

P96-079 BELLEVIEW TENTATIVE MAP @ 5901/5903 BELLEVIEW AVENUE

- REQUEST:
- A. **Environmental Determination: Exempt**
 - B. **Tentative Map** to subdivide a partially developed 1.25-acre parcel into four (4) parcels for residential development in the Standard Single-Family (R-1) zone.
 - C. **Subdivision Modification** to allow the creation of three parcels without public street frontage in the R-1 zone.
 - D. **Variance** to allow development on two parcels without street frontage in the R-1 zone.

LOCATION: 5901 & 5903 Belleview Avenue
APN: 027-0313-001
Council District 6 (Area 3)
South Sacramento Community Plan Area

APPLICANT:	Rose's Engineering (Merwin Rose), 916-686-5445 9070 Elk Grove Boulevard, Elk Grove, CA 95624
OWNER:	Louise Peters Vidaurri, 916-536-2240 7751 El Rito Way, Sacramento, CA 95831
APPLICATION FILED:	July 24, 1996
STAFF CONTACT:	Mike Dale, 916-264-8309

SUMMARY: The owner is seeking entitlements to subdivide one residential parcel into four residential parcels. The site is a rectangular "deep lot" which is surrounded by residential development on three sides; only one narrow side of the parcel is adjacent to a public street. The project would result in the formation of three parcels which do not have direct access to/from a public street. The City's Subdivision Regulations do not allow the "creation" of parcels without direct access to a public street. Similarly, the City's Zoning Ordinance does not permit "development" on parcels which do not abut a public street. The owner is therefore requesting approval of a Subdivision Modification and a Variance to override these development standards.

RECOMMENDATION: The project's primary issues relate to urban density and design. The 1.25-acre site is developed with only two houses and garages. Further development of the site is possible under the City's Deep Lot Regulations (which require a Special Permit) or by further subdivision. Based on the surrounding single-family land use pattern, and City regulations which prefer subdivision when possible, Staff supported the proposal to further subdivide the site into single-family lots. Staff considered alternative methods for accessing the interior parcels including the formation of a cul-de-sac or the extension of a public street. Due to the size and location of the site, Staff concluded that a standard paved driveway would best serve the site's interior. **Staff therefore recommends approval of the project subject to the conditions and findings of fact identified in Attachment 1.**

PROJECT INFORMATION:

General Plan Designation:	Low-Density Residential (4-15 du/na)
Community Plan Designation:	Residential (4-8 du/na)
Existing Zoning of Site:	Standard Single-Family (R-1)
Land Use of Site:	Two Houses with Garages

Surrounding Land Use and Zoning (Attachment 3):

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

Existing Property Dimensions (Size):	123.26' x 441.83' (1.25 ac)
Proposed Property Dimensions (Size):	Parcel 1: 123.26' x 140.00' (0.40 ac)
	Parcel 2: 123.26' x 63.00' (0.18 ac)
	Parcel 3: 123.26' x 111.00' (0.31 ac)
	Parcel 4: 123.26' x 127.83' (0.36 ac)
Utilities and Easements:	To Be Provided

OTHER APPROVALS REQUIRED: In addition to the above entitlements, the project will require the recordation of a Final Map and building permits.

STAFF EVALUATION: Staff has the following comments:

A. **Policy Considerations**

General and Community Plans. The project is consistent with the General Plan and the South Sacramento Community Plan which designate the site for low-density, residential development.

Zoning. The site is in the "Standard Single-Family" (R-1) zone. The site is a "deep lot" defined as "a single parcel in the R-1 zone which is at least 160 feet deep and supports at least one dwelling unit." The Zoning Ordinance allows further development of a deep lot with a Zoning Administrator's Special Permit only when further subdivision of the parcel is not possible. Since further subdivision of the site is possible, the owner is requesting a Tentative Map. A minimum lot area of 5,200 square feet is prescribed for each dwelling unit in the R-1 zone.

