



REPORT TO COUNCIL

City of Sacramento 12

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

CONSENT
July 15, 2008

Honorable Mayor and
Members of the City Council

Title: Kim Residential Subdivision (P05-019)

Location/Council District: 3940 14th Avenue; APN: 020-0073-003, -007, -028 (District 5)

Recommendation: 1) Review a **Resolution** declaring the project exempt from environmental review; 2) review a **Resolution** approving the Kim Residential Subdivision Project; 3) review an **Ordinance** rezoning the subject site from Standard Single-Family (R-1) to Single-Family Alternative (R-1-A); and 4) pass for publication the **Ordinance** title as required by the Sacramento City Charter 32c to be adopted July 22, 2008.

Contact: Antonio Ablog, Associate Planner, (916) 808-7702; Nedzlene Ferrario, Senior Planner, (916) 808-7826

Presenter: Not applicable

Department: Development Services

Division: Current Planning

Organization No.: 4885

Description/Analysis:

Issue: The applicant, Fred Arastoo, is requesting to subdivide 0.8± acres and construct 6 cluster style single-family homes. The homes will range from 1,384 square feet to 1,522 square feet. Access to five of the new homes will be via a private "T" court from San Carlos Way. The other new home will share a driveway on 14th Avenue with an existing home that is in the process of being remodeled. The entitlements requested for the project include a Tentative Map to subdivide the property, and a Special Permit for the construction of alternative single-family homes. The applicant is also requesting a rezone of the subject site from the Standard Single-Family (R-1) to the Alternative Single-Family (R-1A) Zone as alternative style single-family homes are not permitted in the Standard Single-Family (R-1) zone.

Policy Considerations: The applicant intends to construct cluster style single-family residences on lots ranging from 3,755 to 4,921 square feet. This type of development is not allowed in the R-1 zone. Furthermore, the proposed project density is 9 dwelling units per net acre which is higher than the maximum allowable R-1 density. The applicant is requesting a rezone of the site to the R-1A zone which is intended to accommodate alternative single-family designs which are determined to be compatible with standard single-family areas and which might include single-family attached or detached units, townhouses, cluster housing, condominiums, cooperatives or other similar projects. The maximum density of the R-1A zone is 15 units per net acre. Therefore, should the rezone be approved by Council, the project will be consistent with the minimum land-use and density standards of the R-1A Zone.

General Plan: The subject site is designated Low Density Residential in the General Plan. The proposed project is consistent with this designation as the applicant is proposing to construct single-family homes at a density of 9 units per net acre.

Smart Growth Principles: The City Council adopted a set of Smart Growth Principles in December 2001 to promote growth that is economically sound, environmentally friendly, and supportive of community livability. The subject proposal is consistent with these principles in that: (a) it helps provide a range of affordable housing opportunities for households of various income levels; (b) it concentrates new residential development on an underutilized infill site; and (c) it adds new housing stock to an older neighborhood where adequate infrastructure is already in place.

Strategic Plan Implementation: The project conforms to the City of Sacramento's Strategic Plan specifically by advancing the goals to achieve sustainability and enhance livability by increased opportunities for residents of different income levels live in new, safe and affordable housing.

Committee/Commission Action: The proposed project was heard by the Planning Commission on January 10, 2008 with no public opposition present. The Planning Commission voted to forward the project to the City Council with a unanimous recommendation for approval (9 ayes, 0 noes).

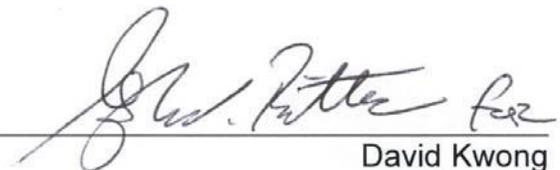
Environmental Considerations: The Development Services Department, Environmental Planning Services Division has reviewed this project and determined that it is exempt from the provisions of CEQA (the California Environmental Quality Act) under Class 32, Section 15332 which consists of projects characterized as "in-fill developments". The project complies with all applicable zoning regulations. The proposed development occurs within City limits on a project site of no more than five (5) acres substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant

effects relating to traffic, noise, air quality, or water quality and the site can be adequately served by all required utilities and public services.

Rationale for Recommendation: Though the project requires a rezone of the subject site, the project proposal is consistent with the General Plan and the City's Smart Growth Principles and its Strategic Plan for the reasons discussed in the "Policy Considerations" section above. Staff supports the project as the resulting development promotes smart growth in that it increases residential density and provides an alternative ownership housing type that is compatible with the existing residential neighborhood. Staff recommends that the City Council approve the requested entitlements.

Financial Considerations: This project has no fiscal considerations.

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

Respectfully submitted by: 
David Kwong
Planning Manager

Approved by: 
William Thomas
Director of Development Services

Recommendation Approved:


RAY KERRIDGE
City Manager

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Attachment 1 – Project Background/Summary

Applicant: Fred Arastoo, Aras Design and Construction, 2533 Sierra Boulevard, Sacramento, Ca 95825.

