

P98-030 - Tentative Map Time Extension

- REQUEST:
- A. Environmental Determination: Prior Negative Declaration.
 - B. Tentative Map Time Extension for one year to subdivide 2.83± acres into 15 residential lots in the Standard Single Family (R-1) zone.
 - C. Subdivision Modification to create four lots less than 100 feet in depth.

LOCATION: 4209 76th Street & 7600 17th Avenue
APN: 021-0192-001,011
Council District 6

APPLICANT:	Gardner-Feusi, c/o Robin Smith, (916)482-5177 1722 Professional Dr. Sacto. 95825
OWNER:	Richard Almaz, c/o Paul Almaz 6700 Freeport Blvd. 203A, Sacto. CA 95822
PLANS BY:	Gardner-Feusi 1722 Professional Dr. Sacto. 95825
APPLICATION FILED:	March 26, 1998
STAFF CONTACT:	Bridgette Williams, (916) 264-5000

SUMMARY: The applicant is requesting a one year time extension for an approved Tentative Map prior to its expiration date (April 9, 1998). The subject site is on 2.83 ± acres in the Standard Single Family (R-1) zone. In order to meet the applicant's objectives, the project requires the discretionary planning entitlement described above. In evaluating the project, the basic issues-are lot sizes and compatibility with surrounding residential neighborhoods.

RECOMMENDATION: Staff recommends approval of the project. This recommendation is based on the project's consistency with the General Plan land use designation, policies and the project's compatibility with surrounding residentially zoned lots in the immediate area. Upon approval by the Planning Commission, the one year time

extension for the Tentative Map will expire April 9, 1999.

PROJECT INFORMATION:

General Plan Designation:	Low Density Residential (4-15 du/na)
Existing Land Use of Site:	Two sheds and Residential Unit
Existing Zoning of Site:	R-1

Surrounding Land Use and Zoning:

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

Property Dimensions:	236' x 432'
Property Area:	2.83 ± gross acres
Density of Development:	6.25 du/na
Topography:	Flat
Street Improvements:	Existing & To Be Provided
Utilities:	Existing & To Be Provided

OTHER APPROVALS REQUIRED: In addition to the entitlements 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	Public Works, Development Services
Building Permit	Development Services Division

BACKGROUND INFORMATION:

On April 9, 1991, the City Council approved a Tentative Map to subdivide a 2.83± vacant acres into 15 lots for residential development (P90-450). The Tentative Map approved is effective for a two year period from the date of its original approval (April 9, 1993). On May 13, 1993, a two year time extension was approved (P93-055 - April 9, 1995). The Subdivision Map Act allows Tentative Maps for a term of five years (2 with original map approval\3 with extension requested). On September 13, 1993, legislation was passed allowing an automatic two year extension for all tentative maps that were approved prior to that date (September 13, 1993) and which were valid and/or in process on or prior to that date (April 9, 1997).

On May 14, 1996, an additional one year map extension was approved by Governor Wilson (April 9, 1998). These legislative actions provided that the two and one year extensions are in addition to any other extensions allowed by the Subdivision Map Act. With the new legislation, a Tentative Map is valid for a term of up to eight years (5 with approval and extension & 3 with legislation), provided the applicant requests a time extension of the map.

Because the approved map was valid during the legislative actions, the Tentative Map Extension falls under the September 13th and the May 14th legislation and the City's five year term. Based on the two legislation actions, and the 5 year approval with extensions, the tentative map will expire **April 9, 1999**, provided an extension of the map is approved by the City Planning Commission. The applicant is requesting a one year time extension for the tentative map which would be the limit allowed under the Map Act. No other map extensions could be granted since the one year extension ends the 5 year term of the map. The Subdivision Modification is tied to the originally approved Tentative Map and will also expire April 9, 1999.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The project proposal is consistent with the General Plan land use designation. The proposed subdivision promotes the goals of the General Plan, in that, adequate land for residential infill development is planned to maximize housing construction on urban vacant properties (SGP 3-47). The proposed residential development will also meet the goal of the City to provide affordable housing for all income groups. The residential lots are consistent with surrounding lots in the area.

