

STAFF REPORT AMENDED 5-26-83
CITY PLANNING COMMISSION

927 - 10th Street, Suite 300 - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Allied Engineering - P.O. Box 2077, Citrus Heights, CA 95611	969-7533	
OWNER	Martin & Kayol Mehnan - 2147 Ocaso Camino, Fremont, CA 94538		
PLANS BY	Allied Engineering - P.O. Box 2077, Citrus Heights, CA 95611		
FILING DATE	4-20-83	50 DAY CPC ACTION DATE	REPORT BY: SD:sg
NEGATIVE DEC.	4-16-83	EIR	ASSESSOR'S PCL. NO. 007-025-01

- APPLICATION:
1. Environmental Determination
 2. Variance to reduce interior side yard setback for Parcel A from five feet to four feet (Sec. 3-B-4a)
 3. Variance to reduce front yard setback for Parcel B from 17.5 feet to 11.5 feet (Sec. 3-B-4a) (Withdrawn)
 4. Variance to reduce interior side yard setback for Parcel B from five feet to four feet (Sec. 3-B-4a)
 5. Variance to reduce front, side and rear yard setback for Parcel C to 0 feet (Sec. 3-B-4a)
 6. Variance to exceed 50% lot coverage requirement for Parcel C (Sec. 3-B-4a)
 7. Variance to waive three required parking spaces for Parcels A and C (Sec. 6-A-1) (Withdrawn)
 8. Variance/Subdivision Modification to create lots substandard in width, depth and area (Subdivision Ordinance 40.322 a,b,c,d,e)
 9. Tentative Map

LOCATION: Southeast corner of 23rd and H Streets

PROPOSAL: The applicant is requesting the necessary entitlements to divide .29± acres located in the Central City into three parcels which contain three structures.

PROJECT INFORMATION:

1974 General Plan Designation:	Residential
1980 Central City Community Plan Designation:	Multi-Family
Existing Zoning of Site:	R-3A
Existing Land Use of Site:	Residential
Surrounding Land Use and Zoning:	
North:	Multiple family; R-3A
South:	Multiple family; R-3A
East:	Single and multiple family; R-3A
West:	Multiple family; R-3A
Parking Required:	7 spaces
Parking Provided:	4 spaces
Parking Ratio:	1:.6 dwelling units

APPLC. NO. P83-120

MEETING DATE May 26, 1983

CPC ITEM NO. 14

003095

Property Dimensions: 79' x 160'
Property Area: .29± acres
Density of Development: 23 du/ac.
Significant Features of Site: Existing development
Topography: Flat
Street Improvements: Existing
Utilities: To be provided

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On May 11, 1983, by a vote of seven ayes and two absent, the Subdivision Review Committee voted to recommend approval of the tentative map. 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 separate sewer and water service to each parcel. Existing services must be located. Dedicate reciprocal access easements as needed. Eliminate interconnecting water services between structures;
2. Comply with all building code requirements;
3. Redraw the map to eliminate Parcel C;
4. Demolish the existing garage structure on Parcel B and provide four surfaced parking spaces on that parcel.

BACKGROUND INFORMATION: On August 18, 1981, the City Council denied a request to subdivide the subject site into three separate parcels. The single family dwelling and the fourplex were to be retained on the 40' x 80' lots fronting on H Street. A five unit condominium was proposed for a 40' x 80' lot fronting on 23rd Street. The Council denied the request due to concerns expressed by the neighbors with regard to inadequate parking and site design.