Owner: Nam Kim, 4433 Florin Road, Sacramento, CA 95823

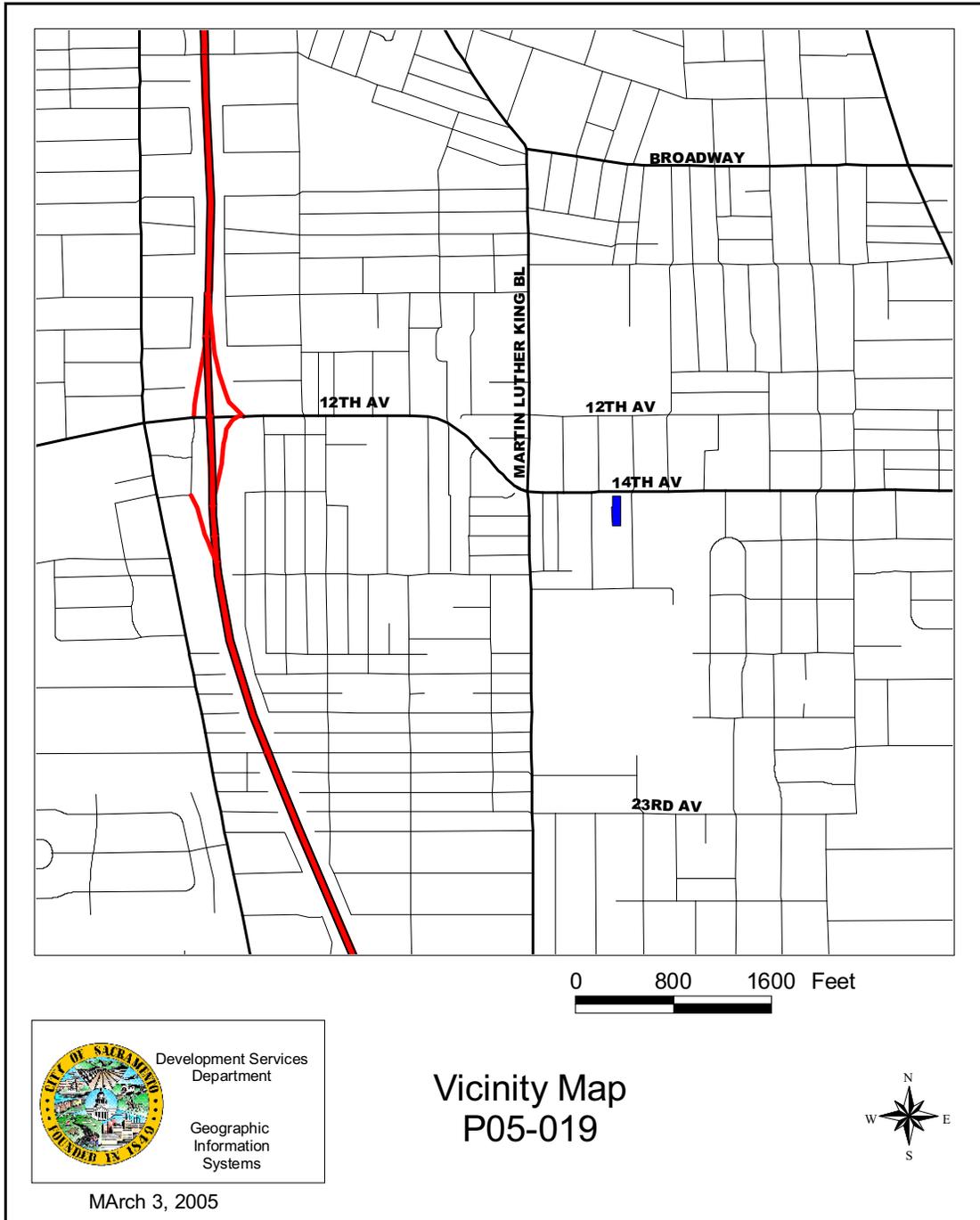
The project site consists of 0.8± partially developed acres on the south side of 14th Avenue west of San Carlos Way. There is a single residence on the site that the applicant is in the process of remodeling. The adjacent neighborhood is composed of detached single-family homes. There are no previously approved entitlements on the site that affect the current application. The proposed project will result in the development of six new homes at a density of approximately 9 units per acre.

The project consists of single and two-story homes ranging from 1,384 square feet to 1,522 square feet. The approval of the homes on lots 2 through 7 is included under this application. The Tentative Map creates Lot 1, but this lot is for an existing residence that is being remodeled thought separate approvals. The proposed lots range from 3,755 square feet to 4,921 square feet. The two lots facing 14th avenue will share a driveway, while the remainder of homes will have access from a private drive off of San Carlos Way. The project conditions call for the formation of a homeowner's association to maintain all common areas.

