

P94-109 - NORWOOD/JESSIE AVENUES TENTATIVE MAP

REQUEST: Tentative Map to subdivide one lot into two lots for future commercial development on 1.5± vacant acres in the Limited Commercial Review (with conditions) (C-1R w/c) zone.

LOCATION: Northeast corner of Norwood & Jessie Avenues
237-0100-027
North Sacramento Community Plan
Robla School District
Council District 2

APPLICANT:	E.C. Lial, 922-0499; 455 University Ave. Ste. 380 Sacramento, CA. 95825
OWNER:	E.C. Lial, 922-0499; 455 University Ave. Ste. 380 Sacramento, CA. 95825
PLANS BY :	Morton & Piralo, 1788 Tribute Rd. Ste. 200 Sacramento, CA. 95815
APPLICATION FILED:	October 12, 1994
STAFF CONTACT:	Bridgette Williams, 284-5000

SUMMARY/RECOMMENDATION: The applicant proposes to subdivide a 1.5± acre parcel into two lots for future commercial development. In order to meet the applicant's objectives, the project requires the discretionary planning entitlements described above. In evaluating the project, the basic issue is the appropriateness of the lot sizes for each commercial use. **Staff recommends approval of the project.** This recommendation is based on its consistency with the General Plan and Community Plan land use designations and policies regarding commercial uses in the plan area.

PROJECT INFORMATION:

General Plan Designation:	Community/Neighborhood Commercial & Offices
1984 North Sacramento Community Plan Designation:	Retail/General Commercial

Existing Land Use of Site: Vacant
Existing Zoning of Site: C-1R w/c

Surrounding Land Use and Zoning:

North: Apartments; R-3
South: Jack-In-The-Box & AM/PM Market; C-2
East: Maggie Creek/Drainage Canal & Future Residential (Chardonnay Homes); R-1A
West: Sav-Max Grocery Store & Shopping Center; SC

Property Dimensions: 245.38' x 248.87'
Property Area: 1.5± gross acres
Topography: Flat
Street Improvements: Existing
Utilities: Existing

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>
*Plan Review (with CEQA review) Building Permit	Planning Division Building Division

*Requires a public hearing.

BACKGROUND INFORMATION:

In 1985, the subject site (1.5± acres) was rezoned from Single Family Alternative (R-1A) to a Limited Commercial Review (with conditions) zone (C-1R w/c) (P85-364). Several conditions of approval for the rezone were agreed upon between the owner and City staff in order to prevent the site from becoming a nuisance to the surrounding neighborhood. More specifically, the rezone conditions prohibited liquor stores, convenience markets, service stations and fast food restaurant establishments that serve meals and have no table service. Subsequently, the site was sold to the LaMancha Development Company and (according to the new owner) the rezone restrictions were not disclosed to the new property owner. The new property owner (La Mancha Devlpt. Co.), therefore, applied for a Special Permit to allow the sale of beer and wine and an Amendment to the rezone condition restricting a convenience market and a restaurant use without tables and chairs.

On April 16, 1992, the City Planning Commission denied a Special Permit to allow the sale of beer and wine for off-site consumption; recommended approval of an Amendment to the rezone to allow restaurants that serve meals with no table service (i.e., Subway, Pizza Hut etc); allowed a convenience market on the site; and approved a Plan Review to allow the construction of two retail shopping center pads totaling 15,027± square feet (P91-242).

The property owner (La Mancha Devlpt. Co.) appealed the Commission's decision to the City Council for the denial of the beer and wine sales for off-site consumption. On August 11, 1992, the City Council denied the property owner's appeal of the Planning Commission denial of a Special Permit to allow the sale of beer and wine for off-site consumption and approved the amendment of the rezone condition to allow a convenience market on the 1.5± acre site. At present, the site could be developed with two retail shopping center pads (15,027 sq.ft.) with a 2,500 square foot convenience market provided that all conditions of the Plan Review P91-242 are met.

The new property owner/applicant (E.C. Lial) is requesting a Tentative Map to subdivide the 1.5± acre site into two lots for future commercial development. The applicant has indicated that Kragen Auto Sales Center and a drive-through restaurant have expressed an interest to locate on the site. Under the current zoning, the Kragen retail use would be allowed on the site subject to a Plan Review approval by the Planning Commission and a drive-through restaurant use is not permitted under the current C-1 zone and would, therefore, require a rezone and a Special Permit for the drive-through.