STAFF EVALUATION: Staff has the following concerns and comments with regard to this project:

1. The applicant now proposes to subdivide the site into three parcels so that each structure can be individually sold. To do this, a number of variances are necessary. Staff has a concern that dividing the site into three parcels is inappropriate in that a substandard sized lot with an unusual street frontage and depth would be created. The front setback of Parcel C is measured from 23rd Street and the rear setback is measured from the opposite line for Parcel C. If the parcel was made vacant, it would be suitable only for a very narrow structure without variance approvals. Staff believes more useable parcels will result if the subject site were subdivided into a 40' x 160' and 39' x 160' parcel. The Subdivision Review Committee concurs with this recommendation.
2. The garage on Parcel B is in a dilapidated condition and is currently unused. The Fire Marshal requests that the structure be demolished since its condition is a fire hazard and creates danger to the adjacent duplex. Staff requests that the garage be replaced with four surfaced, shaded parking spaces.

3. The structures are already situated on the site. Staff therefore has no objection to the front, sides, and rear setback variance requests. The appearance and character of the site will not be altered.
4. Width, depth and area requirements of the Subdivision Ordinance are applicable only to single and two family development. Subdividing the parcel into two parcels eliminates the need for lot coverage variance.
5. Since the structures are more than five years old, subdivision of the property is not subject to parkland dedication requirements. If building permits should be requested within four years of the filing of the map for additional units, the applicant will be required to pay parkland dedication in-lieu fees for any additional units. A note to this effect should be placed on the final map.
6. To comply with building code requirements, it may be necessary to move the proposed lot line three feet from the duplex. The applicant should check with the Building Inspection Department.

STAFF RECOMMENDATION: Staff recommends the following:

1. Ratification of the Negative Declaration.
2. Approval of the variance to reduce the interior side yard setback on Parcel A from five feet to four feet, based on findings of fact which follow.
3. Approval of the variance to reduce the interior side yard setback for Parcel B from five feet to four feet, based on findings of fact which follow.
4. Approval of the variance to reduce the interior side yard setback for Parcel A to 0 feet, based on findings of fact which follow.
5. Denial of the variance to exceed the 50% lot coverage requirement, based on findings of fact which follow. *(CPC approved)*
6. Denial of the variance/subdivision modification to create lots of substandard width, depth and area, based on findings of fact which follow. *(CPC approved variance & recommended approval of subdivision modification)*
7. Approval of the tentative map, subject to conditions which follow.

Conditions - Tentative Map

The applicant shall satisfy each of the following conditions prior to filing the final map unless a different time for compliance is specifically noted:

- a. Provide separate sewer and water service to each parcel. Existing services must be located. Dedicate reciprocal access easements as needed. Eliminate interconnecting water services between the structures.
- b. Comply with all building code requirements.
- c. ~~Redraw the map to eliminate Parcel A.~~ *(CPC deleted)*
- d. Demolish the existing garage structure on Parcel B and provide four surfaced parking spaces on that parcel.

- e. Provide four parking spaces at the rear of Parcel B which comply with the requirement of the Zoning Ordinance.
- f. Place a note on the final map referencing parkland dedication requirements.
- g. The following note shall be placed on the final map: If building permits for additional dwelling units are requested within four years of the date of filing the final map, the applicant will be responsible for parkland dedication in-lieu fees.

Findings of Fact - Approval of Variances 2, 3 and 4:

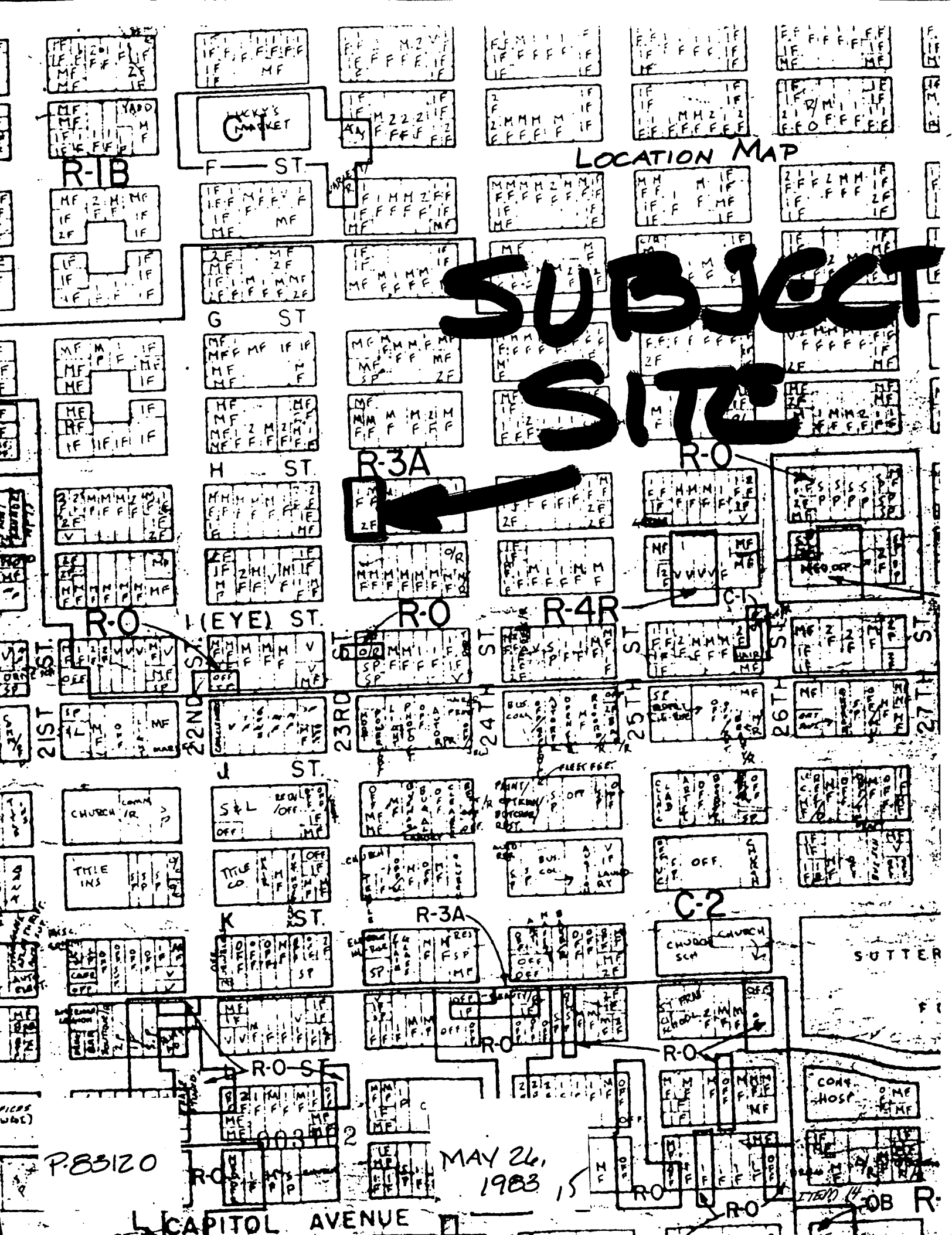
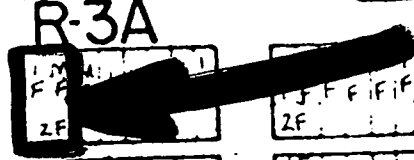
- a. Approval of the variance does not constitute a special privilege in that there are many lots existing in the Central City of similar size and structural setbacks.
- b. The request does not constitute a use variance in that residential uses are allowed in the R-3A zone.
- c. The project will not be injurious to public welfare and safety in that:
 - 1. building code requirements will be complied with.
 - 2. four new off-street parking spaces will replace the unused garage.
- d. The proposal is in harmony with the 1980 Central City Plan and the 1974 General Plan which designate the site for residential use.

Findings of Fact - Denial of Variances 5 and 6

- a. Granting the variances constitutes a special privilege in that the hardship is self-imposed. The proposed lots will be smaller than the majority of lots in the vicinity.
- b. The project constitutes a disservice to public welfare in that it will offer lots for individual sale which have inadequate light and air and open-space.