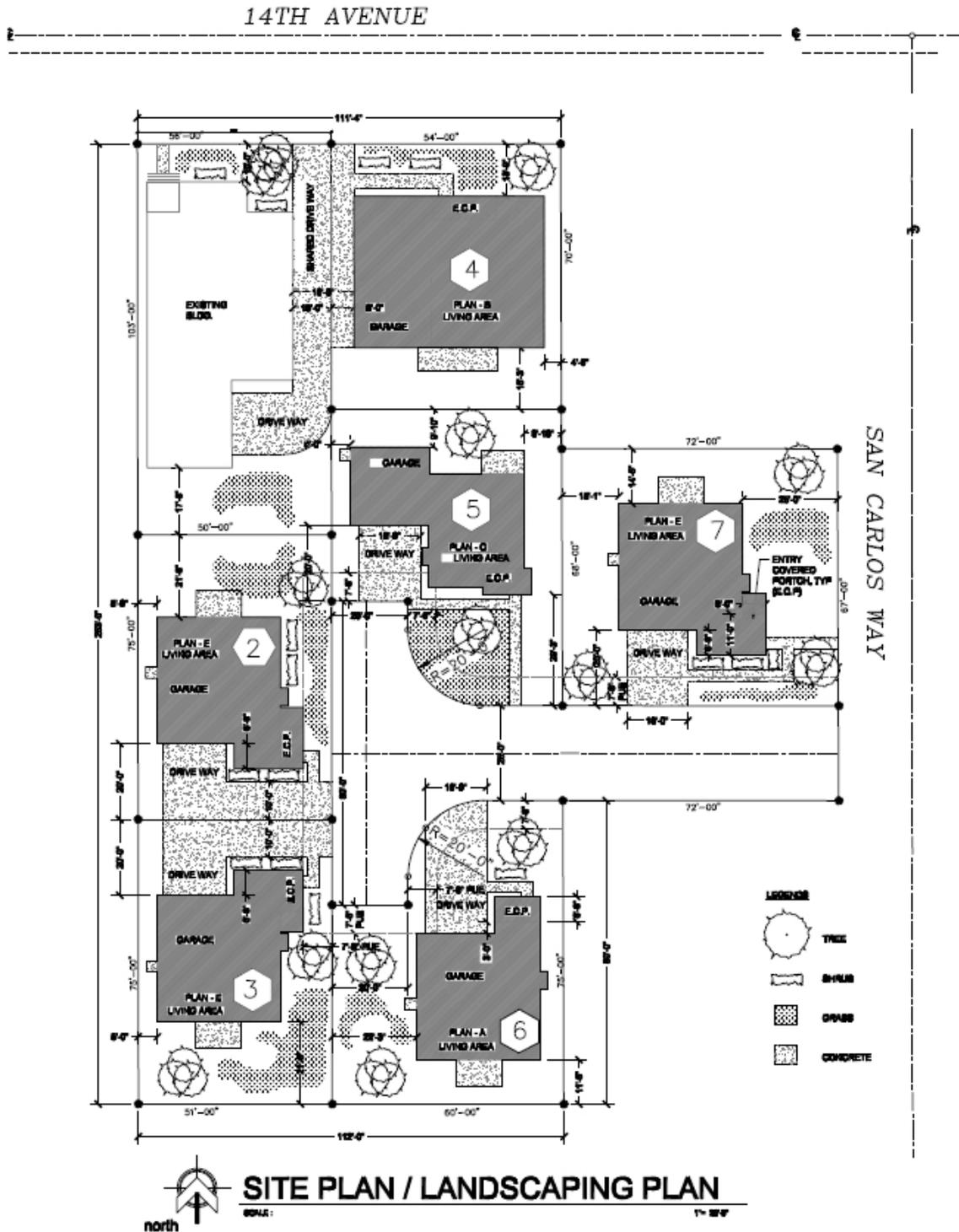
The Special Permit for Alternative single-family development allows for deviations from the standard single-family setback and lot coverage requirements. In reviewing the site plan for setbacks, staff has found that the proposed plans strike an appropriate balance between providing private open space and protecting the privacy of existing residences on adjacent lots. The applicant has worked with Design Review staff to arrive at an acceptable set of house plans for approval. The Design Review approval was given on December 13, 2007. The proposed home elevations have been designed to be consistent with the general craftsman style elevations typical of the surrounding Oak Park neighborhood. The homes will be accented with 6" siding, brick, and decorative shutters. All of the homes include covered front porches.

Notice of Hearing: As required by sections 16.24.097, 17.208.020(C), 17.212.035, and 17.200.010(C)(2)(a), (b), and (c) of the City Code, ten day notice of the July 22, 2008 public hearing has been given by publication, posting and mail (500').

