



CITY OF SACRAMENTO

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32

CITY PLANNING DEPARTMENT

725 "J" STREET

SACRAMENTO, CALIF. 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

May 28, 1981

FILED
By the City Council
Office of the City Clerk.

APPROVED
BY THE CITY COUNCIL

City Council
Sacramento, California

Cont to
6-9-81

JUN - 9 1981

JUN 2 1981

OFFICE OF THE
CITY CLERK

Honorable Members in Session:

SUBJECT: Request for Post Subdivision Modification for
Camden Passage (P-9021)

LOCATION: West side of Pocket Road, approximately 480 feet
south of the intersection of Riverside Boulevard
and Pocket Road

SUMMARY

The applicant is requesting a Post Subdivision Modification to delete condition 4 (Resolution 80-389) of the approval of the Tentative Map. This condition pertains to the formation of a maintenance district to maintain tree pockets within the public right-of-way and landscaped areas south of the walls fronting Pocket Road.

BACKGROUND INFORMATION

The subdivision consists of a 76-unit zero lot line adjustment. It was approved with a unique street design with tree pockets located within the public right-of-way. Also, a wall with landscaping will be provided along Pocket Road. In order to assure maintenance of the landscaping, a condition was placed on the Tentative Map that requires formation of a maintenance district. Subsequent to the approval of the Tentative Map, it was determined by the City Attorney's office that the formation of the maintenance district would be in effect a special district which is in conflict with Proposition 13.

The applicant therefore is requesting that the condition be deleted. In lieu of a maintenance district, the applicant is proposing the formation of a homeowners association to maintain the landscaping. Staff has no objection to this request.

RECOMMENDATION

The staff recommends that the City Council approve the Post Subdivision Modification request to delete Section 4 of Resolution 80-389 and adopt the attached resolution. Approval will be subject to the formation of a homeowners association responsible for maintenance of said tree pockets and landscaped areas.

Respectfully submitted,



Marty Van Duyk
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

1502

MVD:SD:jm
Attachments
P-9021

June 2, 1981
District No. 8

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

JUNE 2, 1981

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A POST SUBDIVISION MODIFICATION FOR A TENTATIVE MAP FOR CAMDEN PASSAGE (APN: 031-020-12; 031-380-70) (P-9021)

WHEREAS, the Council of the City of Sacramento considered a request to delete Section 4 of Resolution 80-389, a condition of approval of the subject Tentative Map pertaining to the formation of a maintenance district to maintain certain tree pockets and landscaped areas subject to conditioning.

WHEREAS, the Council of the City of Sacramento, based on testimony submitted at a public hearing conducted on June 2, 1981, hereby finds and determines as follows:

- a. That there is such special circumstances or conditions affecting the property that it is impracticable or undesirable in the particular case to conform to the condition as specified in the resolution;
- b. That cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification;
- c. That the modification will not be detrimental to the public health, safety, or welfare or be injurious to other properties in the vicinity;
- d. That granting the modification is in accordance with the intent and purposes of these regulations and is consistent with the General Plan and with all other applicable specific plans of the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sacramento as follows:

That the Post Subdivision Modification be approved to delete Section 4 of Resolution 80-389 and the following condition be added to the resolution:

The applicant shall form a homeowners association which shall be responsible for maintenance of tree pockets and landscaped areas to the south of the walls fronting on Pocket Road. The formation of this district shall be subject to the review and approval of the Community Services Department and completed prior to recordation of the final map.

.....

MAYOR

ATTEST:

.....

CITY CLERK

P-9021

THE SPINK CORPORATION

720 F STREET • P.O. BOX 2511 • SACRAMENTO, CA 95811 • TELEPHONE (916) 444-8170

OVER FIFTY YEARS OF SERVICE

March 31, 1981

Mr. Marty Van Duyn
City Planning Department
725 "J" Street
Sacramento, California 95814

Dear Marty:

On behalf of our client, Underwood Wiese Corporation, we are requesting a Post Subdivision Modification of the Tentative Map (P-9021) of Camden Passage to delete the previous condition, (per City Resolutions No. 80-389), Subsection 4 of Item B (Tentative Map & Subdivision Modification approval subject to conditions). This condition specifically pertains to the formation of a maintenance district to provide for maintenance of the tree pockets and the landscaped areas to the south of the walls fronting on Pocket Road.