STAFF EVALUATION: Staff has the following comments:

A. **Policy Consideration**

The subject site is located within the Magpie Creek 100-year flood plain. On July 27, 1993, Magpie Creek Goals and Policies were adopted by City Council to guide development near and adjacent to Magpie Creek. The purpose of the goals and policies is to provide guidelines for improving and enhancing historic Magpie Creek. The intent is to turn the creek into an amenity to be enjoyed by residents adjacent to the creek and surrounding neighbors and neighborhoods. Portions of Historic Magpie Creek are natural and portions of the creek are improved concrete channels. Developments adjacent to the creek are required to provide various setbacks to protect the creek and an easement for a biketrail.

Currently, properties north of Bell Avenue are required to provide adequate setbacks to accommodate a biketrail if the parcel abuts the Historic Magpie Creek. The majority of properties south of Bell Avenue, adjacent to the creek, are developed and the channel is concrete. An easement for a biketrail is, therefore, not needed since property to the north and south of the site is developed and no

easements for a biketrail are established. An adequate drainage easement (see Exhibit C-1) is, however, in place for the Magpie Creek channel.

Currently, the east property line of each newly established lot abuts an existing 40 foot wide drainage easement (Magpie Creek) owned by the City of Sacramento. For adequate flood protection, the commercial pads will be required to be constructed at a minimum elevation of 26.6 or to the satisfaction of the City's Public Works Division.

B. Tentative Map Design

The proposed Tentative Map reflects two parcels (Parcel 1: 0.75⁷_± acres & Parcel 2: 0.74_± acres). The two newly created lots are located on the northeast corner of Norwood and Jessie Avenues. The submitted map indicates access off of both Norwood Avenue and Jessie Avenue. Norwood Avenue runs north and south and Jessie Avenue runs east and west of the subject site. Reciprocal access and parking easements will be recorded on both lots once commercial development is in place. Each commercial use will be required to provide adequate parking and landscaping on each lot and satisfy the 50 percent shading requirement for all paved areas.

Staff finds the proposed Tentative Map to be adequate. Additionally, the newly established lots will not impact surrounding properties nor the overall site development.

C. Plan Review

With a Plan Review entitlement, City Planning staff will be able to review the proposed site plan and building design. A six foot high decorative masonry wall will be required along the north property line and adequate building and landscape setbacks along Norwood and Jessie Avenues will be required. Additionally, City staff will ensure that sufficient parking will be provided as part of the Plan Review.

PROJECT REVIEW PROCESS:

A. Environmental Review

The project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301).¹⁵ This determination was based upon the fact that the project: 1) is considered a minor land division in which the applicant proposes to divide the lot into fewer than four parcels, 2) is in conformance with the applicable Plans and zoning, and 3) does not result in significant physical environmental impacts.

B. Public/Neighborhood/Business Association Comments

"Groups of Residents Improving Neighborhoods" (G.R.I.N.) informed City staff by phone that they were in support of the applicants request to subdivide the property into two lots and supports the overall intent of commercial development on the parcels.

C. Subdivision Review Committee Recommendation

On November 2, 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: Planning Commission has the authority to approve or deny the Tentative Map. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

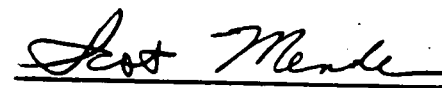
RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

- A. Adopt the attached Resolution approving the Tentative Map to subdivide 1.5± vacant acres into two lots for commercial development.