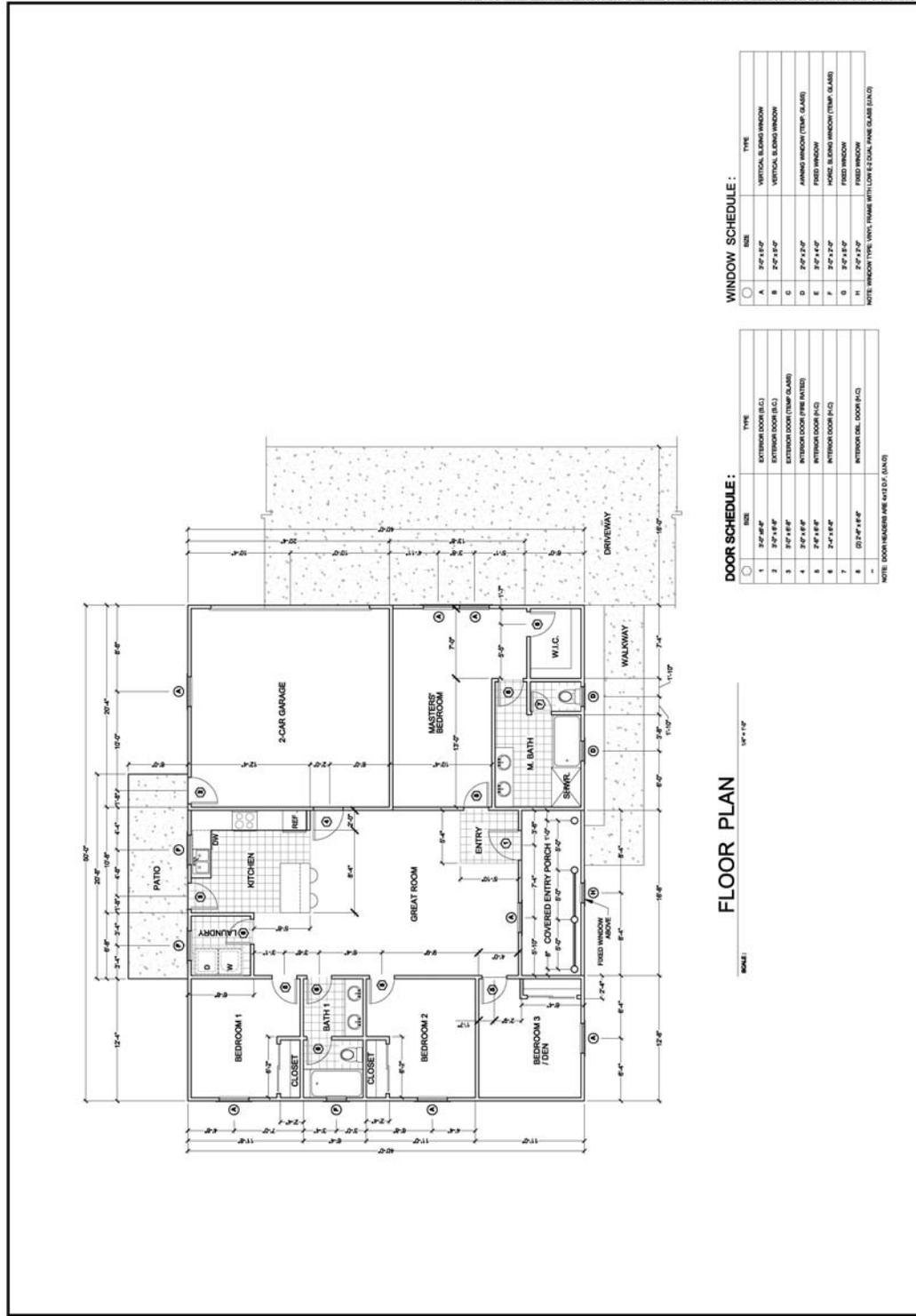
Attachment 2 – Vicinity Map



Attachment 5 – Site Plan



ARMS DESIGN & CONSTRUCTION INC. 2025 SERENA BOULEVARD SACRAMENTO, CALIFORNIA 95833 916.487.1111 FAX 916.487.1112	KIM SUBDIVISION 2841 KYLE & 2810 MARCOLLA AVE. SACRAMENTO, CALIFORNIA	FLOOR PLAN (PLAN-B) LOT-4	A3
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WINDOW SCHEDULE :

NO.	SIZE	TYPE
1	3'-0" x 4'-0"	VERTICAL SLIDING WINDOW
2	2'-0" x 4'-0"	VERTICAL SLIDING WINDOW
3	2'-0" x 3'-0"	FIXED WINDOW (TEMP. GLASS)
4	2'-0" x 3'-0"	FIXED WINDOW (TEMP. GLASS)
5	2'-0" x 4'-0"	FIXED WINDOW (TEMP. GLASS)
6	2'-0" x 4'-0"	FIXED WINDOW (TEMP. GLASS)
7	2'-0" x 4'-0"	FIXED WINDOW (TEMP. GLASS)
8	2'-0" x 4'-0"	FIXED WINDOW (TEMP. GLASS)

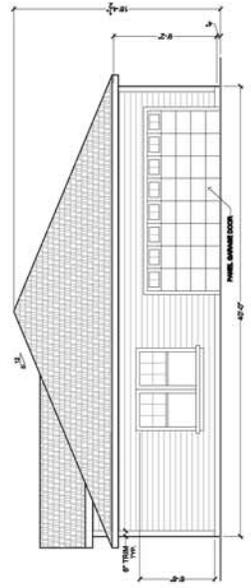
NOTE: WINDOW TYPE, VENT. FRAME WITH LOOSE & TIGHT PANEL GLASS (S.A.C.)

