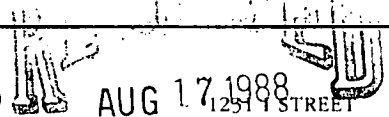


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DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA



AUG 17 1988
1251 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

BUILDING INSPECTIONS
916-449-5716

PLANNING
916-449-5604

August 15, 1988

City Council
Sacramento, California

Honorable Members in Session:

- SUBJECT: 1. Environmental Determination
2. Tentative Map (APN: 064-0020-049) (P88-245) (FT)

LOCATION: 8770 Elder Creek Road

APPROVED
BY THE CITY COUNCIL

AUG 23 1988

OFFICE OF THE
CITY CLERK

SUMMARY

The application is for the subdivision of a 9.7+ acre site into two lots in the Light Industrial (Review) M-1(S)-R Zone. The site is developed as a farm and received approval to construct a 10,000 square foot warehouse building on January 14, 1988 from the Planning Commission (P88-017).

BACKGROUND INFORMATION

The subject site is designated in the 1986 South Sacramento Community Plan for industrial uses and is designated on the 1988 City General Plan for Heavy Commercial and Warehouse uses. The applicant proposes to divide 1.6 gross acres around the approved warehouse building and leaving a remainder parcel of 8.1+ gross acres. The proposed subdivision is consistent with both the Community Plan, General Plan and zoning.

The Subdivision Review Committee has recommended approval of the request. The applicant will be required to bond for improvements for Elder Creek frontage not developed at this time.

ENVIRONMENTAL DETERMINATION

The project is exempt from environmental review pursuant to State EIR Guidelines (CEQA, Section 15315).

RECOMMENDATION

The Parcel Map Advisory Agency (Planning and Community Services Directors), based upon comment by the Subdivision Review Committee, recommends:

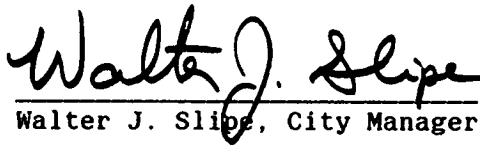
Adopting the attached Resolution adopting findings of fact and approving the Tentative Map subject to conditions.

Respectfully submitted,



Michael M. Davis
Director of Planning and Development

RECOMMENDATION APPROVED:


Walter J. Slipe
Walter J. Slipe, City Manager

MMD:AG:DH:rt
attachments

District No. 6
August 23, 1988

P88-245

334 33
~~334~~

RESOLUTION No. 88-~~0200~~

Adopted by The Sacramento City Council on date of

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A TENTATIVE MAP FOR PROPERTY LOCATED AT 8770 ELDER CREEK ROAD

(P88-245) (APN: 064-0020-049)

APPROVED
BY THE CITY COUNCIL

AUG 23 1988

OFFICE OF THE CITY CLERK

WHEREAS, the City Council on August 23, 1988, held a public hearing on the request for approval of a tentative map for property located at 8770 Elder Creek Road;

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 is exempt from environmental determination pursuant to CEQA, Section 15315;

WHEREAS, the Parcel Map Advisory Agency 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. None of the conditions described in Government Code Section 66474, subsection (a) through (g) inclusive, exist with respect to the proposed subdivision.
2. 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. Both the City General Plan and the 1986 South Sacramento Community Plan designate the subject site for Heavy Commercial or Warehouse use(s).

3. 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.
4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
5. 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;
 - b. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
 - c. Meet all County Sanitation District requirements;
 - d. Submit a soils test prepared by a registered engineer to be used in street design;
 - e. Dedicate right-of-way along Elder Creek to a 40 foot halfsection;
 - f. Dedicate a standard 12.5 foot Public Utility Easement for underground and overhead electrical facilities and appurtenances adjacent to all public ways;
 - g. Cross hatch SMUD's 100 foot transmission line easement and P.G. & E's 75 foot easement on the parcel map and indicate the recording information of the easement. Also, place the following note within the SMUD easement area:

"Restricted Building and Use Area."
 - h. Place the following note in the owners certificate:

"P.G. & E. and SMUD's transmission line easements are a restricted building and use area which prohibits construction of buildings and other structures."
 - i. Provide separate water and sewer services to each lot.

j. Show all existing easements on the final map.

NOTE: A portion or all of the property lies in Zone Z of the FEMA (FIRM) Flood Maps.

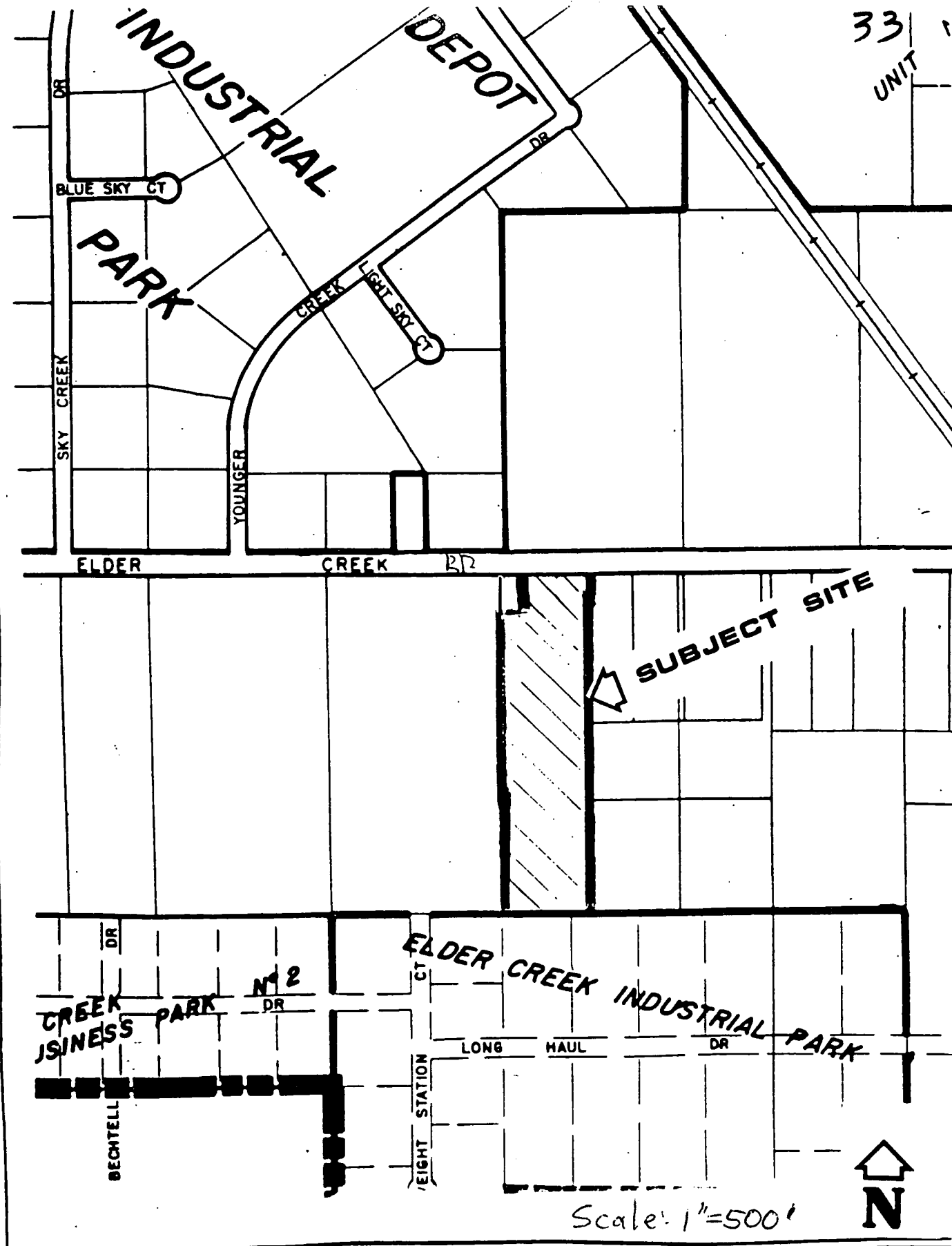
MAYOR

ATTEST:

CITY CLERK

P88-245

5



VICINITY MAP

8
VAC
E
M-2S

9
VAC
E
M-2S

WAREHOUSE/
OFFICE 10
M-2S

ELDER CREEK RD

VAC
M-1-SR

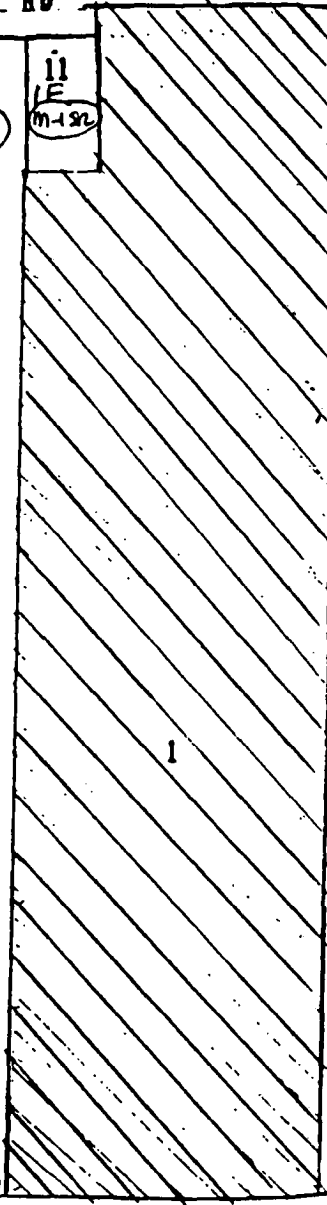
11
IF
M-1-SR

IF
M-1-SR

WAREHOUSE/
OFFICE
M-1-SR

2

3



1

VAC
M-1-SR
4

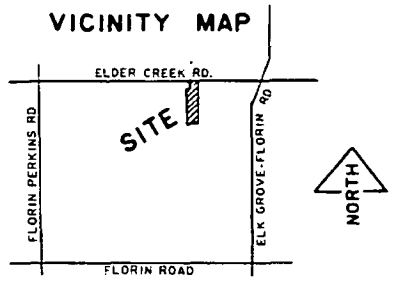
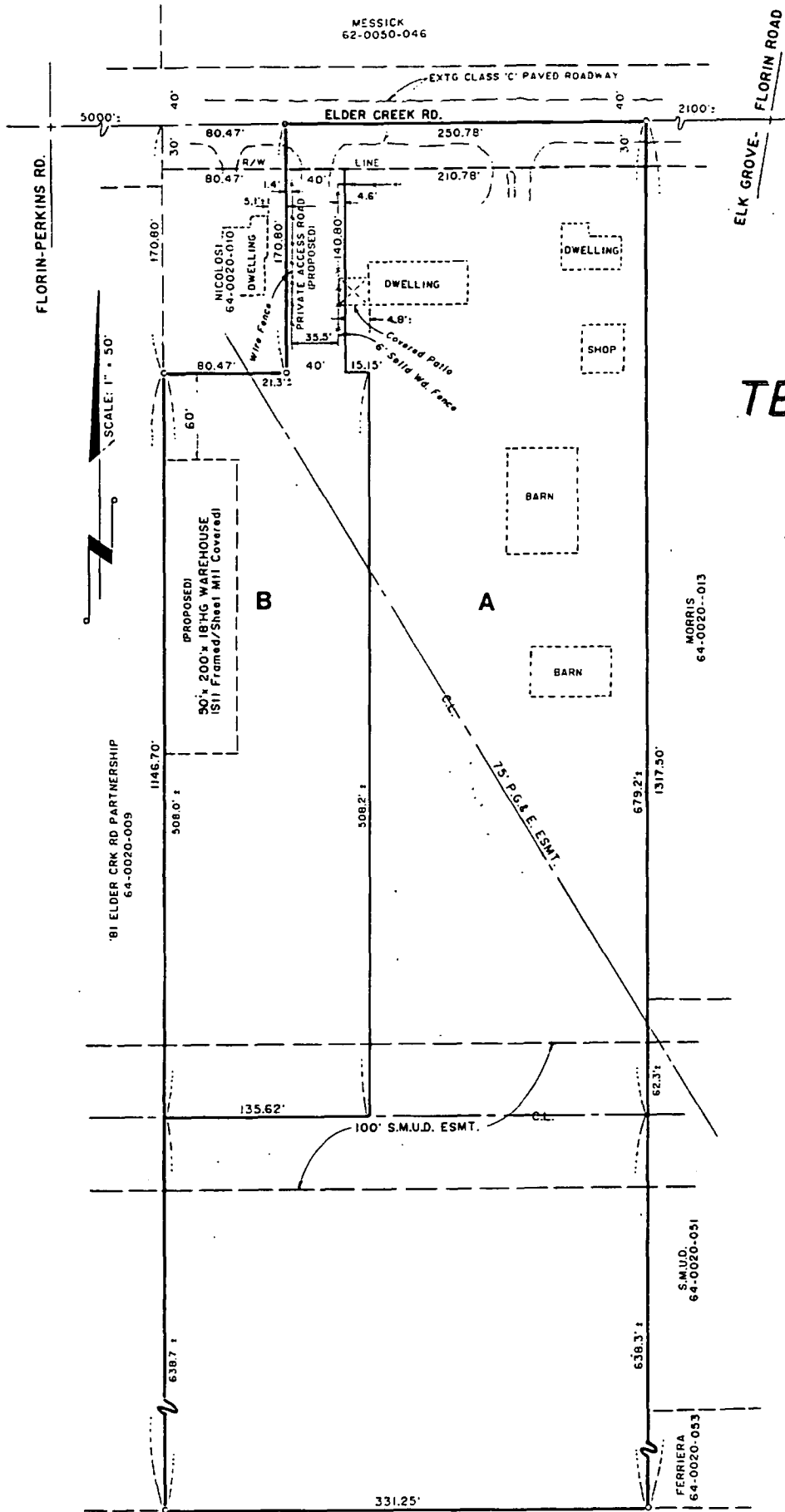
AGRICULTURE
M-1-SR
5

VAC
M-1-R

Scale: Reduced

LAND USE & ZONING MAP





TENTATIVE MAP

APN 64-0020-049

PROPERTY DESCRIPTION:
 8770 ELDER CREEK ROAD
 SACRAMENTO, CALIF.

OWNER:
 JOHN & FRANCIS FERREIRA
 8770 ELDER CREEK ROAD
 SACRAMENTO, CALIF. 95828

ENGINEER:
 DEAN ENGINEERING
 6423 HILLSDALE BLVD
 SACRAMENTO, CALIF. 95842
 PHONE: (916) 344-8602

ZONING:
 (A) PRESENT: M-1-S-R
 (B) PROPOSED: NO CHANGE

GENERAL PLAN DESIGNATION:
 HEAVY COMMERCIAL & WAREHOUSE

1976 SOUTH SAC COMM PLAN DESIGNATION:
 INDUSTRIAL

EXISTING USE:
 FARM

PROPOSED USE:
 PARCEL 'A': NO CHANGE
 PARCEL 'B': 10,000 SF w/560 SF OFFICE
 (See City Planning Action on Entitlement, PBB-0171)

LOT SIZES:
 PARCEL 'A': 8.1 Ac (GROSS)
 PARCEL 'B': 1.6 Ac (GROSS)

SEWAGE DISPOSAL:
 PUBLIC SEWER

WATER SUPPLY:
 CITY OF SACRAMENTO

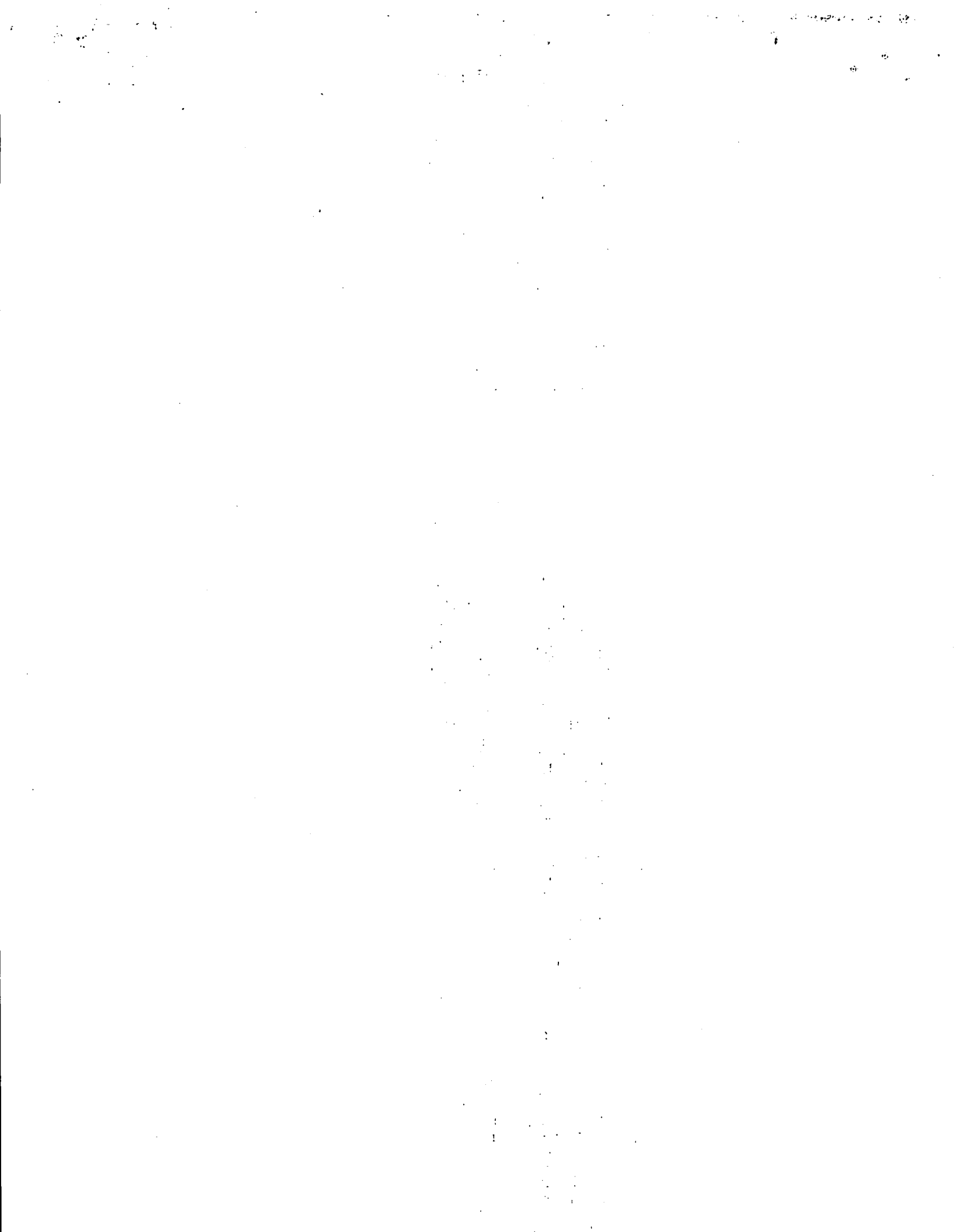
FIRE:
 SACRAMENTO FIRE DEPT

SCHOOL:
 ELK GROVE UNIFIED SCHOOL DISTRICT

ELECTRICITY:
 S.M.U.D.

GAS:
 P.G. & E.

TELEPHONE:
 PACIFIC BELL



RECORDING REQUESTED BY

AND MAIL TO

HOME FEDERAL SAVINGS AND LOAN ASSOCIATION

QUALITY COMPLIANCE REVIEW
SAN DIEGO, CA 92185-0054

ORDER NO. 900402
ESCROW NO. 401-3781
LOAN NO. 009119385
99870129840

BOOK PAGE

87 1214 0081

P 88245

33

OFFICIAL RECORDS
RECORDED AT REQUEST OF
SHERIFF TIER OF SACRAMENTO

DEC 14 1987 8 AM

325963

J.P. Russell Smith
SHERIFF TIER OF SACRAMENTO

FEE
\$13
M

SPACE ABOVE IS FOR RECORDER'S USE ONLY

DEED OF TRUST

NOTICE: THIS DEED OF TRUST SECURES A NOTE WHICH CONTAINS PROVISIONS FOR A VARIABLE INTEREST RATE.

This Deed of Trust dated **NOVEMBER 30, 1987** is made among the Trustor,
JOHN J. FERRIERA AND FRANCES L. FERREIRA

["Borrower"],
HOME FEDERAL SAVINGS AND LOAN ASSOCIATION, a corporation ("Trustee"), and the beneficiary, HOME FEDERAL SAVINGS AND LOAN ASSOCIATION, a corporation ("Lender"), organized and existing under the laws of the United States of America, whose address is 615 Broadway, San Diego, California 92101.

Borrower irrevocably grants to Trustee, in trust, with power of sale, the following property in **SACRAMENTO** County, California:

PARCEL NO. 1 THAT PORTION OF THE NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 36, TOWNSHIP 8 NORTH, RANGE 5 EAST, M.D.B. & M., INCLUDED WITHIN THE FOLLOWING . . . AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

which has the address of **8770 ELDER CREEK ROAD**
SACRAMENTO CA 95828

together with all improvements, fixtures, easements, rights, appurtenances, rents (subject to the authority given to Lender to collect and apply rents), royalties, mineral, oil, and gas rights and profits, water, water rights and water stock, all of which (including any additions or replacements) are considered to be and will remain a part of the property (or the leasehold estate if the Deed of Trust is on a leasehold) referred to in this Deed of Trust as "Property."

Borrower unconditionally and irrevocably assigns to Lender all rents and income of the Property subject to the rights of Trustor under paragraph 20 hereof. However, Borrower may collect and retain any rents, as they become due and payable, before acceleration under paragraph 18 hereof or abandonment of the Property.

FOR THE PURPOSE OF SECURING:

1. Payment of Borrower's Note and Loan Cost Disclosure Statement dated **NOVEMBER 30, 1987** (Note) in the principal sum of U.S. \$ **75,000.00** together with any interest and all other charges under the Note, any renewals, extensions, and modifications.

2. The payment of any additional advances, with interest, made to Borrower by Lender according to paragraph 21 hereof.

3. Borrower's compliance with those provisions contained in any lease or sublease which are binding upon Borrower if the Property is a leasehold estate or is subject to a lease or a sublease.

Borrower covenants that Borrower is lawfully seized of the estate hereby conveyed and has the right to grant and convey the Property, that the Property is unencumbered except as permitted by Lender, and that Borrower will warrant and defend generally the title to the Property, against all claims and demands, subject to any declarations, easements, or restrictions listed in a schedule of exceptions to coverage in any title insurance policy insuring Lender's interest in the Property.

BORROWER AND LENDER AGREE AS FOLLOWS:

1. Payment of Interest. Borrower will pay all interest on the Note when due in addition to any other charges as provided in the Note, and all interest on additional advances when due.

Order No. 900402

BOOK PAGE

87 1214 0082

33

The land referred to in this Report is situated in the State of California, County of Sacramento, and is described as follows:

PARCEL NO. 1:

That portion of the Northwest one-quarter of the Northeast one-quarter of Section 36, Township 8 North, Range 5 East, M.D.B. & M., included within the following described boundaries:

COMMENCING at a point in the North boundary of said Section 36, South 89°50' West 1759.6 feet from the Northeast corner of said Section and which point is North 0°02' East 31.0 feet from a 1" iron pipe marked R.E. 5954; thence South 0°02' West 170.8 feet; thence South 89°50' West 136.0 feet; thence South 0°02' East 170.8 feet to a point in the North boundary of said Section 36 and from which point a 1" iron pipe marked R.E. 5954 bears South 0°02' West 30.0 feet; thence North 89°50' East along said boundary 136.0 feet to the point of beginning.

PARCEL NO. 2:

All that portion of the Northwest one-quarter of that Northeast one-quarter of Section 36, Township 8 North, Range 5 East, M.D.B. & M., Sacramento County, California, described as follows:

BEGINNING at a point in the North line of said Section 36 and the center line of that 60.00 feet County road known as Elder Creek Road, located South 89°51' West 1644.87 feet from the Northeast corner of said Section 36; thence from said point of beginning South 0°03' West 1317.50 feet; thence South 89°51' West 331.25 feet; thence North 0°03' East 1146.70 feet; thence North 89°51' East 80 feet to the Southwest corner of the property conveyed to Belle Friesen, by deed recorded February 28, 1947, in Book 1336, Page _____, filing No. 8471, Official Records; thence continuing North 89°51' East along the South line of the property so conveyed to the Southeast corner thereof; thence North 0°03' East 170.80 feet along the East line of said Friesen property to a point on the North line of said Section 36; thence along said North line North 89°51' East 14.78 feet to the point of beginning.

SCHEDULE A
CLTA Preliminary Report
1-1-84

STEWART TITLE
GUARANTY COMPANY