

CITY PLANNING COMMISSION

927-10th Street - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Frandsen/Nolton & Associates, Inc., 1420 Fulton Ave., Ste. 4, Sacto., CA				
OWNER	A & A Builders & B & D Lippman, 55 Shore Drive, Sacramento, CA 95831				
PLANS BY	Frandsen/Nolton & Associates, Inc., 1420 Fulton Ave., Ste. 4, Sacto., CA				
FILING DATE	3-19-82	50 DAY CPC ACTION DATE		REPORT BY:	TM:bw
NEGATIVE DEC	Exempt 15103(e)EIR	ASSESSOR'S PCL. NO.	029-244-19,21,22		

APPLICATION: Special Permit to develop four tennis courts to an existing recreational facility (private club)

LOCATION: 21 and 62 Valine Court

PROPOSAL: The applicant is requesting a special permit to develop four tennis courts as an addition to an existing racquetball club at 62 Valine Court.

PROJECT INFORMATION:

General Plan Designation:	Residential
North Pocket Community Plan Designation:	Residential (7-17 du/na)
Existing Zoning of Site:	R-2A
Existing Land Use of Site:	Racquetball Club

Surrounding Land Use and Zoning:

North:	Vacant, group care facility Veterinary hospital; R-2A, R-3
South:	Duplex; R-2
East:	Interstate 5; TC
West:	Multiple Family; R-2, R-3

Property Dimensions:	Irregular
Property Area:	1.99 acres
Square Footage of Building:	16,606 square feet

BACKGROUND INFORMATION: As permitted per Section 2(F) of the Zoning Ordinance, private clubs, such as the racquetball club are considered to be special uses which can be located in any zone subject to the granting of a special permit by the Planning Commission. In accordance with this section, the racketball club was established and subsequently expanded as indicated by the following history:

- P-7758 - On May 12, 1977, the Commission approved the original special permit to permit development of the racquetball club subject to conditions.
- P-8003 - On December 8, 1977, the Commission approved a modification of design and required additional landscaping.
- P-8845 - On December 13, 1979, the Commission denied a sign variance request.

002596

APPLC. NO. P-82-078

MEETING DATE April 22, 1982

CPC ITEM NO. 21

6-10-82

#9

P-9003 - On May 8, 1980, the Commission approved a special permit to allow the construction of a pool and spa, subject to the following conditions:

- 1) The pool dimension shall be redesigned so that it will not project into the front 25-foot setback area;
- 2) Fences over three feet in height shall not be located in the front setback area;
- 3) A six-foot wood fence shall be installed around the pool and spa area. This shall include the north and west property line;
- 4) The applicant shall install the large evergreen trees along the west property line, as required by the previous special permit, prior to issuance of any building permits;
- 5) Additional expansion of the rear portion of the property shall require special permit approval by the Planning Commission.

STAFF EVALUATION: The applicant is proposing to develop four tennis courts as an addition to the existing racquetball club located at 62 Valine Court. One of these courts is proposed to be located to the south (rear) of the existing facility. To the east of this court is the I-5 freeway and to the west lies the rear yards of duplex residential units. The other three courts are proposed to be located adjacent to Valine Court, north of the facility and west of the I-5 freeway (see attached site plan). To the north of this site is an existing animal hospital.

Staff has the following concerns relative to this proposal:

1. Impact on adjacent land uses: The proposed tennis court to the south of the racquetball club will be located adjacent to the rear yards of residences which front on Johnfer Way. As conditioned by previous special permits, this area was to have been landscaped to buffer the adjacent yard areas. However, the required landscaping was never installed.

Staff finds that this location is inappropriate for the proposed use due to the light and noise impacts the tennis courts will have on the adjacent rear yards.

2. Intrusion into setback area on Valine Court: The site plan indicates that the western most tennis court adjacent to Valine Court intrudes into the 25-foot landscape setback area. No structures over three feet high are permitted within this setback area, whereas the site plan indicates a 10-foot high chainlink fence. In addition, the 25-foot setback is to be utilized for landscaping - not hard surfaced areas.