B. Tentative Map

The proposed Tentative Map shows the subdivision of one 1.25-acre parcel into four parcels of varying size. The Map provides two separate parcels for the two existing houses and their garages. Two additional parcels would be created for future single-family development at the rear of the site. Each of the parcels would exceed the 5,200 square-foot requirement of the Zoning Ordinance, ranging in size from 7,765 square feet to 15,756 square feet. The size and pattern of the parcels would be consistent with the surrounding single-family development.

The City's Subdivision Review Committee approved the proposed Tentative Map, subject to conditions, on September 18, 1996. Staff recommends approval of the Tentative Map subject to conditions.

C. Subdivision Modification

Section 40.1001 of the City's Subdivision Regulations requires that created parcels be practical for use by providing adequate street frontage. The Map would create three parcels without street frontage requiring approval of a Subdivision Modification. Alternative site layouts were considered for providing street frontage along each of the parcels. The alternatives included the formation of an interior cul-de-sac and the extension of a public street through the site to meet Wallace Avenue to the east. However, the alternatives were found to be: a) infeasible due to the size and location of the parcel, and b) inconsistent with the City's long-range infrastructure improvement plans for the area. The proposed driveway would meet the City's design and construction standards for private driveways adjacent to public streets. The location and design of the driveway has been reviewed by the City's Fire and Police Departments for emergency access. Recordation of utility and vehicle easements will be required as part of the Final Map.

The City's Subdivision Review Committee approved the requested Subdivision Modification, subject to conditions, on September 18, 1996. Staff recommends approval of the Subdivision Modification subject to conditions.

D. Variance

Section 2-H-3-a of the City's Zoning Ordinance requires that parcels provide at least 20 feet of street frontage in order to qualify for a building permit. The project involves the development of two parcels without street frontage thereby requiring approval of a Variance. The other two parcels would already be developed with two existing houses and their garages.

Development plans for Parcels 3 and 4 were not submitted. For purposes of streamlining and expediting the City's review procedures, development on Parcels 3 and 4 may be permitted provided that such development meets all of the City's standards for single-family development in the R-1 zone. In addition, Staff recommends that a five-foot wide, raised planter be installed and maintained along the southern boundary to improve and preserve the site's appearance along Bellevue Avenue. Staff recommends approval of the Variance subject to conditions.

PROJECT REVIEW PROCESS:A. Environmental Determination

The project qualifies for a categorical exemption pursuant to Section 15315 of the California Environmental Quality Act (CEQA) Guidelines in that: the site is in an urbanized area zoned for residential development; the subdivision involves four or fewer parcels; the project is consistent with the General Plan and zoning; services and accesses to the site are available; the site was not a part of a larger subdivision within the previous two years; and the site has an average slope of less than 20 percent. No further environmental review is required.

B. Neighborhood Response

The following organizations were sent an early notice of the project application:

- South Sacramento Neighborhood Coalition
- South Sacramento Chamber of Commerce
- Avondale Action Committee
- Southeast Churches Together
- Florin Road Community & Business Association

Notification of the Planning Commission hearing was also sent to the above organizations and to all owners of property located within 500 feet of the site. At the time of this writing (3/27/97), Staff had received no comments in opposition to, or in support for, the proposal.

C. Summary of Agency Comments


The project was routed to appropriate City Departments and local agencies. Comments were received regarding the location and dedication of public and private utility easements, grading and drainage requirements, driveway design standards, and access easements. These comments are incorporated as conditions of project approval.

PROJECT APPROVAL PROCESS: The Planning Commission has the authority to approve or deny each of the entitlements listed below. The Planning Commission's action(s) may be appealed to the Council within 10 days following the Commission's action(s).

