

**CITY PLANNING COMMISSION**  
1231 "I" STREET, SUITE 200, SACRAMENTO, CA. 95814

APPLICANT	Nolte and Associates - 1730 I Street #100, Sacramento, CA 95814		
OWNER	Bannon Investors Ltd - 7919 Folsom Boulevard, Sacramento, CA 95826		
PLANS BY	Nolte and Associates - 1730 I Street #100, Sacramento, CA 95814		
FILING DATE	7-17-89	ENVIR.DET	Negative Declaration REPORT BY PW:sg
ASSESSOR'S PCL. NO.	274-0420-007,010,017,032,033; 274-0410-001		

**APPLICATION:** A. Negative Declaration

B. Lot Line Adjustment to merge six lots into two totaling 15.56+ partially developed acres in the R-2B(PUD) and OB(PUD) zones.

**LOCATION:** Southeast corner of Natomas Park Drive and West El Camino Avenue.

**PROPOSAL:** The applicant is requesting the necessary entitlements to merge six lots into two.

**PROJECT INFORMATION:**

General Plan Designation:	Regional Commercial, Medium Density Residential
South Natomas Community	
Plan Designation:	High Density Residential; Office
Existing Zoning of Site:	R-2B(PUD), OB(PUD)
Existing Land Use of Site:	Child care center, racquet club under construction

**Surrounding Land Use and Zoning:**

North:	Apartments; R-2B(PUD)
South:	Office, vacant; OB(PUD)
East :	Apartments; R-2B(PUD)
West :	Office; OB(PUD)

Property Dimensions:	Irregular
Property Area:	15.56+ acres
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

**BACKGROUND INFORMATION:** On February 23, 1989, the City Planning Commission approved the necessary entitlements to develop a racquet club on 9.5+ acres of the subject site. At that time the exact desired location of the lot line that would eventually create two proposed parcels was not known. This application to merge six lots into two will create a line separating the approved racquet club site from the office/day care site to the west, with the Bannon Slough preserve and bike path following this new lot line.

PROJECT EVALUATION: Staff has the following comments:

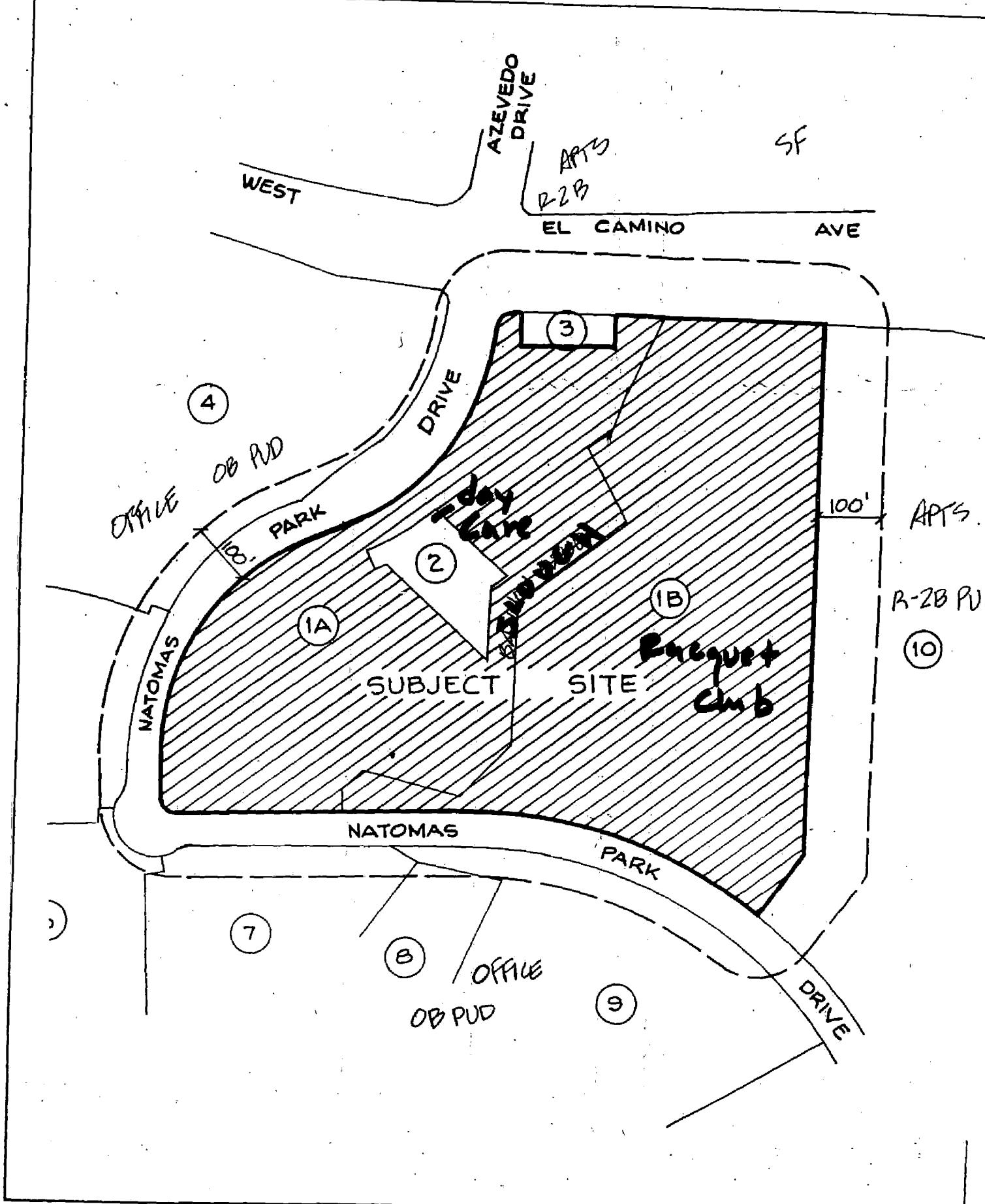
- A. The subject site consists of six parcels totaling 15.56+ acres. A portion of the site is developed with a day care center (west of proposed lot line) and the other portion is under construction for a racquet club (east of proposed line). The western lot is zoned OB(PUD) and the eastern lot R-2B(PUD). The two proposed lots are designated for office and multi-family uses, respectively. Surrounding uses include a mixture of apartments and office park.

