200 square feet and denying the Subdivision Modification to create two lots with common sewer service. (Amended by Staff 4/12/94)
- Exhibit C-1 Tentative Map

ATTACHMENT A

P93-172

APRIL 28, 1994

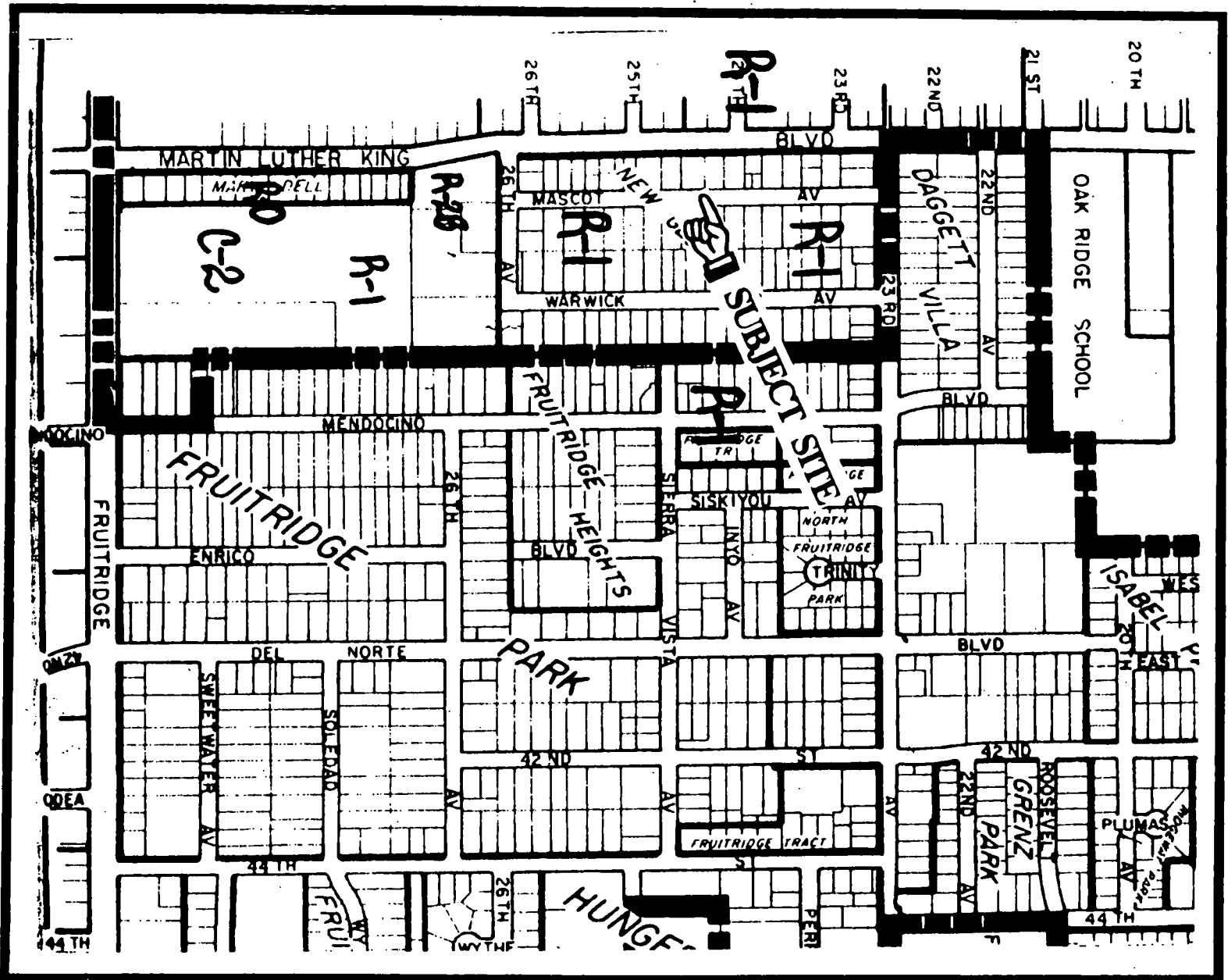
ITEM #2
PAGE 6



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VICINITY MAP

ATTACHMENT B



LAND USE AND ZONING MAP

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Amended by Applicant and Staff 4/12/94

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF April 28, 1994

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING SUBDIVISION MODIFICATIONS TO CREATE TWO LOTS LESS THAN 100 FEET DEEP AND OF LESS THAN 5,200 SQUARE FEET, AND A TENTATIVE MAP, AND DENYING A SUBDIVISION MODIFICATION TO CREATE TWO LOTS WITH COMMON SEWER SERVICE FOR PROPERTY LOCATED AT 4981 MARTIN LUTHER KING JR. BLVD.