B. Tentative Map Design - Subdivision Modification

The overall map design is consistent with the originally approved map (P90-450). Access to the newly established residential lots is from 76th Street, 17th Avenue and 18th Avenue. Lots 5 through 11 will receive access from the proposed cul-de-sac. The new residential subdivision will create lots ranging from 5,200 square feet to 6,400 square feet in size. The overall map design and lot sizes are in keeping with the surrounding residential development.

The proposed subdivision is surrounded by development. Because of this, four lots (Lots 5,6,10,& 11) will have substandard depths (less than 100 feet). A Subdivision Modification is, therefore, necessary to allow the creation of substandard lots. The substandard lots will have depths a little over 90 feet. Although the lots are shallow, the lot widths are wider than normal to compensate.

Staff is not opposed to the substandard lots since the widths will be slightly greater than 52 feet. Additionally, the project is subject to existing development constraints of the area. Seventeenth Avenue and Eighteenth Avenue located to the north and south of the property limit the possibility of obtaining additional land for the substandard lots. Staff is not opposed to the Tentative Map Time Extension or the Subdivision Modification provided the attached conditions are met.

As previously mentioned above, the Tentative Map upon approval will expire on April 9, 1999. If a Final Map has not been recorded by the expiration date (4/9/99) of the map, a new Tentative Map will be required. The Tentative Map shall also be subject to the original conditions of the tentative map (P90-450) and any new conditions required by the Subdivision Review Committee. The Subdivision Modification is also tied to the Tentative Map Extension which will expire on 4/9/99.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The ratified Negative Declaration has been prepared for the original approved entitlements (Tentative Map & Subdivision Modification) (P90-450) kept on file in the Planning Division Office.

Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, a Negative Declaration was previously prepared and ratified for the original project, and that no further environmental review is required or permitted for purposes of considering the entitlements of this project (P98-030), which represent only a time extension of the original Tentative Map and a Subdivision Modification tied to the map.

B. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. The Notice of Decision identifies conditions from various agencies.

C. Subdivision Review Committee Recommendation

On May 6, 1998, the Subdivision Review Committee, by a vote of three ayes, voted to recommend approval of the proposed tentative map time extension and Subdivision Modification subject to the conditions in the attached Notice of Decision.

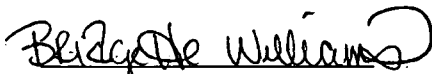
PROJECT APPROVAL PROCESS: Planning Commission has the authority to approve or deny the One Year Time Extension and Subdivision Modification for the map. The Planning Commission action may be appealed to the City Council. The appeal must be filed within 10 days of the Planning Commission action.

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

Adopt the attached Notice of Decision approving the One Year Time Extension for the Tentative Map to subdivide property into 15 residential parcels on 2.83 ± vacant acres in the Standard Single Family (R-1) zone.