The applicant is requesting a lot line adjustment to merge six lots into two in order to simply straighten an extremely irregular existing lot line. The proposed lot line will also facilitate the bike path planned for this area of Bannon Slough. The bike path was a condition of approval for the racquet club now under construction. The project has been reviewed by the City's Community Services Division in regard to the slough preservation and bike path. The Community Services Division has indicated no problems with the lot line adjustment. Therefore, Planning staff has no objections to the request.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the proposed lot line adjustment will have no adverse impacts on the environment and has filed a negative declaration (refer to attachment A for Initial Study Discussion).

RECOMMENDATION: Staff recommends the Commission take the following actions:

- A. Ratify the negative declaration; and
- B. Approve the lot line adjustment by adopting the attached resolution.



**VICINITY - LAND USE - ZONING**

00806



# EXHIBIT B

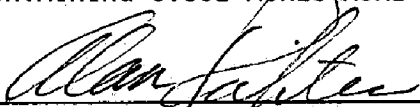
## LEGAL DESCRIPTION NEW PARCEL A

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA BEING A PORTION OF PARCEL A AS SHOWN ON THE PARCEL MAP ENTITLED "PARCEL NO. 1, 76 P.M. 24", RECORDED IN BOOK 95 OF PARCEL MAPS AT PAGE 9, RECORDS OF SAID COUNTY AND A PORTION OF LOT 1 AS SHOWN ON THE "PLAT OF CREEKSIDE OAKS" RECORDED IN BOOK 166 OF MAPS, MAP NO. 22, RECORDS OF SAID COUNTY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL A, SAID POINT BEING ALSO THE NORTHWEST CORNER OF SAID LOT 1; THENCE FROM SAID POINT OF BEGINNING S 37°18'32" W 130.24 FEET; THENCE S 01°27'43" E 28.69 FEET; THENCE S 21°04'26" W 175.34 FEET; THENCE S 29°52'58" W 37.61 FEET; THENCE S 42°11'36" W 78.00 FEET; THENCE S 54°55'00" W 92.83 FEET; THENCE S 03°29'00" W 365.64 FEET TO THE SOUTHERLY BOUNDARY OF SAID LOT 1; THENCE ALONG SAID SOUTHERLY BOUNDARY THE FOLLOWING TWO CONSECUTIVE COURSES; (1) ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 779.00 FEET, THROUGH A CENTRAL ANGLE OF 2°32'02", SAID ARC BEING SUBTENDED BY A CHORD OF N 88°43'59" W 34.45 FEET; AND (2) WEST 195.53 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, SAID POINT BEING ALSO THE SOUTHEAST CORNER OF SAID PARCEL A; THENCE ALONG THE BOUNDARY OF SAID PARCEL A THE FOLLOWING 17 CONSECUTIVE COURSES: (1) WEST 264.32 FEET, (2) ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 90°21'17", SAID ARC BEING SUBTENDED BY A CHORD OF N 44°49'21" W 35.47 FEET, (3) N 00°21'17" E 74.26 FEET, (4) ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 371.00 FEET, THROUGH A CENTRAL ANGLE OF 66°58'33", SAID ARC BEING SUBTENDED BY A CHORD OF N 33°50'33" E 409.41 FEET, (5) N 67°19'50" E 113.65 