3. No parking provided on site: The tennis courts proposed to be located adjacent to Valine Court are located on two separate parcels. According to the Zoning Ordinance, parking must be provided on this site unless a variance is granted or a lot merger is approved. Staff cannot find any justification for a variance and is reluctant to recommend a lot merger because one was required previously as a condition of the original special permit and the applicant failed to obtain one as required.
4. Compliance to previous special permit conditions: As noted previously, the applicant or owner has requested numerous modifications or expansions of the existing use by special permit applications. Staff has inspected the site and has found that the following conditions have not yet been satisfied or have not been fully satisfied.

Conditions 1 and 2 of P-8003: Conditions one and two required 24-inch box specimen trees and a landscape plan for the westerly portion of the site. No landscape plan has been submitted and no landscaping has been installed along the majority of the required area.

Conditions 2, 3 and 4 of P-9003: Conditions two and three required a six-foot wood fence and adherence of this fence to the required 25-foot setback. The existing front yard fence is cyclone with wood slats and is located within the 25-foot setback area.

Condition four restated condition one of P-8003 requiring the planting of the trees. The trees have not been installed except for that portion adjacent to the building. Also, the four trees planted were five-gallon - not 24-inch box trees.

Condition three of P-7758 required that the three parcels be merged. The parcels have not been merged.

Denial of P-8845: On December 13, 1979 the Commission denied a variance to allow additional signage for the racquetball club. The applicant/owner, however, has installed a logo on the building identifying the nautilus health equipment. This logo is in violation of the City Sign Ordinance.

5. In light of the failure of the applicant/owner to abide by previous special permit requirements, staff cannot recommend approval subject to modifications. In addition, the intrusion into the required setback area adjacent to Valine Court, the impacts on the adjacent residents south of the facility, and the lack of on-site parking make this proposal unacceptable. Staff therefore recommends denial of the applicant's request.

002598

STAFF RECOMMENDATION: Staff recommends the following actions:

1. Denial of the special permit based upon Findings of Fact which follow:
 - a. The special permit, if granted, would not be based upon sound principles of land use in that the southern most tennis court would adversely impact the adjacent residences due to the noise and light from the use of the courts.
 - b. The special permit, if granted, would be contrary to the Zoning Ordinance requirements in that the tennis courts will not have the required on-site parking and will intrude upon the required setbacks.

002599

P-82-078

~~April 22, 1982~~

6-10-82

Item No. 21

#9

AMENDED STAFF REPORT 6-10-82

City Planning Commission
Sacramento, California

Members in Session:

- Subject:
1. Special Permit to develop three tennis courts to an existing racquetball facility (private club)
 2. Variance to allow a six-foot high cyclone fence within the required 25-foot front yard setback
 3. Lot Line Adjustment to merge five existing parcels into two parcels

Location: 21 & 62 Valine Court

BADKGROUND INFORMATION: This item was originally scheduled for the April 22, 1982 Commission hearing. The applicant, after receiving a recommendation for denial in the staff report, continued the proposal so that the project could be revised.

Staff's primary concerns relative to the previous proposal consisted of the following:

1. Impact on adjacent land uses;
2. Intrusion into setback areas;
3. Failure to comply with previous conditions.

The April 22, 1982 staff report is attached for the Commissions' information.

STAFF EVALUATION: Staff has the following comments regarding the revised plans:

1. Tennis Courts: In general, staff finds the revised plan for the courts adjacent to Valine Court acceptable. However, staff has some concerns relative to the location of the tennis court south of the main structure and adjacent to the rear yards of the residences fronting on Johnfer Way.

To reduce the impact of the activity on these adjacent residences staff recommends that no lighting be permitted and that the applicant install a six-foot masonry wall from the rear of the existing facility to the southern-most boundry of the proposed playground.

