

July 8, 1983

City Planning Commission
Sacramento, California

Members in Session:

- SUBJECT: 1. Special Permit to add three tennis courts to an existing recreational facility (private club);
2. Variance to allow one tennis court and chainlink fence within the 25-foot setback

LOCATION: 62 Valine Court

BACKGROUND INFORMATION: On June 23, 1983 the Commission considered the above requested entitlements. At that hearing the Commission directed the applicant to submit revised plans which incorporated the following:

1. Landscape and irrigation plans indicating "as is" installed landscaping and proposed landscaping around the tennis courts.
2. The planting of specimen and box trees adjacent to the tennis courts.
3. The utilization of a "single court" adjacent to Valine Court to provide for a landscaped setback adjacent to Valine Court.
4. Provisions to insure no lighting or loudspeakers will be installed in the tennis court area.

On July 7th, the applicant submitted landscape plans indicating the irrigation and landscaping currently installed. No detailed plans were submitted for the tennis court area. In addition, a reduction of these plans were not supplied. The applicant also included the attached letter which indicates that the tennis courts are not intended to be revised per the Commission request.

STAFF EVALUATION: The applicant has not revised the project since the last Commission hearing. Therefore, staff's evaluation is included in the attached staff report.

Subsequent to the last hearing, a resident of the area submitted the attached petition which lists 43 of the areas residents opposed to the applicant's request. The cover letter on this petition also requests the installation of a sound wall between the existing racquetball facility and the residences to the west.

STAFF RECOMMENDATION: Staff recommends the following action:

1. Approval of the Special Permit to add two instead of the requested three tennis courts subject to conditions and based upon findings of fact in the attached staff report.
2. Denial of the Variance to allow one tennis court and chainlink fence within the 25-foot setback based upon findings of fact in the attached staff report.

Respectfully submitted,


Will Weitman
Senior Planner

TM:mm

- 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.

P82-078 - On June 10, 1982 the Commission approved a special permit to allow the development of two tennis courts subject to the following conditions:

- 1) 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;
- 2) The applicant shall submit a detailed landscape and irrigation plan for the 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.
- 3) Items b and c of the special permit conditions shall be complied with within 90 days of approval of the special permit or revocation of the special permit will be scheduled.
- 4) The lighting system shall be designed in order to minimize glare on adjacent properties. Planning staff to review lighting system before and after installation.
- 5) The applicant shall provide a security agreement with the City to insure installation of all landscaping requirements and other conditions of approval.
- 6) The play area, tennis court and patio area located behind the racquetball structure shall be eliminated and replaced with landscaping.

STAFF EVALUATION: The applicant is proposing to develop three tennis courts as an addition to the existing racquetball club. The location of the court is north of the facility and west of the I-5 Freeway (see attached site plan). To the north of this area is an existing animal hospital. The proposed tennis court and chainlink fence would be located within the 25 foot setback area. The applicant also requests that condition three of special permit P-9003 be amended so that a chainlink fence can remain around the pool area instead of the required wood fence.

Staff has the following concerns in regard to the requested entitlements:

1. The applicant proposes to develop three tennis courts. One of these courts intrudes into the 25 foot landscape setback area. No structures over three feet high are permitted within this setback area, whereas a 10 foot high chain-link fence is proposed. In addition, the 25 foot setback is to be utilized for landscaping - not hard surfaced areas.
2. Among the requested entitlements is a variance request and modification of special permit P-9003 to allow a six foot tall chainlink fence in the front yard setback. These conditions were reaffirmed by special permit P82-078 (however this permit lapsed due to a 90 day performance date).

These previous special permits required a six foot tall wood fence to be located outside of the 25 foot setback area. The applicant refuses to abide by this condition and once again proposes to seek the entitlement necessary to alter these conditions.

Staff, again, cannot support the applicant's requests relative to this fence, since there have not been any changes which warrant the granting of these entitlements.

3. Staff notes that the applicant did install additional landscaping to the rear of the racquetball facility since consideration of the last special permit (June 1982).

STAFF RECOMMENDATION: The staff recommends the following action:

- * 1. Approval of the Special Permit to add ^{three (1 single & 2 double courts)} ~~two~~ instead of the requested three tennis courts subject to conditions and based upon findings of fact which follow;
- * 2. Denial of the Amendment of Special Permit P-9003 based upon findings of fact which follow; and (*Withdrawn*)
Approval
- * 3. ~~Denial~~ of the Variance to allow one tennis court and chainlink fences within the 25 foot setback based upon findings of fact which follow; (*Sec. p.4 for conditions*).

