

# CITY PLANNING COMMISSION

1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

<b>APPLICANT</b>	Jeffery R. Bakker - 9 Meadowmont Court, Sacramento, CA 95821
<b>OWNER</b>	Jeffery R. Bakker - 9 Meadowmont Court, Sacramento, CA 95821
<b>PLANS BY</b>	Jeffery R. Bakker - 9 Meadowmont Court, Sacramento, CA 95821
<b>FILING DATE</b>	4-22-88
<b>ENVIR. DET.</b>	Neg. Dec. 5-16-88
<b>REPORT BY</b>	DH:sg
<b>ASSESSOR'S-PCL. NO.</b>	031-0510-016,02

- APPLICATION:**
- A. Negative Declaration
  - B. Abandonment of a portion of a public utility easement and parkland purposes totaling 0.017+ acres in the Standard Single Family Zone
  - C. Lot Line Adjustment to relocate a common lot line 16 feet to the south on 0.18+ acres in the R-1 Zone

**LOCATION:** 9 Meadowmont Court

**PROPOSAL:** The applicant is requesting the necessary entitlements to purchase a triangular piece of parkland which inadvertently was built over by a previous owner.

**PROJECT INFORMATION:**

1988 General Plan Designation: Low Density Residential (4-15 du/ac)  
1976 South Pocket Community  
Plan Designation: Low Density Residential (3-6 du/ac)  
Existing Zoning of Site: R-1  
Existing Land Use of Site: Single family dwelling and parkland

**Surrounding Land Use and Zoning:**

North: Single family; R-1  
South: Park; R-1  
East: Single family; R-1  
West: Single family; R-1

Parking Required: 1 space  
Parking Provided: 2 spaces  
Property Dimensions: Irregular  
Property Area: 0.18+ acres  
Density of Development: 4 d.u. per acre  
Square Footage of Building: 2,080 sq. ft. dwelling  
Height of Building: One-story  
Topography: Flat  
Street Improvements: Existing  
Utilities: Existing  
Exterior Building Materials: Wood siding  
Roof Material: Wood shake

**PROJECT BACKGROUND:** The applicant purchased the subject single family dwelling without the knowledge the previous owner had constructed a fence along the south property line which encroached over a public utility easement and into City park lands. The previous owner had poured a concrete pad for storage of a recreational vehicle which extended into

**APPLC. NO.** P88-191 **MEETING DATE** June 9, 1988 **ITEM NO.** 30

City-owned property. The new property owner wished to construct a carport over the slab and was informed of the building setback requirements and subsequently learned that the concrete pad was extending onto City land and constructed over a public utility easement. The public utility easement was reserved for future underground utilities which were never installed.

The City granted a revocable encroachment permit on March 13, 1984 (Resolution 84-190, copy attached) to the previous owner to pave and landscape an undeveloped portion of the City park site. The previous owner fenced off the encroached area. As conditions of the encroachment permit:

"2. Permittee shall not obstruct any necessary uses of the 10 foot wide public utility easement centered along the existing common lot line."

The current request would remove the restrictions on use of property over the utility easement and allow the merger of the triangularly-shaped lot. The City Community Services Department, Parks Division has written that it would sell the triangular parcel to the applicant (see letter of March 28, 1988 from David Spease). The conveyance of the property will require City Council action. The applicant then wishes to construct a carport addition.

#### PROJECT EVALUATION:

##### A. Land Use and Zoning

The proposed sale of City property totaling 0.017± acres is located in the Standard Single Family (R-1) Zone adjacent to 9 Meadowmont Court. The General Plan designates the site for Residential Low Density 4-15 du/acre and the 1988 Pocket Community Plan shows 3-6 du/acre. Surrounding land uses are single family dwellings in all directions except to the south which is a park providing access to the drainage canal trail.

##### B. Project Description

The applicant wishes to purchase 0.017± acres from the City which is currently contained inside a fence built by a previous owner. A merger to join the two parcels is also requested. Since the sale of City property requires a finding of consistency with the City General Plan, the Planning Commission action is a recommendation to the City Council which determines the appropriateness of the sale.