FEET, (6) ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 343.04 FEET, THROUGH A CENTRAL ANGLE OF 36°30'54", SAID ARC BEING SUBTENDED BY A CHORD OF N 49°04'23" E 214.94 FEET, (7) CONTINUING ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 450.00 FEET, THROUGH A CENTRAL ANGLE OF 21°54'16", SAID ARC BEING SUBTENDED BY A CHORD OF N 19°51'48" E 170.99 FEET, (8) S 81°05'20" E 1.50 FEET, (9) ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 451.50 FEET, THROUGH A CENTRAL ANGLE OF 00°45'42", SAID ARC BEING SUBTENDED BY A CHORD OF N 08°31'49" E 6.00 FEET, (10) ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 23.50 FEET, THROUGH A CENTRAL ANGLE OF 86°54'34", SAID ARC BEING SUBTENDED BY A CHORD OF N 51°36'15" E 32.33 FEET, (11) ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2,000.50 FEET, THROUGH A CENTRAL ANGLE OF 00°09'53", SAID ARC BEING SUBTENDED BY A CHORD OF S 85°01'24" E 5.98 FEET, (12) N 04°53'39" E 1.50 FEET (13) ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2,079.00 FEET, THROUGH A CENTRAL ANGLE OF 00°12'00", SAID ARC BEING SUBTENDED BY A CHORD OF S 85°12'21" E 7.26 FEET, (14) SOUTH 53.34 FEET, (15) S 89°39'30" E 154.65 FEET, (16) N 00°21'30" W 51.74 FEET, AND (17) S 86°41'33" E 80.81 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM PARCEL B AS SAID PARCEL IS SHOWN ON SAID PARCEL MAP ENTITLED "PARCEL NO. 1, 76 P.M. 24".

CONTAINING 6.502 ACRES MORE OR LESS.

  
ALAN RICHTER LS3383



NOLTE AND ASSOCIATES  
June 26, 1989

LD032-M

P89 250

00798

11/16/89

item 26

LEGAL DESCRIPTION  
NEW LOT 1

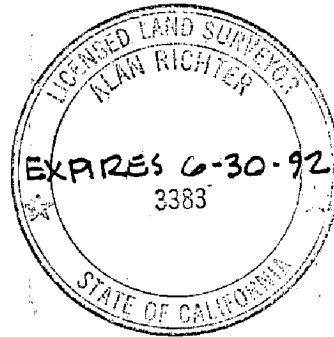
**EXHIBIT B**

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA BEING A PORTION OF PARCEL A AS SHOWN ON THE PARCEL MAP ENTITLED "PARCEL NO. 1, 76 P.M. 24", RECORDED IN BOOK 95 OF PARCEL MAPS AT PAGE 9, RECORDS OF SAID COUNTY AND A PORTION OF LOT 1 AS SHOWN ON THE "PLAT OF CREEKSIDE OAKS" RECORDED IN BOOK 166 OF MAPS, MAP NO. 22 RECORDS OF SAID COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT BEING ALSO THE NORTHEAST CORNER OF SAID PARCEL A, THENCE FROM SAID POINT OF BEGINNING ALONG THE BOUNDARY OF SAID LOT 1 THE FOLLOWING FOUR CONSECUTIVE COURSES: (1) S 86°41'35" E 261.75 FEET, (2) S 02°18'37" W 858.99 FEET, (3) S 38°51'45" W 132.13 FEET, AND (4) ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 779.00 FEET THROUGH A CENTRAL ANGLE OF 36°19'43", SAID ARC BEING SUBTENDED BY A CHORD OF N 69°18'06" W 485.70 FEET; THENCE LEAVING SAID BOUNDARY OF LOT 1 N 03°29'00" E 365.64 FEET; THENCE N 54°55'00" E 92.83 FEET; THENCE N 42°11'36" E 78.00 FEET; THENCE N 29°52'58" E 37.61 FEET; THENCE N 21°04'26" E 175.34 FEET; THENCE N 01°27'43" W 28.69 FEET; THENCE N 37°18'32" E 130.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.062 ACRES MORE OR LESS.