Report Prepared By,

Report Reviewed By,



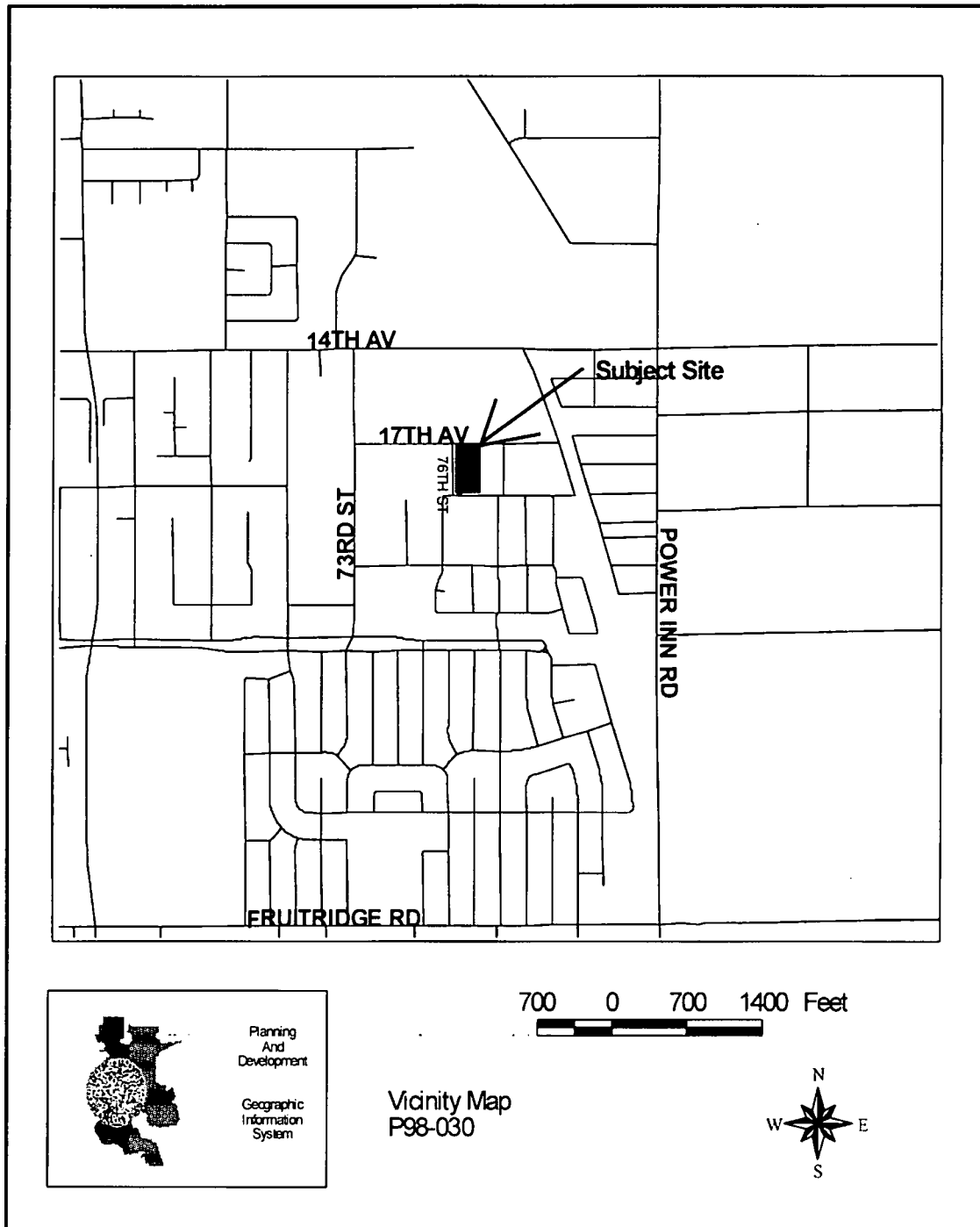
Bridgette Williams
Associate Planner

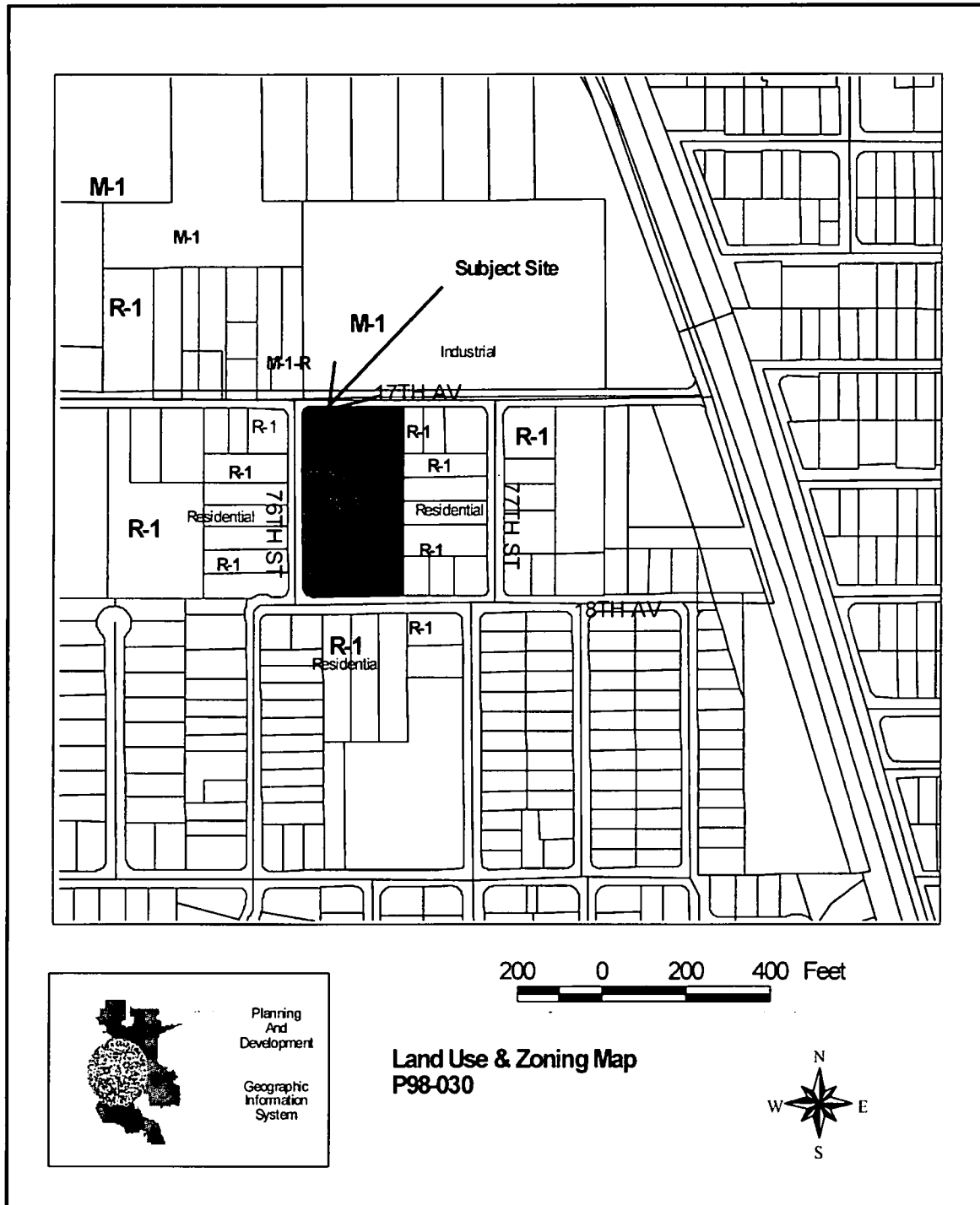


Don Smith
Associate Planner

Attachments

Attachment A	Vicinity Map
Attachment B	Land Use and Zoning Map
Attachment C	Notice of Decision approving the Tentative Map Extension & Subdivision Modification
Exhibit C-1	Tentative Map





ATTACHMENT C

**NOTICE OF DECISION AND FINDINGS OF FACT FOR
SIMOTAS ESTATES TENTATIVE MAP TIME EXTENSION AND SUBDIVISION
MODIFICATION FOR ONE YEAR, LOCATED AT 4209 76TH AVENUE AND 7600 17TH
AVENUE, SACRAMENTO, CALIFORNIA IN THE STANDARD SINGLE FAMILY (R-1)
ZONE. (P98-030) (APN: 021-0192-001 & 011)**

At the regular meeting of June 11, 1998, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. **Environmental Determination: Found the project Exempt pursuant to CEQA Section 15061(b-3)**
- B. **Approved the Tentative Map Time Extension for one year to subdivide two parcels into 15 residential parcels on 2.83 ± vacant acres in the Standard Single Family (R-1) zone.**
- C. **Approved the Subdivision Modification to create four lots less than 100 feet in depth.**

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

- A. **Negative Declaration:** The City Planning Commission approves the Negative Declaration (the Negative Declaration is approved), based upon the following findings:
 - 1. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, a negative declaration was previously prepared and ratified for the original project, and that no further environmental review is required or permitted for purposes of considering the entitlements of this project (P98-030), which represent only a time extension of the original tentative map.

2. Based upon the previous negative declaration there is no substantial evidence that the project will have a significant effect on the environment.
- B. Tentative Map Time Extension: The Tentative Map One Year Time Extension to subdivide two parcels into 15 residential parcels on 2.83 ± vacant acres in the Standard Single Family (R-1) zone is approved subject to the following findings of fact and conditions of approval:
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 provision for its design and improvement, is consistent with the City General Plan.
 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 Water 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.
- C. Subdivision Modification (From Section 40.1001) of the Subdivision Regulations to waive minimum lot sizes: The Subdivision Modification to establish four lots less than 100 feet in depth in a newly established residential subdivision on 2.83 ± vacant acres in the Standard Single Family (R-1) zone is approved subject to the following findings of fact and conditions of approval:
1. The property to be divided contains such special circumstances or conditions affecting the property that it is impossible, impractical, or undesirable in this particular case to conform to the strict application of these regulations; the specific circumstance is that the new subdivision is surrounded by existing development which limits the ability to obtain additional acreage.
 2. The cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification.
 3. The modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity due to conditions placed on the project.