##### C. Analysis

Staff learned that the applicant's title company had not revealed the existence of a revocable encroachment permit granted to the previous owner in 1984. Property described in the revocable permit coincides with the parcel to be merged with the single family lot. Parks and Community Services are willing to sell the parcel. Staff has no objection to the sale. The property was originally dedicated to the City by the developer of Greenhaven Unit No. 17 for parkland purposes. The small area has been used for private purposes since 1984 for the storage of a recreational vehicle. The neighborhood park remains a viable park without the 0.017± acre parcel.

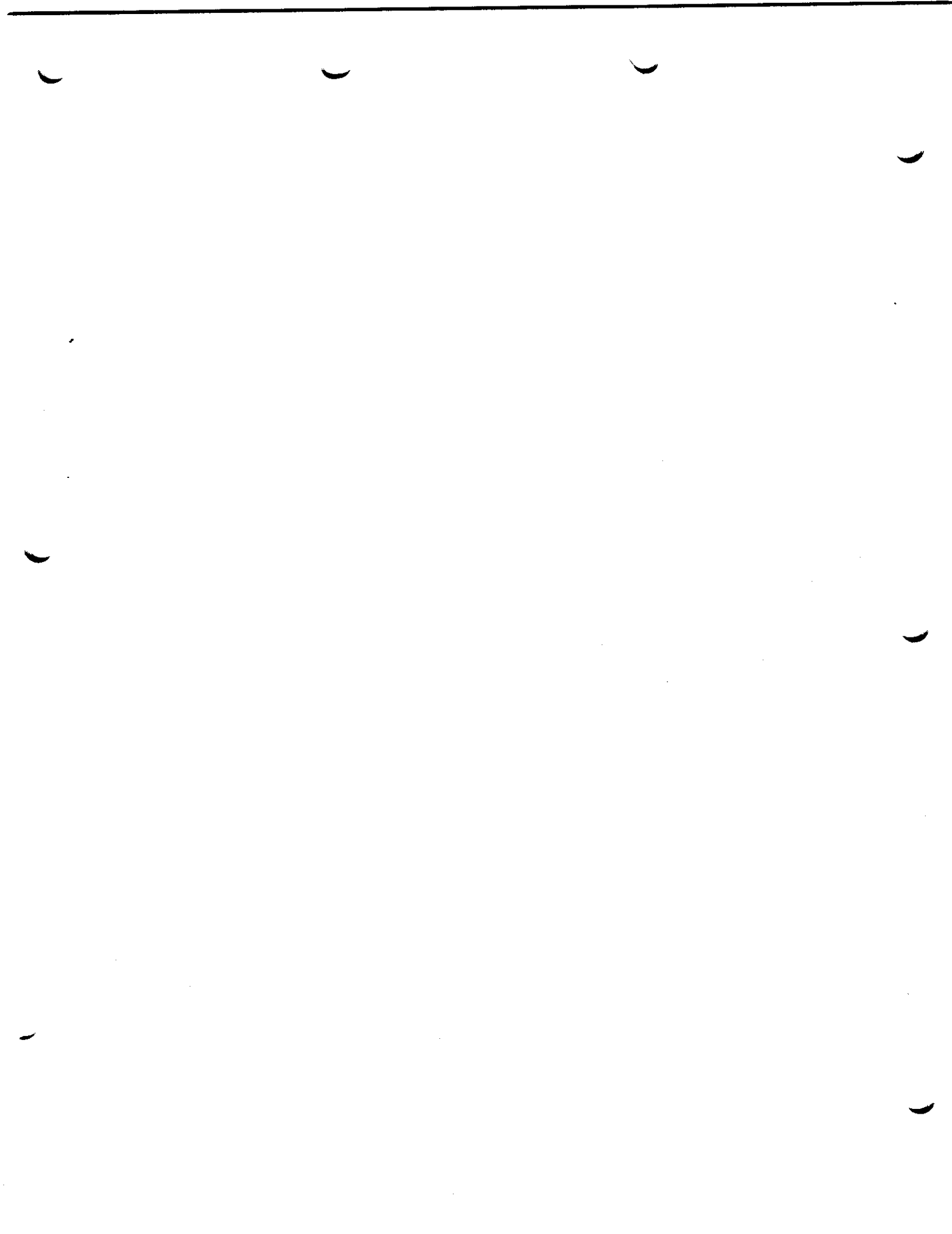
D. Agency Comments

All respective utilities have reviewed the sale of the property and no objections were received to the abandonment of the easement or sale of City property. The City Engineer commented that sidewalk may be extended adjacent to a portion of the park to be abandoned. If a driveway is intended to be used in this area, replace curb and gutter #4 with curb and gutter #13 and transition adjacent to new property line or obtain necessary driveway permit from Public Works Department.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined the project will not have a significant impact on the environment and has filed a negative declaration.

RECOMMENDATION: Staff recommends the following actions:

- A. Ratify the negative declaration;
- B. Recommend approval of the abandonment of a public utility easement and City park land to the City Council; and
- C. Approve the lot line adjustment to merge two parcels into one lot of 0.18+ acres in the R-1 Zone by adopting the attached resolution.



RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY PLANNING COMMISSION

ON DATE OF

APPROVING A LOT LINE ADJUSTMENT TO  
ADJUST THE COMMON PROPERTY LINE  
BETWEEN LOT 211 AND LOT B OF  
GREENHAVEN UNIT NO. 17 RECORDED AT  
BOOK 128 OF MAPS, MAP NO. 9, AS  
FILED IN THE OFFICE OF RECORDER OF  
SACRAMENTO COUNTY, CALIFORNIA  
(P88-191)

WHEREAS, the Planning Director has submitted to the Planning Commission a report and recommendation concerning the lot line adjustment for property located at Lots 211 and Lot B of Greenhaven Unit No. 17; and

WHEREAS, the lot line adjustment has been given a Negative Declaration by the Environmental Coordinator; and

WHEREAS, the lot line adjustment is consistent with the General Plan and 1988 Pocket Community Plan; and the proposed merger conforms with the Plan Designation;

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

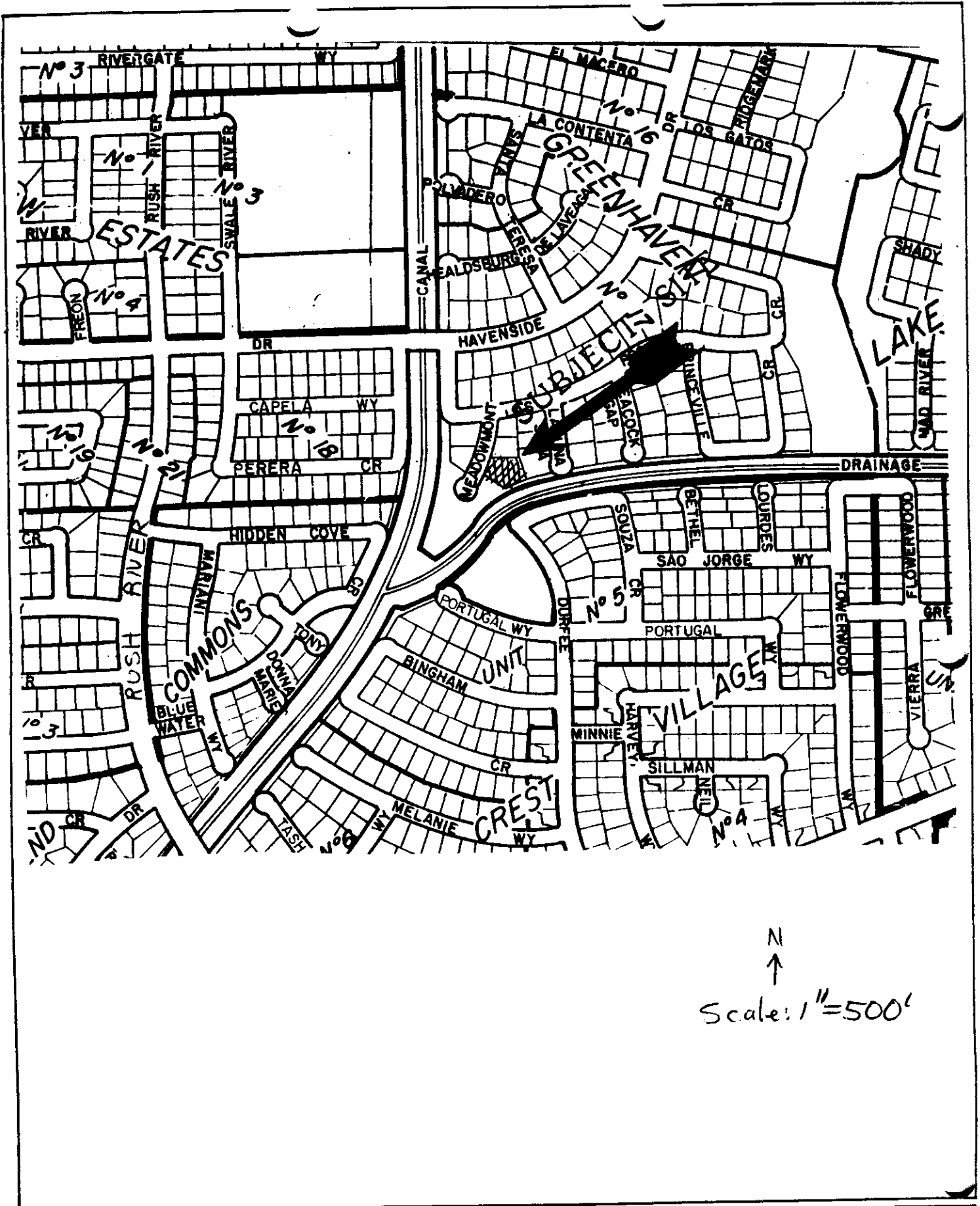
that the lot line adjustment for property located at 9 Meadowmont Court, City of Sacramento, be approved as shown and described in Exhibits A and B attached hereto, subject to the following conditions:

1. Abandonment of the public utility easement and City park property shall be approved by the City Council prior to recordation of certificate of compliance.
2. File a certificate of compliance and waive parcel map prior to recordation of lot line merger.
3. Pay off any bonds or assessments.

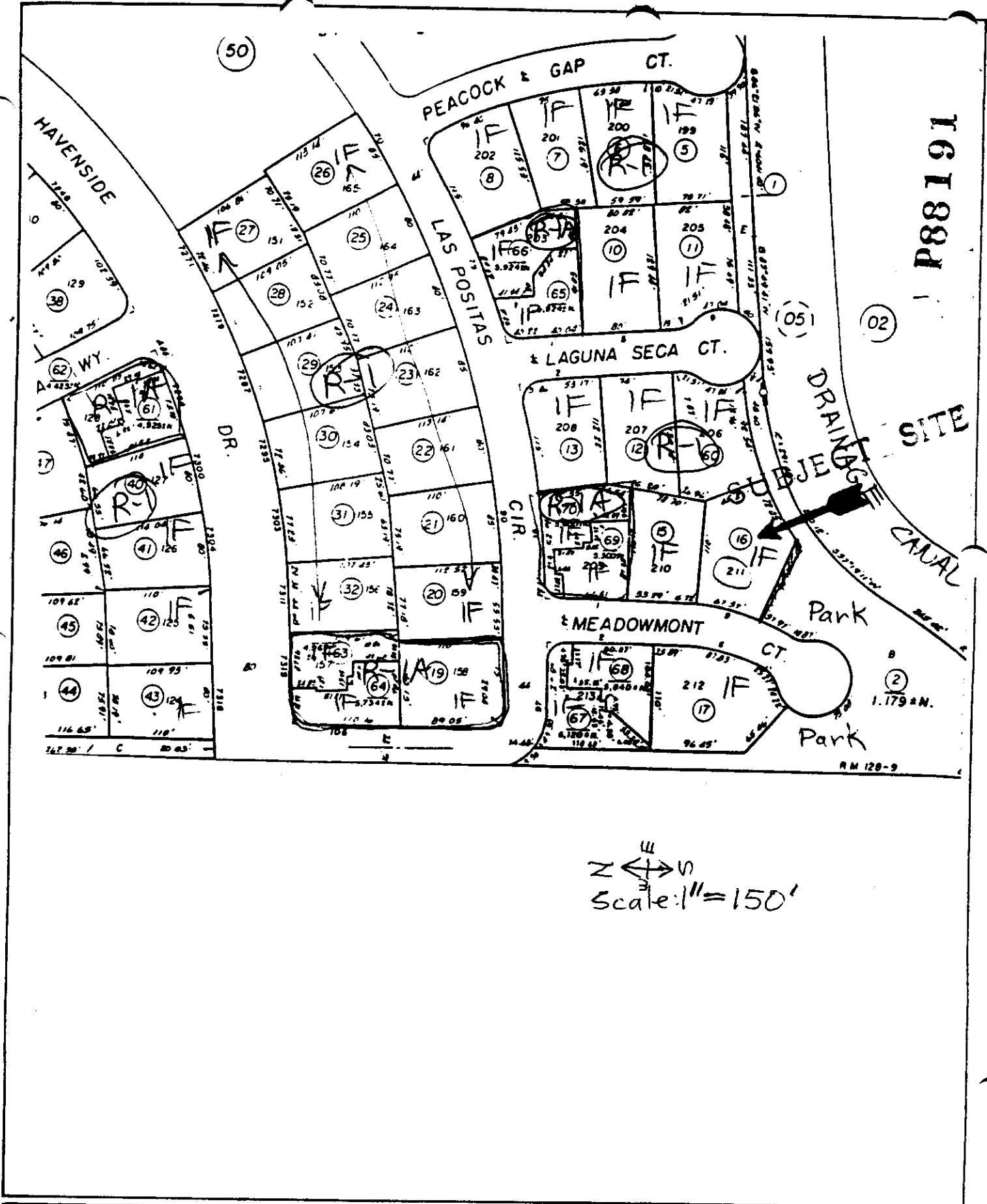
\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
SECRETARY TO CITY PLANNING COMMISSION