Conditions - Special Permit for two tennis courts

- * a. The applicant shall develop the ^{three} ~~two~~ tennis courts adjacent to the freeway only. (*amended by CPC*)
- b. Landscape and irrigation plans for the area between Valine Court and the tennis courts shall be reviewed and approved by planning staff prior to the issuance of building permits.
- c. The existing chainlink fence shall be replaced with wood fencing and located outside of the 25 foot setback area.

Findings of Fact - Approval of Special Permit for two tennis courts

- a. The Special Permit, as conditioned is based upon sound principles of land use in that it allows additional recreation uses in conjunction with an existing recreational facility.

- b. The Special Permit, as conditioned, is not detrimental to the public health, safety, or welfare, in that it will not intrude into the required front yard setback.
- 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 - Denial of Amendment of Special Permit P-9003

The Special Permit, if granted, would be contrary to the setback requirements of the Zoning Ordinance.

Findings of Fact - Denial of Variances for fencing and tennis courts within front yard setbacks

- a. The Variance, if granted, would be a special privilege extended to one individual property owner.
- b. The Variance, if granted, would be a disservice to the adjacent properties in that it would represent an intrusion into the required front yard setback area.

1. *No lights or loud speakers shall be permitted.*
2. *Specimen trees shall be provided along street frontage to screen tennis courts from public right-of-way and in addition the wire woven fence surrounding the tennis courts shall be a green color. A detailed landscape and irrigation plan shall be provided to staff for review and approval prior to issuance of building permits.*
3. *Cash certificate of deposit or other acceptable security agreement shall be provided to guarantee installation of landscaping to satisfaction of City Attorney.*

P83-127

²³
June ~~9~~, 1983
7-14-83

Item ~~2376~~
#9

000178

CITY PLANNING COMMISSION

927 10TH STREET, SUITE 300 - SACRAMENTO, CALIFORNIA 95814

APPLICANT	JTS Engineering Consultants, Inc. - 811 J Street, Sacramento, CA 95814				
OWNER	Lippman, Brian ET AL - 62 Valine Court, Sacramento, CA 95822				
PLANS BY	JTS Engineering Consultants, Inc. - 811 J Street, Sacramento, CA 95814				
FILING DATE	4-22-83	50 DAY CPC ACTION DATE		REPORT BY:	TM:sg
NEGATIVE EXEMPT	15103e	EIR		ASSESSOR'S PCL NO.	029-244-19,21,22

- APPLICATION:
1. Special Permit to add three tennis courts to an existing recreational facility (private club);
 2. Amendment of Special Permit P-9003 to allow a chainlink fence instead of a wooden fence;
 3. Variance to allow one tennis court and two chainlink fences within the 25 foot setback.

LOCATION: 62 Valine Court

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

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 racquetball club was established and subsequently expanded as indicated by the following history:

P-7758 - On May 11, 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.

APPLC. NO. P83-127

MEETING DATE 6-23-83
June 9, 1983

CPC ITEM NO. 23 16

000172

- 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.
- P82-078 - On June 10, 1982 the Commission approved a special permit to allow the development of two tennis courts subject to the following conditions:
- 1) 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;
 - 2) The applicant shall submit a detailed landscape and irrigation plan for the 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.
 - 3) Items b and c of the special permit conditions shall be complied with within 90 days of approval of the special permit or revocation of the special permit will be scheduled.
 - 4) The lighting system shall be designed in order to minimize glare on adjacent properties. Planning staff to review lighting system before and after installation.
 - 5) The applicant shall provide a security agreement with the City to insure installation of all landscaping requirements and other conditions of approval.
 - 6) The play area, tennis court and patio area located behind the racquetball structure shall be eliminated and replaced with landscaping.

STAFF EVALUATION: The applicant is proposing to develop three tennis courts as an addition to the existing racquetball club. The location of the court is north of the facility and west of the I-5 Freeway (see attached site plan). To the north of this area is an existing animal hospital. The proposed tennis court and chainlink fence would be located within the 25 foot setback area. The applicant also requests that condition three of special permit P-9003 be amended so that a chainlink fence can remain around the pool area instead of the required wood fence.

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These previous special permits required a six foot tall wood fence to be located outside of the 25 foot setback area. The applicant refuses to abide by this condition and once again proposes to seek the entitlement necessary to alter these conditions.

Staff, again, cannot support the applicant's requests relative to this fence, since there have not been any changes which warrant the granting of these entitlements.