2. Fence Variance: The current proposal includes a variance request to allow an existing six-foot high cyclone fence to remain within the required 25-foot setback adjacent to the swimming pool. Staff cannot support the variance request for two reasons:

The first being that the applicant has not demonstrated any hardship which indicates that the fence cannot be moved;

The second reason why staff cannot support the variance is that the applicant received a special permit (P-9003) which stipulated a 25-foot setback and that the fence be constructed out of wood.

The fence was constructed contrary to Commission approval out of a cyclone fencing material with wood slats and set back approximately 18 feet from the front property line.

To approve the variance request would undermine the importance of complying with conditional approach and would be precedent setting.

- 3. Lot Line Adjustment: The applicant has submitted a lot line adjustment to merge the five existing parcels into two properties. The proposed merger was routed to the appropriate City Departments; there were no recommended conditions for this merger.

In conclusion, staff finds the proposed use as indicated in the revised plans appropriate for the site. However, given the lack of past compliance with previous approvals, staff recommends certain improvements be installed prior to the issuance of building permits.

STAFF RECOMMENDATION: Staff recommends the following actions:

- 1. Approval of the special permit to construct three tennis courts subject to conditions and findings of fact which follow;
- 2. Denial of the variance based on findings of fact which follow;
- 3. Approval of the lot line adjustment to merge five parcels into two by adoption of the attached resolution.

Special Permit - Conditions

- a. The applicant shall install a six-foot masonry wall along the western property line as indicated in Exhibit C, prior to the issuance of building permits;
- b. The applicant shall replace the existing fence in front of the swimming pool with a wood fence. This fence shall be located 25 feet behind the front property line. This fence shall be relocated and replaced prior to the issuance of building permits;
- c. The applicant shall submit a detailed landscape and irrigation plan for the proposed playground area and that portion of the site due west of the main structure. Said plans shall be reviewed and approved by the Planning Director. Landscaping shall be installed prior to the issuance of building permits and shall consist of a variety of trees, ground cover and sod.
- d. The tennis court located to the south of the main building shall not be lighted;
- e. Items a, b and c of the Special Permit Conditions shall be complied with within 90 days of the special permit shall be deemed null and void. of approval of the Special Permit or revocation of the Special Permit will be scheduled.

Deleted by CPC

and behind

Deleted by CPC

SEE PAGE 3 FOR ADDITIONAL CONDITIONS: F, G, AND H

Findings of Fact - Special Permit

- a. The special permit, as conditioned, is not detrimental to public health, safety or welfare in that mitigation measures have been required to reduce the impact on the adjacent residential use;
- b. The special permit, as conditioned, is based upon sound principles of land use in that the private club use is compatible to adjacent residences yet provides a buffer between the residential use and I-5 freeway;
- c. The special permit, as conditioned, complies with the General Plan goal to:

Provide all residents with opportunities for a wide range of cultural, social, educational, health and commercial activities and facilities.

Findings of Fact - Variance

The variance, if granted, would be a special privilege extended to one individual property owner.