We have met with Sabina Gilbert (City Attorney's Office) and discussed this matter thoroughly. It is the opinion of the City Attorney's Office and the Spink Corporation that the formation of this maintenance district would be in direct conflict with Proposition 13, making it virtually impossible to create said district. Therefore, we feel it appropriate to request that Subsection 4 of Item B Resolution No. 80-389 be deleted.

Our client would also like to request that the maintenance of said areas (tree pockets, landscaped area to the south of the walls fronting Pocket Road and front yards) be maintained through the formation of a homeowners association rather than a maintenance district.

I would like to meet with you or members of your staff prior to preparation of the final staff report to discuss with you any unforeseen problems that may develop.

Your advice to help us resolve this problem will be greatly appreciated.

Sincerely,

THE SPINK CORPORATION



David M. Apicino

DMA:tr

ENGINEERING • ARCHITECTURE • PLANNING • SURVEYING • AERIAL PHOTOGRAPHY • PHOTOGRAMMETRY

Robert E. Young, P.E., S.E., M.E.
Theodore J. D'Amico, P.E.
Robert C. Hall, P.E.
James W. Edwards, L.S.
Edward R. Baird, P.E.

Gerald S. Smith, P.E.
Francis T. Koo, A.I.A., A.I.P.
Ronald W. Smith, P.E.
Eugene A. Pearson, P.E.
Harold A. Wecker, L.S.

Quentin W. Holmes
Robert A. Mello, L.S.
Robert D. Ness, L.S.

Ted A. Smith, P.E.
H. E. McChristy, Controller
James J. Mixon
Leonard A. Rea, M.E.
Michael F. Neils, E.E.

William F. Carboni, P.E.
Charles B. Seifers, P.E.
Eugene T. Blanton, P.E.
David C. Littlefield, P.E.
John A. Greenwood, L.S.

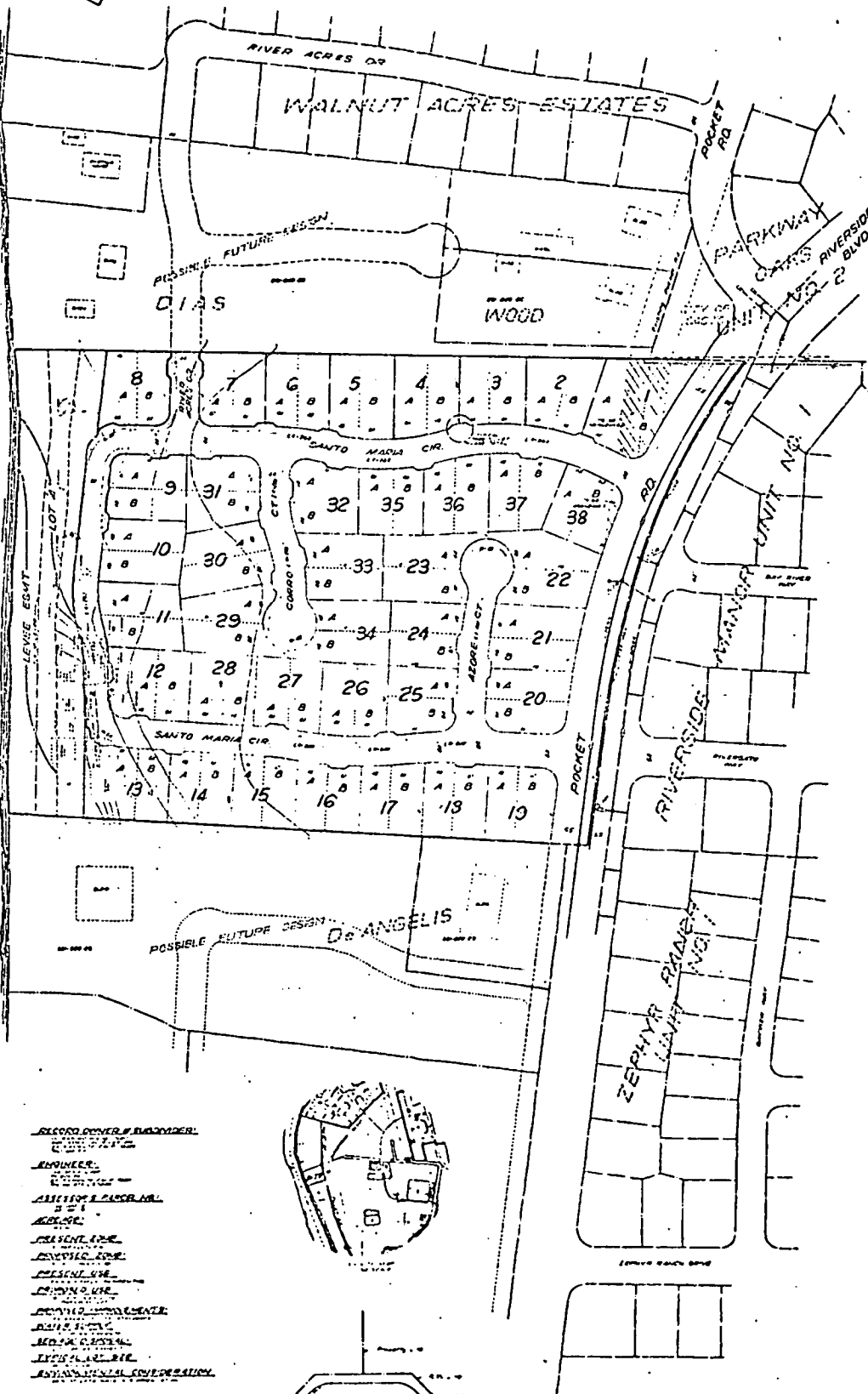
Joseph E. Spink, C.E. (1889-1959)