4. The granting of the modification is in accord with the intent and purposes of these regulations and is consistent with the General Plan.

CONDITIONS OF APPROVAL

The applicant shall satisfy each of the following conditions prior to filing the Final Map unless a different time for compliance is specifically stated in this condition:

1. Provide standard subdivision improvements pursuant to Section 40.12.1211 of the City Code on the cul-de-sac;
2. Submit a soils test prepared by a registered engineer to be used in street design;
3. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
4. Pursuant to City Code Section 40.16.1601 (parkland dedication), submit to the City an appraisal of the property to be subdivided 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;
5. Comply with requirements included in the Mitigation Monitoring Plan developed by and kept on file in the Planning Division Office (P90-450);
6. 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 any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition;
7. Dedicate a standard 12.5-foot public utility easement for underground public utility facilities and appurtenances adjacent to all public ways;
8. Dedicate a standard 12.5 foot public utility easement for underground and overhead facilities and appurtenances adjacent to 76th Street ;
9. Show all existing easements;
10. Pursuant to City Code Section 40.10.1019, 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 Department of Public Works after consultation with the U.S. Postal Service;

11. Remove and reconstruct existing deteriorated curb, gutter and sidewalk per City standards;
12. Dedicate an additional two-foot of right-of-way adjacent to 17th Avenue, 18th Avenue, and 76th Street to provide a 22 foot half street;
13. Provide street lights. Coordinate street light design with the Public Works Electrical Section;
14. Prior to or concurrent with the submittal of improvement plans, the applicant must provide the Department of Utilities with the average day water system demands, the fire flow demands, and the proposed points of connection to the water distribution system for the proposed development. The Department of Utilities can then provide the "boundary conditions" for the design of the water distribution system. The water distribution system shall be designed, per Section 13.4 of the Design and Procedures Manual, to satisfy the more critical of the two following conditions:
 - a. At maximum day peak hour demand, the operating or "residual" pressure at all water service connections shall be at least 30 pounds per square inch.
 - b. At average maximum day demand plus fire flow, the operating or "residual" pressure in the area of the fire shall not be less than 20 pounds per square inch.

The method and calculations for the design of the water distribution system shall be reviewed and approved by the Department of Utilities prior to improvement plan approval.
15. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.

16. A sanitary sewer study described in section 9.9 of the City Design and Procedures Manual is required. This study and shed map shall be approved by the Department of Utilities.
17. A drainage study and shed map as described in section 11.7 of the City Design and Procedures Manual is required. This study and shed map shall be approved by the Department of Utilities. The 10-year and 100-year HGL's shall be shown on the improvement plans. The 10-year HGL shall be no higher than 6 inches below the lowest DI. Finished lot pad elevations shall be a minimum of 1.00 feet above the 100-year HGL and approved by the Department of Utilities.
18. Properly abandon under permit, from the City and County Environmental Health Division, any well or septic system located on the property.
19. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment control methods on the subdivision improvement plans. These plans shall also show the methods to control urban runoff pollution from the project site during construction.
20. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Only source control measures are required. This will not affect site design. Refer to the draft "Manual of Standards for Design of New Development On-Site Stormwater Quality Control Measures", dated January 23, 1995, for appropriate source control measures.
21. The cul-de-sac right of way radius shall be 45 feet.

ADVISORY NOTES:

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

22. Negotiate with the Sacramento City Unified School District, a written agreement in satisfaction of the proposed subdivision's school facilities impacts on the District, as mutually agreed to by the applicant and the District, subject to ratification by the District's Board of Trustees.
23. On January 5, 1998 the Federal Emergency Management Administration

(FEMA) released the final draft of the AR Flood Restoration Zone (AR zone). The AR zone, which takes effect on July 6, 1998, will replace the current A99 flood zone designation. In the interim period, the City of Sacramento will develop implementing codes, ordinances and maps for the AR zone. Within the AR zone the following regulations will apply:

- All new residential and commercial development will be required to be constructed with the lowest floor, including basement, at or above the base flood elevation, or 3 feet above the highest adjacent grade, whichever is lower.
- Commercial projects will have the option of flood proofing in lieu of the elevation requirement.