Respectfully submitted,

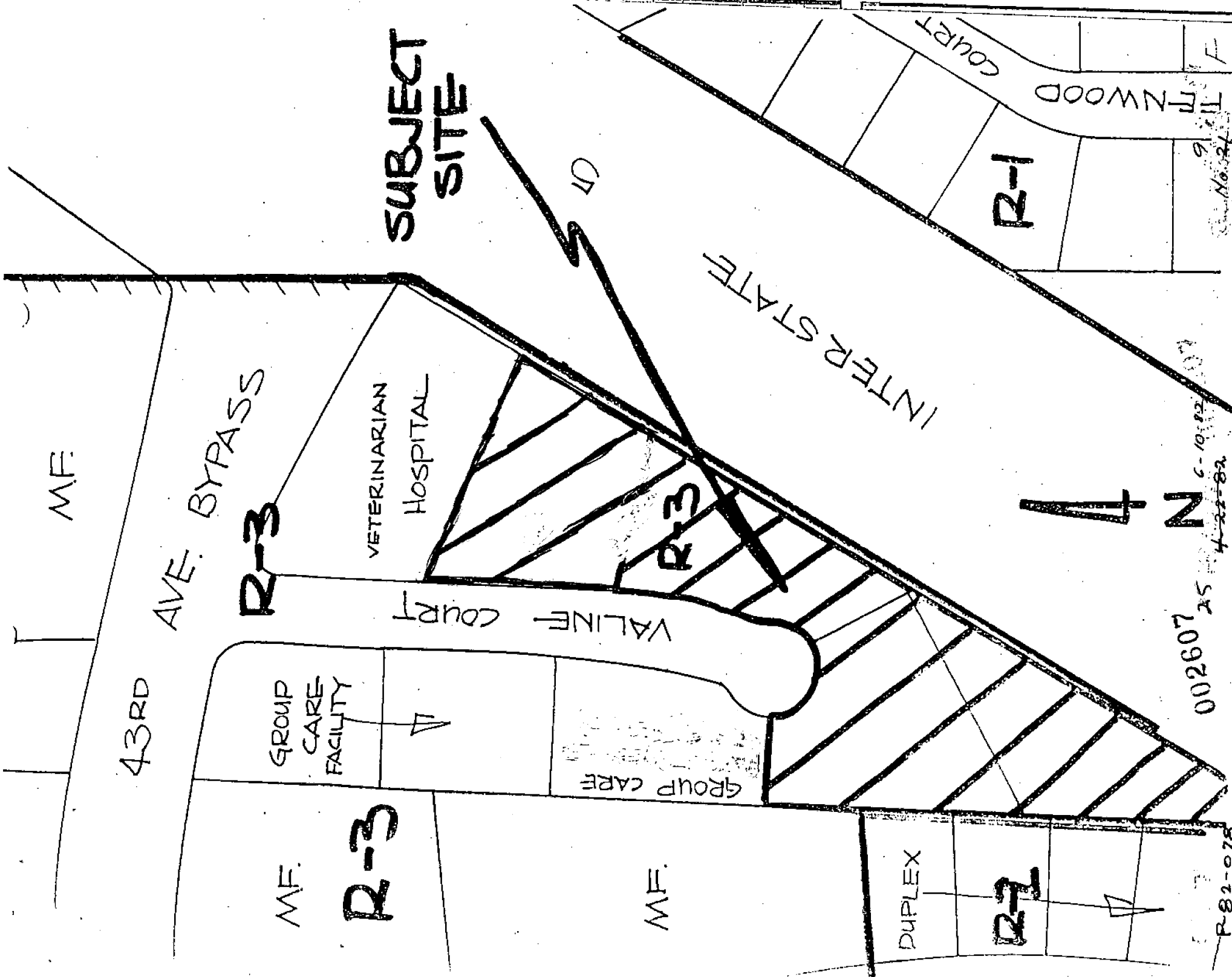
Wilfred Weitman
Wilfred Weitman
Senior Planner

WW:TM:bw

Attachments

ADDED CONDITIONS:

- f. The lighting system shall be designed in order to minimize glare on adjacent properties. Planning staff to review lighting system before and after installation.
- g. The applicant shall provide a security agreement with the City to insure installation of all landscaping requirements and other conditions of approval.
- h. The play area, tennis court and patio area located behind the racquetball structure shall be eliminated and replaced with landscaping.



SUBJECT SITE

MF

43RD AVE. BYPASS

R-3

VETERINARIAN HOSPITAL

GROUP CARE FACILITY

VALINE COURT

R-3

INTERSTATE

MF.

R-3

MF.

