

City Planning Commission
Sacramento, California

Subject: Valley Jag (AKT Developments), (Annexation to the City of Sacramento and detachment from the Florin Fire Protection District, Florin-Elder Creek Cemetery District, Southgate Recreation and Park District, and the Metropolitan Storm Drain Maintenance District) and prezone of approximately 143 acres to M-1S (Light Industrial), M-1SR. (Light Industrial Review) and A (Agriculture) zones. (M85-113)

Summary:

An annexation has been proposed to the City of Sacramento. The subject properties consist of approximately 143 acres, roughly bounded by Elder Creek Road on the north, Elk Grove Florin Road on the east, Florindell Road on the south and Florin Perkins Road and the City Limits on the west. The petitioner, AKT Developments, has proposed a reorganization involving annexation to the City and detachment from the Florin Fire Protection District, Florin-Elder Creek Cemetery District, Southgate Recreation and Park District, and the Metropolitan Storm Drain Maintenance District. The local Agency Formation Commission (LAFCO) approved the AKT Development request for reorganization on October 1, 1986 and directed the City, as the conducting authority, to hold a public hearing on the matter. The staff recommends that the Commission recommend the pre zoning of the properties to the M-1S and M-1SR (Light Industrial) and the A (Agriculture) zones and approval of the proposed annexation.

Background Information:

The petitioner, AKT Developments, petitioned Sacramento LAFCO to initiate annexation proceedings for the annexation of twenty-seven parcels (Parcels #064-031-009,006; 062-050-012; 064-002-007-010,013,014,019-022,035,036,043,045-047,049,050-053,057-060) roughly bounded by Elder Creek Road on the north, Elk Grove Florin Road on the east, Florindell Road on the south, and Florin Perkins Road and the City Limits on the west. The applicant has petitioned for this reorganization because their property represents a reasonable and logical extension of the City's corporate boundary and for purposes of being under one governmental agency. The subject site is within the City's Sphere of Influence and is contiguous to the City. LAFCO approved this proposal on October 1, 1986 and forwarded the application and the LAFCO resolution to the City for the final stage of processing and hearing.

Approximately 127 acres of the proposed site is designated for Industrial and 15 acres for Rural Estates Residential in the adopted 1986 South Sacramento Community Plan. The County General Plan also designates the larger area Industrial Intensive and shows the 15 acre parcel as agriculture. The County has zoned the property for Light Industrial (M-1) and Interim Agricultural uses (A-10). Staff recommends a prezone of M-1S and M-1SR (Light Industrial) and A (Agriculture) for this 143 acres.

City staff supports the reorganization. City staff has agreed with AKT Developments to recommend for a prezone to M-1S for their parcel on the condition that the following conditions be met prior to issuance of a building permit.

Conditions:

1. The subject property is within the boundaries of the Morrison Creek Assessment District. Trunk sewer, City water, and drainage facilities are available to the subject property, or will be upon payment of applicable fees.
2. Sewer service will be provided to the subject property by the County Sanitation District No. 1.
3. Somers and Valley will prepare sewer, water, and drainage studies for approval of the City Engineer.
4. Off-site water and sewer extensions will be required.
5. Street extensions, and right-of-way dedications for two access routes, with a minimum of two lanes of pavement off-site will be required to the satisfaction of the Public Works Department.
6. For off-site right-of-way, City will condemn at developer's expense if necessary as provided in Chapter 40 of the Sacramento City Code.
7. Standard subdivision improvements required per City Code.
8. Soils testing for street design will be required.
9. No building permits for the construction of new buildings will be issued until improvements under the Morrison Creek Assessment District are completed to the satisfaction of the Public Works Department.

Staff recommends that the same rezoning and conditions be applied to the other industrially designated parcels within the annexation except that those parcels fronting Elder Creek Road and Elk Grove-Florin Road should be rezoned to M-ISR.

Environmental:

The annexation includes a 45+ acre parcel (APN 064-020-45) which was the subject of an earlier approval (July of 1984) from the County for general and area plan amendments and rezoning. At that time, the County Planning Section prepared a Negative Declaration stating that the site contained 31 vernal pools on the 45 acre parcel. This study also stated that this site was "the" site closest to the State Capitol at which vernal pool habitat still existed:

Vernal pools are a unique natural habitat considered to be seasonal wetlands. According to the CEQA Guidelines (Section 15026 (b)(5)), this project may be subject to review by the California Fish and Game Department Code Section 903 (relating to sensitive wildlife habitats) and by the U. S. Army Corps of Engineers (relating to Section 404 of the Clean Water Act). There is no evidence submitted that indicates this site underwent reviews by either agency. County Staff did not impose mitigation measures regarding the vernal pools on their recommendation.