Residential building permits and commercial foundation permits issued prior to July 6, 1998 will not be subject to AR flood zone construction standards if construction is begun within 180 days of building permit issuance. Building permits and foundation permits issued on or after July 6, 1998 will be subject to AR zone development standards. Approved entitlements or development agreements do not offer "grandfather" privileges that might allow development to occur pursuant to pre-AR zone regulations. All development commencing after July 6, 1998 will be subject to the AR regulations.

In areas where two flood zones exist concurrently (e.g. AR/AE), the designation with the highest development standard applies.


CHAIRPERSON

ATTEST:



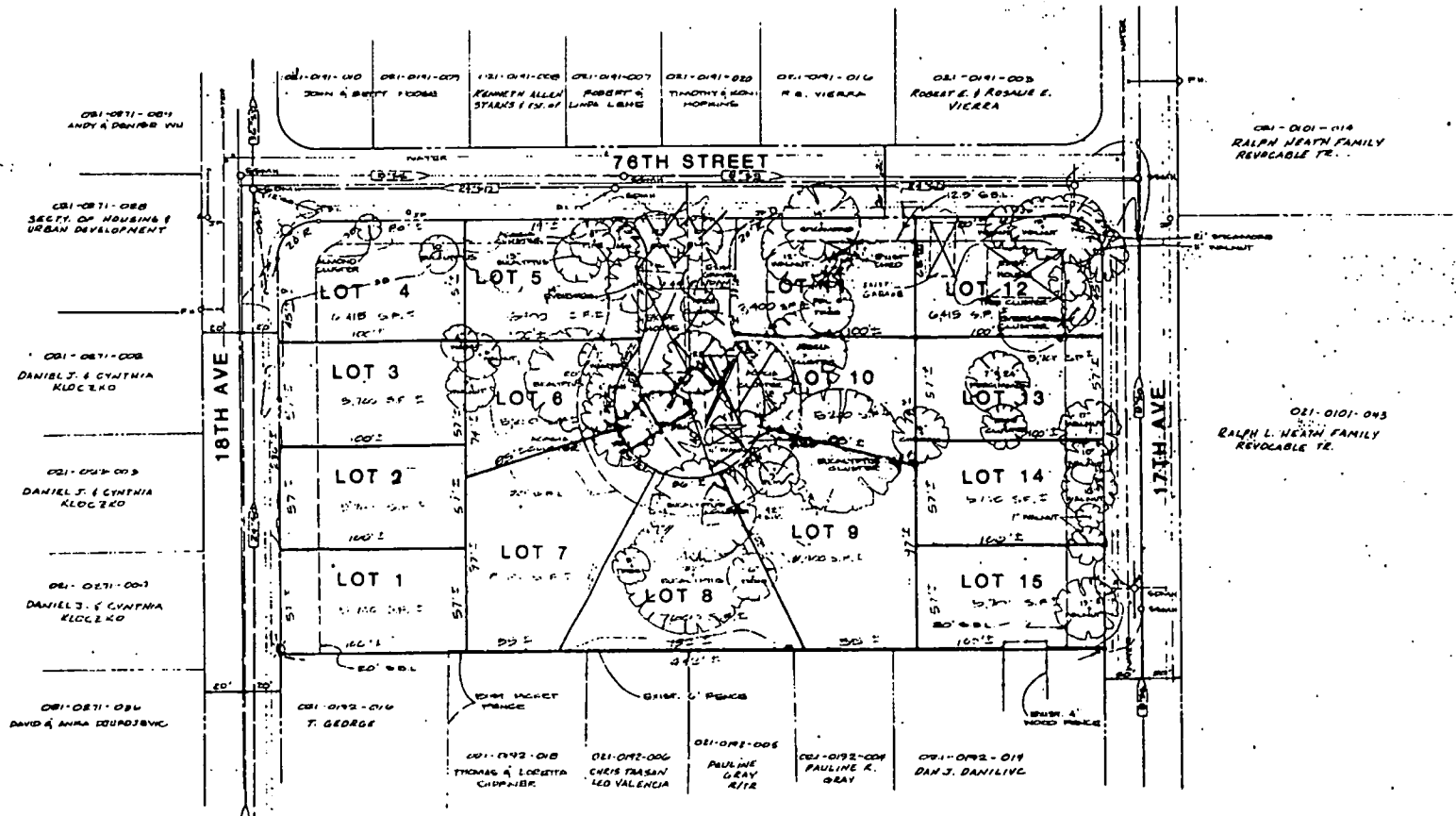
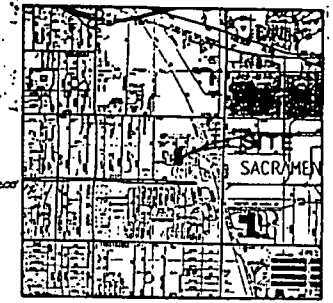
SECRETARY TO CITY PLANNING COMMISSION