RECOMMENDATION: Staff recommends that the Planning Commission take the following action(s):

- A: **Adopt** the attached Notice of Decision and Findings of Fact which finds that the project is Exempt from further environmental review pursuant to CEQA Guidelines Section 15315.
- B. **Adopt** the attached Notice of Decision and Findings of Fact approving the **Tentative Map** to subdivide a partially developed 1.25-acre parcel into four (4) parcels for residential development in the Standard Single-Family (R-1) zone.
- C. **Adopt** the attached Notice of Decision and Findings of Fact approving the **Subdivision Modification** to allow the creation of three parcels without public street frontage in the R-1 zone.
- D. **Adopt** the attached Notice of Decision and Findings of Fact approving the **Variance** to allow development on two parcels without street frontage in the R-1 zone.

Report Prepared By:



Mike Dale, Associate Planner

Report Reviewed By:



Barbara L. Wendt, Senior Planner

ATTACHMENTS

Attachment 1	Notice of Decision and Findings of Fact
Exhibit 1A	Tentative Map Exhibit
Exhibit 1B	Government Code Section 66474 Findings
Attachment 2	Vicinity Map
Attachment 3	Land Use and Zoning Map

ATTACHMENT 1:

NOTICE OF DECISION AND FINDINGS OF FACT FOR

BELLEVIEW TENTATIVE MAP @ 5901/5903 BELLEVIEW AVENUE

SACRAMENTO, CALIFORNIA,
IN THE STANDARD SINGLE-FAMILY (R-1) ZONE
APN: 027-0313-001 (P96-079)

At the regular meeting of April 10, 1997, 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: Exempt**
- B. **Approved the Tentative Map to subdivide a partially developed 1.25-acre parcel into four (4) parcels for residential development in the Standard Single-Family (R-1) zone.**
- C. **Approved the Subdivision Modification to allow the creation of three parcels without public street frontage in the R-1 zone.**
- D. **Approved the Variance to allow development on two parcels without street frontage in the R-1 zone.**

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

FINDINGS OF FACT:

- A. **Environmental Determination:** The City Planning Commission finds and determines that the proposed project is Exempt from further environmental review pursuant to Section 15315 of the California Environmental Quality Act Guidelines.
- B. **Tentative Map:** The Tentative Map to subdivide a partially developed 1.25-acre parcel into four (4) parcels for residential development in the Standard Single-Family (R-1) zone is **approved** subject to the following findings of fact:
 - 1. None of the conditions described in Government Code Section 66474,

subsections (a) through (g), inclusive, exist with respect to the proposed Tentative Map (see Exhibit 1B).

2. The proposed Tentative Map, together with its provisions for its design and improvement, is consistent with Chapter 40 of the City Code, which is a Specific Plan of the City and the City's General Plan.
 3. The proposed Tentative Map, is 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.
- C. Subdivision Modification: The Subdivision Modification to allow the creation of three parcels without public street frontage in the R-1 zone is approved subject to the following findings of fact:
1. The property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical, or undesirable in the particular case to conform to the strict application of these regulations;
 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; and
 4. Granting the modification is in accord with the intent and purposes of these regulations and is consistent with the General Plan and with all other applicable specific plans of the City.
- D. Variance: The Variance to allow development on two parcels without street frontage in the R-1 zone approved subject to the following findings of fact:
1. Granting the Variance does not constitute a special privilege extended to an individual property owner in that the variance would be granted to any other property owner facing similar circumstances;
 2. Granting the Variance would not be detrimental to the public welfare and not result in the creation of a public nuisance in that future development of the two parcels will be subject to the City's residential development standards.
 3. Granting the Variance does not constitute a use variance in that residential development is allowed in the R-1 zone.

4. The project is consistent with the General Plan and South Sacramento Community Plan which designate the site for low-density residential development.

