

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

APPLICANT <u>Morton and Pitalo, 1430 Alhambra Blvd., Sacramento, CA 95616</u>		
OWNER <u>D.Reali et al., 7200 Lemon Hill Avenue, Sacramento, CA 95610</u>		
PLANS BY <u>Morton and Pitalo</u>		
FILING DATE <u>7-19-90</u>	ENVIR. DET. <u>Neg Dec</u>	REPORT BY <u>DCS</u>
ASSESSOR'S PCL. NO. <u>038-0121-004, 006, 007, 011, 013, 018, 021 and 022</u>		

- APPLICATION:**
- A. Negative Declaration;
 - B. Tentative Map to be called "Lemon Bell" to divide 10.5± partially developed acres into 45 single family lots;
 - C. Variance to create a 20 foot front yard setback in the R-1 zone;
 - D. Variance to create nine parcels less than 52 feet in width (Withdrawn);
 - E. Subdivision Modification to create nine parcels less than 52 feet in width in the R-1 zone (Withdrawn);
 - F. Subdivision Modification to create three parcels deeper than 160 feet; and,
 - G. Lot Line Adjustment to relocate the common property line between eight parcels.

LOCATION: South of Lemon Hill Ave. between 65th Expressway and Power Inn Road.

PROPOSAL: The applicant is requesting a tentative subdivision map to subdivide 10.5± partially developed acres into 45 Single Family lots in the Standard Single Family (R-1) zone.

PROJECT INFORMATION:

General Plan Designation:	Low Density Residential (4-15 du/na)
1986 South Sacramento	
Community Plan:	Residential (4-8 du/na)
Existing Zoning of Site:	R-1
Existing Land Use of Site:	Partially developed
Surrounding Land Use and Zoning:	
North: Residential, R-1	Setbacks: Required: Provided:
South: Residential, R-1	Front: 25' Setbacks
East: Residential, R-1	Side(Int): 5' Will Be
West: Residential, R-1	Side(St): 12.5' Provided
	Rear: 15' As Required

Property Dimensions: Irregular

Property Area: 10.5± acres
Density of Development: 4.5± d.u. per acre
Topography: Flat
Street Improvements: Existing
Utilities: Existing

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On October 24, 1990, by a vote of six ayes, three absent, the Subdivision Review Committee voted to recommend approval of the tentative map subject to the conditions of approval listed below.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of 10.5± partially developed acres in the Standard Single Family (R-1) zone. The General Plan designates the subject site as Low Density Residential (4-15 du/na). The South Sacramento Community Plan designates the site Residential (4-8 du/na). The surrounding land use and zoning for the subject site are Single Family Residential (R-1). A City drainage channel is located along the southerly property line.

B. Applicant's Proposal

The applicant is requesting a tentative map to subdivide 10.5± partially developed acres into 45 lots in the Standard Single Family (R-1) zone. In addition to the tentative map, a variance, a lot line adjustment, and a subdivision modification are requested.

C. Staff Analysis

Site Design and Lot Layout- The subdivision would create 44 single family lots. The single family lots primarily range in size from 5200 to 7,000± square feet. One parcel (Lot 45), however, is over 12,000 square feet in size. Another parcel (Lot 31) will be reduced in size to 37000± square feet in area. Lot 31 currently contains seven dwellings which is consistent with the deep lot development densities. The larger parcel is necessary due to constraints created by existing development around the site. Although the map will create the one developable deep lot parcel (Lot 45), the overall design of the map is compatible with the General Plan, zoning and surrounding land uses.

Variances- A variance is requested to reduce the required front yard setback from 25' to 20' for an existing dwelling (Lot 32). Once the new north-south access road is constructed, an existing dwelling on Lot 32 would be 20' from the property line rather than the required 25'. Staff supports the request for the 20 foot front yard setback variance as adequate area for open space and recreation will be provided on the property. Adequate front yard area for the existing house is also provided. The loss of five feet of front yard area should not be significant in this case. The varied setback may also add interest to the layout of the neighborhood. Another variance allow the creation of nine parcels that are less than the required 52' in width has been withdrawn.