6-11-98
DATE (P98-030)

TENTATIVE MAP

FOR
7600 17TH AVE & 4209 76TH ST
CITY OF SACRAMENTO, CALIFORNIA

LOCATION MAP



PROJECT DATA

RECORD OWNER & SUBDIVIDER: VERNON L. & JOSEPHINE E. ARMSTRONG
 ADDRESS: PAUL ALMAZ
 1722 PROFESSIONAL DR
 SACRAMENTO CA 95825
 DATED 12/17/97 PHONE 482-9177

LEGEND

EXISTING ZONING: R-1
 PROPOSED ZONING: R-1
 EXISTING USE: RESIDENTIAL
 PROPOSED USE: AS REQUIRED
 PROPOSED IMPROVEMENTS: 8' x 12' SIDE SET BACKS
 ACRES: 0.21-0.22-0.01, 0.11
 LEGAL DESCRIPTION: PORTION OF LOT 1981 OF BANNERWOOD
 SEWER DISPOSAL: SACRAMENTO COUNTY
 WATER SUPPLY: CITY OF SACRAMENTO
 PARK & RECREATION: CITY OF SACRAMENTO
 FIRE DISTRICT: SACRAMENTO CITY UNITIFIED
 SCHOOL DISTRICT: AREA 1
 AREA: 2.83 ± AC. ORSI / 2.99 AC. NET

SIMOTAS ESTATES



NO.	DESCRIPTION	DATE

BENCHMARK	ELEVATION NO. 2252
THIS MAP IS A TENTATIVE MAP AND IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THAT FOR WHICH IT WAS PREPARED.	

HORIZ. SCALE: 1"=50'	DESIGNED BY: A.F.
VERT. SCALE: N/A	CHECKED BY: M.D.
SURVEYED BY: M.D.	DATE: MARCH 1998
FIELD BOOK NO. 225	DATE: MARCH 1998
A.P. NO. 021-012-001, 011	



1222 Professional Drive
 Suite 107
 Sacramento, CA, 95811
 916-482-8172

SIMOTAS ESTATES
ALMAZ
 7600 17TH AVE &
 4209 76TH ST

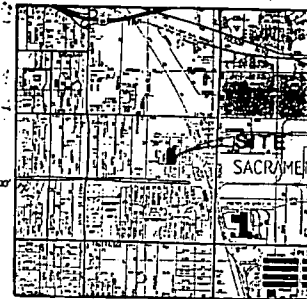
PLAN NO.	80
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Exhibit C-1