Report Prepared By,

Report Reviewed By,

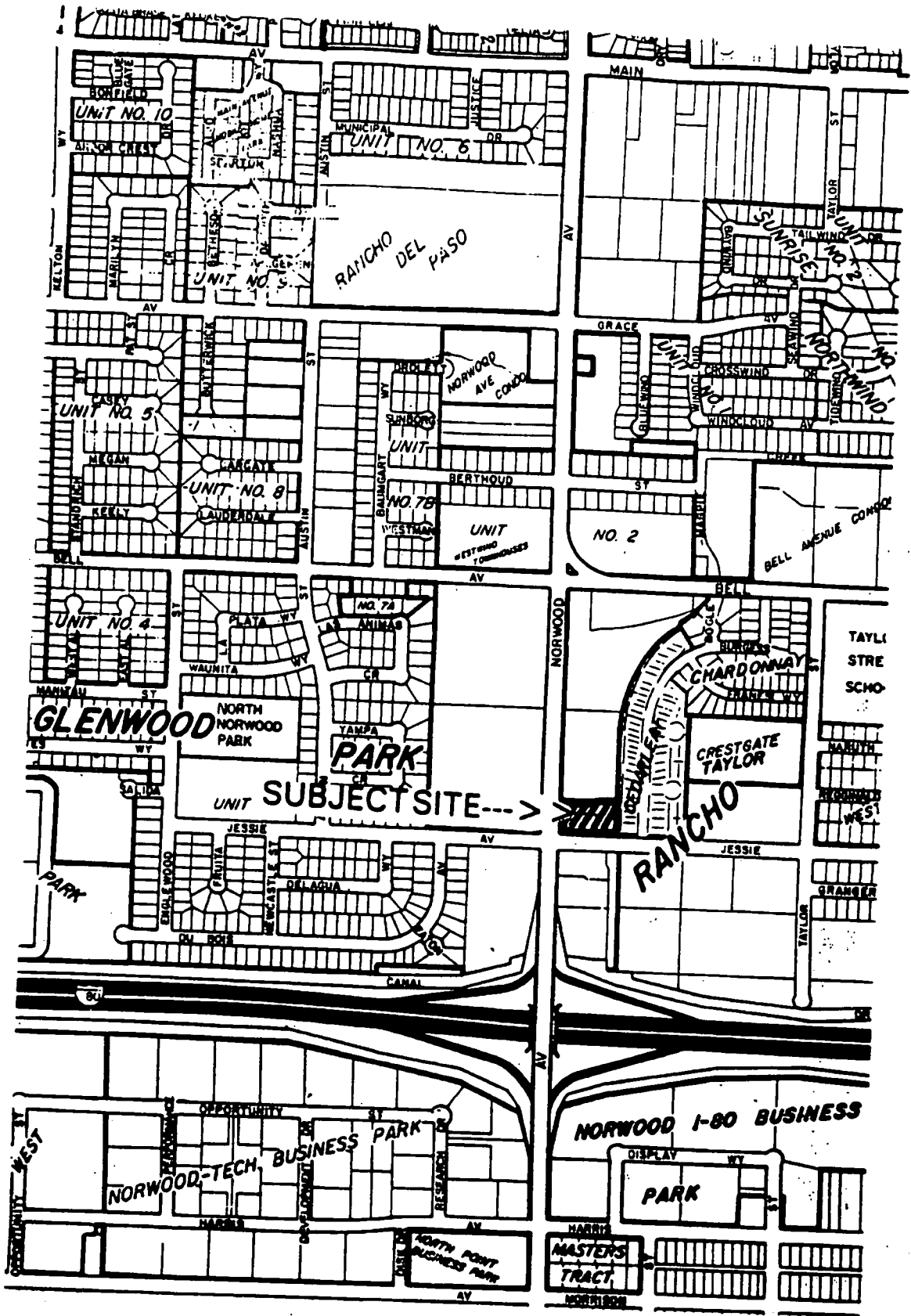

Bridgette Williams
Associate Planner


Scot Mende
Senior Planner

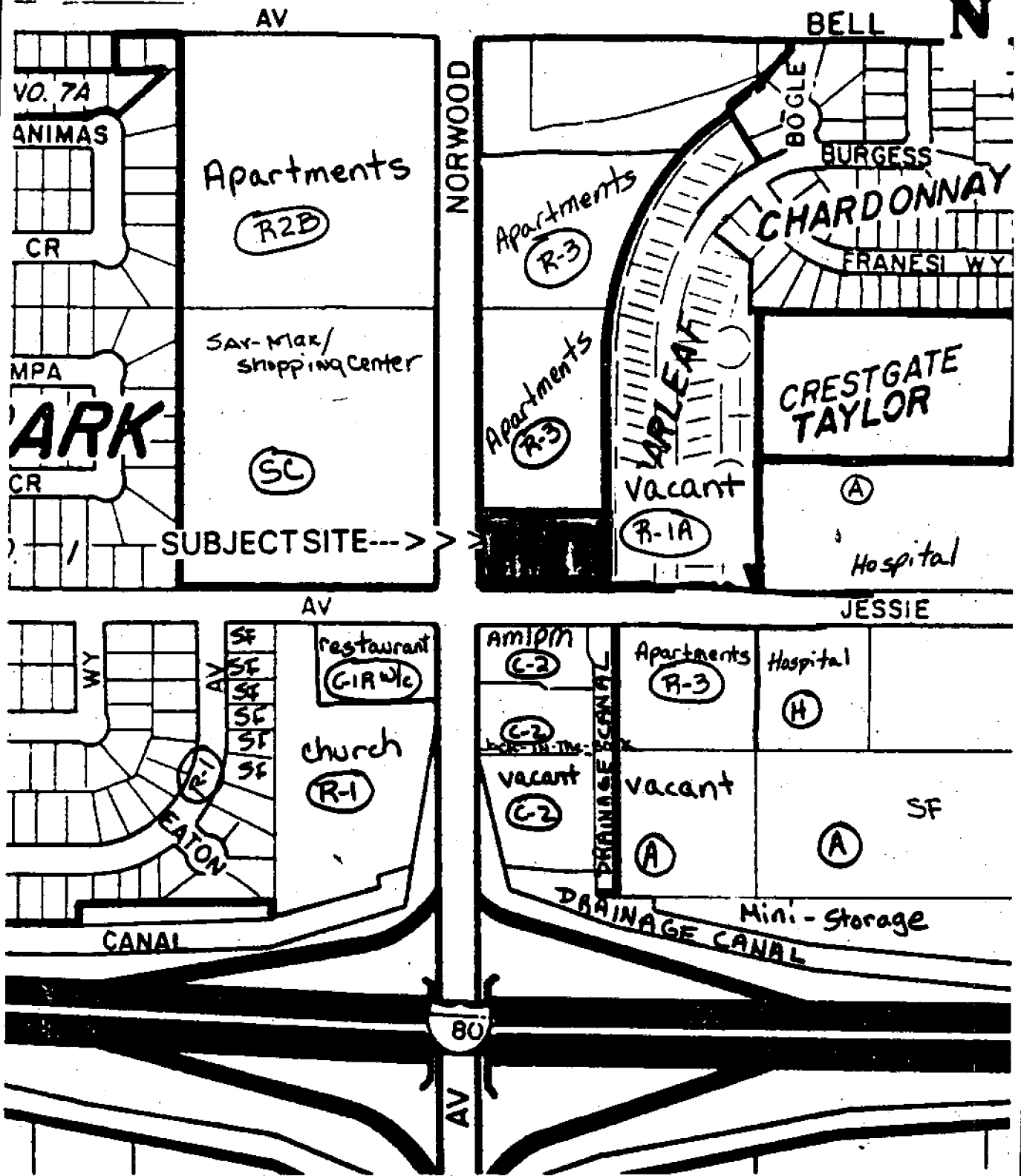
Attachments

Attachment A	Vicinity Map
Attachment B	Land Use and Zoning Map
Attachment C	Resolution Approving Tentative Map
Exhibit C-1	Tentative Map Exhibit

P94-109.SR



VICINITY MAP



LAND USE & ZONING MAP

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF NOVEMBER 17, 1994

**A RESOLUTION ADOPTING FINDINGS OF FACT
AND APPROVING A TENTATIVE MAP FOR
PROPERTY LOCATED AT THE NORTHEAST
CORNER OF NORWOOD AND JESSIE AVENUES**

(P94-109) (APN:237-0100-027)

WHEREAS, the City Planning Commission on November 17, 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 determination pursuant to CEQA, Section 15301;

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. Both the City General Plan and the North Sacramento Community Plan designate the subject site for commercial 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. The tentative map for the proposed subdivision is hereby approved, subject to the following conditions which must be satisfied prior to filing of the final map unless a different time for compliance is specifically stated in this condition:
 - A. Show all existing easements;
 - B. Show reciprocal ingress, egress and parking easements on Final Map. Place a note on the Final Map: Private reciprocal easements shown hereon shall be dedicated with the sale of each parcel;

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;
- B. This project is within the Magpie Creek 100-year flood plain. Building pads shall be constructed to a minimum elevation of 26.6 or the best available information;
- C. Notice: Property to be subdivided in accordance with this map 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 on the Preliminary Flood Insurance Rate Maps for the City of Sacramento, dated November 9, 1992, available for review at the City of Sacramento Permit Assistance Center, 1231 I Street, Room 200;

- D. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans and prepare plans to control urban runoff pollution from the project site during construction.

