

DIRECTOR REPORT

STAFF RECOMMENDATION

Staff recommends the Zoning Administrator approve, with conditions, a Tentative Map Time Extension, and the Design Director approve, with conditions, a Site Plan and Design Review Time Extension for the project known as **2330 – 2336 Bell Avenue Subdivision Map Time Extension (Z24-079)**. Draft Conditions of Approval and Findings of Fact for the project are included below.

REQUESTED ENTITLEMENTS

1. **Tentative Subdivision Map Time Extension** of a previously approved tentative subdivision map (Z20-056) to subdivide 1.29 acres into 21 residential parcels with a Tentative Map Design Deviation for 18 parcels with no public street frontage within the Residential Mixed-Use (RMX-SPD) Zone until November 18, 2024.
2. **Site Plan and Design Review Time Extension** of a previously approved site plan and design review (Z20-056) for the construction of 21 new attached residential units in the Residential Mixed-use (RMX-SPD) zone within the McClellan Heights and Parker Homes Special Planning District until November 18, 2024.

PROJECT INFORMATION

Location: 2330 – 2336 Bell Avenue

Parcel Number: 238-0140-012-0000; -037-0000; -038-0000

Council District: 2

Applicant: Alma D. Esperanza, LE Property LLC
3520 Western Avenue, Sacramento, CA 95838

Property Owner: Alma D. Esperanza, LE Property LLC
3520 Western Avenue, Sacramento, CA 95838

Project Planner: Kevin Valente, Contract Planner

Hearing Date: November 21, 2024

Land Use Information

2040 General Plan: Residential Mixed Use

Community Plan Area: North Sacramento

Specific Plan: n/a

Zoning: Residential Mixed-Use (RMX-SPD)

Special Planning District: McClellan Heights and Parker Homes

Planned Unit Development: n/a
 Design Review Area: Del Paso Heights
 Parking District: Traditional
 Open Space District: n/a
 Historic Landmark: n/a
 Historic District: n/a

Surrounding Land Use and Zoning

North:	Sacramento County Zoning	Light Industrial
South:	RMX-SPD and R-1A-SPD	Residential
East:	RMX-SPD	Light Industrial
West:	RMX-SPD and R-1A-SPD	Residential

Site Characteristics

Existing Property Area: 68,970 square feet / 1.29 acres
 Topography: Flat
 Street Improvements: Existing
 Utilities: Existing
 Existing Land Use: Residential

Other Information

Concurrent Files: None
 Previous Files: Z20-056

ATTACHMENTS

Attachment 1: Z20-056 Record of Decision (ROD)

PROPOSED PROJECT AND ANALYSIS

Background

The project is located on three parcels of approximately 1.29 acres within the Residential Mixed-Use (RMX-SPD) zone within the McClellan Heights and Parker Homes Special Planning District. One parcel consists of an existing single-family residence, which will be removed as part of the proposed development. The site is surrounded by residential and light industrial uses.

On November 18, 2021, the Zoning Administrator and Design Director approved a Tentative Subdivision Map and Site Plan and Design Review to subdivide three parcels into 21 parcels with Tentative Map Design Deviations for 18 parcels with no public street frontage.

Project Details

The applicant is now requesting a two-year extension of the Tentative Subdivision Map and Site Plan and Design Review. This request requires Zoning Administrator approval of a Tentative Map Time Extension and Design Director approval of the Site Plan and Design Review Time Extension to extend the validity of the previously approved entitlements until November 18, 2026.

The original project approval includes the subdivision of three parcels into 21 parcels with the construction of 21 residential units in the Residential Mixed-Use zone (RMX-SPD) within the McClellan Heights and Parker Homes Special Planning District. The proposed project requests no

deviations to standards and is consistent with all development standards and policies in the RMX zone, the 2040 General Plan, and applicable design guidelines.