# VICINITY MAP



**LAND USE & ZONING MAP**

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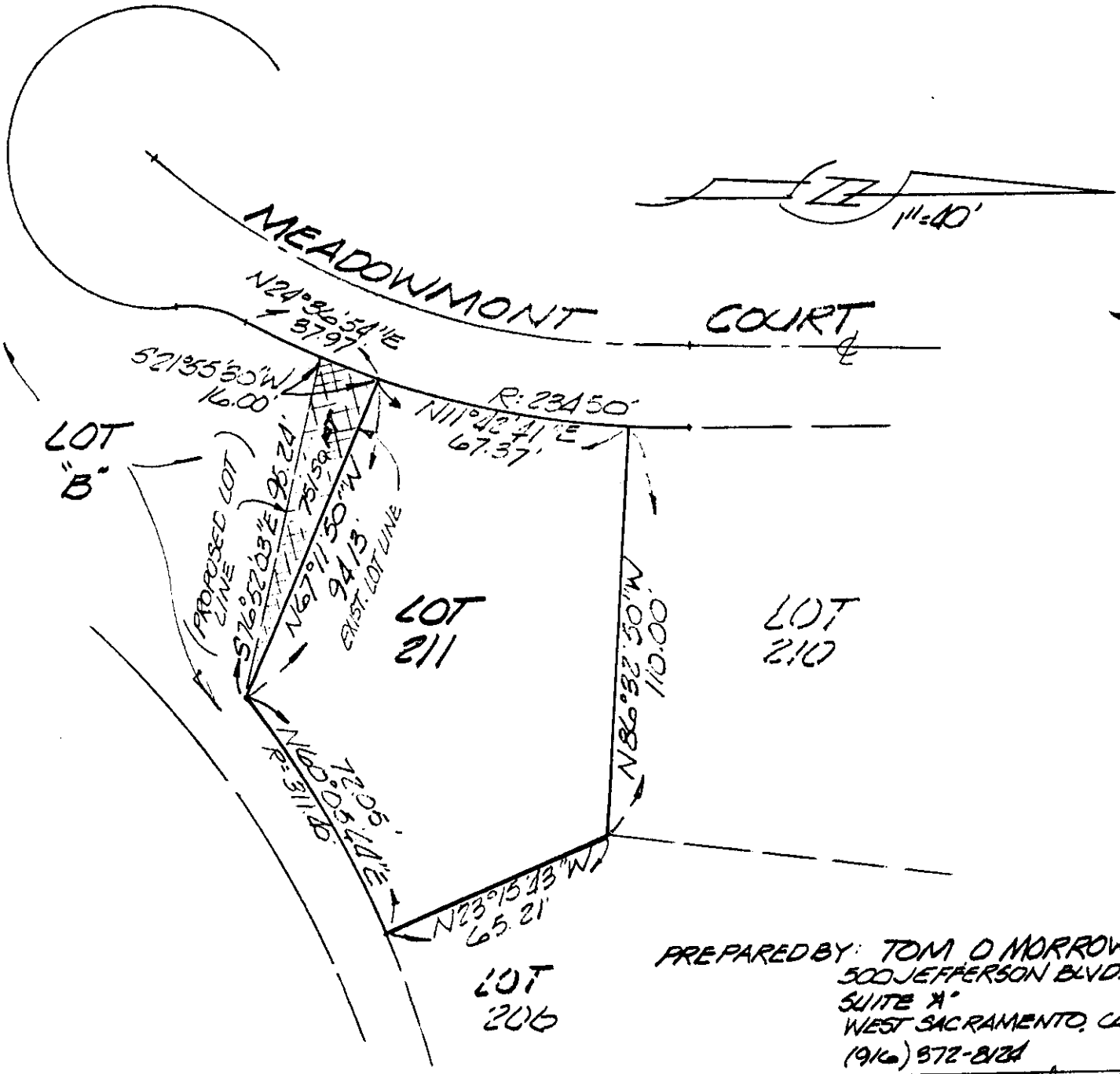
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LOT LINE ADJUSTMENT  
 LOT 211 and LOT B, GREENHAVEN  
 UNIT NO 17