Lot Line Adjustment- A Lot Line Adjustment is requested to alter the location of the property lines between eight parcels. The property lines of this map and several properties to the north will be adjusted. The adjustment will help retain opportunities for future development of the adjacent property.

Subdivision Modification- Because of the existing development of the area and the irregular shape of the property, three parcels (31, 32 and 45) will be created in excess of 160 feet. Each property will have the potential of deep lot development, which requires approval of a special permit. Lot 31 currently has seven dwellings located on it which would be permitted under the deep lot provisions. The subdivision modification to allow creation of nine parcels less than 52 feet in width has been withdrawn.

ENVIRONMENTAL DETERMINATION: The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared. Mandatory mitigation measures shall be incorporated into the project to reduce potential environmental impacts to below a level of significance. The mandatory mitigation measures are listed below.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

- A. Ratify the Negative Declaration; and,
- B. Recommend approval of the Tentative Map to be called "Lemon Bell" to divide 10.5± partially developed acres into 45 single family lots and forward to the City Council;
- C. Approve the Variance to create a 20 foot front yard setback in the R-1 zone based on findings of fact which follow;
- D. Withdraw the Variance to create nine parcels less than 52 feet in width;
- E. Withdraw the Subdivision Modification to create nine parcels less than 52 feet in width in the R-1 zone (Withdrawn);
- F. Approve the Subdivision Modification to create three parcels deeper than 160 feet; and,
- G. Approve the Lot Line Adjustment to relocate the common property line between eight parcels by adopting the attached resolution.

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:

1. Provide standard subdivision improvements pursuant to Section 40.811 of the City Code, including 25' of pavement north-south connection between Brown and Reali Parcels;
2. Prepare a sewer and drainage study for the review and approval of the City Engineer;
3. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
4. Pursuant to City Code Section 40.1302 (parkland dedication), the applicant shall submit to the City an appraisal of the property to be subdivided and pay the required parkland dedication in-lieu fees. The appraisal shall be dated not more than 90 days prior to the filing of the final map;
5. Meet all County Sanitation District requirements;
6. Submit a soils test prepared by a registered engineer to be used in street design;
7. Parcels adjacent to Lots A, B & C shall be included with the map and appropriately combined, or lot mergers between Parcels A, B & C and their adjacent parcels shall be recorded by certificate of compliance concurrently with recordation of this map;
8. Dedicate a 12.5-foot public utility easement for underground and over-head facilities and appurtenances adjacent to all public ways;
9. Dedicate the north 10 feet of subdivision as a public utility easement for over-head facilities and appurtenances adjacent to Lemon Hill;
10. Requires off-site dedication between Brown and Reali parcels. City will condemn at developers expense, if necessary;
11. Provide water service to Lot 32 to the satisfaction of the Water Division;
12. Notice: 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 in the U.S. Army Corps of Engineers Flood Insurance Study Working Map for the Sacramento Community, dated January 1989, available at the City of Sacramento's Public Works Department, Development Services Division, Room 100, 927 10th Street;
13. Individual dwellings shall be subject to the review and approval of the Design Review Board staff prior to issuance of a building permit. If model homes are provided for the subdivision, only the model homes shall require approval;

14. Sycamore trees located on lots 42 & 43 shall be protected with a chain link fence around drip line during construction and retained. Trees in lots 31 & 45 shall be retained as well. Other trees can be retained or removed at developers discretion; and,
15. Remove all trash, tires and rubbish to an approved dump site to the satisfaction of the City/ County Health Department. Inoperable vehicles shall be removed or screened from view of surrounding properties.