Table 1: Development Standard: Setbacks – RMX Zone (17.212.140)					
Front-Yard (ft.): Min. 10 – Max 25		Rear-Yard (ft.): 15		Interior Side-Yard (ft.): 0; 5 ^a	
Proposed	Deviation	Proposed	Deviation	Proposed	Deviation
10 - 25	No	15 – 20-11 5/8"	No	0 – 21-8 7/8"	No

^a If the interior side-yard lot line abuts a lot in the R-1 or R-1B zone or a lot containing a detached single-unit dwelling, the minimum interior side-yard setback is five feet; otherwise, there is no minimum interior side-yard setback.

Table 2: Development Standards: Height, Lot Coverage, Density – RMX Zone (17.212.130)				
Height (ft.): Max. 45		2040 General Plan Density (du/na^b): Min. 3	2040 General Plan Floor Area Ratio (FAR) Max 1.0	
Proposed	Deviation	Proposed	Proposed	
19 – 29 ^c	No	15	0.63	

^b Dwelling Units / Net Acre

^c Top of Plate

Time Extension Entitlements

The requested Tentative Subdivision Map and Site Plan and Design Review time extension is due to the applicant needing additional time to finalize the map and construct the residences. The applicant is currently processing their final map (FPM24-0034). No changes to the previous approvals design, layout, or conditions of approval are proposed as part of this request.

Sacramento City Code (SCC) section 17.828.170 and the Subdivision Map Act (Cal. Gov. Code, § 66452.6(e)) allow for an extension of a tentative map up to six years, while SCC section 17.808.400 allows for an extension of site plan and design review up to five years. As such, a two-year extension would be within the timeframes established in SCC sections 17.828.170 and 17.808.400 and the Subdivision Map Act (Cal. Gov. Code, § 66452.6(e)). For this reason, staff is supportive of the Tentative Map Time Extension and Site Plan and Design Review Extension.

The approvals associated with Record No. Z20-056 are included as attachments to this report.

PUBLIC / NEIGHBORHOOD OUTREACH AND COMMENTS

The time extension project was noticed to property owners and residents within 500 feet of the subject site and the site was posted for the hearing. Neighborhood associations that were notified for the hearing include Sacramento Area Bicycle Advocates, Region Builders, House Sacramento, Sacramento Housing Alliance, Robla Neighbors United, Robla Park Community Association, the North Sacramento Chamber of Commerce and Preservation Sacramento. Staff has not received any objections from the above listed groups and any members of the public at the writing of this report.

ENVIRONMENTAL CONSIDERATIONS

The project is determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15332, Infill Development (Categorical Exemption – Class 32). This project qualifies for this exemption as it applies to projects that are consistent with the General Plan, are in an urbanized area on a site no larger than five acres, where the site has no value as habitat for special status species, where all services are available,

and where no significant effects related to traffic, noise, air quality, or water quality would occur. The request to extend the life of the Tentative Subdivision Map and Site Plan and Design Review is consistent with the original project.

FLOOD HAZARD ZONE

State Law (SB 5) and Planning and Development Code chapter 17.810 require that the City must make specific findings prior to approving certain entitlements for projects within a flood hazard zone. The purpose is to ensure that new development will have protection from a 200-year flood event or will achieve that protection by 2025. The project site is within a flood hazard zone and is an area covered by SAFCA's Improvements to the State Plan of Flood Control System, and specific findings related to the level of protection have been incorporated as part of this project. Even though the project site is within a flood hazard zone, the local flood management agency, SAFCA, has made adequate progress on the construction of a flood protection system that will ensure protection from a 200-year flood event or will achieve that protection by 2025. This is based on the SAFCA Urban level of flood protection plan, adequate progress baseline report, and adequate progress toward an urban level of flood protection engineer's report that were accepted by City Council Resolution No. 2016-0226 on June 21, 2016 and the SAFCA 2021 Adequate Progress Annual Report accepted by City Council Resolution No. 2021-0328 on November 9, 2021.