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(P93-172) (APN: 022-0101-001)

WHEREAS, the City Planning Commission on ~~February 10~~, April 28, 1994 held a public hearing on the request for approval of a tentative map for property located at the above described location;

WHEREAS, all governmental and utility agencies affected by the development of the proposed subdivision have been notified and given the opportunity to respond;

WHEREAS, the City Environmental Coordinator has determined that the proposed project is exempt from environmental review pursuant to CEQA Section §15315;

WHEREAS, the Subdivision Review Committee has submitted to the City Planning Commission its report and recommendations on the proposed subdivision;

WHEREAS, the City Planning Commission has considered the design of the proposed subdivision in relation to feasible future passive or natural heating and cooling opportunities; and

WHEREAS, the City Planning Commission has considered the effects that approval of the proposed subdivision would have on the housing needs of the Sacramento Metropolitan area and balances these needs against the public service needs of City residents and available fiscal and environmental resources.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF

SACRAMENTO THAT:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision.
2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 40 of the City Code, which is a Specific Plan of the City. The City General Plan designates the subject site for Low Density Residential land use(s):
3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Quality Control Board, Central Valley Region in that existing treatment plants have a design capacity adequate to service the proposed subdivision.
4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
5. In the matter of the hereby approved requested subdivision modifications to create two lots less than 100 feet deep and to create two lots of less than 5,200 square feet in total area:
 - a. The City Planning Commission determines that it is impossible, impracticable and undesirable in this particular case to conform to the strict application of the subdivision ordinance in that *the site is* already developed with two single-family residences.
 - b. The cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification in that the property is already developed with two single-family residences and in that the property is not of a size which can be split into two parcels with the required dimensions and square footage.
 - c. The modifications will not be detrimental to the public health, safety, or welfare, or be injurious to other properties in the vicinity in that the project site is already developed with two single-family residences.
 - d. That granting the modifications are in accord with the intent and purpose of these regulations and are consistent with the General Plan and with all other applicable Specific Plans of the City in that the density of the proposed subdivision conforms with the land use designation.
6. *In the matter of the hereby denied requested subdivision modification to create two lots with common sewer service:*
 - A. *The City Planning Commission determines that it is possible in this particular*

case to conform to the application of the subdivision ordinance in that installation of separate sewer lines is feasible for each of the residences.

B. The cost to the subdivider of strict or literal compliance with the regulation would be the sole reason for granting the modification. Construction and installation of separate sewer lines is feasible for each of the residences.

C. The modification may be detrimental to the public health, safety, or welfare, or be injurious to other properties in the vicinity in that all repairs and maintenance for problems occurring within the common system would require cooperation of all future owners of said properties.

6-7. The tentative map for the proposed subdivision is hereby approved, subject to the following conditions which must be satisfied prior to the filing of the final map unless a different time for compliance is specifically noted:

- A. Pay off existing assessments;
- B. Provide separate sewer and water services and any necessary private easements to each Parcel;
- C. New water services will be metered;
- D. Show all existing easements;
- E. Reciprocal drainage easements may be required if drainage crosses parcel lines;

ADVISORY NOTES:

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

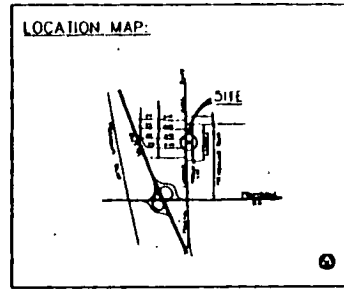
- A. Applicant may file a Certificate of Compliance in lieu of a Final Map to record this lot split if no Subdivision Improvement Agreement is required;

CHAIRPERSON

ATTEST:

00753

SECRETARY TO PLANNING COMMISSION



GENERAL NOTES:

OWNER: Jesse & Cleo Crupper
4900 Mascot Ave
Sacramento, CA 95820
457-4084

ENGINEER: Vail Engineering Corp
2033 Howe Ave., #270
Sacramento, CA 95825
928-3323
Attn: Michael Palouin

A.P.N.: 022-0101-001

PROPOSED LOT DIMENSIONS: #1) 66'x73' #2) 66'x67'