Conditions- Lot Line Adjustment:

Applicant shall complete the following at the Public Works Department, Development Services Division, prior to recordation of the Lot Line Adjustment;

1. File a Certificate of Compliance, submit all required documents according to the submittal requirements checklist, and pay necessary fees;
2. File a waiver of parcel maZp;
3. Pay off or segregate any existing assessments; and,
4. Notice: Property to be reconfigured in accordance with this lot line adjustment 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 in the U.S. Army Corps of Engineers Flood Insurance Study Working Map for the Sacramento Community, dated January 1989, available at the City of Sacramento's Public Works Department, Development Services Division, Room 100, 927 10th Street;

Mandatory Mitigation Measures

- A. Require construction contractors to implement a dust abatement program that will reduce the effect of construction on local PM 10 levels in the vicinity of construction zones. Elements of this program should include the following:
 1. Sprinkle all unpaved construction areas with water at least twice per day during demolition and excavation to reduce dust emissions. Additional watering should be carried out on hot or windy days. Watering could reduce particulate emissions by about 50%.
 2. Cover stockpiles of sand, soil, and similar materials with a tarp.
 3. Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces.

4. Sweep up dirt or debris spilled onto paved surfaces immediately to reduce resuspension of PM 10 through vehicle movements over these surfaces.
5. Require construction contractors to designate a person or persons to oversee the dust abatement program and to order increased watering, as necessary.
6. Increase the frequency of city street cleaning along streets in the vicinity of the construction site.
7. Save all trees located on lot #31.
8. Save the three sycamore trees located on lot #42 and #43. Place a chain link construction barrier around the dripline of the trees. No parking of vehicles or storage of materials or grade changes within this area.
9. Save all trees located on lot #45.

Findings of Fact:

1. Granting the Variance does not constitute a special privilege extended to one property owner in that variances would be granted to other property owners facing similar circumstances.
2. Granting the variance does not constitute a use variance in that an residential uses are allowed in the R-1 zone.
3. The project is consistent with the General Plan which designates the site low density residential.

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY PLANNING COMMISSION
ON DATE OF

APPROVING A LOT LINE ADJUSTMENT TO ADJUST THE COMMON PROPERTY LINE OF ALL THAT PORTION OF 7200 LEMON HILL AS DESCRIBED IN EXHIBITS A, B AND C ATTACHED HERETO:

(038-0121-004, 006, 007, 011, 013, 018, 021 and 022)
(P90-327)

WHEREAS, the Planning Director has submitted to the Planning Commission a report and recommendation concerning the lot line adjustment for property located at 7200 Lemon Hill Avenue; and

WHEREAS, The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared pursuant to State EIR Guidelines; and,

WHEREAS, the lot line adjustment is consistent with the General Plan and 1986 South Sacramento Community Plan and the proposed lot line adjustment conforms with the plan designations;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Sacramento:

that the lot line adjustment for property located at 7200 Lemon Hill Avenue, City of Sacramento, be approved as shown and described in Exhibits A through G attached hereto, subject to the following conditions:

The applicant shall complete the following at the Public Works Department, Development Services Division, prior to a lot line adjustment being recorded:

1. File a Certificate of Compliance, submit all required documents according to the submittal requirements checklist, and pay necessary fees;
2. File a waiver of parcel map;
3. Pay off or segregate any existing assessments; and,
4. Notice: Property to be reconfigured in accordance with this lot line adjustment 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 in the U.S. Army Corps of Engineers Flood Insurance Study Working Map for the Sacramento Community, dated January 1989, available at the

City of Sacramento's Public Works Department, Development
Services Division, Room 100, 927 10th Street;

