

CITY PLANNING COMMISSION

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

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

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

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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

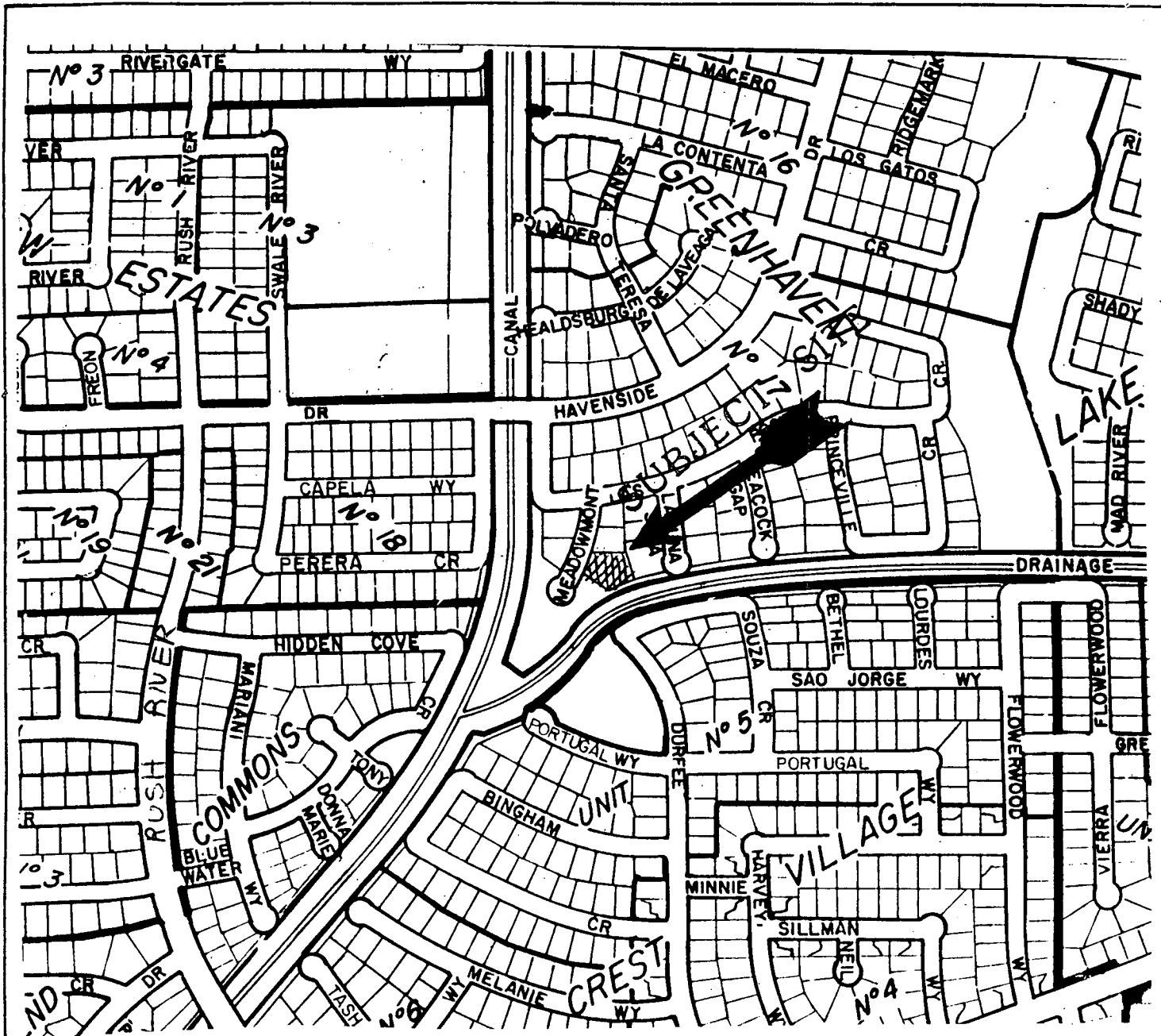
All respective utilities have reviewed the sale of the property and no objections were received to the abandonment of the easement or sale of City property. The City Engineer commented that sidewalk may be extended adjacent to a portion of the park to be abandoned. If a driveway is intended to be used 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.

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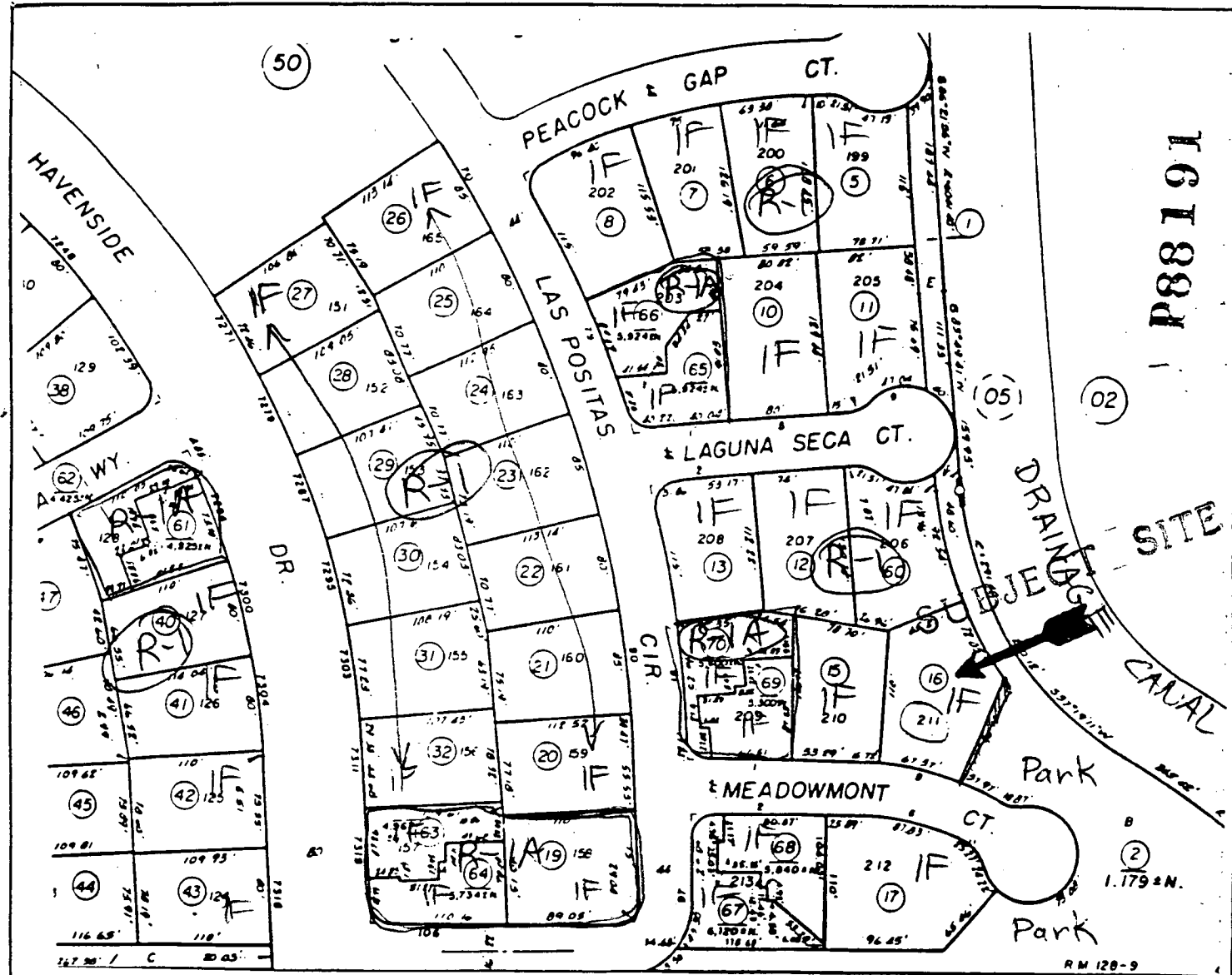
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VICINITY MAP

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LAND USE & ZONING MAP

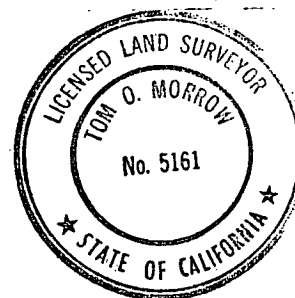
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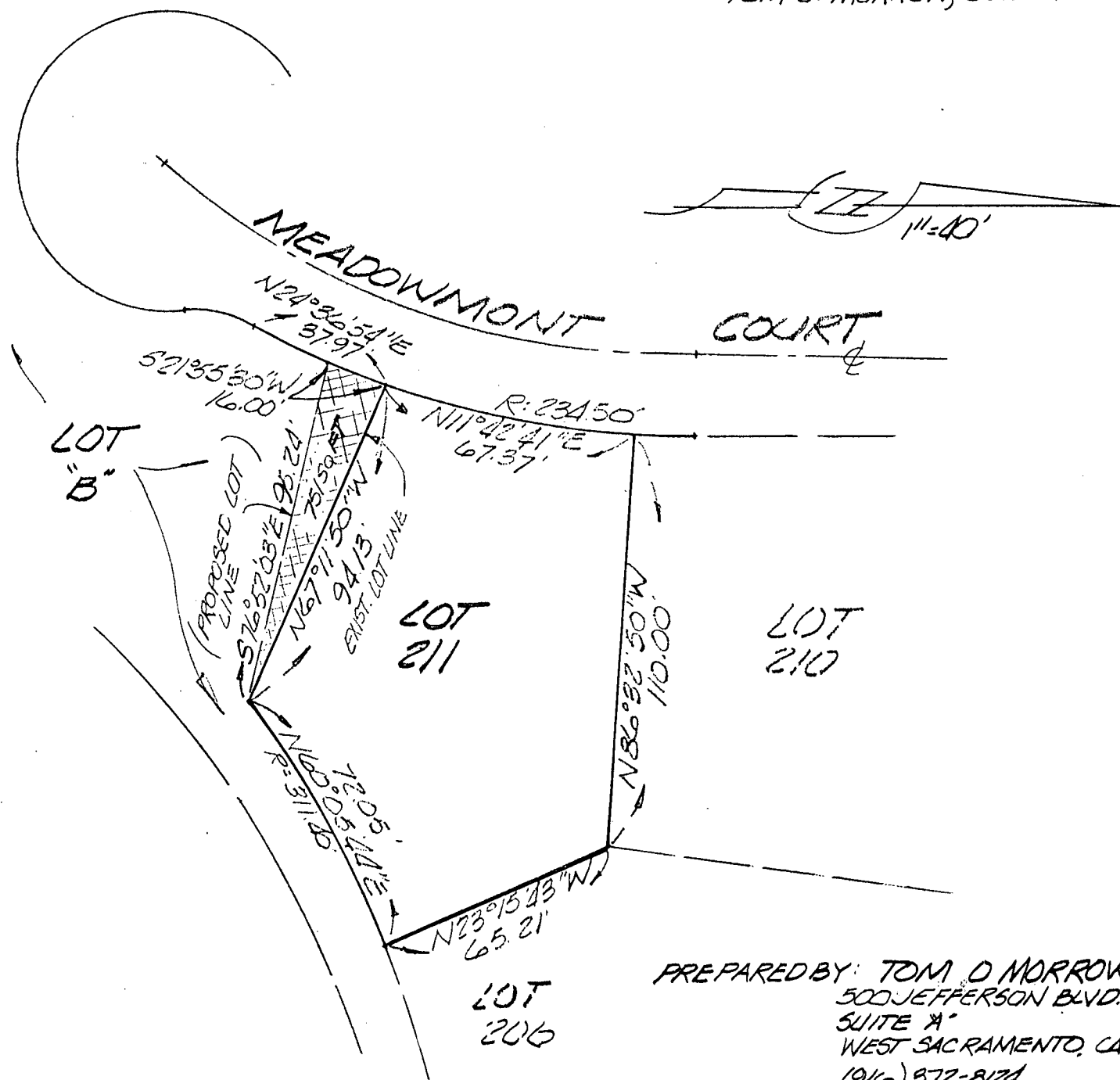
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LOT LINE ADJUSTMENT
 LOT 211 and LOT B, GREENHAVEN
 UNIT NO 17

EXHIBIT A



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



PREPARED BY: TOM O. MORROW,
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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

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

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, California, 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

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