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STAFF RECOMMENDATION: The staff recommends the following action:

1. Approval of the Special Permit to add two instead of the requested three tennis courts subject to conditions and based upon findings of fact which follow;
2. Denial of the Amendment of Special Permit P-9003 based upon findings of fact which follow; and
3. Denial of the Variance to allow one tennis court and chainlink fences within the 25 foot setback based upon findings of fact which follow;

Conditions - Special Permit for two tennis courts

- a. The applicant shall develop the two tennis courts adjacent to the freeway only.
- b. Landscape and irrigation plans for the area between Valine Court and the tennis courts shall be reviewed and approved by planning staff prior to the issuance of building permits.
- c. The existing chainlink fence shall be replaced with wood fencing and located outside of the 25 foot setback area.

Findings of Fact - Approval of Special Permit for two tennis courts

- a. The Special Permit, as conditioned is based upon sound principles of land use in that it allows additional recreation uses in conjunction with an existing recreational facility.

- b. The Special Permit, as conditioned, is not detrimental to the public health, safety, or welfare, in that it will not intrude into the required front yard setback.
- 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 - Denial of Amendment of Special Permit P-9003

The Special Permit, if granted, would be contrary to the setback requirements of the Zoning Ordinance.

Findings of Fact - Denial of Variances for fencing and tennis courts within front yard setbacks

- a. The Variance, if granted, would be a special privilege extended to one individual property owner.
- b. The Variance, if granted, would be a disservice to the adjacent properties in that it would represent an intrusion into the required front yard setback area.

no / *an Engr.* *no* *of a* *car* *to* *whl*, *eng*
no *car* *to* *specimen trees + landscaping*
double *single* *court*