CHAIRPERSON

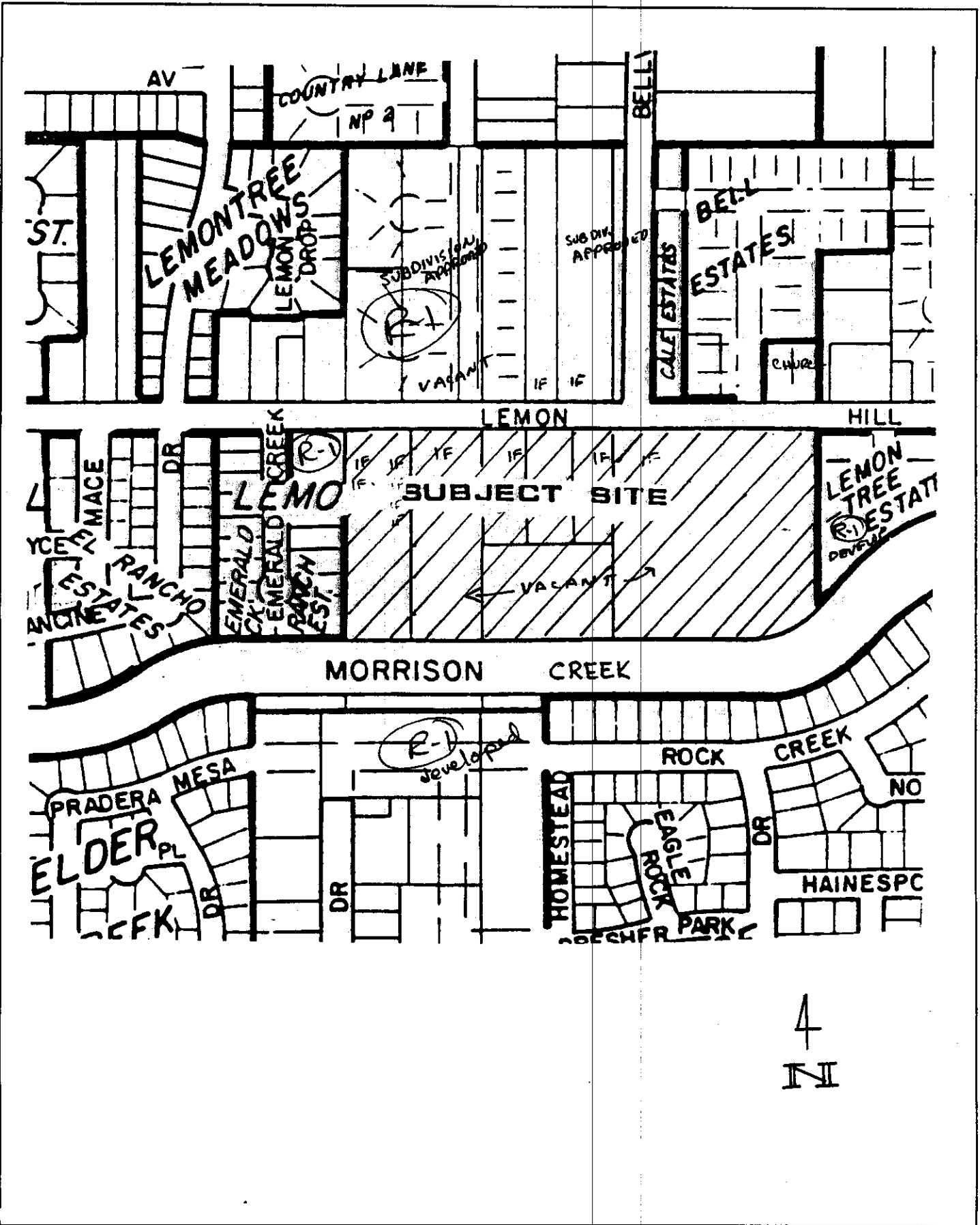
ATTEST:

SECRETARY TO CITY PLANNING COMMISSION
(P90-327)