-5-

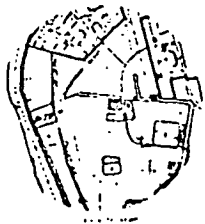
Tentative Map
CAMDEN PASSAGE
 Scale 1" = 100'



SACRAMENTO RIVER



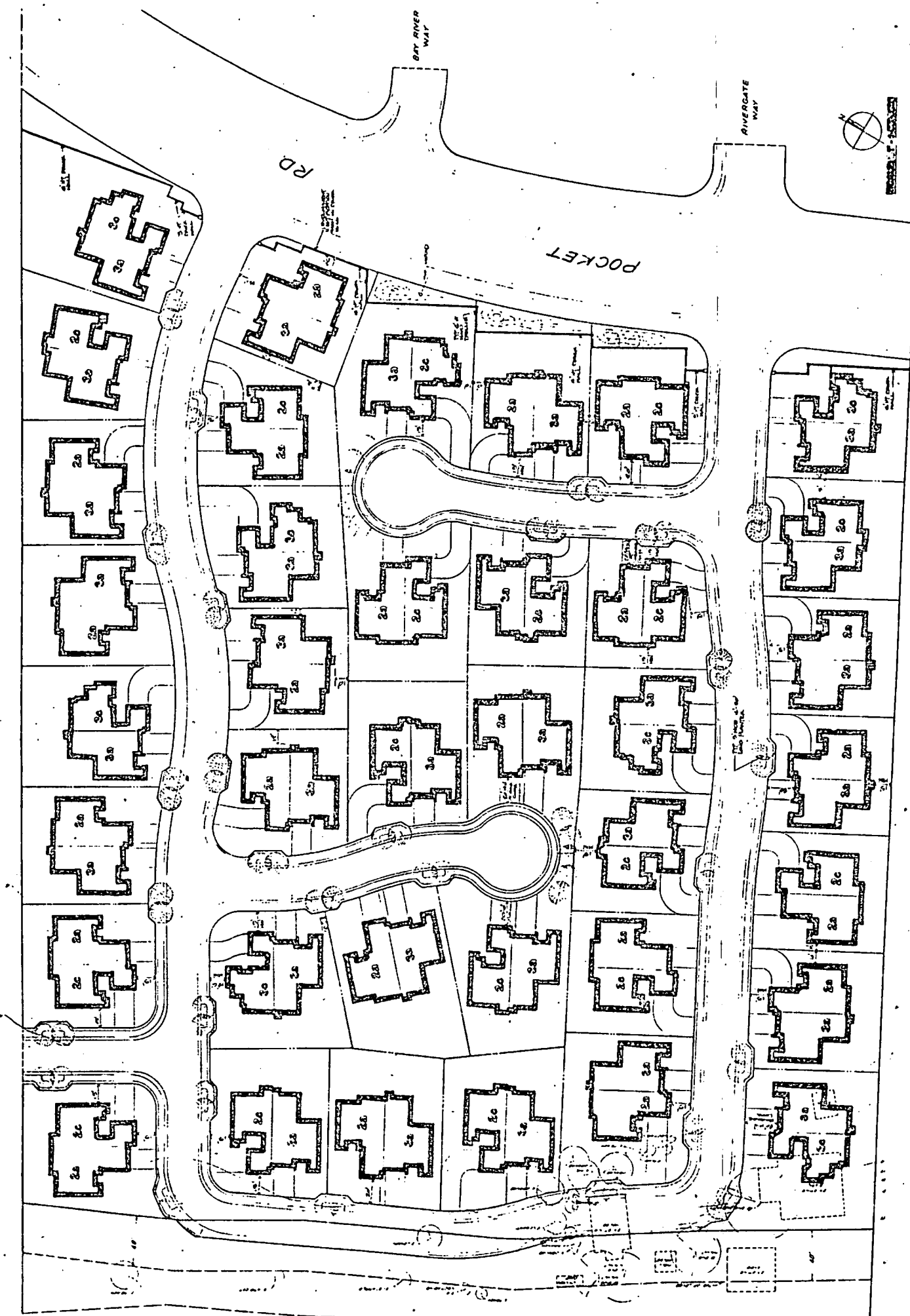
- RECORD OWNER'S SIGNATURE
- ENGINEER
- ARCHITECT & LANDSCAPE
- ADVISOR
- PLANNING
- ENVIRONMENTAL
- SOILS
- WATER RESOURCES
- TRANSPORTATION
- UTILITY
- ARCHITECTURAL
- LANDSCAPE ARCHITECTURE
- PLANNING
- ENVIRONMENTAL
- SOILS
- WATER RESOURCES
- TRANSPORTATION
- UTILITY