  
ALAN RICHTER LS3383



ATTACHMENT A  
DISCUSSION OF INITIAL STUDY  
CREEKSIDE OAKS PUD LOT LINE ADJUSTMENT  
P89-250

Project Description

The firm of Nolte and Associates has made application to the City of Sacramento for the necessary entitlement to adjust a lot line between two adjacent parcels located in the Creekside Oaks PUD and the Natomas Corporate Center PUD. The site is located at the southeast corner of West El Camino Avenue and Natomas Park Drive in the South Natomas Community Plan area. The site is designated Regional Commercial in the 1986-2006 General Plan. It is designated Office Park/Support Commercial/Park/High Density Residential in the 1988 South Natomas Community Plan. The site is zoned Multi-Family (R-2B PUD) and Office Building (OB-PUD). The site is 15.5± acres in size and is partially developed with a children's day care center. Bannon Slough divides the site approximately in half, running south from West El Camino Ave. The eastern portion of the site is designated for a racquet club in the Creekside Oaks PUD. The undeveloped western portion is designated for office uses in the Natomas Corporate Center PUD.

The necessary entitlement for the project is a Lot Line Adjustment.

Environmental Effects

The land use designations for the subject sites were extensively studied by the South Natomas Community Plan Update and Related Projects Draft, Supplemental and Final EIR's, the South Natomas Traffic Impact Analysis Draft and Final Report (1988), and the City of Sacramento 1986-2006 General Plan Update Draft and Final EIR's. On November 29, 1988, the City Council adopted the South Natomas Community Plan and subsequently adopted Findings of Fact and Overrides which addressed the cumulative impacts including those to which this project may contribute. This Negative Declaration incorporates by reference the above listed documents. For a more in-depth discussion, please refer to those documents which are available for viewing at the Planning Division, 1231 I Street, Room 300, Sacramento.

On March 23, 1989, the City Council approved a Special Permit to develop a 32,000 square foot racquet club clubhouse, swimming pool, 17 tennis courts and 161 parking spaces on 9.5± along Bannon Slough (P88-476). The staff report cited the need for the lot line adjustment and the Negative Declaration prepared for the project included a biological study assessing the value of Bannon Slough with regard to the proposed project. The biological study concluded that the proposed project, including the lot line adjustment would result in a net benefit to the slough. This Negative Declaration incorporates by reference the document prepared for P88-476. The document is available for review at 1231 I Street, Room 300, Sacramento.

While levee stabilization work is in progress, efforts will be made to obtain additional upstream storage on the American River by operating Folsom Dam in a manner which will increase available flood storage capacity. This capacity, combined with levee stabilization, could provide 100 year flood protection in all areas of the City except Natomas and portions of the basins surrounding Dry Creek, Morrison Creek and Arcade Creek, which are expected to have approximately 70 year protection. Attaining 100 year protection for the entire City will require levee upgrades in many areas of the City and maintaining increased flood storage capacity in Folsom Dam. According to current USCOE information, this work is scheduled to be completed in early 1996.

#### LAND USE PLANNING POLICY WITHIN THE 100 YEAR FLOOD PLAIN

The City of Sacramento has taken steps towards implementing a land use planning policy for areas within the City now located within the 100 year floodplain.

On April 27, 1989, the Sacramento Metropolitan Flood Protection Task Force recommended approval of a land use planning policy. The policy identifies interim growth guidelines within the 100 year floodplain areas of the City and County of Sacramento. The task force then submitted their recommendation to the City and County governing boards.

On June 7, 1989, the Sacramento City Council requested an Environmental Impact Report (EIR) on the Draft Land Use Planning Policy. The EIR is expected to be completed and approved by late December, 1989. The EIR will evaluate the impacts of the land use planning policy and may require specific measures to mitigate identified impacts to human health and safety and property damage.

#### RISK OF FLOODING IN THE PROPOSED PROJECT AREA

The proposed project is located within an area designated by FEMA as an A99 zone and determined by the USCOE to have less the 100 year flood protection.