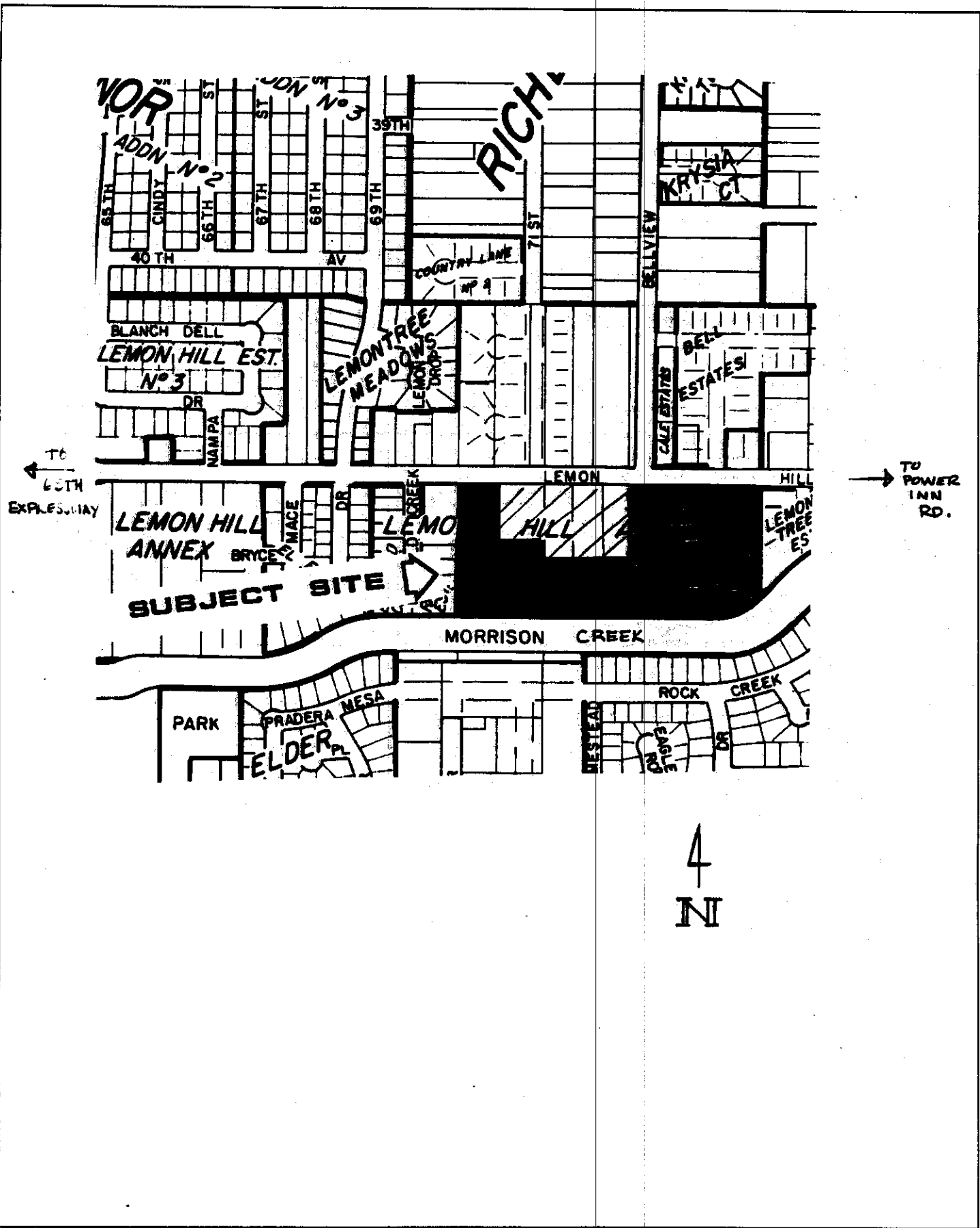
APPLC. NO. P90-327

MEETING DATE December 13, 1990

ITEM NO. 12