NOTE:
 1. THIS MAP IS FOR INFORMATION ONLY.
 2. THE CITY OF SACRAMENTO HAS REVIEWED THIS MAP AND HAS NO OPINION AS TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

6-





CAMDEN PASSAGE

RESOLUTION NO. 80-080

Adopted by The Sacramento City Council on date of

JUNE 24, 1980

CITY CLERK
JUN 24 1980

ADOPTING FINDINGS OF FACT, APPROVING A REQUEST FOR SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR CAMDEN PASSAGE (APN: 031-02-12, 031-38-70) (P-9021)

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations concerning the request for a tentative map for Camden Passage, located on the west side of Pocket Road, approximately 480 feet south of the intersection of Riverside Boulevard and Pocket Road (hereinafter referred to as the proposed subdivision).

WHEREAS, the Council of the City of Sacramento, based on testimony submitted at a public hearing conducted on June 24, 1980, hereby finds and determines as follows:

- A. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan and the South Pocket Community Plan in that both plans designate the subject site for residential uses. Also, any required improvements are to be designed and constructed within the provisions of the Subdivision Regulations which, by Section 40.102 of said regulations, is designated as a Specific Plan of the City of Sacramento.
- B. The site is physically suitable for the type and proposed density of development in that the subject site is flat with no significant erosional, soil expansion or other similar problems.
- C. The design of the subdivision or proposed improvements are not likely to cause substantial environmental damage, and will not substantially and avoidably injure fish or wildlife or their habitat. The proposed project has been reviewed and assessed by the Environmental Coordinator, who has filed a Negative Declaration, with the City Clerk. By virtue of the Negative Declaration, the proposed project will not cause individual or cumulative adverse effects on the natural and social-physical environment nor substantially and avoidably injure fish, wildlife or their habitat.
- D. The design of the subdivision or the type of improvements are not likely to cause serious public health problems in that community water and sewer systems exist at the site. The site is not within an established floodplain or over a known seismic fault.
- E. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public for access through, or use of, the property within the proposed subdivision, in that there are no access easements for use by the public at large on the subject site.
- F. The discharge of waste from the proposed subdivision into the community sewer system servicing the proposed subdivision will not result in or add to a violation of the waste discharge requirements applicable to said sewer system which were prescribed by the California Regional Water Quality Control Board, Central Valley Region, in that the existing City of Sacramento treatment plants have a design capacity of 75 mgd and that actual treated discharge averages 56 mgd. The discharge from the proposed project will not create a condition exceeding the design capacity.

G. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the proposed subdivision, taking into consideration the local climate, the contour and configuration of the parcel to be divided, and such other design and improvement requirements applicable to the proposed subdivision.

H. In the matter of the requested subdivision modification, the Council determines as follows:

- a. That the property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impracticable or undesirable in the particular case to conform to the strict application of these regulations.

Fact: The Sacramento River is located adjacent to the subject site and there is no need for sidewalks along this portion of the public right-of-way because of its relationship to the parkway.

- b. That cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification.

Fact: The portion of the public street that is proposed without a sidewalk is adjacent to the Sacramento River Parkway which provides public access.

- c. That the modification will not be detrimental to the public health, safety, or welfare or be injurious to other properties in the vicinity.

Fact: The granting of the modification would not significantly change the characteristics of the development or surrounding area.

- d. That granting the modification is in accord with the intent and purpose of these regulations and is consistent with the General Plan and with all other applicable Specific Plans of the City.

Fact: The requested modification is consistent with the policies of the South Pocket Specific Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sacramento as follows:

- A. The Negative Declaration be ratified;
- B. The Tentative Map and Subdivision Modification be approved subject to the following conditions:
 - 1. The applicant shall provide standard subdivision improvements pursuant to Section 40.811 of the Subdivision Ordinance prior to filing the final map.
 - 2. The minimum lot pad grade = +3.5; minimum gutter grade = 20+.
 - 3. The applicant shall provide for off-site dedication to accommodate the transition of Pocket Road.
 - 4. The applicant shall form a maintenance district to provide for the maintenance of the tree pockets and the landscaped areas to the south of the walls fronting on Pocket Road. The formation of this maintenance district shall be subject to the review and approval of Community Services Department and completed prior to recordation of final map.
 - 5. The applicant shall prepare a sewer and drainage study for the review and approval of the City Engineer prior to filing the final map.
 - 6. The applicant shall dedicate Lot A to the City of Sacramento.

MAYOR

ATTEST:

CITY CLERK

P-9021

AMENDED

32

RESOLUTION NO. 81-406

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

JUNE 9, 1981

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A POST SUBDIVISION MODIFICATION FOR A TENTATIVE MAP FOR CAMDEN PASSAGE (APN: 031-020-12; 031-380-70) (P-9021)

WHEREAS, the Council of the City of Sacramento considered a request to delete Section 4 of Resolution 80-389, a condition of approval of the subject Tentative Map pertaining to the formation of a maintenance district to maintain certain tree pockets and landscaped areas subject to conditioning.

WHEREAS, the Council of the City of Sacramento, based on testimony submitted at public hearings conducted on June 2 and June 9, 1981, hereby finds and determines as follows:

- a. That there is such special circumstances or conditions affecting the property that it is impracticable or undesirable in the particular case to conform to the condition as specified in the resolution;
- b. That cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification;
- c. That the modification will not be detrimental to the public health, safety, or welfare or be injurious to other properties in the vicinity;
- d. That granting the modification is in accordance with the intent and purposes of these regulations and is consistent with the General Plan and with all other applicable specific plans of the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sacramento as follows:

That the Post Subdivision Modification be approved to delete Section 4 of Resolution 80-389 and the following condition be added to the resolution:

APPROVED
BY THE CITY COUNCIL

JUN - 9 1981

OFFICE OF THE
CITY CLERK

4. The subdivider shall include in the conditions, covenants, and restrictions applicable to the property provisions for property owners adjacent to the tree pockets to assume responsibility for maintenance of the tree pockets upon occupancy and provisions for the formation of a homeowners association to maintain the landscaped areas to the south of the walls fronting on Pocket Road. Prior to occupancy and prior to the formation of the homeowners association, the subdivider shall maintain the tree pockets and the landscaped areas to the south of the walls fronting Pocket Road.

MAYOR

ATTEST:

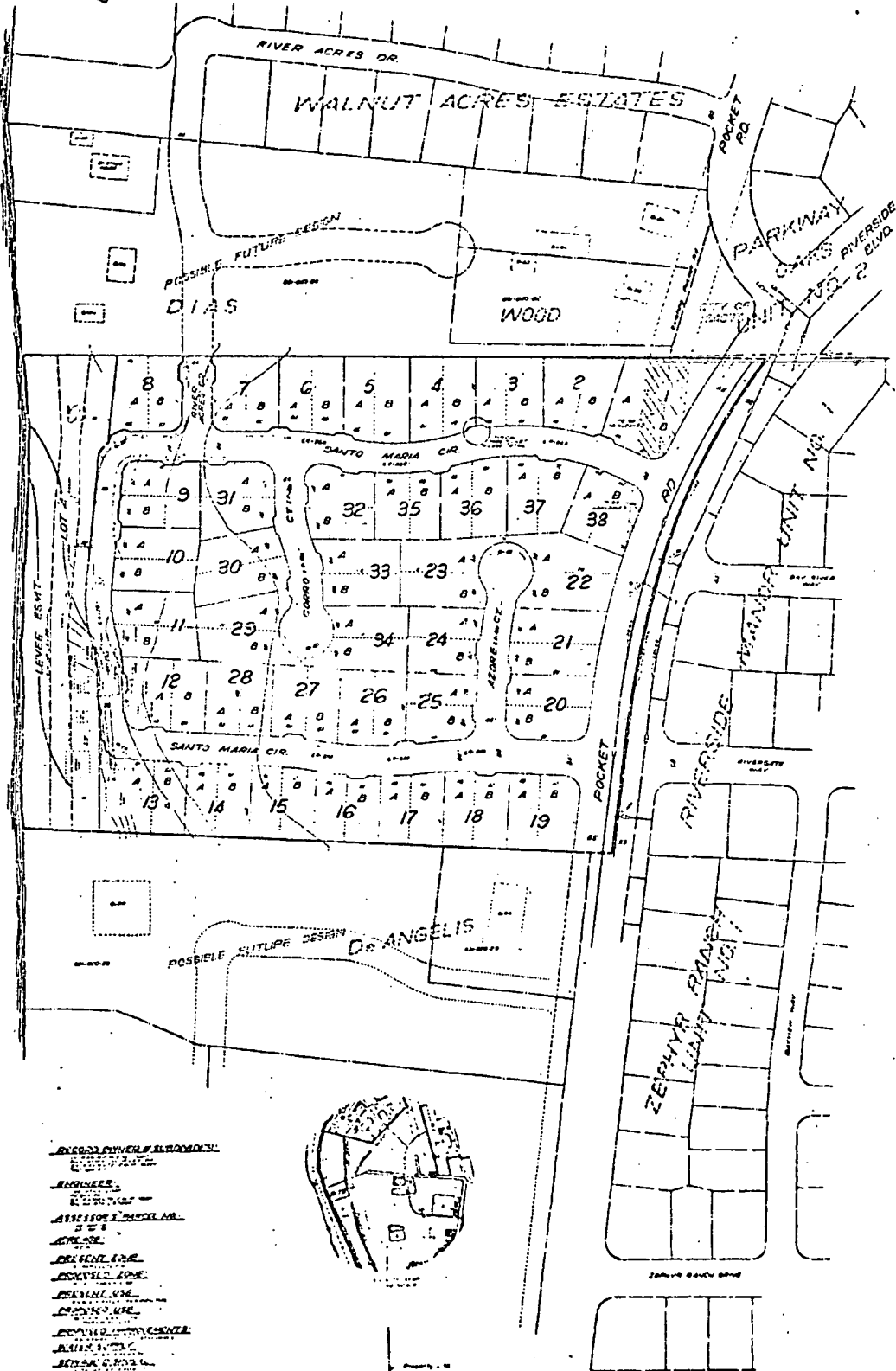
CITY CLERK

P-9021

Tentative Map
CAMDEN PASSAGE
 CITY OF SACRAMENTO, CALIF.
 1946



SACRAMENTO RIVER



DESIGNER'S OFFICE

ENGINEER

ASSISTANT ENGINEER

PLANNER

PRESENT USE

PROPOSED USE

PROPOSED USE

PROPOSED USE

PROPOSED USE

PROPOSED USE

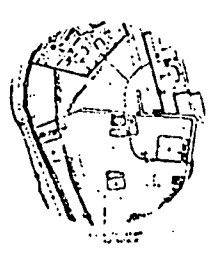
PROPOSED USE

PROPOSED USE

PROPOSED USE

PROPOSED USE

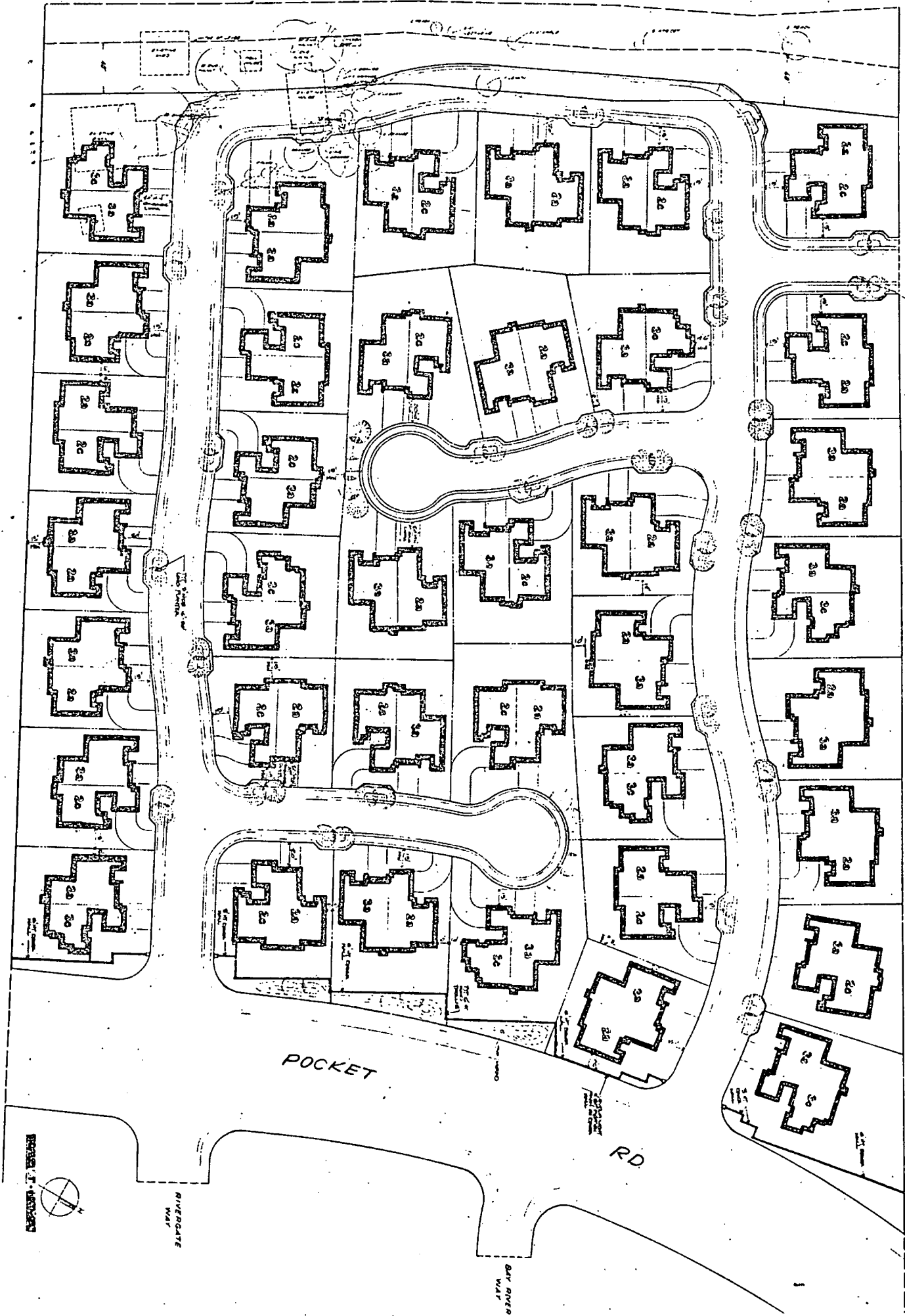
PROPOSED USE



NOTE:

ALL LOT LINES ARE SHOWN BY DOTTED LINES.

CAMDEN PASSAGE



SACRAMENTO CITY PLANNING COMMISSION

APPLICATION INFORMATION

APPLICATION TAKEN BY: _____

- Gen. Plan Amend. (GPA) Comm. Plan Amend. (CPA) Rezone (RZ) from A to R-1A
 Special Permit (SP) Variance (V) Tentative Map (TM) Sbdvn. Modification (SM)

Other _____

Assessors Parcel No. 031 02 12
031 38 70 Address 7290 Pocket Road

Request(s) Rezone 15+ ac. from A Agricultural to R-1A, townhouse condominium.
Tentative map to divide 15+ ac. into 76 half-plex units to be known as Camden
Passage. Special Permit to construct 76 half-plex units.

Owner(s) Underwood-Wiese, 3425 American River Dr., Sacto. Phone No. _____

Applicant Spink Corp., P.O. Box 2511, Sacto., CA Phone No. 444-8170

Signature [Signature] Filing Fee \$955+\$1,109+ Receipt No. 5901 RL 5/19/80
570+
30+

C.P.C. Meeting Date May 22, 1980 75

ACTION ON ENTITLEMENT TO USE

Planning Commission (Appeal Period is Ten (10) Consecutive Days From Date of Action).