Additional growth in the 100 year floodplain could expose people and property to flooding. In order to reduce this significant impact to a less than significant level, the Environmental Coordinator of the City of Sacramento has determined that the project may only proceed up to the building permit stage. A building permit will not be issued on the proposed project until the Land Use Planning Policy EIR is complete. If construction does not occur, there will be no additional exposure of people or property to flooding. In order to comply with this condition, the project applicant has agreed to the following mitigation measures:



Previous environmental reviews have assessed various potential impacts of the project with the exception of the flooding issue which was not known at that time. Therefore, below is a discussion of the potential impacts of flooding on the proposed project.

3. Water:

3.1 EXPOSURE OF PEOPLE OR PROPERTY TO WATER RELATED HAZARDS SUCH AS FLOODING

Status of Flood Protection in the City of Sacramento

New preliminary Flood Insurance Rate Maps (FIRM) dated May 1, 1989, have been issued based on recent studies conducted by the U.S. Army Corps of Engineers (USCOE) and the Federal Emergency Management Agency (FEMA) which indicate a need for increased flood control measures in order to provide 100-year flood protection for all areas within the City of Sacramento.

In response to these studies, Congress has adopted special legislation to prevent FEMA from issuing new base flood elevations for property located in the newly identified flood plain that would ultimately result in new and higher flood insurance rates. The special legislation further authorizes the City to develop appropriate land use policies for the new floodplain. In this regard, Congress has determined that some new development may proceed in these areas.

In light of the special legislation, FEMA has designated the newly identified flood areas as A99 zone. The A99 zone identifies "areas of special flood hazard, where adequate progress has been made on a flood control system such as dikes, dams, and levees, to consider it complete for insurance rating purposes."

FUTURE FLOOD PROTECTION EFFORTS

The City is working with the USCOE and other responsible agencies to develop an accelerated program to provide future flood protection. Three measures have been identified to accomplish 100 year flood protection throughout the City: 1) levee stabilization, 2) increased upstream flood storage on the American River, and 3) levee upgrades (raising the height of levees). Some combination of all three measures will be needed to provide 100 year flood protection for the entire City.

Levee stabilization work will be the first step towards increased flood protection. Levee repairs along the Sacramento River have been targeted as the highest priority. Funds are expected to be appropriated by Congress in order to award levee stabilization contracts by July 1, 1990. The USCOE anticipates completion of needed levee stabilization work by 1992.

- A. The City shall not approve the final project building permit until the Land Use Planning Policy EIR is completed and approved (anticipated for December, 1989\*).
- B. The applicant shall comply with all applicable mitigation measures imposed by the Land Use Planning Policy EIR prior to final project approval. The applicant is aware that applicable mitigation measure could substantially alter the proposed project and require additional future environmental review prior to the issuance of a City building permit.

\*It is anticipated that residential projects located in the Sacramento River Levee Flood Failure area will not receive final project building permits until June, 1990. In the event the Land Use Policy is adopted (anticipated for December, 1989) the growth limitations of the policy will further prevent issuance of final project building permits until June, 1990 (or when decision makers determine it is appropriate to allow building to proceed.

8. Land Use:

Consistency with Applicable Plans and Policies

The City of Sacramento General Plan identifies the following policy for flood protection:

Flood Hazards, Policy 1: Prohibit development of areas subject to unreasonable risk of flooding unless measures can be implemented to eliminate or reduce the risk of flooding.

The proposed project is located within an area designated by FEMA as an A99 zone and determined by the USCOE to have less than 100-year flood protection. The proposed project is therefore inconsistent with Policy 1 of the Flood Hazards Section of the City General Plan.

In conjunction with implementation of the City of Sacramento Land Use Planning Policy within the 100-year Floodplain, the City proposes to amend the General Plan to define "areas subject to unreasonable risk of flooding" in Policy 1 to exclude areas designated A99 Flood Hazard zone on the FIRM for the area. If approved, this measure would reduce the inconsistency with the City General Plan by amending the General Plan.

In order to reduce the significant impact of General Plan Policy inconsistency with the proposed project to a less than significant level, the project applicant has agreed to the following measure:

- C. The City shall not approve the final project building permit until the General Plan is amended to exclude areas designated A99 Flood Hazard zone from areas considered "subject to unreasonable risk of flooding."

However, if the proposed flood policy and General Plan amendment are not approved the proposed project must be reevaluated prior to issuance of the final building permit to determine the level of significance of flood hazards associated with the project and to re-issuance of mitigation measures to address the identified impact.