detailed eng + *eng* *no* *eng* *no* *eng*
bond for landscaping

enforcement language

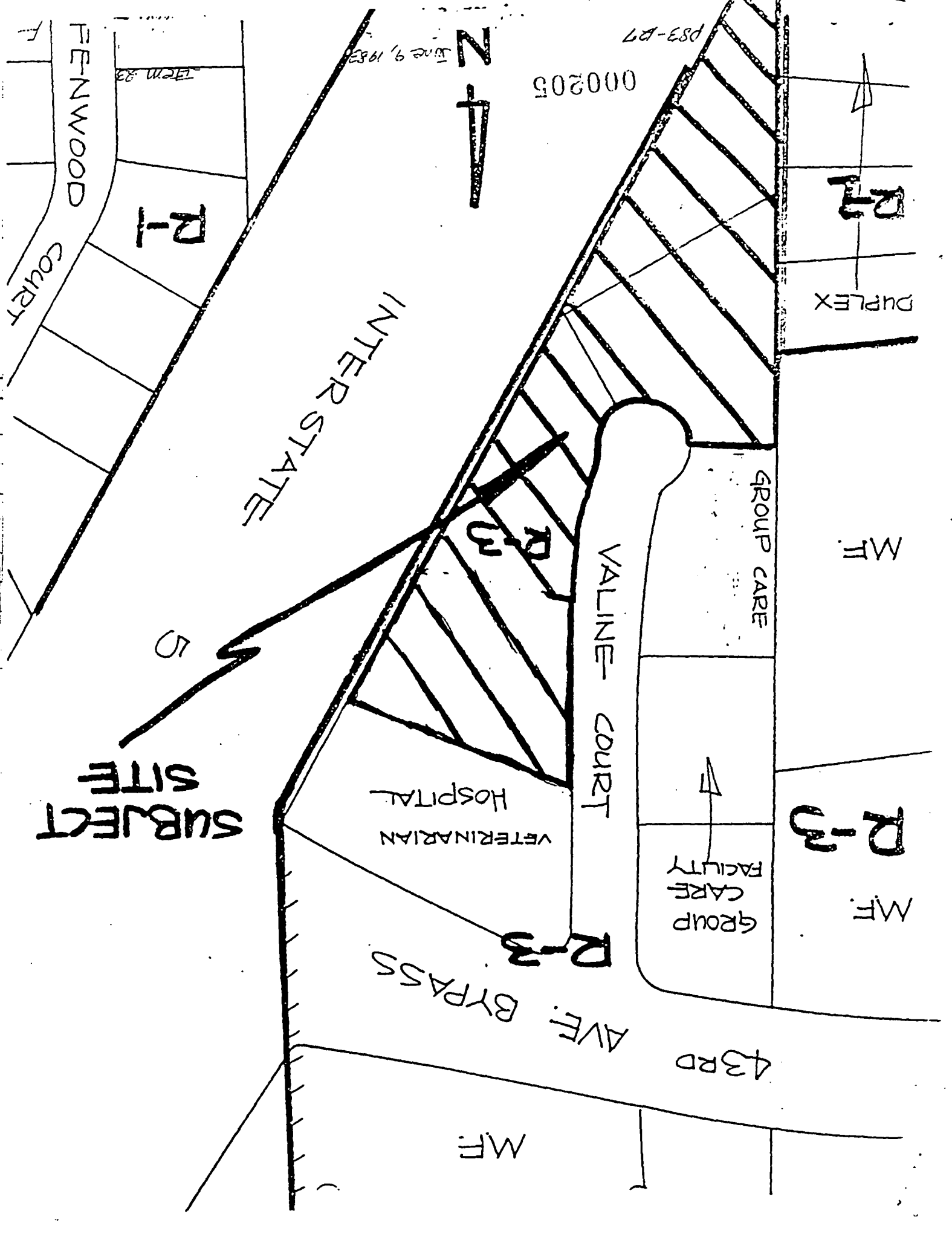
P83-127

²³
June 9, 1983

Item 23 / 6

complete gate w/ wood
no lights
no ampl.

000175



FENWOOD COURT

R-1

INTERSTATE



000205

PS3-R7

R-1

DUPLEX

MF

GROUP CARE

R-3

VALINE COURT

R-3

MF

GROUP CARE FACILITY

VETERINARIAN HOSPITAL

R-3

AVE. BYPASS

43RD

MF

SUBJECT SITE

43

June 9, 1983

Residential

000207

Parkway
Corridor

4. SENIOR HOUSING

3. OFFICE-BUSINESS

EXISTING TREE LOGS

1.	1'	10"	061
2.	1'	5"	041
3.	1'	5"	021
4.	1'	5"	011
5.	1'	5"	001
6.	1'	5"	991
7.	1'	5"	981
8.	1'	5"	971
9.	1'	5"	961
10.	1'	5"	951
11.	1'	5"	941

5. HEALTH CLUB

WEST 8. & 7. GARDEN APARTMENTS

GAMING

1. SUPPORT COMMERCIAL

Shopping
Center

Park/Library

SCHEMATIC PLAN SUMMARY

	BUILDING SQR (SQR/AC FT)	NET LAND ACRES	NET SITE (S.F./AC.)
1. Support Commercial	25,000	0.8	31,250
2. Office - Business	212,500	20.0	10,625
3. Office - Business	110,500	0.1	12,722
TOTAL			
	348,000	20.9	54,597

	BUILDING SQR (SQR/AC.)	NET LAND ACRES	NET SITE (S.F./AC.)
4. Senior Housing	85	0.2	18.5
5. Health Club	7,500 (SQR)	0.0	-
6. Garden Apartments	715	0.2	21.2
7. Garden Apartments	600	0.0	21.2
8. Park SQR	0	0.0	-
TOTAL			
	1,400	0.4	60.9

*Health Club includes 20 tennis courts, swimming pool, clubhouse and recreation court.