CONDITIONS:

B. Tentative Map: The Tentative Map to subdivide a partially developed 1.25-acre parcel into four (4) parcels for residential development in the Standard Single-Family (R-1) zone is approved subject to the following conditions:

1. Prepare drainage studies for review and approval by the Utilities Department.
2. Prepare a grading plan showing existing and proposed elevations. Adjacent off-site topography shall be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been approved by the Department of Utilities.
3. 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 for the 2 vacant parcels. The appraisal shall be dated not more than 90 days prior to the filing of the Final Map.
4. Meet all County Sanitation District requirements.
5. Dedicate a standard 12.5-foot public utility easement for overhead and underground public utility facilities and appurtenances adjacent to all public ways.
6. Dedicate the private driveway and the 5 feet of proposed driveway adjacent to the southern property boundary as a public utility easement for underground and overhead facilities and appurtenances.
7. Show all existing easements.
8. Show reciprocal ingress and egress easements on the Final Map. Place a note on the Final Map: Private reciprocal easements shown hereon shall be dedicated with the sale of each parcel.
9. Provide an individual water source from Belleview Avenue to the satisfaction of the Department of Utilities to determine how service will be provided to Lots, 2, 3, and 4.
10. Dedicate an additional 2 feet of right-of-way adjacent to Belleview Avenue.

11. Provide a standard driveway at the entrance to the private driveway. The driveway must be paved on Lots 1 and 2, and designed for future construction on Lots 3 and 4. A landscaped planter strip (5-foot wide, minimum) shall be provided along the south side of the existing and proposed driveway.
12. 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.
13. 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. 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.

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

14. 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.
 15. 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.
- C. Subdivision Modification: The Subdivision Modification to allow the creation of three parcels without public street frontage in the R-1 zone is approved subject to the following conditions: (Note: These conditions are the same as identified for the above Tentative Map.)
1. Prepare drainage studies for review and approval by the Utilities Department.
 2. Prepare a grading plan showing existing and proposed elevations. Adjacent off-site topography shall be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the

grading plan has been approved by the Department of Utilities.

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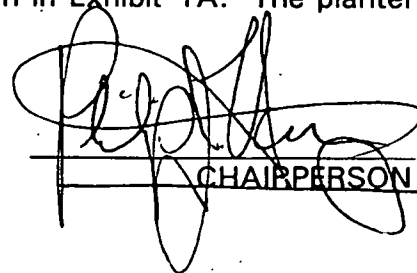
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D. Variance: The Variance to allow development on two parcels without street frontage in the R-1 zone is approved subject to the following conditions:

1. Development on Parcels 3 and 4 shall meet the City's standards for single-family development in the R-1 zone.
2. A minimum five-foot wide, raised planter area shall be installed and maintained along the site's southern boundary to improve and preserve the site's appearance along Bellevue Avenue as shown in Exhibit 1A. The planter shall be automatically irrigated.



CHAIRPERSON

ATTEST:

Gina Stonehouse
SECRETARY TO THE PLANNING COMMISSION

4-10-97
DATE (P96-079)