LOCATION MAP

SUBJECT SITE



P-83120

MAY 26, 1983

CAPITOL AVENUE

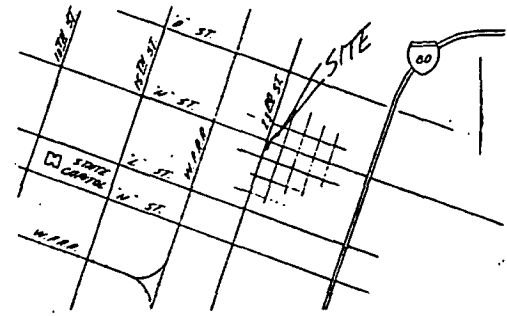
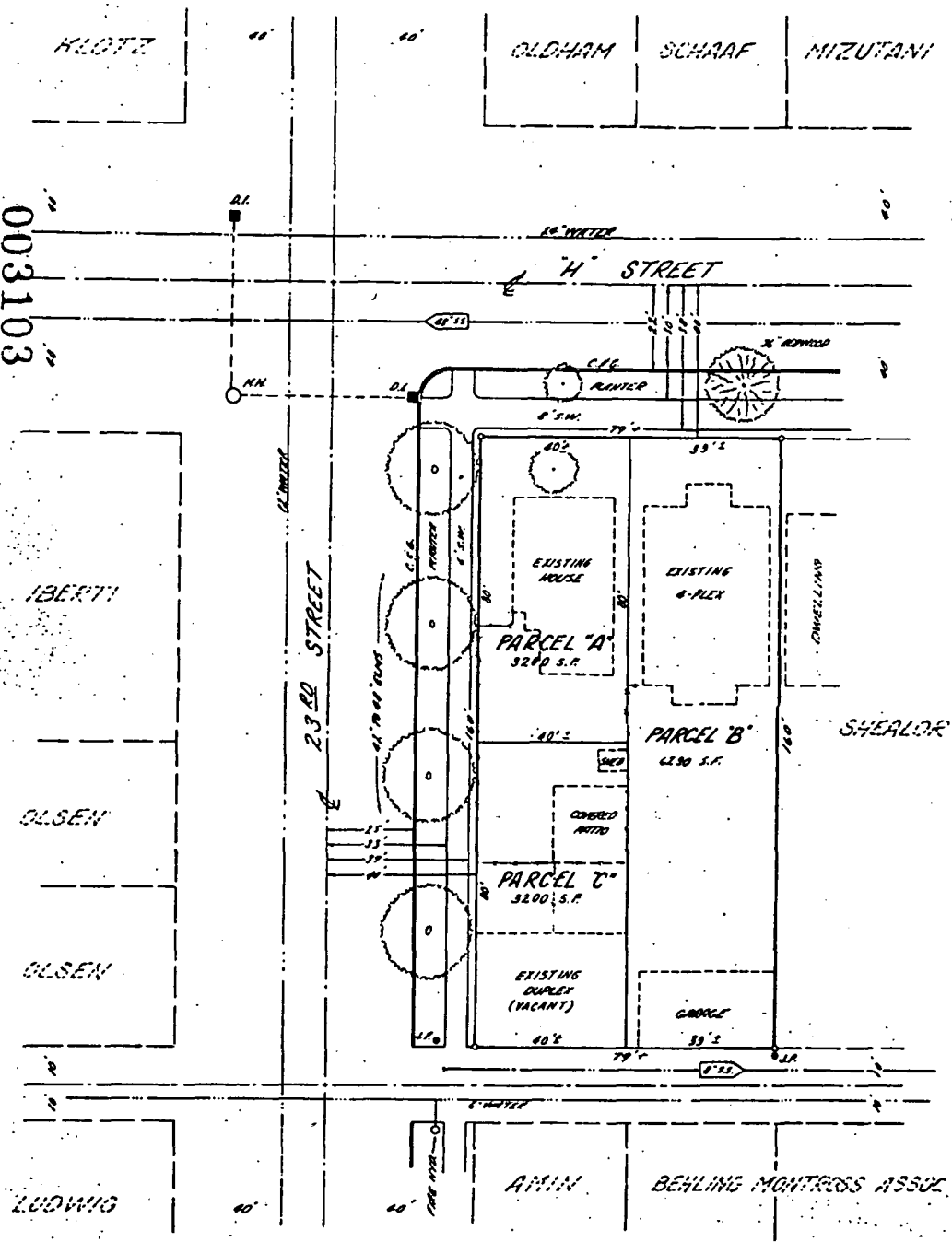
1700 14 OB R