DOOR SCHEDULE :

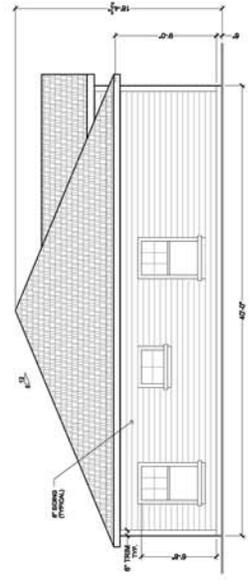
NO.	SIZE	TYPE
1	3'-0" x 6'-0"	EXTERIOR DOOR (S.C.)
2	3'-0" x 6'-0"	EXTERIOR DOOR (S.C.)
3	3'-0" x 6'-0"	EXTERIOR DOOR (TEMP. GLASS)
4	3'-0" x 6'-0"	EXTERIOR DOOR (TEMP. GLASS)
5	3'-0" x 6'-0"	EXTERIOR DOOR (S.C.)
6	3'-0" x 6'-0"	EXTERIOR DOOR (S.C.)
7	3'-0" x 6'-0"	EXTERIOR DOOR (S.C.)
8	3'-0" x 6'-0"	EXTERIOR DOOR (S.C.)

NOTE: DOOR SCHEDULES ARE 4:12 (S.A.C.)

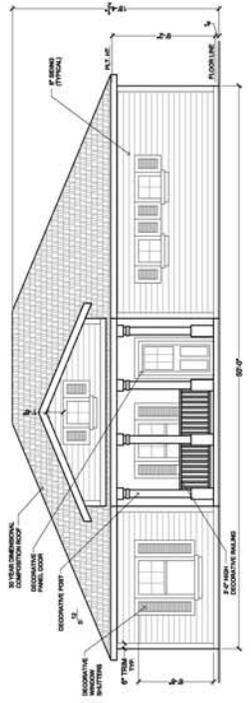
ARAS DESIGN & CONSTRUCTION INC. 3033 SERRA BOULEVARD SACRAMENTO, CALIFORNIA 95825 PH: 916.487.2222 FAX: 916.487.2222	DATE: 07/15/08 SCALE: 1/4" = 1'-0"	PROJECT: KIM SUBDIVISION 3501 14TH AVE & 5TH AVENUE/CS AVENUE SACRAMENTO, CALIFORNIA	SHEET NO.: ELEVATIONS (PLAN-B) LOT-4	SHEET TOTAL: A4



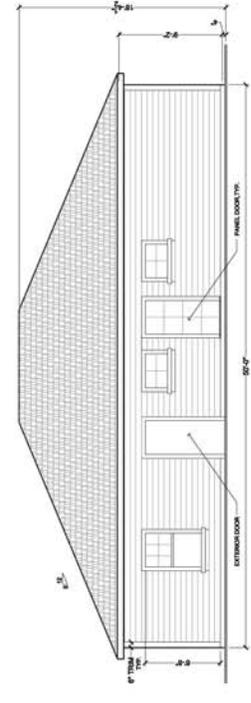
RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"

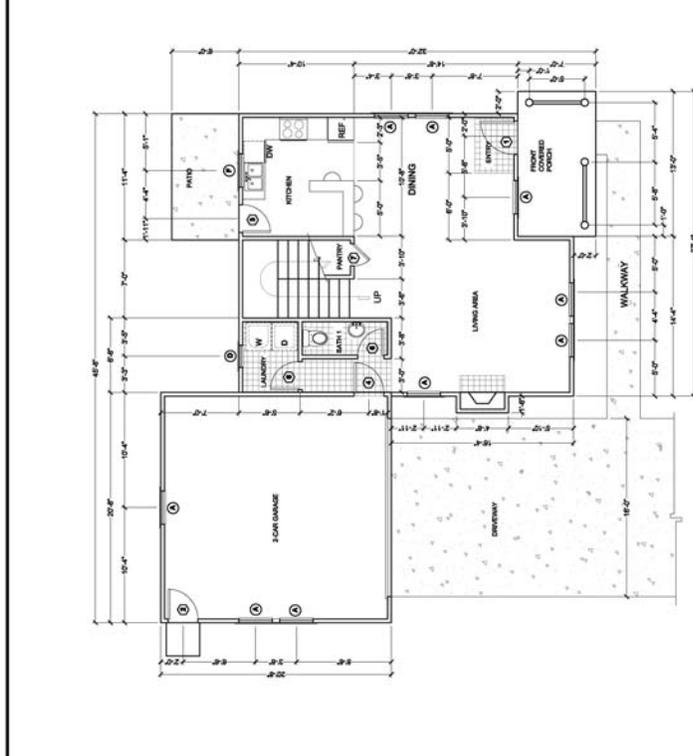
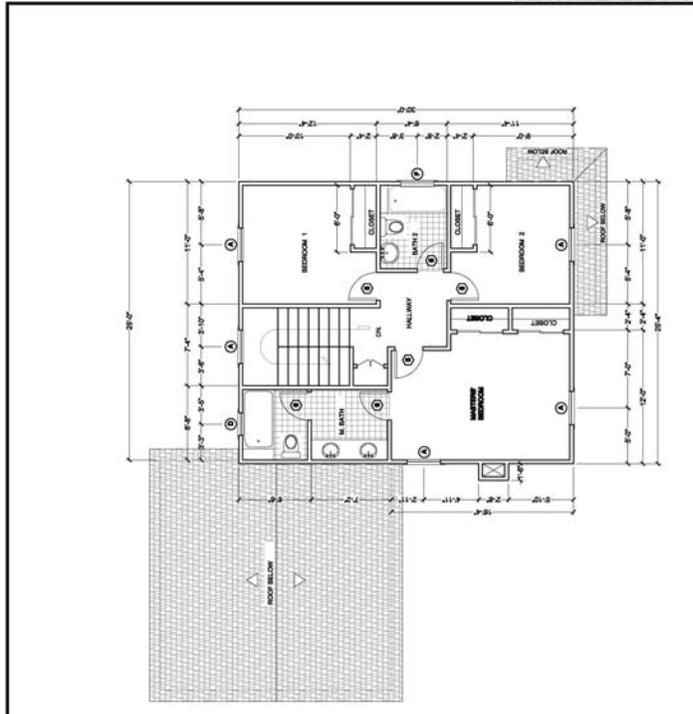