ATTACHMENTS

Exhibit 1A
Exhibit 1B

Tentative Map Exhibit
Government Code Section 66474 Findings

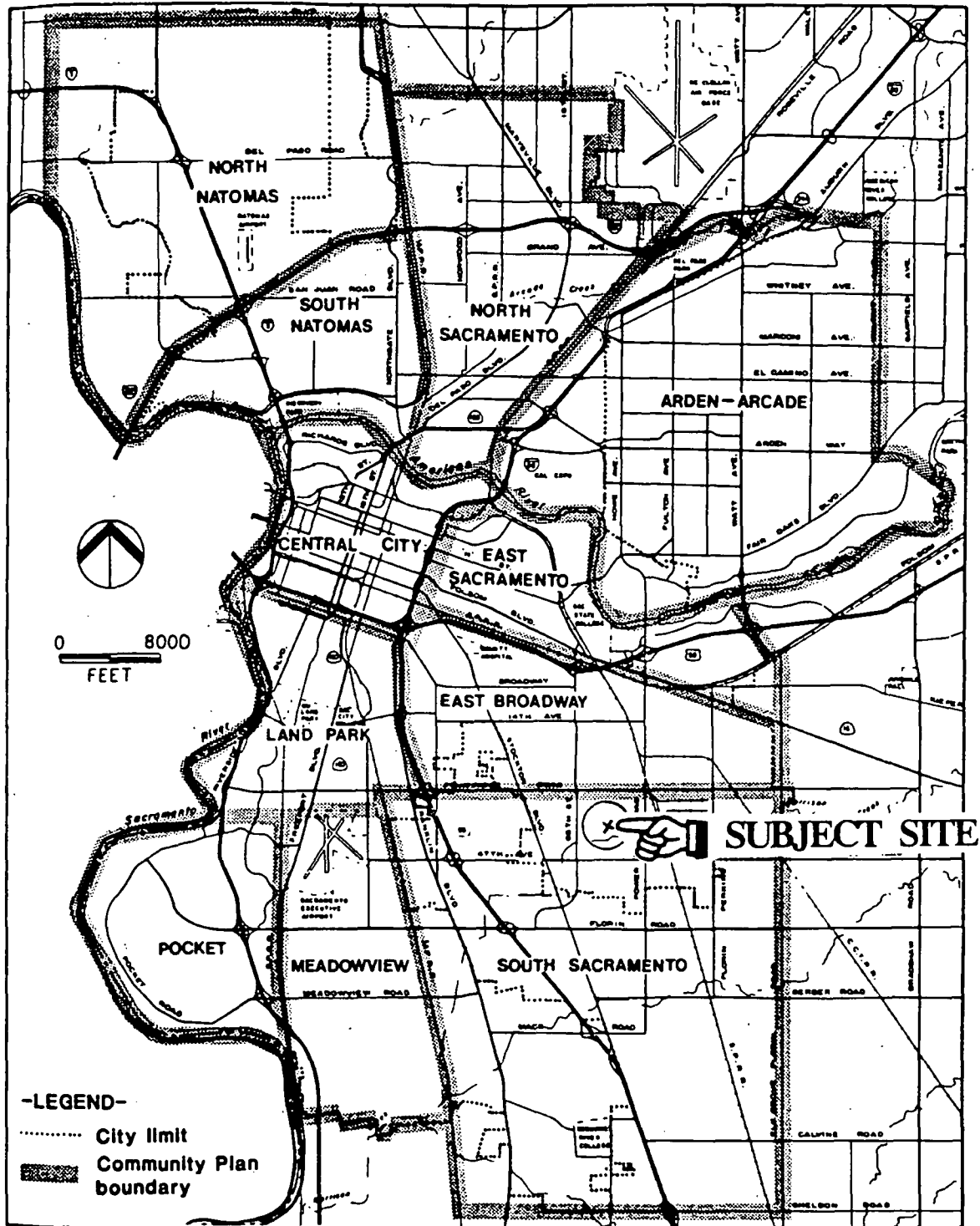
Exhibit 1B
Government Code Section 66474 Findings

The Subdivision Map Act
(California Government Code)