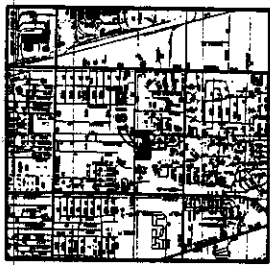
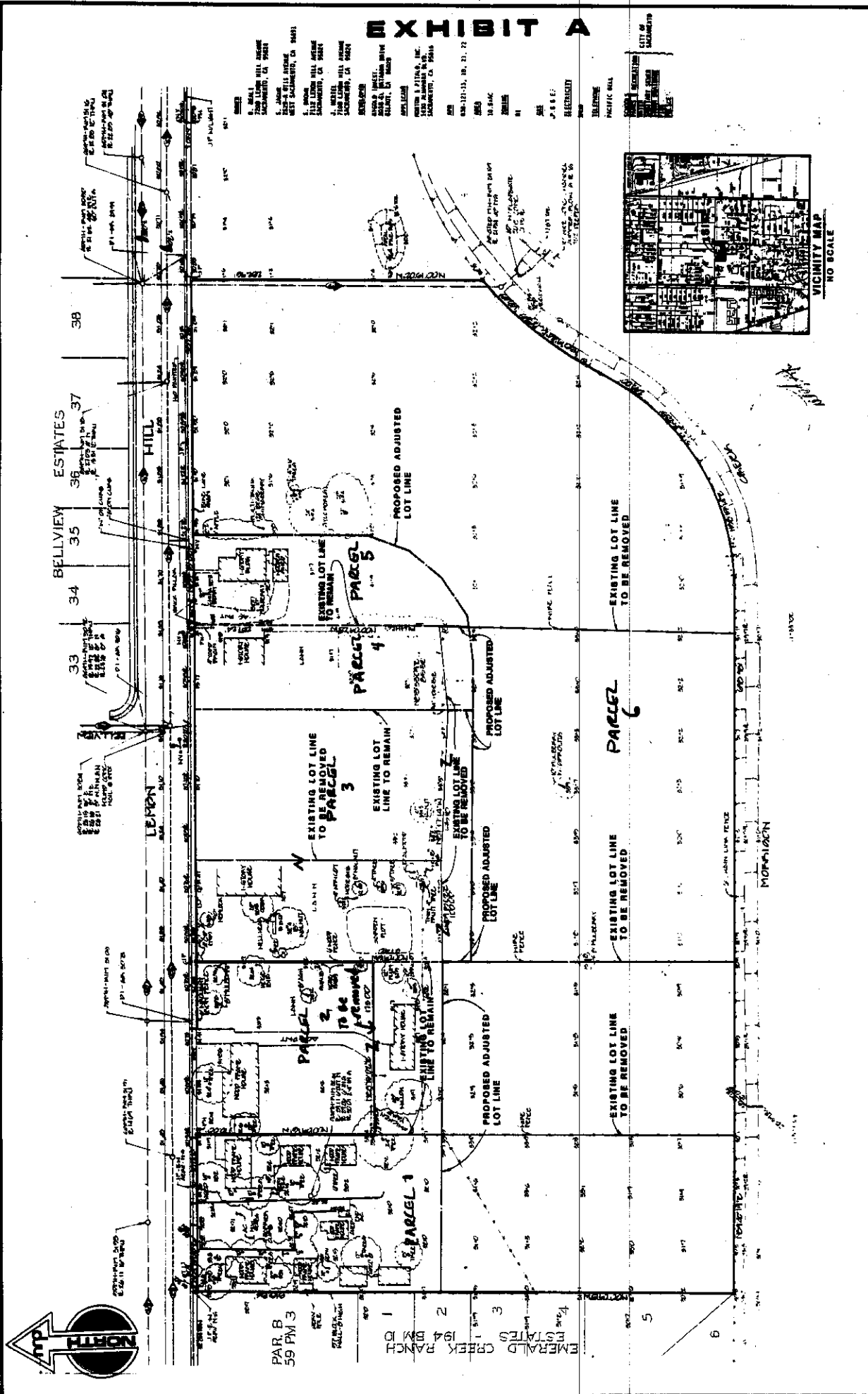
LAND USE & ZONING MAP