CURRENT ZONING: R-1

PROPOSED ZONING: R-1

CURRENT USE: Residential

PROPOSED USE: Residential

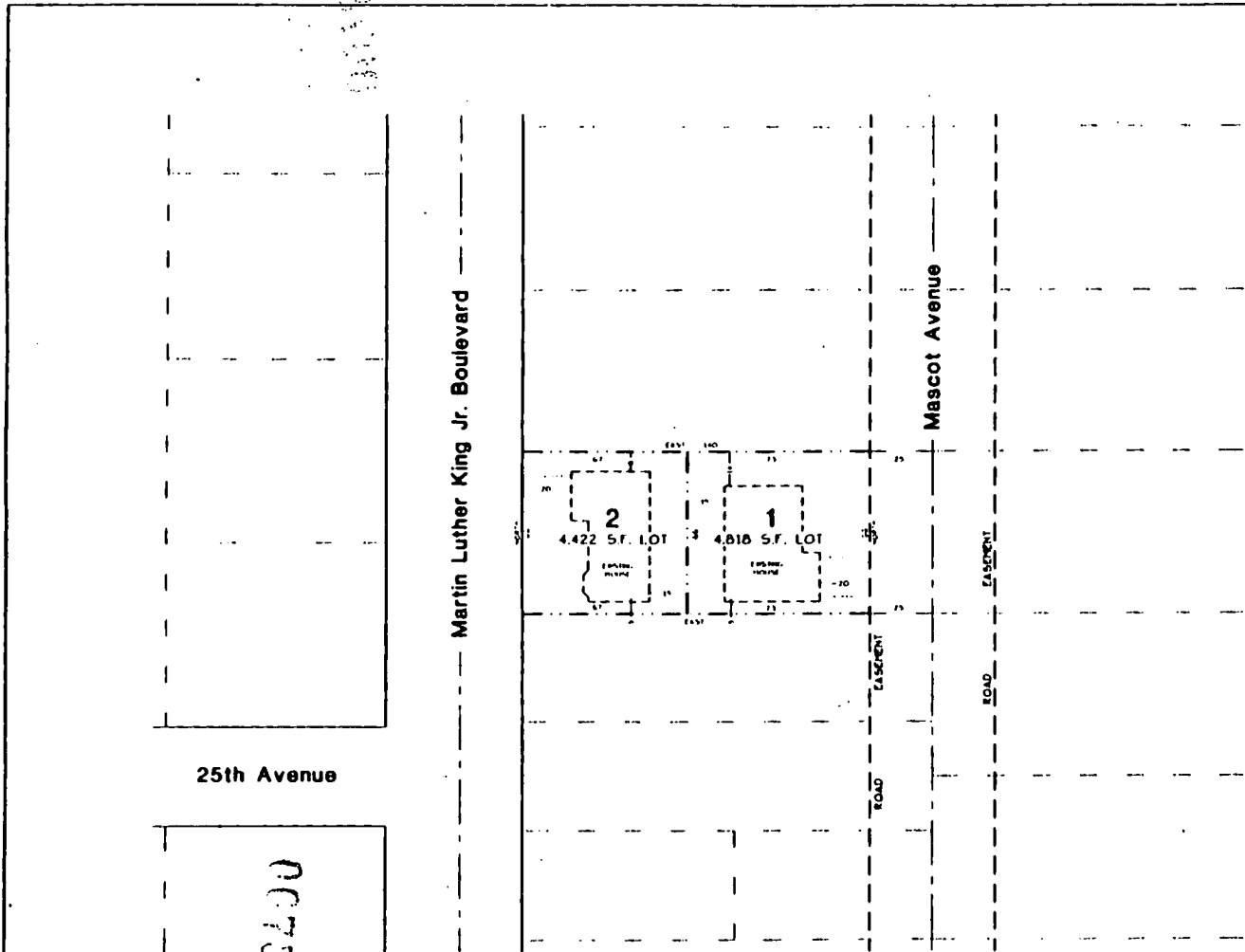
GROSS AREA: 9240 s.f.

SCHOOL DISTRICT: Sacramento City Unified

WATER SUPPLY: City of Sacramento

SEWER SERVICE: City of Sacramento

STORM DRAIN SERVICE: City of Sacramento



25th Avenue

Martin Luther King Jr. Boulevard

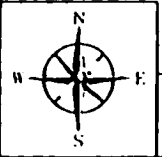
Mascot Avenue

4,422 S.F. LOT

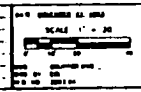
4,816 S.F. LOT

TENTATIVE MAP
CRUPPER LOT SPLIT
COUNTY OF SACRAMENTO, CALIFORNIA

LAND PLAN



NO.	DATE	DESCRIPTION	BY	CHECKED
1	4/28/94	PREPARED		
2				
3				
4				
5				



2013 HOWE AVE
SUITE 270
SACRAMENTO, CA 95825
(916) 928-3323