EXHIBIT A



*Tom O. Morrow*  
 TOM O. MORROW, L.S. 5161



PREPARED BY: TOM O MORROW  
 500 JEFFERSON BLVD.  
 SUITE #  
 WEST SACRAMENTO, CA.  
 (916) 872-8124



EXHIBIT B

Description of portion of Lot B of Greenhaven Unit No. 17 to be added to Lot 211 of  
of said Greenhaven Unit No. 17:

City of Sacramento

All that portion of Lot B of Greenhaven Unit No. 17, according to the official plat thereof,  
filed in the office of the Recorder of Sacramento County, California, on February 22, 1979,  
in Book 128 of Maps, Map No. 9, described as follows:

Beginning at the Westerly corner common to said Lot B and Lot 211 of said Greenhaven  
Unit No. 17; thence from said point of beginning, along the Westerly line of said Lot B,  
curving to the right with a 234.50 foot radius, the chord of which bears South 21° 55'  
30" West 16.00 feet; thence South 76° 52' 03" East 95.24 feet to a corner of said Lot B  
and the most Southerly corner of said Lot 211; thence along the line common to said Lots  
B and 211 North 67° 11' 50" West 94.13 feet to the point of beginning.

x x x x x x

Description of remaining portion of said Lot B:

City of Sacramento

Lot B of Greenhaven Unit No. 17, according to the official plat thereof, filed in the  
office of the Recorder of Sacramento County, California, on February 22, 1979, in Book  
128 of Maps, Map No. 9.

EXCEPTING THEREFROM all that portion described as follows:

Beginning at the Westerly corner common to said Lot B and Lot 211 of said Greenhaven  
Unit No. 17; thence from said point of beginning, along the Westerly line of said Lot B,  
curving to the right with a 234.50 foot radius, the chord of which bears South 21° 55'  
30" West 16.00 feet; thence South 76° 52' 03" East 95.24 feet to a corner of said Lot B  
and the most Southerly corner of said Lot 211; thence along the line common to said Lots  
B and 211 North 67° 11' 50" West 94.13 feet to the point of beginning.

x x x x x x

Combined description of Lot 211 and the portion of Lot B:

City of Sacramento

All of Lot 211 and that portion of Lot B of Greenhaven Unit No. 17, according to the  
official plat thereof, filed in the office of the Recorder of Sacramento County, Calif-  
ornia, on February 22, 1979, in Book 128 of Maps, Map No. 9, described as follows:

Beginning at the Westerly corner common to said Lots 211 and B; thence from said  
point of beginning, along the boundaries of said Lot 211 the following four (4) courses  
and distances: (1) along a curve to the left with a 234.50 foot radius, the chord of  
which bears North 11° 42' 41" East 67.37 feet, (2) South 86° 32' 50" East 110.00 feet,  
(3) South 23° 15' 43" East 65.21 feet, and (4) along a curve to the left with a 311.40  
foot radius, the chord of which bears South 60° 05' 44" West 72.05 feet; thence North  
76° 52' 03" West 95.24 feet to a point on the Westerly line of said Lot B; thence along  
said Westerly line, along a curve to the left with a 234.50 foot radius, the chord of  
which bears North 21° 55' 30" East 16.00 feet to the point of beginning.

x x x x x x

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**DEPARTMENT OF PARKS  
AND COMMUNITY SERVICES**

ROBERT P THOMAS  
DIRECTOR

G. ERLING LINGGI  
ASSISTANT DIRECTOR

WALTER S. UEDA  
DEPUTY DIRECTOR

**CITY OF SACRAMENTO**  
CALIFORNIA

March 28, 1988

1231 I STREET  
SUITE 400  
SACRAMENTO, CA  
95814-2977

916-449-5200

DIVISIONS:  
CROCKER ART MUSEUM  
GOLF  
METROPOLITAN ARTS  
MUSEUM AND HISTORY  
PARKS  
RECREATION  
ZOO

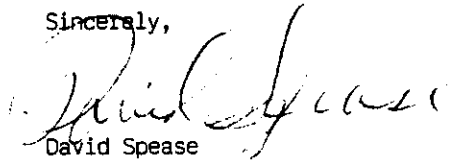
Mr. Jeff Baker  
9 Meadowmont Ct.  
Sacramento, CA 95831

Dear Mr. Baker:

The City Parks and Community Services Department is willing to sell to you a portion of the Pocket Canal property that was described in a revocable permit issued to your address.

The parcel is not necessary for development of the Parkway. Fair market value of the property will be determined by the Right of Way Section of the Public Works Department.

Sincerely,

  
David Spease  
Landscape Architect

DS:pg

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CERTIFIED AS TRUE COPY  
of Resolution No. 84-190

APR 8 1987

RESOLUTION NO. 84-190

Adopted by The Sacramento City Council on date of

MARCH 13, 1984

*Jacqueline...*  
CITY CLERK OF THE PROGRAMS

RESOLUTION GRANTING REVOCABLE ENCROACHMENT TO:  
BENNETT P. POAGE

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That a revocable encroachment permit for the purpose of  
landscaping and/or concrete paving a portion of undeveloped park site  
is hereby granted to Bennett P. Poage, whose address is as follows:

9 Meadowmont Court, Sacramento, CA 95831

The encroachment area is described as follows:

An area adjacent to permittee's property. A triangular shaped parcel 16 feet wide at the Meadowmont Court frontage tapering in 95.14 feet to 0 feet at the southeasterly corner of Lot 211 of Greenhaven Unit No. 17. (County Assessors Parcel No. 31-51-16)

This permit is granted subject to the "General Provisions - Revocable Encroachment Permit", which were adopted by the City Council in Resolution No. 81-845 dated November 17, 1981, and the hereinafter specified special conditions, if any. This permit shall be effective only after the applicant files with the Risk Management and Insurance Division of the City of Sacramento, the insurance certificates required by the General Provisions.

SPECIAL CONDITIONS

1. Permittee shall comply with desires of the Parks Department and remove all improvements as requested at the time this park site is developed.
2. Permittee shall not obstruct any necessary uses of the 10 foot wide Public Utility Easement centered along the existing common lot line.

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3. Provision 21 "Liability Insurance" is hereby waived.
4. Permittee shall maintain portion of City Park covered by this permit.

*Anna Kiden*

MAYOR

ATTEST:

*Sensine Mackra*  
CITY CLERK

RESOLUTION No. 84-190

MAR 13 1984

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