FRONT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"

ARAS DESIGN & CONSTRUCTION INC. <small>2333 GERRARD BOULEVARD SCARBOROUGH, ONTARIO M1H 2P9 TEL: (416) 291-8888 FAX: (416) 291-8889</small>	KIM SUBDIVISION <small>3845 HWY 7 AVE. & 810 SANDYCREAK AVE SCARBOROUGH, ONTARIO</small>	FLOOR PLANS (PLAN - C) LOT-5	A5 SHEET NO. 1 OF 1
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DOOR SCHEDULE:

NO.	SIZE	TYPE
1	3'-0" x 6'-0"	EXTENSION DOOR (S.C.)
2	3'-0" x 6'-0"	EXTENSION DOOR (S.C.)
3	3'-0" x 6'-0"	EXTENSION DOOR (TEMP. GLASS)
4	3'-0" x 6'-0"	EXTENSION DOOR (TEMP. GLASS)
5	3'-0" x 6'-0"	INTERIOR DOOR (S.C.)
6	3'-0" x 6'-0"	INTERIOR DOOR (S.C.)
7	3'-0" x 6'-0"	INTERIOR DOOR (S.C.)
8	3'-0" x 6'-0"	INTERIOR DOOR (S.C.)

NOTE: DOOR HEADERS ARE 4x12 D.F. (L.N.C.)

WINDOW SCHEDULE:

NO.	SIZE	TYPE
A	3'-0" x 2'-0"	VERTICAL SLIDING WINDOW
B	3'-0" x 2'-0"	VERTICAL SLIDING WINDOW
C	3'-0" x 2'-0"	VERTICAL SLIDING WINDOW
D	3'-0" x 2'-0"	AWNING WINDOW (TEMP. GLASS)
E	3'-0" x 2'-0"	AWNING WINDOW (TEMP. GLASS)
F	3'-0" x 2'-0"	HORIZONTAL SLIDING WINDOW (TEMP. GLASS)
G	3'-0" x 2'-0"	HORIZONTAL SLIDING WINDOW (TEMP. GLASS)
H	3'-0" x 2'-0"	HORIZONTAL SLIDING WINDOW (TEMP. GLASS)

NOTE: WINDOW TYPE: VINYL FRAME WITH LOW E-GLASS PANE GLASS (L.N.C.)