DUPLEX

R-1

R-1



N

002607 AS

C-10-82

4-23-82

P-82-078

TRINWOOD COURT

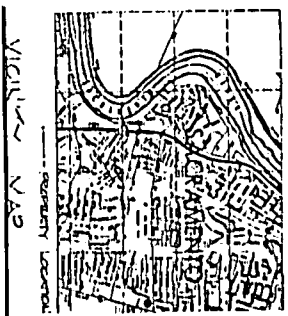
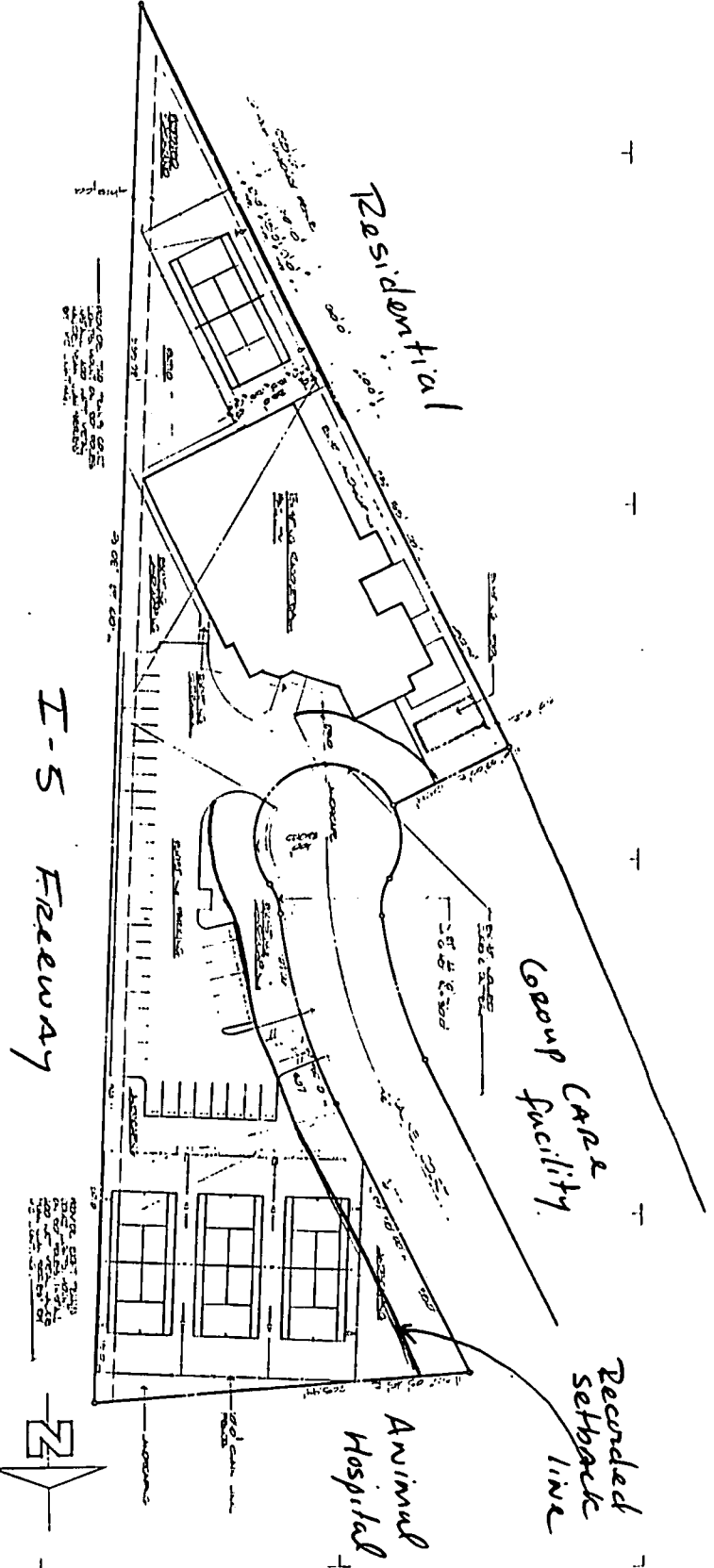
No. 24

9

F

002608

SITE PLAN
SCALE: 1"=60'



A1

DATE: 6-10-82
DRAWN BY: [Signature]

TENNIS COURT ADDITION
 VALINE COURT
 SACRAMENTO, CALIFORNIA
 PROJECT NO. 002608

Frandsen * Rolten & assoc.
 1420 FULTON AVE., SUITE FOUR
 SACRAMENTO, CA. 95825
 488-0177