FINDINGS OF FACT

Environmental

1. Environmental Planning Services of the Community Development Department has reviewed this project and determined that it is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15332, In-Fill Development (Categorical Exemption – Class 32). The project is exempt per Section 15332 for consistency with the applicable general plan designation and policies and zoning, occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, and approval would not result in any significant effects relating to noise, traffic, air, or water quality. The project has no habitat value for endangered, rare, or threatened species, and can be adequately served by all required utilities and public services.

Tentative Subdivision Map

1. The of the conditions described in Government Code (Gov. Code) section 66474 exist with respect to the proposed subdivision as follows:
 - a. The proposed map is consistent with the General Plan, all applicable community and specific plans, Title 17 of the City Code, and all other applicable provisions of the City Code.
 - b. The design and improvement of the proposed subdivision is consistent with the General Plan, all applicable community and specific plans, Title 17 of the City Code, and all other applicable provisions of the City Code.
 - c. The site is physically suitable for the type of development.
 - d. The site is physically suitable for the proposed density of development.

- e. 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 or their habitat.
 - f. The design of the subdivision and the type of improvements are not likely to cause serious public health problems.
 - g. 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 General Plan, all applicable community and specific plans, Title 16 of the City Code, and all other applicable provisions of the City Code (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 requirement 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 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).

Site Plan and Design Review

1. The design, layout, and physical characteristics of the proposed development are consistent with the 2040 General Plan Residential Mixed-Use designation and is consistent with the General Plan goals and policies related to infill development, housing diversity, promoting family-friendly neighborhoods, and enhancing established neighborhoods.
2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards.
3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards.
4. The design, layout, and physical characteristics of the proposed development as conditioned are visually and functionally compatible with the surrounding neighborhood.
5. The design, layout, and physical characteristics of the proposed development as conditioned minimizes energy consumption and encourages the use of renewable energy sources in that the project uses existing utility infrastructure, public access ways, and cool

roofs.

6. The design, layout, and physical characteristics of the proposed development as conditioned are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance in that the project is compatible with all applicable development standards and is compatible with the surrounding development.

200-Year Flood Protection

1. State Law (SB 5) and Planning and Development Code chapter 17.810 require that the City must make specific findings prior to approving certain entitlements for projects within a flood hazard zone. The purpose is to ensure that new development will have protection from a 200-year flood event or will achieve that protection by 2025. The project site is within a flood hazard zone and is an area covered by SAFCA's Improvements to the State Plan of Flood Control System, and specific findings related to the level of protection have been incorporated as part of this project. Even though the project site is within a flood hazard zone, the local flood management agency, SAFCA, has made adequate progress on the construction of a flood protection system that will ensure protection from a 200-year flood event or will achieve that protection by 2025. This is based on the SAFCA Urban level of flood protection plan, adequate progress baseline report, and adequate progress toward an urban level of flood protection engineer's report that were accepted by City Council Resolution No. 2016-0226 on June 21, 2016 and the SAFCA 2021 Adequate Progress Annual Report accepted by City Council Resolution No. 2021-0328 on November 9, 2021.

CONDITIONS OF APPROVAL

1. The entitlements associated with Record No. Z20-056 (Tentative Map, and Site Plan and Design Review) are extended until November 18, 2026.
2. The project shall comply with the conditions of approval for Record No. Z20-056 (see Attachment 1).

Kevin Valente

Kevin Valente
Contract Planner

Garrett Norman

Garrett Norman
Senior Planner

The decision of the Zoning Administrator and Design Director may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator and Design Director is final.

Note: The applicant will need to contact the Public Works Department after the appeal period is over to submit for a Final Map. A discretionary permit expires and is thereafter void if the use or development project for which the discretionary permit has been granted is not established within the applicable time period. The applicable time period is either three

years from the effective date of approval of the discretionary permit; or the time specified by the decision-maker, if so stated in a condition of approval of the discretionary permit. A use or development project that requires a building permit is established when the building permit is secured for the entire development project and construction is physically commenced.

Signature: Kevin Valente
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