ARAS DESIGN & CONSTRUCTION INC. 2033 GERRARD AVENUE EAST SCARBOROUGH, ONTARIO, CANADA M1S 4T6 TEL: (416) 291-0888 FAX: (416) 291-0889 WWW.ARAS.COM	KIM SUBDIVISION 2960 LEITH AVE & BRIM JACQUES AVE SCARBOROUGH, ONTARIO	ELEVATIONS (PLAN C) LOT-5	SHEET NO. A6 DATE: 06-26-08 DRAWN BY: JAMES L.
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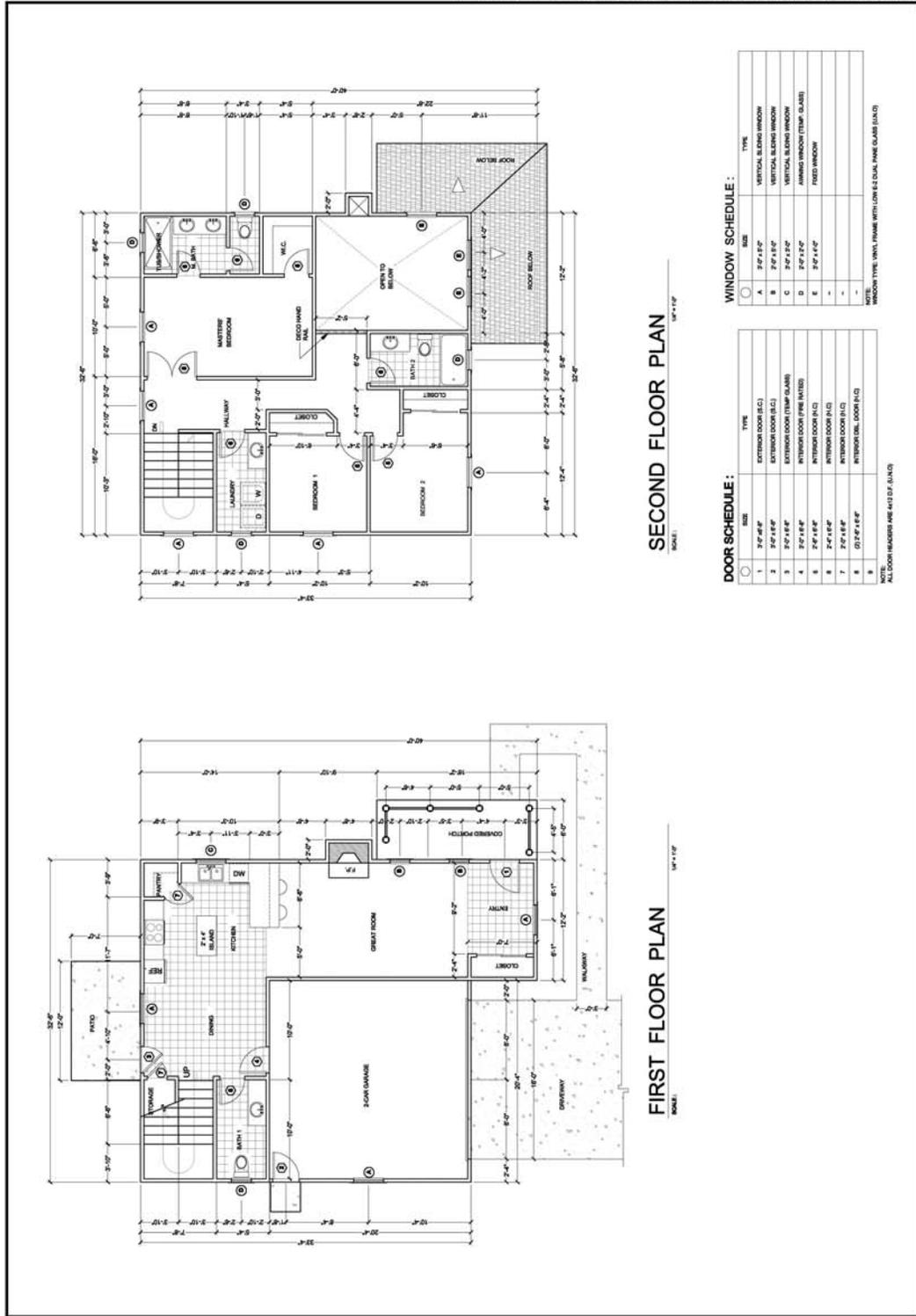
RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

LEFT ELEVATION
SCALE: 1/8" = 1'-0"

FRONT ELEVATION
SCALE: 1/8" = 1'-0"

REAR ELEVATION
SCALE: 1/8" = 1'-0"

ARRAS DESIGN & CONSTRUCTION INC. 2033 BERRY BOULEVARD SPOKANE, IDAHO 83405 208.338.8818 FAX 208.338.8818	ARCHITECT ENGINEER INTERIOR DESIGNER LANDSCAPE ARCHITECT PLANNING SURVEYOR	KIM SUBDIVISION 3845 14TH AVE. & 3RD SANDYWAY AVE. SPOKANE, IDAHO 83405	FLOOR PLAN (PLAN - E) LOT 2	A7
		SHEET NO. 101 OF 101	DATE: 07-15-08	DRAWN BY: JAMES L.



SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

WINDOW SCHEDULE:

NO.	SIZE	TYPE
1	3'-0" x 4'-0"	VERTICAL SLIDING WINDOW
2	3'-0" x 4'-0"	VERTICAL SLIDING WINDOW
3	3'-0" x 4'-0"	VERTICAL SLIDING WINDOW
4	3'-0" x 4'-0"	FIXED WINDOW
5	3'-0" x 4'-0"	FIXED WINDOW
6	3'-0" x 4'-0"	FIXED WINDOW
7	3'-0" x 4'-0"	FIXED WINDOW
8	3'-0" x 4'-0"	FIXED WINDOW
9	3'-0" x 4'-0"	FIXED WINDOW
10	3'-0" x 4'-0"	FIXED WINDOW

NOTE:
WINDOW TYPE: VINYL FRAME WITH LOW-E DUAL PANE GLASS (GLD)

DOOR SCHEDULE:

NO.	SIZE	TYPE
1	3'-0" x 4'-0"	EXTENDED DOOR (S.L.)
2	3'-0" x 4'-0"	EXTENDED DOOR (S.L.)
3	3'-0" x 4'-0"	EXTENDED DOOR (TEMP. GLASS)
4	3'-0" x 4'-0"	INTERNAL DOOR (TEMP. GLASS)
5	3'-0" x 4'-0"	INTERNAL DOOR (TEMP. GLASS)
6	3'-0" x 4'-0"	INTERNAL DOOR (S.L.)
7	3'-0" x 4'-0"	INTERNAL DOOR (S.L.)
8	3'-0" x 4'-0"	INTERNAL DOOR (S.L.)
9	3'-0" x 4'-0"	INTERNAL DOOR (S.L.)
10	3'-0" x 4'-0"	INTERNAL DOOR (S.L.)