ENVIRONMENTAL
 PLANNING
 ARCHITECTURE
 ENGINEERING
 DESIGN

Exhibit "A"

PROPOSED LEGAL
DESCRIPTION

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO,
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, BEING FURTHER
DESCRIBED AS FOLLOWS:

PARCEL 1: (APN: 029-244-21&22)

LOT 150 AND A PORTION OF LOT 151 OF SOUTH LAND PARK HILLS
UNIT NO. 37-A, RECORDED IN BOOK 79 OF MAPS, MAP NO. 24, RECORDS
OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF SAID LOT 150 TOGETHER WITH THE FOLLOWING DESCRIBED
PORTION OF SAID LOT 151:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 151, LOCATED
ON THE EASTERLY RIGHT OF WAY LINE OF VALINE COURT, AS SAID RIGHT OF
WAY LINE IS SHOWN ON BOOK 79 OF MAPS, MAP NO. 24; THENCE ALONG THE
NORTHERLY LINE OF SAID LOT 151 NORTH 65°07'40" EAST, 145.95 FEET
TO THE MOST NORTHERLY CORNER OF SAID LOT 151; THENCE ALONG THE
EAST LINE OF SAID LOT 151 SOUTH 02°29'00" WEST, 30.00 FEET; THENCE
SOUTH 76°31'40" WEST, 134.83 FEET TO THE POINT OF BEGINNING.

PARCEL 2: (APN: 029-244-16,18&19)

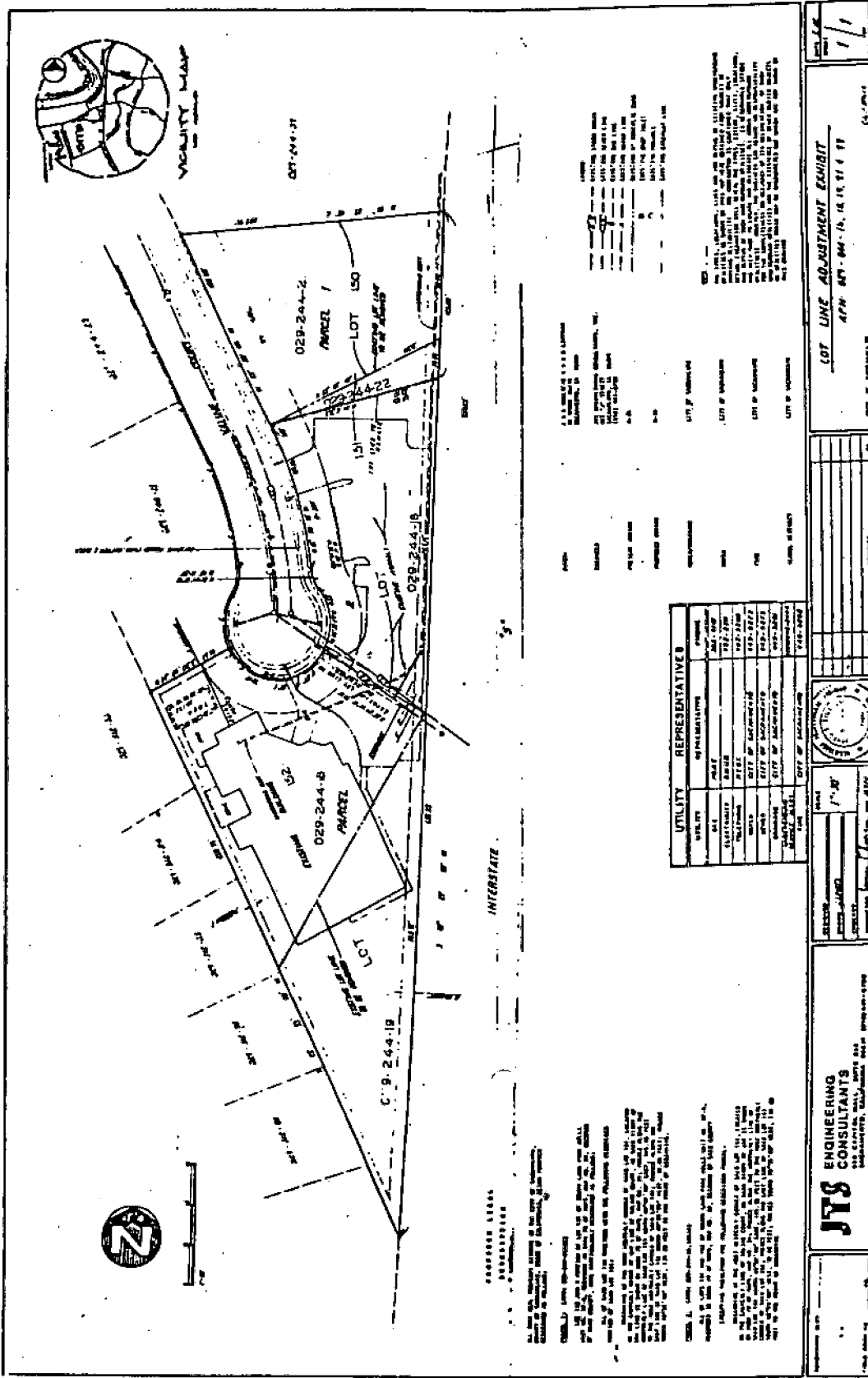
ALL OF LOTS 151 AND 152 OF SOUTH LAND PARK HILLS UNIT NO. 37-A,
RECORDED IN BOOK 79 OF MAPS, MAP NO. 24, RECORDS OF SAID COUNTY.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 151, LOCATED
ON THE EASTERLY LINE OF VALINE COURT, AS SAID RIGHT OF WAY IS SHOWN
ON BOOK 79 OF MAPS, MAP NO. 24; THENCE ALONG THE NORTHERLY LINE OF
SAID LOT 151 NORTH 65°07'40" EAST, 145.95 FEET TO THE MOST NORTHERLY
CORNER OF SAID LOT 151; THENCE ALONG THE EAST LINE OF SAID LOT 151
SOUTH 02°29'00" WEST, 30.00 FEET; THENCE SOUTH 76°31'40" WEST, 134.83
FEET TO THE POINT OF BEGINNING.