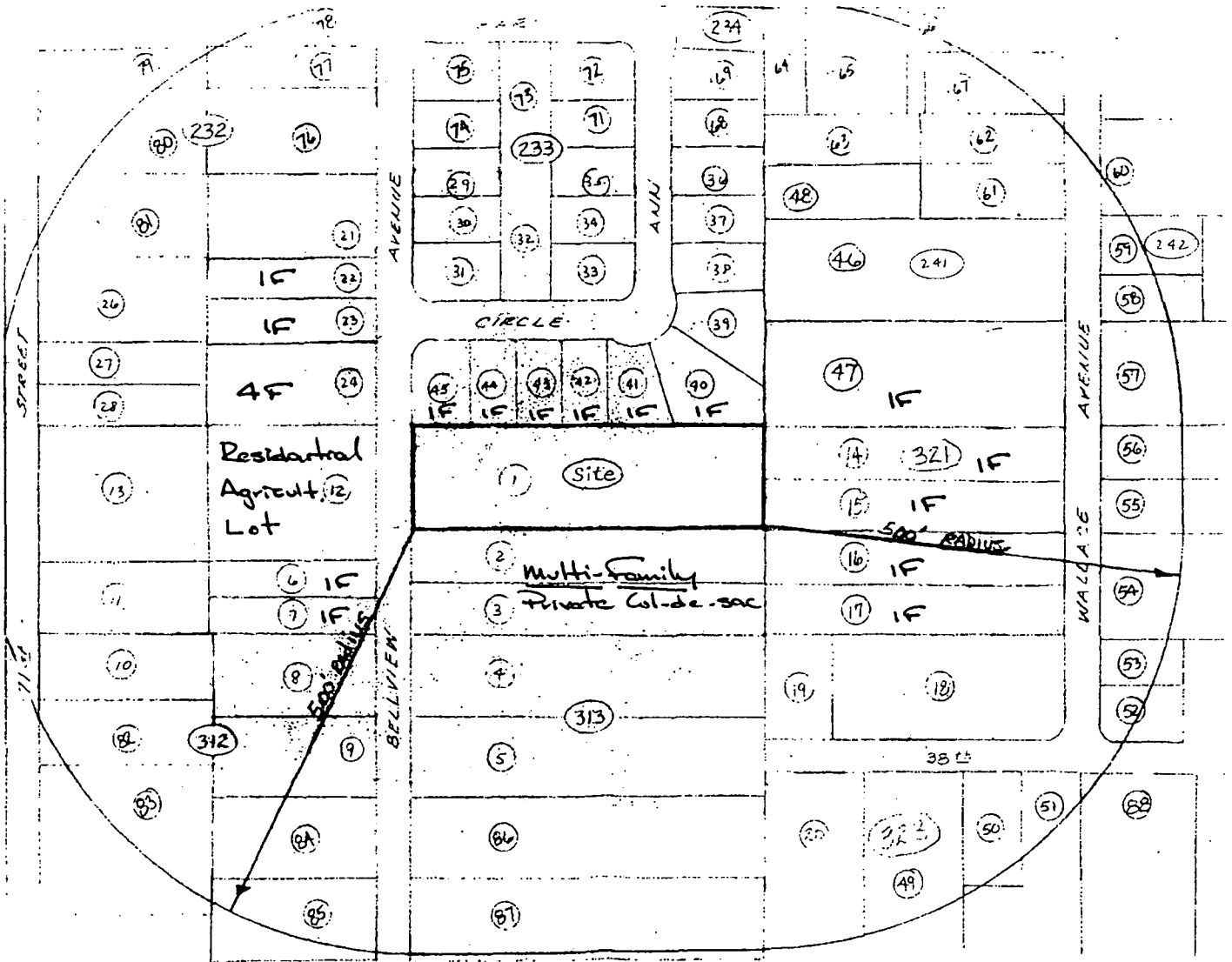
Section 66474. A legislative body of a city or county shall deny approval of a Tentative Map, or a parcel map for which a Tentative Map was not required, if it makes any of the following findings:

- a. That the proposed map is not consistent with applicable general or specific plans as specified in Section 65451. (This section of the Government Code establishes the required content of a specific plan.)
- b. That the design or improvement of the proposed subdivision is not consistent with applicable general or specific plans.
- c. That the site is not physically suitable for the type of development.
- d. That the site is not physically suitable for the proposed density of development.
- e. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantial avoidable injury to fish or wildlife or their habitat.
- f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or the type of improvement will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall only apply to easements of record or to easements established by judgement of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

Attachment 2
Vicinity Map



Attachment 3
Land Use and Zoning Map



Entire Page is in R-1 Zone.