VICINITY MAP

LOT LINE ADJUSTMENT

EXHIBIT A



DATE NOV. 1962	PROJECT LOT LINE ADJUSTMENT	SHEET 1	LOT LINE ADJUSTMENT LEMON BELL		CITY OF SACRAMENTO			JOB NO. 900074
COMPILED	DESIGNED	CHECKED	mp MORTON & PITALO, INC.		CIVIL ENGINEERS - PLANNING - SURVEYING			
			SCALE HORIZ. 1" = 40'		VERT. 1 1/2" = 10'			
NO.	DESCRIPTION	AMTD.	DATE					

- 1. J. B. HILL AVENUE, WEST SACRAMENTO, CA 95811
- 2. J. B. HILL AVENUE, WEST SACRAMENTO, CA 95811
- 3. J. B. HILL AVENUE, WEST SACRAMENTO, CA 95811
- 4. J. B. HILL AVENUE, WEST SACRAMENTO, CA 95811
- 5. J. B. HILL AVENUE, WEST SACRAMENTO, CA 95811
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- 30. J. B. HILL AVENUE, WEST SACRAMENTO, CA 95811
- 31. J. B. HILL AVENUE, WEST SACRAMENTO, CA 95811
- 32. J. B. HILL AVENUE, WEST SACRAMENTO, CA 95811
- 33. J. B. HILL AVENUE, WEST SACRAMENTO, CA 95811
- 34. J. B. HILL AVENUE, WEST SACRAMENTO, CA 95811
- 35. J. B. HILL AVENUE, WEST SACRAMENTO, CA 95811
- 36. J. B. HILL AVENUE, WEST SACRAMENTO, CA 95811
- 37. J. B. HILL AVENUE, WEST SACRAMENTO, CA 95811
- 38. J. B. HILL AVENUE, WEST SACRAMENTO, CA 95811



PAR. B
59 PM 3

EMERALD CREEK RANCH
104 BY 10

1
2
3
4
5
6

EXHIBIT B



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1788 Tribute Road, Suite 200
Sacramento, CA 95815
916/927-2400
Fax: 916/567-0120

December 7, 1990
90-0074

DESCRIPTION

PARCEL 1

All that real property situated in the State of California, County of Sacramento, City of Sacramento, more particularly described as follows:

All that portion of Lot 11 as shown on the "Plat of Lamen Hill Annex" recorded in the Office of the County Recorder in Book 8 of Maps, Map No. 10, described as follows:

BEGINNING at the Northwest corner of said Lot 11; thence, North 89°15'02" East 157.00 feet; thence, South 00°09'16" East 266.00 feet; thence, South 89°40'19" West 157.00 feet; thence, North 00°09'13" West 264.84 feet to the point of beginning.

EXHIBIT C



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1788 Tribute Road, Suite 200
Sacramento, CA 95815
916/927-2400
Fax 916/567-0120

December 7, 1990
90-0074

DESCRIPTION**PARCEL 2**

All that real property situated in the State of California, County of Sacramento, City of Sacramento, more particularly described as follows:

All that portion of Lot 11 as shown on the "Plat of Lemon Hill Annex" recorded in the Office of the County Recorder in Book 8 of Maps, Map No. 10, described as follows:

BEGINNING at a point on the North line of said Lot 11 from which the Northwest corner bears South 89°15'02" West 157.00 feet; thence, from said point of beginning, North 89°15'07" East 173.00 feet; thence, South 00°09'19" East 267.42 feet; thence, South 89°43'18" West 173.00 feet; thence, North 00°09'16" West 266.00 feet to the point of beginning.