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003103

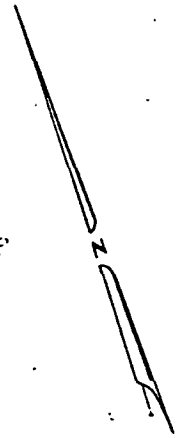
7 MAY 26, 1983

ITEM 14



VICINITY MAP
1:25,000

- OWNER: MARTIN L. & KAROL L. MENAN
2147 OCASSO CONFINO (415) 636-3662
FREMONT, CA 94538
- ENGINEER: ALLIED ENGINEERING, SURVEYING & PLANNING
P.O. BOX 2011 769-7513
CIT. HTS., CA. 95610
- ASSESSOR'S # 7-025-01
- ZONING: R3A
- WATER: CITY OF SAC.
- SEWER: CITY OF SAC.
- DRAINAGE: CITY OF SAC.
- SCHOOL DIST. SACRAMENTO UNIFIED
- FIRE DIST. SACRAMENTO
- PARK DIST. CITY OF SAC.
- GAS & POWER: P.G. & E. S.M.U.D.
- PRESENT USE: AS SHOWN HEREON
- PROPOSED USE: TWO RESIDENTIAL LOTS
- GROSS AREA: 12690 S.F. ±



TENTATIVE PARCEL MAP

A PORTION OF LOT 1, IN THE BLOCK BOUNDED BY "H" & "I" AND 23RD & 24TH STREETS, CITY OF SACRAMENTO, CA.

AUGUST, 1982

SCALE: 1" = 40'

ALLIED ENGINEERING, SURVEYING & PLANNING
AUBURN CITRUS HEIGHTS

EXHIBIT A-1



VICINITY MAP
7/18/82

OWNER: MARTIN L. & CAROL L. MENON
2127 OCEANO CANYON (415) 858-1042
FREMONT, CA 94538

ENGINEER: ALLIED ENGINEERING, SURVEYING & PLANNING
P.O. BOX 10111
CIT. OF SACRAMENTO, CA 95810
916-755-1515

ASSISTED BY: T. OJIS-01

ZONING: R 1 R

WATER: CITY OF SAC.

SEWERAGE: CITY OF SAC.

DRAINAGE: CITY OF SAC.

SCHOOL DIST.: SACRAMENTO UNIFIED

FIRE DIST.: SACRAMENTO

MAPS DIST.: CITY OF SAC.

GAS & POWER: A.C.P.E. & S.M.U.D.