Refer to the City of Sacramento's "Administrative and Technical Procedures Manual for Grading, Erosion and Sediment Control", January 1994, for the acceptable Best Management Practices (BMP's) to control erosion and sediment transport, and pollution associated with construction activities. This manual is available from the Department of Utilities by calling 433-6318;

- E. On-site, post construction Best Management Practices (BMP's) shall be incorporated into the development to minimize the increase of urban runoff pollution caused by developing the area. BMP's may effect site layout and design. Therefore, BMP's must be included on the site plan. At a minimum, source control measures shall be implemented. Refer to the City of Sacramento's draft "Guidance Manual for On-Site Control of Urban Runoff Pollution at New Developments", April 1993, for acceptable BMP's for post construction urban stormwater pollution control. All BMP's must be approved by the Department of Utilities.

CHAIRPERSON

ATTEST:

SECRETARY TO PLANNING COMMISSION

Exhibit C-1

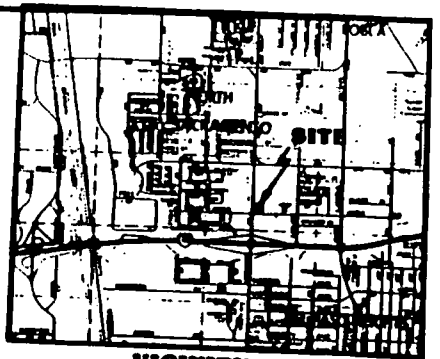


SCALE: 1"=50'
0 50 100 200

TENTATIVE PARCEL MAP

PARCEL 2 OF 110 PM 16

CITY OF SACRAMENTO, CALIFORNIA
OCTOBER, 1994
MORTON & PITALO, INC.
SHEET 1 OF 1 SHEET



VICINITY MAP
NO SCALE

237-100-30

HAPSMITH-NORWOOD PROP.

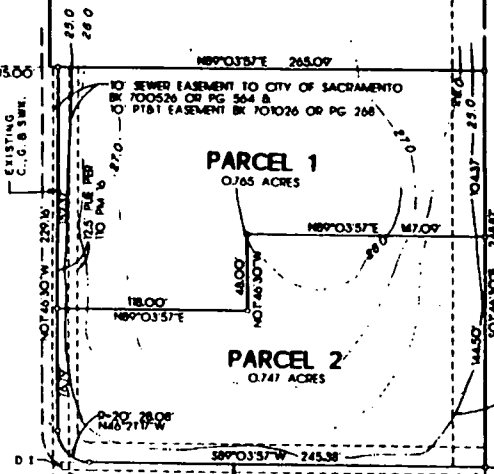
237-100-34

237-100-29

237-292-23
GEE

NORWOOD AVENUE
N01°48'30"W

237-100-18
WILLOW TREE INVESTORS



237-100-28
EKC-COLLECT/ASSOC.

237-293-15
ATLANTIC RICHFIELD
CO.

237-293-19
CITY OF SAC.

237-180-02
FAVERO

JESSIE AVENUE
S89°03'57"W 245.38'
EXISTING C.G. & SWR.
S.S. MH.
TEL. MH.
S.D. MH.

- | | |
|--|--|
| OWNER | SEA |
| E. LIAL
488 UNIVERSITY AVENUE, SUITE 360
SACRAMENTO, CA 95828 | PACIFIC GAS AND ELECTRIC COMPANY |
| APPLICANT/ENGINEER | ELECTRICITY |
| MORTON & PITALO, INC.
1788 TRIBLITE ROAD, SUITE 200
SACRAMENTO, CA 95815 | SACRAMENTO MUNICIPAL UTILITY DISTRICT |
| ASR | TELEPHONE |
| 237-100-27 | PACIFIC BELL |
| AREA | SCHOOLS |
| 1.8 ± AC | GRANT JOINT UNION HIGH SCHOOL DISTRICT |
| EXISTING ZONING | PARKS AND RECREATION |
| C-1 | CITY OF SACRAMENTO |
| WATER | NUMBER OF PARCELS |
| CITY OF SACRAMENTO | 2 |
| SEWERAGE | FRONT LINE |
| SACRAMENTO COUNTY
REGIONAL SANITATION DISTRICT | VACANT |
| STORM DRAINAGE | REPOSED LINE |
| CITY OF SACRAMENTO | COMMERCIAL |
| FIRE | |
| CITY OF SACRAMENTO | |
| EDUC | |
| CITY OF SACRAMENTO | |