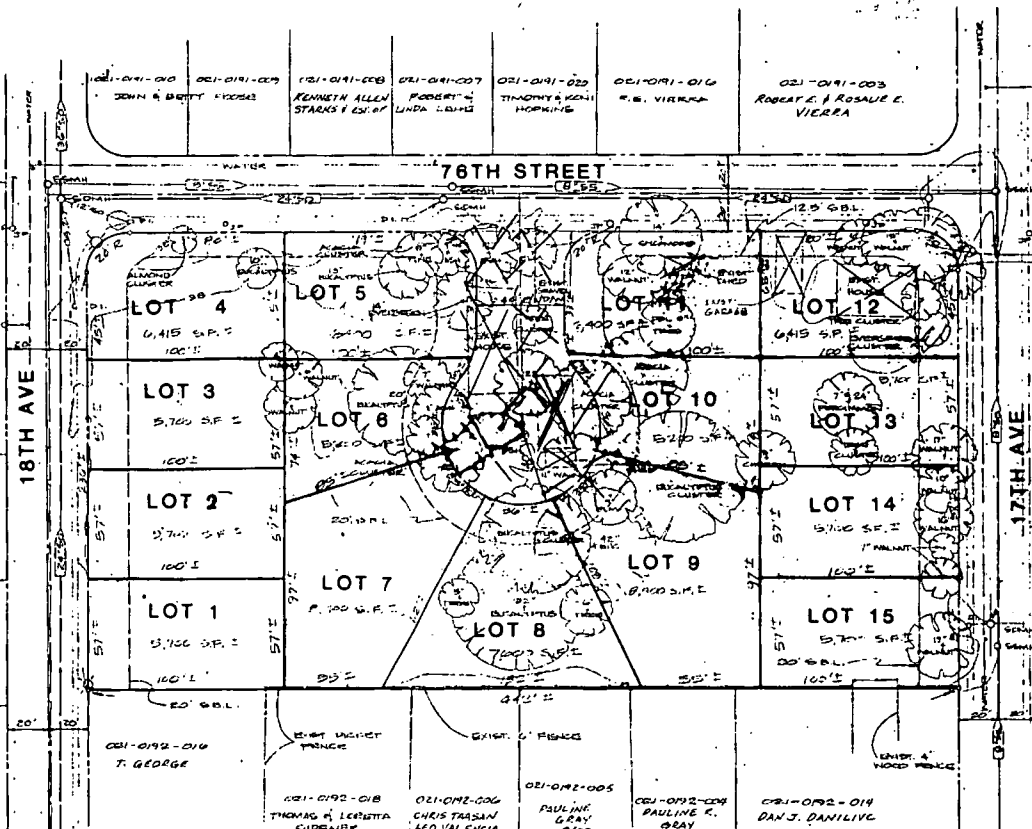
TENTATIVE MAP

FOR
7600 17TH AVE & 4209 76TH ST
CITY OF SACRAMENTO, CALIFORNIA

LOCATION MAP



SCALE: 1"=2200'



SIMOTAS ESTATES



LEGEND

- TREE TO BE REMOVED
- BUILDING HAVE BEEN DEMOLISHED

PROJECT DATA

RECORD OWNER & SUBDIVIDER: JOSEPHINE E. BIRMINGHAM
ADDRESS: 1725 PROFESSIONAL DR. SACRAMENTO, CA 95825
SUITE 101 PHONE 485-9177

- EXISTING ZONING: R-1
- PROPOSED ZONING: RESIDENTIAL
- EXISTING USE: RESIDENTIAL
- PROPOSED USE: RESIDENTIAL
- PROPOSED IMPROVEMENTS: AS REQUIRED
- ACREAGE: 0.42 ACRES, 2.85 ACRES
- PARCEL NUMBER: 021-092-001, 011
- LEGAL DESCRIPTION: PORTION OF LOT 1991 OF PENNINGTON SACRAMENTO COUNTY CITY OF SACRAMENTO
- WATER SUPPLY: SACRAMENTO CITY
- SEWER DISPOSAL: SACRAMENTO CITY
- FIRE DISTRICT: SACRAMENTO CITY UNIFIED
- SCHOOL DISTRICT: R. B. J. AC. 008 / 2.34 AC. NET

REVISIONS	DESCRIPTION	DATE

BENCHMARK	ELEVATION NO. 221.6

HORIZ SCALE	1"=50'
VERT SCALE	N/A
SURVEYED BY	M.D.
CHECKED BY	S.M.
FIELD BOOK NO	225
DATE	MARCH 1988
AP NO	021-092-001, 011

DRAFTED BY	A.P.
DESIGNED BY	D.G.
CHECKED BY	S.M.
DATE	MARCH 1988



1222 Professional Drive
Suite 100
Sacramento, CA 95825
916-485-9177

SIMOTAS ESTATES **ALMAZ**
7600 17TH AVE &
4209 76TH ST
TENTATIVE MAP

PLAN NO.	80
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Exhibit C-1

CITY OF SACRAMENTO
PLANNING DIVISION

MAR 26 1998

RECEIVED

P 98 - 030