NOTE:
ALL DOOR HEADERS ARE 4" x 12" (S.L.)

Attachment 7 – Environmental Exemption

RESOLUTION NO.

Adopted by the Sacramento City Council

**DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT
(3940 14th Avenue)
(P05-019) (APN: 020-0073-003, -007, -028)**

BACKGROUND

- A. On January 10, 2008, the City Planning Commission conducted a public hearing on the Kim Residential Subdivision project (hereafter referred to as “Project”), and forwarded the Project to the City Council with a recommendation to approve with conditions.
- B. On July 22, 2008, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Section 17.200.010 (C)(2)(a), (b), and (c) (publication, posting, and mail (500’)), and received and considered evidence concerning the Project.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on the determination and recommendation of the City’s Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the City Council finds that the Project is exempt from review under Section 15332 of the California Environmental Quality Act Guidelines as follows:

- a. The project complies with all applicable policies of the General Plan, as well as with the applicable zoning regulations;
- b. The proposed development occurs within City limits on a project site of no more than five (5) acres substantially surrounded by urban uses;
- c. The project site has no value as habitat for endangered, rare or threatened species;
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- e. The site can be adequately served by all required utilities and public services.

Attachment 8 – Project Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

**ADOPTING FINDINGS OF FACT AND APPROVING THE KIM
RESIDENTIAL SUBDIVISION
(3940 14TH AVENUE)
(P05-019) (APN: 020-0073-003, -007, -028)**

BACKGROUND

- A. On January 10, 2008 the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Kim Residential Subdivision.

- B. On July 22, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 16.24.097, 17.208.020 (C), 17.212.035, and 17.200.010(C)(2)(a), (b), and (c) (publication, posting, and mail (500’), and received and considered evidence concerning the Kim Residential Subdivision.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on the verbal and documentary evidence received at the hearing on the Kim Residential Subdivision, the City Council approves the Project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council approves the Project entitlements based on the following findings of fact:

A. Tentative Map: The Tentative Map to subdivide 0.8± net acres into seven (7) single-family lots and one common area lot is approved based on the following findings of fact:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (e), inclusive, exist with respect to the proposed subdivision as follows:

- a. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City’s General Plan, all applicable community

and specific plans, and Title 16 of the City Code, which is a specific plan of the City;

- b. The site is physically suitable for the type of development proposed and suited for the proposed density;
- c. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife their habitat;
- d. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;
- e. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use, of, property within the proposed subdivision.

2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5).

3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6).

4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1).

5. The City Council has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).

B. Special Permit: The Special Permit for alternative housing to allow the development of 6 single-family homes within the Single-Family Alternative (R-1A) Zone is approved based on the following Findings of Fact:

1. The proposed project constitutes a sound land use in that the proposed single-family homes are consistent with the surrounding land uses which are mostly single-family detached dwellings. Additionally, the compact nature of the project will provide an alternative to the traditional single-family homes that surround the subject site.

2. The proposed project, as conditioned, would not result in the creation of a nuisance as the proposed single family homes are compatible with the surrounding land

uses. Also, the project has been designed to meet all circulation and emergency access requirements.

3. Granting of the Special Permit would be consistent with the objectives of the General Plan in that it:

- preserves neighborhood character by providing housing consistent with the adjacent residential uses (Goal A, Sec 2-10);
- develops residential land uses in a manner that is efficient and utilizes existing urban resources (Goal C, Sec 2-15);
- promotes infill development as a means to meet future housing needs (Policy 4, sec 2-16)

Section 3. The City Council approves the Project entitlements subject to the following conditions of approval:

A. The **Tentative Map** to subdivide 0.8± net acres into 7 single-family lots and one common area lot is approved subject to the following conditions of approval:

CONDITIONS: Tentative Map

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P05-019).

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 these conditions. Any condition requiring an improvement that has already been designed and secured under a City Approved improvement agreement may be considered satisfied at the discretion of the Development Engineering Division.

The City strongly encourages the applicant to thoroughly discuss the conditions of approval for the project with their Engineer/Land Surveyor consultants prior to City Planning Commission approval. The improvements required of a Tentative Map can be costly and are completely dependent upon the condition of the existing improvements. Careful evaluation of the potential cost of the improvements required by the City will enable the applicant to ask questions of the City prior to project approval and will result in a smoother plan check process after project approval:

SPECIAL DISTRICTS: Assessment Districts

A1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.

DEVELOPMENT ENGINEERING: