



DEPARTMENT OF PUBLIC WORKS

CITY OF SACRAMENTO

927 TENTH STREET ROOM 200 SACRAMENTO, CA 95814-2705

ENGINEERING DIVISION

916-449-8220

THOMAS M. FINLEY ENGINEERING DIVISION MANAGER

CONSTRUCTION SECTION 640 BERCUT DRIVE SUITE B SACRAMENTO, CA 95814-0131

August 23, 1988

AUG 23 1988

916-449-5282

City Council Sacramento, California

Honorable Members In Session:

SUBJECT: Abandonment of a 5' x 160' Portion of the South Side of P Street

between 37th Street and the Alley on the East - Summary Abandonment

Proceeding No. 88-03

SUMMARY

The Department of Public Works requests that the City Council adopt a resolution abandoning a 5' \times 160' portion of the south side of P Street between 37th Street and the alley on the east of 37th Street.

BACKGROUND

Mr. Lee Strassburg, has requested the abandonment of a 5' x 160' portion of the south side of P Street between 37th Street and the alley on the east. He desires to rezone the adjoining property (a 50' x 160' lot) from R-1 to R-1A, and divide the lot into two separate lots. The proposed abandonment would add 5' to the adjacent lot. The applicant requests the City to abandon the right-of-way behind the sidewalk which is unimproved, and is not being used by the City. If the street abandonment is approved, Mr. Strassburg intends to remove the existing sidewalk and construct a new curb and sidewalk adjacent to the lot which will be consistent in appearance with the remainder of P Street between 37th and 38th Streets.

The proposed abandonment, exempt from the City's "Review Guidelines for Street Closures", was reviewed by staff and found to be in conformance with State law. Approval of the request is recommended. The Planning Department Environmental Coordinator has filed a Negative Declaration for this project. Staff and the utility companies have reviewed the proposed abandonment and have no objections.

City Council Summary Abandonment No. 88-03 August 9, 1988 Page 2

FINANCIAL

No expense to the City or to property owners is necessary for the proposed abandonment.

VOTE OF COMMISSION

The Planning Commission, on March 24, 1988, voted to approve the proposed abandonment. (See attached report).

RECOMMENDATION

It is recommended that the attached resolution be adopted, which is the final order in the proceedings for the abandonment.

Respectfully submitted,

THOMAS N. FINLEY

Engineering Division Manager

Recommendation Approved:

WALTER J. SLIPE City Manager

SA:yg RE3-03AB.C 08.1088

Attachment

Approved:

MELVIN H. JOHNSON

Director of Public Works

August 23, 1988 District No. 5

RESOLUTION NO. 88-713

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

SUMMARY VACATION AND ABANDONMENT OF A 5' x 160' PORTION OF P STREET BETWEEN 37TH STREET AND THE ALLEY ON THE EAST ABANDONMENT PROCEEDING NO. 88-03 APPROVED

AUG 23 1988

OFFICE OF THE

WHEREAS, in accordance with Section 8300, Et. seq., of the Streets and Highways Code of the State of California, the City Council hereby vacates and abandons a portion of the following described street.

That certain parcel of land situate in the City of Sacramento, County of Sacramento, State of California, described as follows:

The south 5 feet of Lot B, now known as "P" Street, a public way as said lot is shown on the Plat of Wright & Kimbrough Subdivision No. 19, recorded in the office of the Recorder of Sacramento County on October 7, 1908, in Book 9 of Maps, Map No 17, RESERVING HOWEVER, for the above described real property for the right-of-entry to repair, maintain and construct sewer, water and gas pipes and aerial or underground power, telephone and other communication facilities now in place or which from time to time may be placed therein.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the City Council does hereby find and declare that all of the facts, as set forth in this resolution, are true and correct; that by reason of the findings and premises aforesaid, said street, as above set forth and described, is hereby declared abandoned and vacated.

The vacation is subject to the condition that:

The property owner construct new curbs, gutters and sidewalks adjacent to his new property line prior to the City recording the resolution abandoning said portion of the street, or an agreement with the City and post the necessary security guaranteeing the construction of said curbs, gutters and sidewalks.

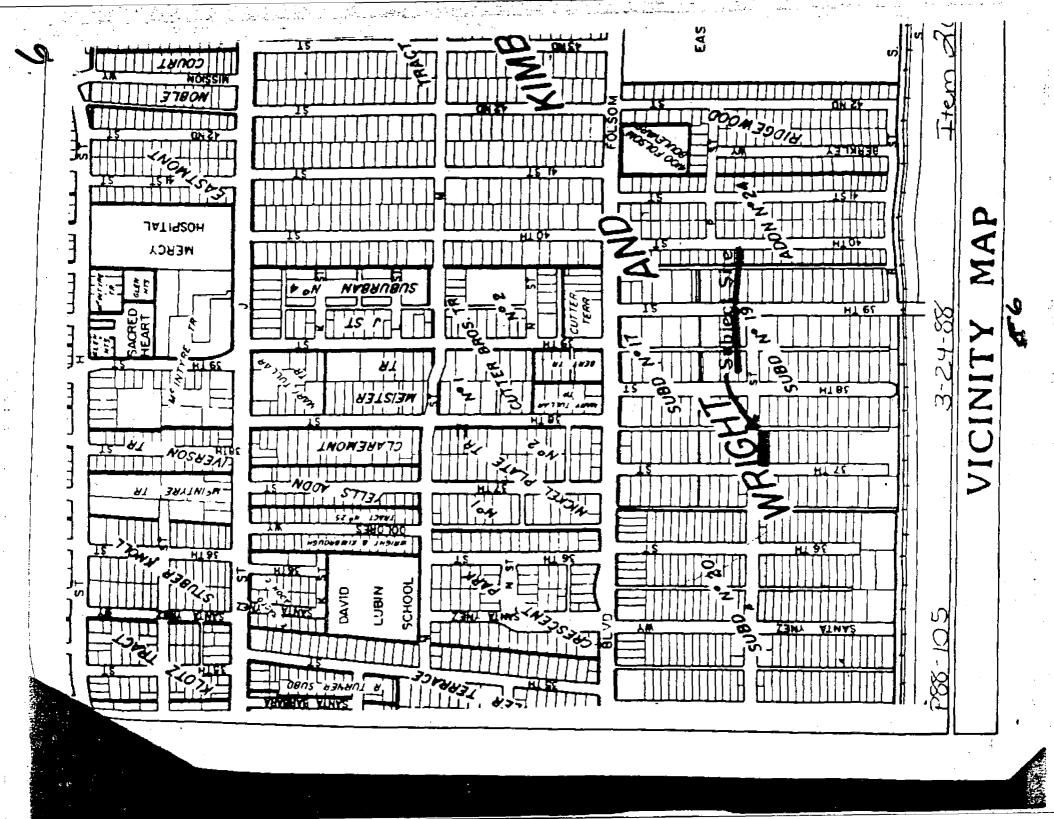
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IT IS FURTHER ORDERED that a copy of this resolution, attested by the Clerk of this Council, be recorded in the office of the Recorder of the County of Sacramento.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, THIS 23RD DAY OF AUGUST, 1988.

	MAYOR
ST:	
J1.	

RE3-03AB.C



DEPARTMENT OF PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO

1231 1 STREET ROOM 200 SACRAMENTO, CA 1 95814-2998

May 4, 1988

BUILDING INSPECTIONS 916-449-5716

City Council Sacramento, California PLANNING 916-449-5604

Honorable Members in Session:

SUBJECT: 1. Environmental Determination

2. Rezone from Standard Single Family (R-1) to Single Family Alternative (R-1A)

LOCATION: 1601 37th Street

SUMMARY

The application proposes to subdivide an existing corner lot currently occupied by one residential unit into two parcels and proposes construction of a new unit on the second parcel. Unlike most corner lot halfplex projects, the proposed units will be detached. The Planning Commission and staff recommend approval of the request.

BACKGROUND INFORMATION

Many of the corner lots in the immediate area and in East Sacramento are developed with duplex structures or more recently, with halfplex structures. The applicant's proposal is somewhat unusual in that the proposed second unit will be detached. The request for R-1A zoning is to allow flexibility in building setbacks.

The proposed project use and design was considered by the Planning Commission and approved with conditions. Several conditions were added to the special permit at the Commission hearing pursuant to concerns expressed by adjacent property owners.

VOTE OF THE PLANNING COMMISSION

On March 24, 1988, the Commission voted seven ayes, two absent to recommend approval of the request.



RECOMMENDATION

The Planning Commission and staff recommend the following action by the City Council:

- 1. Ratify the Negative Declaration;
- 2. Adopt the attached Ordinance which rezones the site to R-1A;
- 3. Adopt the attached Resolution which adopts findings and approves the Tentative Map.

Respectfully submitted,

Michael M. Davis
Director of Planning and Development

FOR CITY COUNCIL INFORMATION WALTER J. SLIPE CITY MANAGER

MMD:AG:rt
attachments

District No. 5 May 10, 1988

P88-105

6

ORDINANCE NO.



ORDINANCE AMENDING THE DISTRI				
THE COMPREHENSIVE ZONING ORDING FOURTH SERIES, AS AMENDED, BY				
LOCATED AT 1601 37th Street			.:_	
FROM	THE			
Standard Singel Family (R-1)				
	ZONE	(S) A	ND PLA	CING
THE SAME IN THE				
Single Family Alternative (R-	TAT		ZONE (S)
(FILE NO. P88-105) (APN: 00	8-04	51-02		

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

SECTION_1.	% ₩
The territory described in the attached exhibit(s) which is in the	zone(s)
established by Ordinance No. 2550, Fourth Series, as amended, is hereby from said zone and placed in the Single Family Alternative (R-1A)	
zone(9).	

This action rezoning the property described in the attached exhibit(s) is adopted subject to the following conditions and stipulations:

- a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.
- b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission $\frac{M\omega rch}{24}, \frac{1988}{1988}$, on file in the office of the Planning Division, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Division shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

SECTION 2.

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this ordinance.



SECTION 3.

Rezoning of the property described in the attached exhibit(s) by the adoption of this ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550. Fourth Series, as said procedures have been affected by recent court decisions.

PASSED FOR PUBLICATION:

PASSED:

EPPECTIVE:

MAYOR

ATTEST:

CITY CLERK

P88-105

BOOK PAGE 86 12 22 0470

.ee R. Strassburg Bid P' Stroet Sacramento, CA 95816

MAIL IAL STATEMENTS TO

same as above

OFFICIAL PETURUS SAF PARTETURE CONTROL DEF CORD AT RECEIVED FOR

DEC 22 1986 800 AM

276462

SPACE ABOVE THIS LINE FOR RECORDER'S USE -

Individual Grant Deed

008-451-023 A.P.N.

The undersigned grantoris) declare(s) Documentary transfer tax is \$ ZERO) computed on full value of property conveyed, or computed on full value less value of liens and encumbrances remaining at time of sale.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Guy G. BARBER, a married man dealing with his sole and separate property;

hereby GRANT(S) to LEE R. STRASSBURG, a single man;

the following described real property in the County of Sacramento

, State of California

Lot 508 of Wright & Kimbrough, Subdivision 19, according to the official plat thereof filed in the office of the County Recorder of Sacramento County, California, on October 7, 1908, in Book 9 of Maps, Map No. 17.

THIS DEED IS FROM AN AGENT TO HIS PRINCIPAL, THE PURCHASE WAS MADE WITH THE FUNDS OF THE PRINCIPAL AND IS EXEMPT PURSUANT TO FEDERAL CODE 47.4361-2(b) (5).

Dated December 11, 1986

STATE OF CALIFORNIA COUNTY OF __Sacramento December 18, 1986

me the undersigned, a Notary Pubbic on and for said Scare, rimonally appeared

personally known to me or proved to me on the basis of sat istaction, evidence to be the person_ subscribed to the within instrument and acknowledged that Ne recuted the same WITS155 ms hand and official seal

ELINDA TELAY

CORRECT TOCKER

MAIL TAX STATEMENTS AS DIRECTED ABOVE

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RESOLUTION No.

Adopted by The Sacramento City Council on date of

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A TENTATIVE MAP FOR PROPERTY LOCATED AT 1601 37th STREET

(P88-105) (APN: 008-0451-023)

WHEREAS, the City Council on May 10, 1988, held a public hearing on the request for approval of a tentative map for property located at 1601 37th Street;

WHEREAS, all governmental and utility agencies affected by the development of the proposed subdivision have been notified and given the opportunity to respond;

WHEREAS, the City Environmental Coordinator has determined that the proposed project will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration;

WHEREAS, the City Planning Commission has submitted to the City Council its report and recommendations on the proposed subdivision;

WHEREAS, the City Council has considered the design of the proposed subdivision in relation to feasible future passive or natural heating and cooling opportunities; and

WHEREAS, the City Council has considered the effects that approval of the proposed subdivision would have on the housing needs of the Sacramento Metropolitan area and balances these needs against the public service needs of City residents and available fiscal and environmental resources.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

- 1. The Negative Declaration has been prepared in compliance with CEQA, State and City Guidelines, and the Council has reviewed and considered the information contained herein.
- None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision.
- 3. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 40 of the City Code, which is a Specific Plan of the City. The City General Plan designate the subject site for low density residential use(s).

- 4. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Quality Control Board, Central Valley Region in that existing treatment plants have a design capacity adequate to service the proposed subdivision.
- 5. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
- 6. The tentative map for the proposed subdivision is hereby approved, subject to the following conditions which must be satisfied prior to filing of the final map unless a different time for compliance is specifically noted:
 - a. Provide standard subdivision improvements pursuant to Section 40.811 of the City Code including "Nag and McKinney" parcels;
 - b. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
 - c. 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;
 - d. Provide private easements for sewer and water to west parcel through east parcel;
 - e. Replace all broken sidewalk, curb, gutter and alley to the satisfaction of the Public Works Department; and
 - f. Place a note on the final map: each lot shall be restricted to one single family dwelling unit.

	MAYOR	
ATTEST:		
CITY CLERK		

P88-105

Sacramento City Planning Commission **VOTING RECORD**

PERM P	ING DATE MICH 24 1988 NUMBER 20 B IIT NUMBER 88-105 FF RECOMENDATION FOR THE COMENDATION FOR THE COMENDATION	ENTITLEMENTS GENERAL PLAN AMENDMENT TENTATIVE MAP COMMUNITY PLAN AMENDMENT SUBDIVISION MODIFICATION REZONING LOT LINE ADJUSTMENT SPECIAL PERMIT ENVIRONMENTAL DET. VARIANCE OTHER LOCATION 1601 37 The Attent
	Correspondence Petition	
PROP	NAME Lee Stranslau Bet Mortine	
ON ENTS		
0 0 0 0 0	NAME Lymda Tum Henrge Parri	ADDRESS 9. 3732. P. Atreot, Ancto. 95816
ENTS		
TION #_ SION	Yes No Motion	MOTION TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
LIOWAY HMAFL TESTING TO LTON MIREZ INN	abount.	TO DENY TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE TO RECOMMEND APPROVAL SUBJECT TO COND. & BASED ON FINDINGS OTHER TO RECOMMEND APPROVAL SUBJECT TO COND. & FACT DUE TO RECOMMEND APPROVAL SUBJECT TO COND. & FACT DUE TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL TO RATIFY NEGATIVE DECLARATION TO CONTINUE TO

CITY PLANNING COMMISSION



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

APPLICANT Morton & Pitalo. Inc. - 1430 Alhambra Boulevard, Sacramento, CA 95816

OWNER Lee Strassburg - 1601 37th Street, Sacramento, CA 95816

PLANS BY Morton & Pitalo. Inc. - 1430 Alhambra Boulevard, Sacramento, CA 95816

FILING DATE 2-18-88 ENVIR. DET. Neg. Dec. 3-10-88 REPORT BY JP:sg

ASSESSOR'S-PCL. NO. 008-0451-023

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APPLICATION: A. Negative Declaration

- B. Rezone $0.2\pm$ acres from Standard Single Family (R-1) to Single Family Alternative (R-1A) zone
- C. Tentative Map to divide $0.2\pm$ acres developed with a residence into two parcels
- D. Special Permit to construct an additional dwelling on $0.2\pm$ acres

LOCATION: 1601 37th Street

<u>PROPOSAL</u>: The applicant is requesting the necessary entitlements to construct a single family residence on the rear of an existing single family lot developed with a residence.

PROJECT INFORMATION:

General Plan Designation:

Low Density Residential (4-15 du/na)

Existing Zoning of Site:

R-1

Existing Land Use of Site:

Single family residence

Surrounding Land Use and Zoning:

North: Duplex; R-1

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

Parking Required:

2 spaces

Parking Provided:

2 spaces

Property Dimensions:

50' x 160' (55' x 160' after street abandonment)

Property Area:

0.2+ acres

Square Footage of Building:

Existing residence - $1.300 \pm sq.$ ft.;

proposed residence - 1.570+ sq. ft.

Height of Proposed Residence:

30', two-stories

Exterior Building Materials:

Lap siding, stucco, brick trim

Roof Material:

Composition shingle

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On March 9, 1988, by a vote of five ayes, four absent, the Subdivision Review Committee recommended approval of the tentative map subject to conditions.

PROJECT EVALUATION: Staff has the following comments regarding this proposal:

A. Land Use and Zoning

The subject site is a 50' x 160' corner lot located in the Standard Single Family (R-1) zone. The western portion of the site is developed with a single family residence. The eastern portion of the site is vacant and undeveloped. Surrounding land uses are a duplex to the north, and single family residences to the south, east and west. Surrounding zoning is all R-1 zone. The General Plan designates the site for Low Density Residential (4-15 du/na) uses.

B. Applicant's Proposal

The applicant proposes to construct a second single family residence on the eastern portion of the subject site. As the applicant desires the new residence to be on a separate lot, he is requesting: to rezone the property to the Single Family Alternative (R-1A) zone; a tentative map to subdivide the site into two lots; and a special permit to construct the new residential unit. In order to construct the new residence the applicant will be demolishing the existing detached garage and constructing a new single car garage for the existing residence. The new residence will have an attached garage. As a separate request the applicant is also proposing to abandon a five foot strip of public right-of-way adjacent to the subject site in order to increase the width of the lot to 55 feet (see M88-025).

Planning staff finds the applicant's proposal to be an acceptable land use for the subject site. Several of the corner lots in the area have two units located on them. The proposed tentative map will allow for the possibility that each residence on the site can be owned by different individuals. Adequate setbacks, parking and usable rear yard area will be provided for each unit. The new detached garage is smaller in size and located further from the south property line than the existing garage on the site. Staff recommends approval of the applicant's request.

C. Site Plan Design

The applicant's proposal also includes the removal of three existing City trees adjacent to the sidewalk and a fourth tree on the eastern portion of the site. The City Arborist has indicated that these trees may be removed. Planning staff recommends that, if it is necessary to remove these trees in order to remove the existing sidewalk and construct the new sidewalk, new trees be planted on the site.

D. <u>Building Design</u>

The applicant proposes to construct a $1,570\pm$ square foot, two-story structure. Proposed building materials are wood lap siding and brick trim on the north elevation, stucco on the remaining three elevations, and composition shingle roofing.

Planning staff finds the north elevation to be attractive and compatible with existing residences in the surrounding neighborhood. Planning staff, however,



suggests that more period detailing should be used on the remaining elevations to enhance the structure. The majority of the surrounding homes were built in the 1930's and 1940's. The new home on the subject site should have features such as wood trim and muntins to divide the window panes so that the proposed residence compliments the surrounding homes. Staff recommends that the south, east and west elevations be revised to include trim to enhance the structure and make it more compatible with the architectural styles of surrounding buildings.

E. Neighborhood Comments

The project is being reviewed by the East Sacramento Improvement Association. The Association recommends that all existing trees be maintained and, if necessary, the public sidewalk be modified to allow the retention of the trees. Additional comments from the Association, if any, will be given at the Planning Commission meeting.

ENVIRONMENTAL DETERMINATION: The City's Environmental Coordinator has determined that the proposed project will not have a significant adverse effect on the environment and has filed a negative declaration subject to the following mitigation measure:

The applicant shall provide a street tree removal plan to the City Arborist for approval prior to recordation of the proposed parcel map.

RECOMMENDATION: Staff recommends the Commission take the following actions:

- A. Ratify the negative declaration;
- B. Recommend approval of the rezoning from R-1 to R-1A;
- C. Recommend approval of the tentative map subject to conditions; and
- D. Approve the special permit to construct an additional dwelling on $0.2\pm$ acres subject to conditions and based upon findings of fact which follow.

<u>Conditions - Tentative Map</u> - 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 "Nag and McKinney" parcels;
- 2. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
- 3. 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;
- 4. Provide private easements for sewer and water to west parcel through east parcel;

- 5. Replace all broken sidewalk, curb, gutter and alley to the satisfaction of the Public Works Department; and
- 6. Place a note on the final map: each lot shall be restricted to one single family dwelling unit.

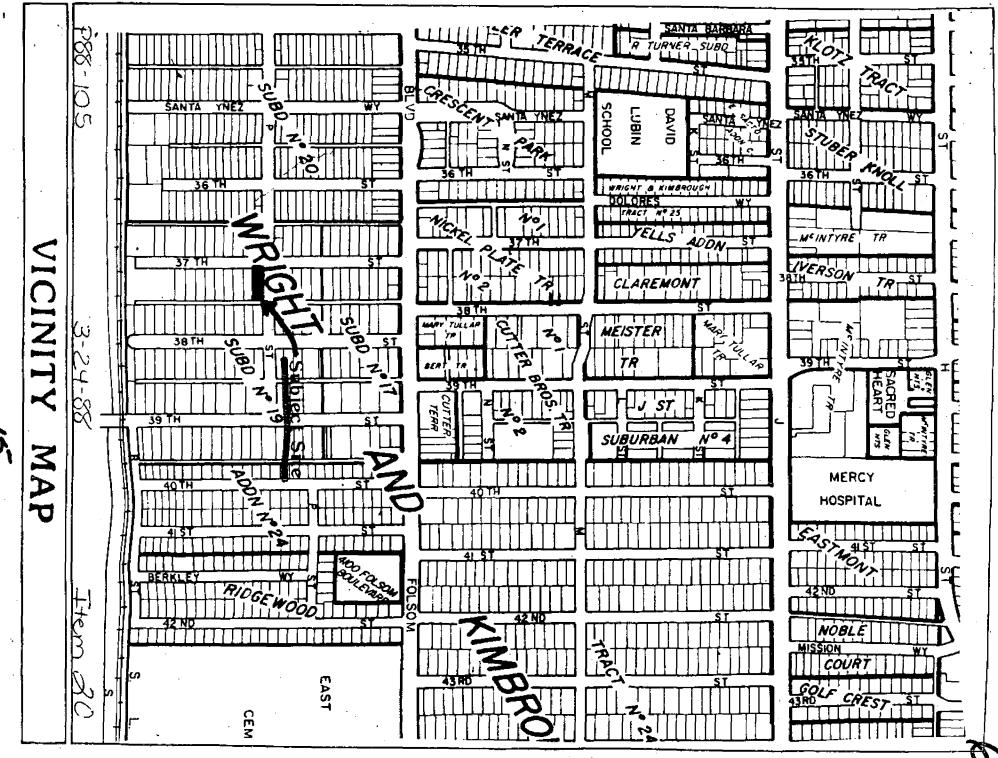
Conditions - Special Permit

- 1. The abandonment of a five foot portion of P Street shall be approved by City Council and recorded prior to issuance of building permits for the residential unit.
- 2. The applicant shall provide a street tree removal plan to the City Arborist for approval prior to recordation of the proposed parcel map.
- 3. A landscape plan for the site shall be submitted for Planning Director review and approval prior to issuance of building permits. The applicant shall attempt to retain the trees on the subject site. If it is necessary to remove any tree, it shall be noted on the landscape plan and a new 15-gallon tree shall be planted on the subject site. The species and size of all existing and proposed trees shall be noted on the landscape plan. The landscape plan shall also indicate grass between the proposed sidewalk and the two residences. (amended see below)
- 3. A landscape plan for the site shall be submitted for Planning Director review and approval prior to issuance of building permits. The applicant shall retain the pecan tree on the eastern portion of subject site and will attempt to retain the three remaining street trees. If it is necessary to remove an of the three street trees, it shall be noted on the land-scape plan and a new 15-gallon tree shall be planted on the subject site for each tree that is removed. The species and size of all existing and proposed trees shall be noted on the landscape plan The land-scape plan shall also indicate grass between the proposed sidewalk and the two residences. (CPC amended)
- 4. The applicant shall revise the proposed elevations to indicate additional wood trim and detailing on the south, east and west elevations subject to Planning Director review and approval prior to issuance of building permits. Roofing material shall be wood shake or heavy butt composition shingle.
- 5. The bedroom window on the elevation shall be removed. (CPC added)
- 6. The applicant shall revise the site plan to relocate the new residence two feet to the south (rear yard setback shall be 13 feet). (CPC added)

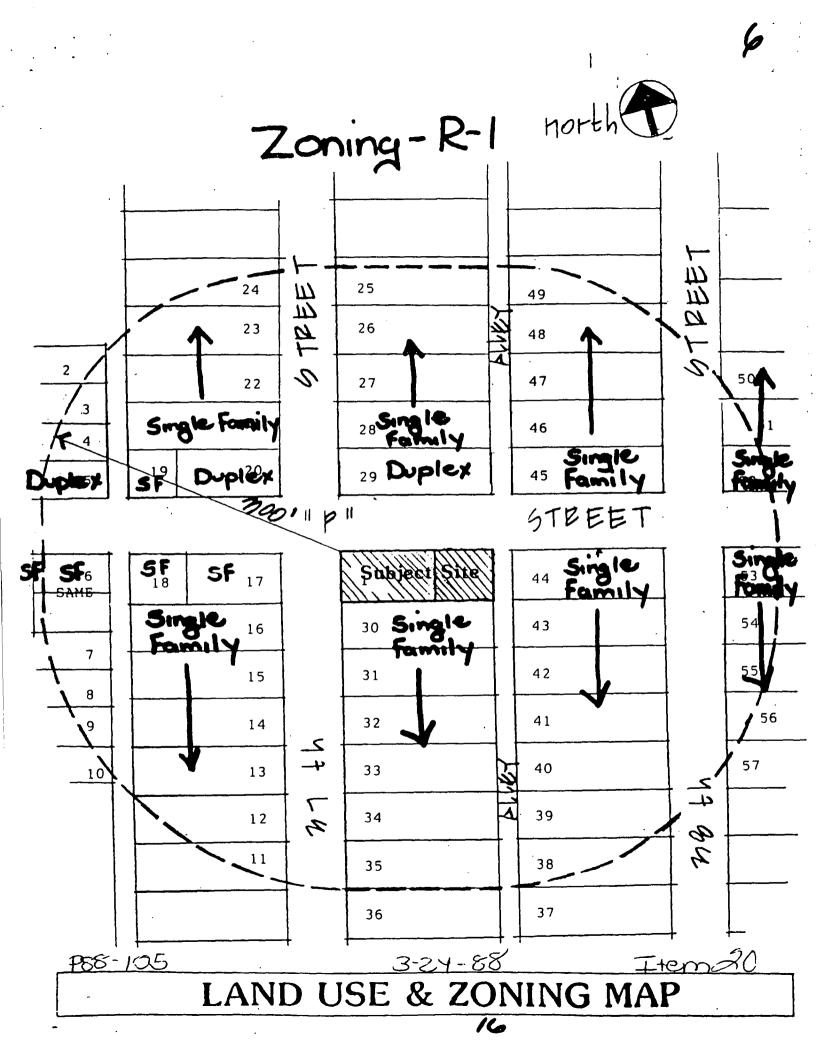
Findings of Fact - Special Permit

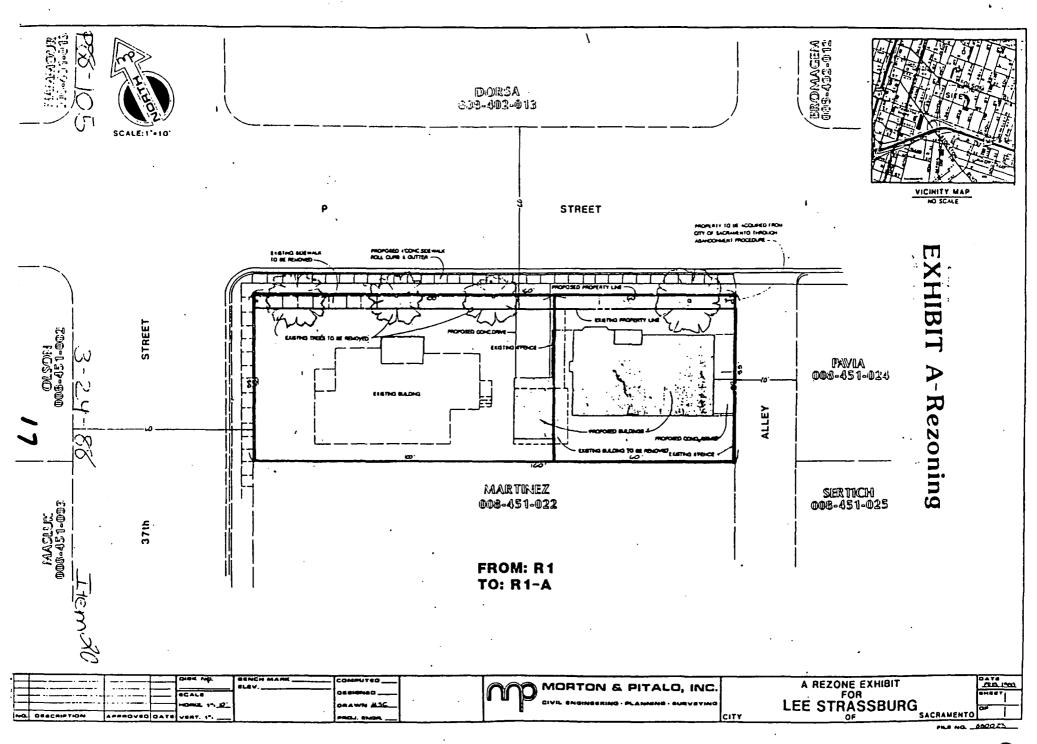
 The project, as conditioned, is based upon sound principles of land use in that two single family residences, either attached or detached, are allowed on corner lots in single family residential areas.

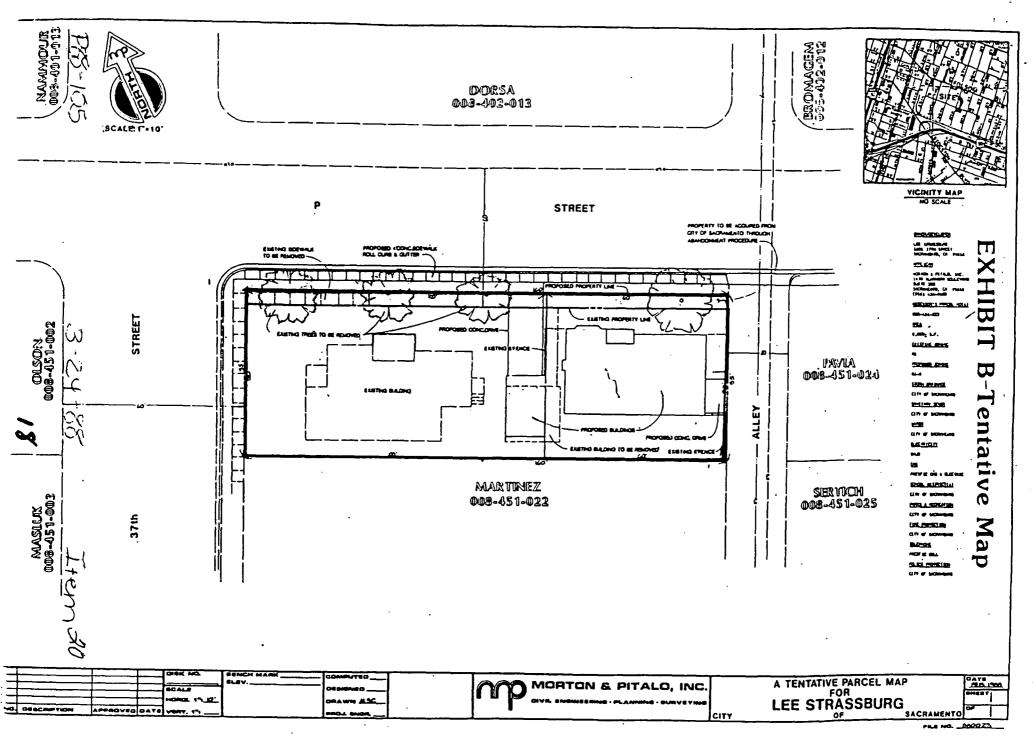
- 2. The project, as conditioned, will not be detrimental to the public health, safety or welfare, nor result in the creation of a nuisance in that:
 - a. adequate on-site parking will be provided;
 - b. adequate usable open space will be provided; and
 - c. the design of the project will compliment the surrounding residential area.
- 3. The proposed project is consistent with the General Plan which designates the site for Low Density Residential (4-15 du/na) uses.

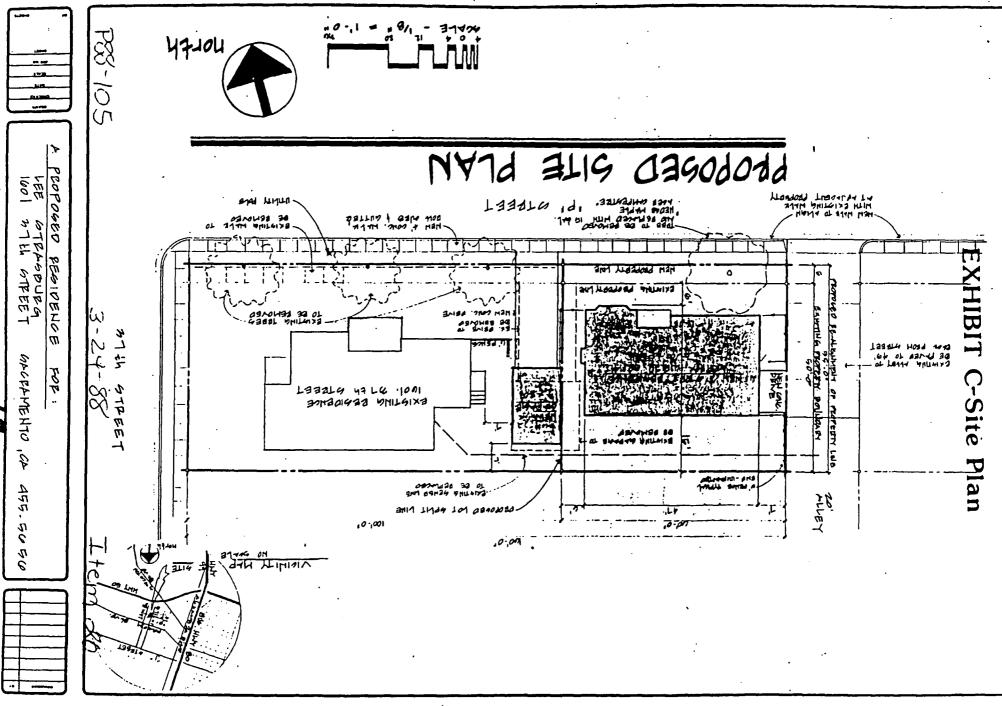


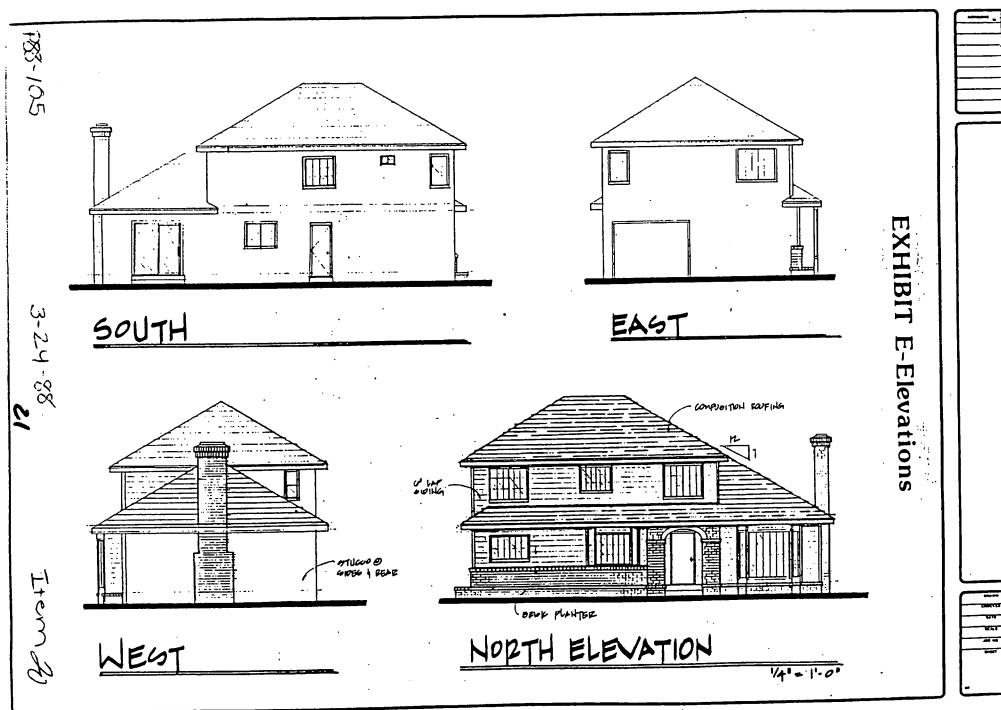
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