PRESIDENT USE: AS SHOWN HEREON

PROPOSED USE: TWO RESIDENTIAL UNITS

GROSS AREA: 11,100 S.F. ±

TENTATIVE PARCEL MAP

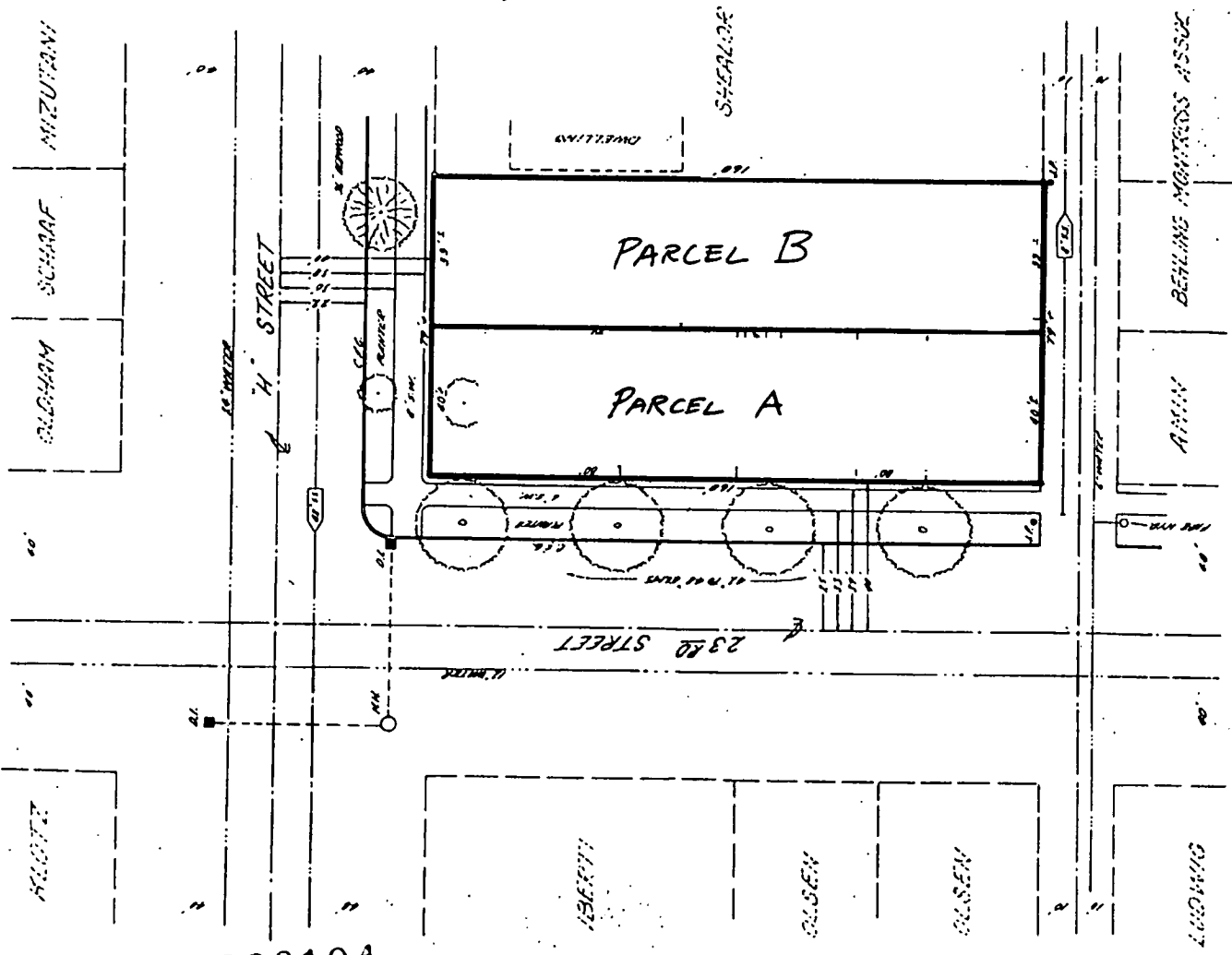
A PORTION OF LOT 1, IN THE BLOCK BOUNDED BY H ST AND 23 RD & 24TH STREETS, CITY OF SACRAMENTO, CA.

SCALE: 1" = 10'

AUGUST, 1982

ALLIED ENGINEERING, SURVEYING & PLANNING
AUBURN
CITRUS HEIGHTS

STAFF PROPOSAL



P. 83120 003104

10 MAY 26, 1983

TJEM-14