Total Gross Imp Area 82.0 +/- Acres
Total Net Land Area 20.9 +/- Acres

NOTE - LAND USE MANAGEMENT - Per the
PUD DESIGN
GUIDELINES

Business-Professional Office

SCHEMATIC
SITE PLAN

CREEKSIDE OAKS
CALIFORNIA
CITY OF SACRAMENTO

SCALE IN FEET



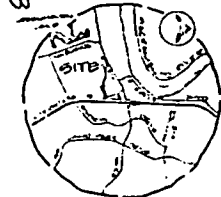
april
83
DRAFT
DATE

Exhibit A

SECTION 1

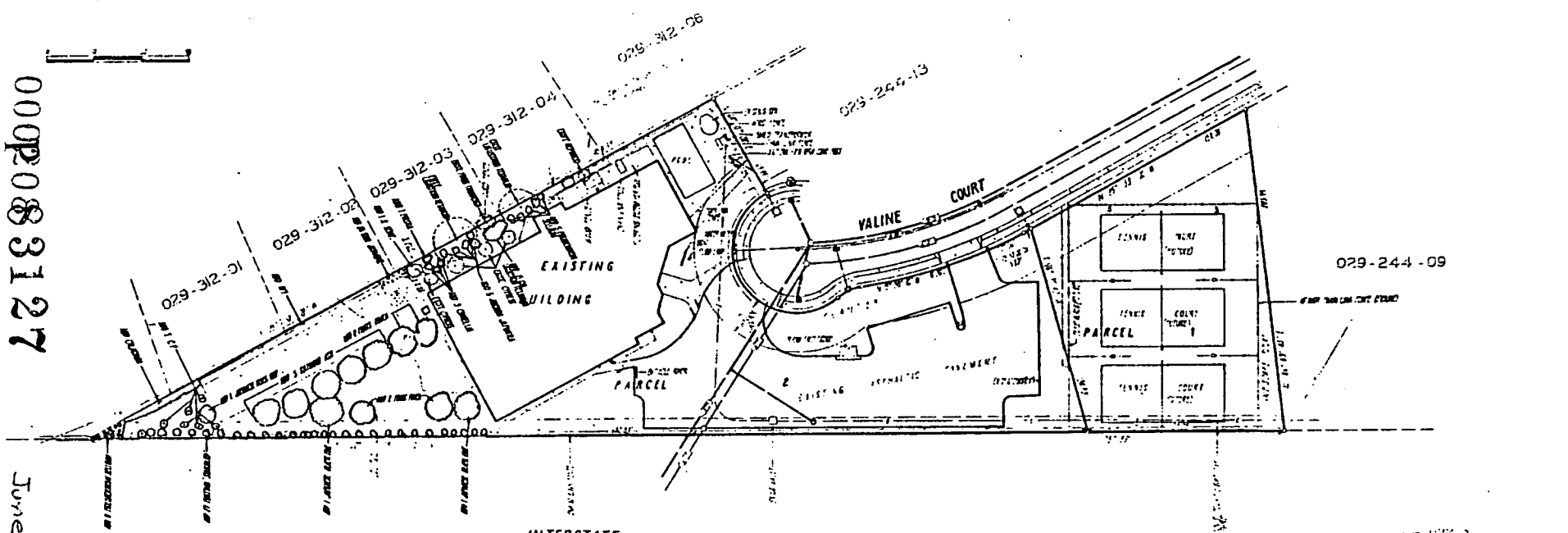
000P083127

June 9, 1983



VICINITY MAP
NO SCALE

NOTE:
THE TYPES, LOCATIONS, SIZES, AND DEPTHS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS MAP WERE OBTAINED FROM SOURCES OF VARYING RELIABILITY. THE CONTRACTOR IS CAUTIONED THAT ONLY ACCURATE EXCAVATION RECORDS, TAPES, EXPOSURE RECORDS, AND OTHER RECORDS OF SUCH UNDERGROUND UTILITIES AS AVAILABLE SHOULD BE USED TO VERIFY AND CORRECT THE SHOWN UNDERGROUND UTILITIES. HOWEVER, THE CONTRACTOR CAN ASSUME NO RESPONSIBILITY FOR THE COMPLETION OR ACCURACY OF THE DETERMINATION OF SUCH UNDERGROUND UTILITIES NOR FOR THE EXISTENCE OF OTHER UNDERGROUND UTILITIES WHICH MAY BE LOCATED BUT WHICH ARE NOT SHOWN ON THESE DRAWINGS.



INTERSTATE

-5-

LEGEND

- FOUND CHASED NUMBER AS BACK OF WALL
- FOUND NUMBER AS BUILT
- EXISTING GRADE LINE
- EXISTING DRAIN LINE
- EXISTING SEWER LINE
- EXISTING WATER LINE
- EXISTING FENCE
- EXISTING UNDERGROUND ELECTRICAL LINE
- EXISTING UNDERGROUND TELEPHONE LINE
- EXISTING FENCE

ALL THE NEW PROPERTY LINES ON THE CITY OF SACRAMENTO...
THE CITY OF SACRAMENTO, CALIF. HAS CONDUCTED RECENT SURVEYS...
THESE SURVEYS ARE NOT TO BE USED AS THE BASIS FOR THE DESIGN...
OF THIS PROJECT.

UTILITY	REPRESENTATIVE	PHONE
CAR	PG&E	383-4140
ELECTRICITY	SMUD	432-3210
TELEPHONE	REBC	482-3280
WATER	CITY OF SACRAMENTO	449-5213
SEWER	CITY OF SACRAMENTO	449-5273
DRAINAGE	CITY OF SACRAMENTO	449-5270
TELEPHONE SERVICE ALERT	PG&E	482-3280
FIRE	CITY OF SACRAMENTO	449-3252

DRAWING NO. _____ FIELD BOOK NO. _____	JTS ENGINEERING CONSULTANTS, INC. 811 J STREET SACRAMENTO, CALIFORNIA 95814 (916) 441-8788	SCALE 1" = 30'		PROPOSED TENNIS COURT ADDITION 62 VALINE COURT	SHEET 11
DESIGNED _____ DRAWN _____ CHECKED _____ SUBMITTED _____	YEAR 1983 COUNTY SACRAMENTO	DATE 6/9/83	JOB NO. _____		

ITEM 23

000206

22 2A
6-10-82