002591

Exhibit "B"



PROPERTY REPRESENTATIVES

NAME	ADDRESS	CITY	STATE	ZIP
UTILITY REPRESENTATIVES				
UTILITY				
WATER				
SEWER				
ELECTRICITY				
TELEPHONE				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				

PROPERTY REPRESENTATIVES

NAME	ADDRESS	CITY	STATE	ZIP
UTILITY REPRESENTATIVES				
UTILITY				
WATER				
SEWER				
ELECTRICITY				
TELEPHONE				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				

UTILITY	REPRESENTATIVES	ADDRESS	CITY	STATE	ZIP
WATER					
SEWER					
ELECTRICITY					
TELEPHONE					
CITY OF SACRAMENTO					
CITY OF SACRAMENTO					
CITY OF SACRAMENTO					
CITY OF SACRAMENTO					
CITY OF SACRAMENTO					

PROPERTY REPRESENTATIVES

NAME	ADDRESS	CITY	STATE	ZIP
UTILITY REPRESENTATIVES				
UTILITY				
WATER				
SEWER				
ELECTRICITY				
TELEPHONE				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				

PROPERTY REPRESENTATIVES

NAME	ADDRESS	CITY	STATE	ZIP
UTILITY REPRESENTATIVES				
UTILITY				
WATER				
SEWER				
ELECTRICITY				
TELEPHONE				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				
CITY OF SACRAMENTO				