Approved _____ Approved w/Conditions SP Approved Based on Find. of Fact Due _____

Rec. Approval of RZ & SM Rec. Approval w/Conditions TM Denied _____

Findings of Fact Approved 5-22-80

Copy Sent to Applicant _____

Recommendations and Appeals are Forwarded to City Council for Final Action.

COUNCIL ACTION: (Appeal Period is Thirty (30) Consecutive Days From Date of Action).

Plan Amendment _____ Rezoning _____ Tentative Map _____ Subd. Modification _____ Appeal _____

Approved _____ Approved w/Conditions _____ Denied _____ Return to Planning Commission _____

ENTITLEMENT(S) TO USE: _____ is/are:

Approved _____ Denied _____ Approved w/Conditions _____

By: _____

SEC. TO PLANNING COMMISSION

NOTE: Action authorized by this document shall not be conducted in such a manner as to constitute a public nuisance. Violation of any of the foregoing conditions will constitute ground for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezonings, special permits and variances.

Sent to Applicant: _____

DATE

P N^o 9021



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

915 I STREET
CITY HALL ROOM 308

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5426

LORRAINE MAGANA
CITY CLERK

May 11, 1981

Owner of Property:

Underwood-Wiese
3425 American River Dr.
Sacramento, CA 95825

On May 8, 1981, the following matter was filed with my office to set a hearing date before the City Council.

P-9021 Post Subdivision Modification for Camden Passage to delete a condition on the tentative map pertaining to the formation of a maintenance district to provide for maintenance of the tree pockets and the landscaped areas to the south of the walls fronting on Pocket Road.
Location: West side of Pocket Road, approximately 480 feet south of the intersection of Riverside Boulevard and Pocket Road. (D8)

The hearing has been set for June 2, 1981, 7:30 P.M., Council Chamber, 2nd floor, 915 - I Street, Sacramento, California. Interested parties may appear and speak at the hearing.

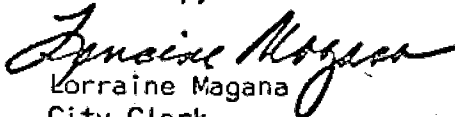
Pursuant to Council Rules of Procedure 4.5, continuance of the above matter may be obtained only if a written request is delivered to this office no later than 12:00 Noon the Monday before the meeting when the hearing is scheduled. If written request is not delivered to this office as specified herein, you may obtain continuance only by appearing before the City Council at the time the hearing is scheduled and request the continuance.

ANY QUESTIONS REGARDING THIS HEARING SHOULD BE REFERRED TO:

SACRAMENTO CITY PLANNING DEPARTMENT
725 - J STREET
SACRAMENTO CA 95814

TELEPHONE: 449-5604

Sincerely,


Lorraine Magana
City Clerk

LM:am :lb

cc: Spink Corp.
P-9021 Mailing List 38



OFFICE OF THE CITY CLERK
916 I STREET SACRAMENTO, CALIFORNIA 95814
CITY HALL ROOM 203 TELEPHONE (916) 449-6428

NOTICE OF CITY COUNCIL HEARING



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

915 I STREET

CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814

TELEPHONE (916) 449-5426

LORRAINE MAGANA
CITY CLERK

June 11, 1981

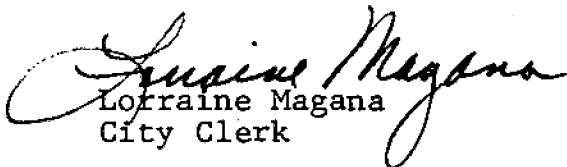
Underwood-Wiese
3425 American River Drive
Sacramento, CA 95825

Gentlemen:

On June 10, 1981, the Sacramento City Council heard testimony on a request for Post-Subdivision Modification for Camden Passage to delete a condition on the tentative map pertaining to the formation of a maintenance district to provide for maintenance of the tree pockets and the landscaped areas to the south the walls fronting on Pocket Road (P-9021).

The Council adopted Resolution 81-406, which is attached, and which adopted Findings of Fact and approved the post subdivision modification subject to conditions stated therein.

Sincerely,


Lorraine Magana
City Clerk

LM/mm/32
Enclosure

cc: The Spink Corporation (D. Apichino)
Engineering Department