EXHIBIT D



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1788 Tribute Road, Suite 200
Sacramento, CA 95815
916/927-2400
Fax: 916/567-0120

December 7, 1990
90-0074

DESCRIPTION**PARCEL 3**

All that real property situated in the State of California, County of Sacramento, City of Sacramento, more particularly described as follows:

All that portion of Lot 10 as shown on the "Plat of Lemon Hill Annex" recorded in the Office of the County Recorder in Book 8 of Maps, Map No. 10, described as follows:

BEGINNING at the Northwest corner of said Lot 10; thence, North 89°15'02" East 224.68 feet; thence, North 89°30'00" East 20.01 feet; thence, South 00°09'19" East 308.99 feet; thence, South 89°40'19" West 244.99 feet; thence, North 00°09'19" West 307.27 feet to the point of beginning.

EXHIBIT E



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1788 Tribute Road, Suite 200
Sacramento, CA 95815
916/927-2400
Fax 916/567-0120

December 7, 1990
90-0074

DESCRIPTION

PARCEL 4

All that real property situated in the State of California, County of Sacramento, City of Sacramento, more particularly described as follows:

All that portion of Lot 10 as shown on the "Plat of Lemon Hill Annex" recorded in the Office of the County Recorder in Book 8 of Maps, Map No. 10, described as follows:

BEGINNING at the Northeast corner of said Lot 10; thence, North 89°30'00" East 85.00 feet; thence, South 00°09'23" East 303.23 feet; thence, South 79°32'52" West 34.19 feet; thence, South 89°40'19" West 51.36 feet; thence, North 00°09'19" West 308.99 feet to the point of beginning.



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Sacramento, CA 95815
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Fax 916/567-0120

December 7, 1990
90-0074

DESCRIPTION

PARCEL 5

All that real property situated in the State of California, County of Sacramento, City of Sacramento, more particularly described as follows:

All that portion of Lot 9 as shown on the "Plat of Lemon Hill Annex" recorded in the Office of the County Recorder in Book 8 of Maps, Map No. 10, described as follows:

BEGINNING at the Northwest corner of said Lot 9; thence, North $89^{\circ}30'00''$ East 93.50 feet; thence, South $00^{\circ}15'02''$ East 197.73 feet; thence, South $18^{\circ}48'11''$ West 49.05 feet; thence, South $39^{\circ}03'05''$ West 45.00 feet; thence, South $59^{\circ}17'58''$ West 45.00 feet; thence, South $79^{\circ}32'53''$ West 10.81 feet; thence, North $00^{\circ}09'23''$ West 303.23 feet to the point of beginning.

EXHIBIT G



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1788 Tribute Road, Suite 200
Sacramento, CA 95815
916/927-2400
Fax 916/567-0120

December 7, 1990
90-0074

DESCRIPTION**PARCEL 6**

All that real property situated in the State of California, County of Sacramento, City of Sacramento, more particularly described as follows:

All that portion of Lots 9, 10 and 11 as shown on the "Plat of Lemon Hill Annex" recorded in the Office of the County Recorder in Book 8 of Maps, Map No. 10, described as follows:

BEGINNING at the Northeast corner of said Lot 9; thence, South 00°15'02" East 282.96 feet; thence, through the arc of a curve to the left, with a radius of 365.00 feet and a chord that bears South 38°19'44" West 145.45 feet; thence, through the arc of a curve to the right, with a radius of 235.00 feet and a chord that bears South 58°15'14" West 245.00 feet; thence, South 89°40'19" West 698.98 feet; thence, North 00°09'13" West 284.00 feet; thence, North 89°40'19" East 157.00 feet; thence, North 89°43'18" East 173.00 feet; thence, South 00°09'16" East 39.85 feet; thence, North 89°40'20" East 296.36 feet; thence, North 79°32'52" East 45.00 feet; thence, North 59°17'58" East 45.00 feet; thence, North 39°03'05" East 45.00 feet; thence, North 18°48'11" East 49.05 feet; thence, North 00°15'02" West 197.73 feet; thence, North 89°30'00" East 244.23 feet to the point of beginning.