DATE: 11/11/82

LOT LINE ADJUSTMENT EXHIBIT
APN: 029-244-1B, 19, 22, 27 & 28

CITY OF SACRAMENTO

CITY OF SACRAMENTO

JTS ENGINEERING CONSULTANTS
1000 EAST 10TH AVENUE, SUITE 200
SACRAMENTO, CALIFORNIA 95833

002609

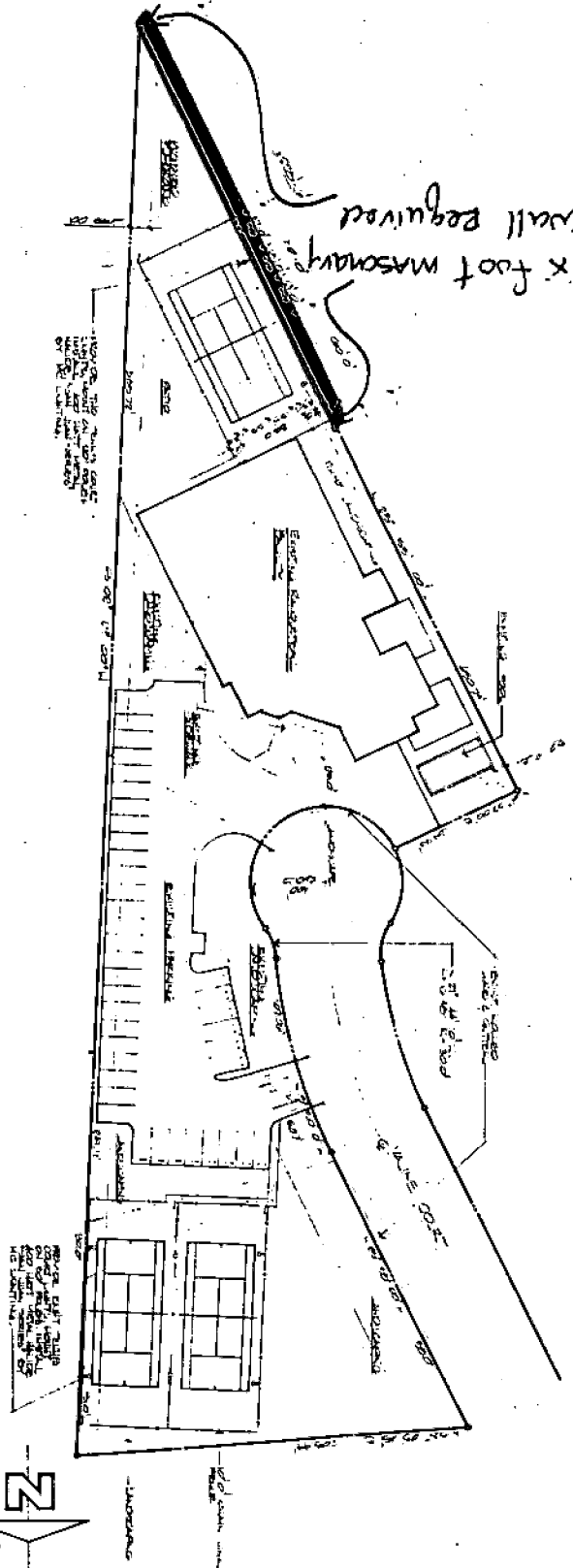
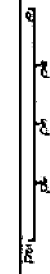
002609

002609

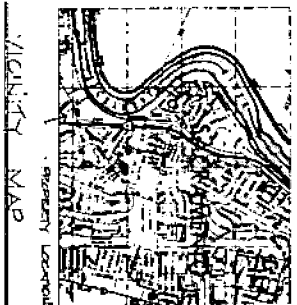
002609

SITE PLAN

6-10-82



Six foot masonry wall required



VICINITY MAP

A1

DATE: 6-10-82

TENNIS COURT ADDITION
VALINE COURT
SACRAMENTO, CALIFORNIA

Frandsen * Rolten & assoc.
1420 FULTON AVE. SUITE FOUR
SACRAMENTO, CA. 95825
488-8177

ENVIRONMENTAL
PLANNING
ARCHITECTURE
ENGINEERING
DESIGN

Exhibit 'C'