Staff's previous experiences with vernal pools support a need for more specific information to adequately assess the potential adverse environmental impacts. The

request for additional information will appear as a condition of development on an application for subsequent subdivision and rezoning of the site where vernal pools are documented to occur. There appears to be no resultant significant impact from this annexation and therefore, no mitigation measures required should approval be granted.

Prezoning:

Staff recommends that the subject properties be prezoned to M-1S and M-1SR (Light Industrial) and A (Agriculture). This prezone designation allows the City to ensure that standard City infrastructure is provided to the annexing property and that some financing mechanism is establish before development occurs.

Time Frame for Annexation:

The Valley JAG (AKT Developments), Reorganization (Annexation and detachments) has been scheduled for processing according to the time frame established by State law (Government code Section 56430 et. seq. District Reorganization Act).

December 4, 1986 The City Planning Commission must consider the prezone designation for the subject property and make a recommendation on the reorganization to the City Council.

January 6, 1986 Date of the City Council hearing for the reorganization and the prezone. The Council may approve or disapprove the reorganization.

If the reorganization is approved, the Council must prezone the property.

Financial Data:

The City of Sacramento will benefit from the receipt of 33.428 percent of the property tax revenues as well as miscellaneous fees generated by this property will be returned to the City.

Recommendation:

Staff recommends that the City Planning Commission recommend that the City Council:

1. Prezone the subject property to M-1S and M-1SR (Light Industrial) and A (Agriculture) zones; and
2. Adopt the attached Resolution approving the annexation of the subject property to the City of Sacramento.

Respectfully submitted,


Gary Stonehouse
Principal Planner

BW/vf
Attachments
M85-113

RESOLUTION NO.

Adopted by The Sacramento City Council on date of

RESOLUTION TO APPROVE VALLEY JAG (AKT DEVELOPMENTS) REORGANIZATION (M85-113)

WHEREAS, the Sacramento Local Agency Formation Commission has considered and approved the Valley Jag (AKT Developments) Reorganization; and

WHEREAS, the City Planning Commission has approved the Valley Jag (AKT Developments) Reorganization and the prezone of the subject property to M-1S and M-1SR (Light Industrial) and A (Agriculture); and

WHEREAS, the Valley Jag (AKT Developments) Reorganization site lies within the adopted Sphere of Influence for the City of Sacramento; and

WHEREAS, the City of Sacramento is capable of providing services to the Valley Jag (AKT Developments) site; and

WHEREAS, the reorganization was initiated by the property owner and therefore is 100 percent consent of the affected property owners to this reorganization.

THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento, that the Valley Jag (AKT Developments) Reorganization, consisting of annexation of the subject property described herein to the City of Sacramento and the detachment of that property from the Florin Fire Protection District, Florin-Elder Creek Cemetery District, Southgate Recreation and Park District, and the Metropolitan Storm Drain Maintenance District, be approved.

MAYOR

ATTEST:

CITY CLERK

M85-113

M85-113

December 4, 1986

Item 17

RECEIVED

JUL 14 1986

Planning and Development

RESOLUTION NO. LAFC 931

RESOLUTION OF THE SACRAMENTO LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE VALLEY J.A.G., INC.,
(AKT DEVELOPMENT) REORGANIZATION (24-85)
(Annexation to the City of Sacramento)

WHEREAS, a petition proposing a reorganization calling for the annexation of certain described territory to the City of Sacramento, and detachment of said territory from the Florin Fire Protection District, Florin-Elder Creek Cemetery District, Southgate Recreation and Park District, and Metropolitan Storm Drain Maintenance District, in the County of Sacramento, was heretofore filed with the Executive Officer of this Commission, and the Executive Officer has examined said reorganization proposal and has determined that said filing is sufficient; and

WHEREAS, at the times and in the form and manner required by law, the Executive Officer has given notice of public hearing by this Commission upon the proposal; and

WHEREAS, the public hearing called by this Commission was held on the date and at the time and place specified in the notice of public hearing and in any order or orders continuing the hearing; and

WHEREAS, at the hearing, this Commission heard, received and considered all oral and written protests and evidence which was made, presented or filed, and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the proposal considered at the hearing;

NOW, THEREFORE, THE SACRAMENTO LOCAL AGENCY FORMATION COMMISSION does hereby find, determine, resolve and order as follows:

1. Notice as required by law has been given.

M85-113

12-4-86

417

Resolution No. LAFC 931, page 2.

2. The Valley J.A.G., Inc., Reorganization, as modified by the Sacramento Local Agency Formation Commission, including annexation to the City of Sacramento, and detachment from the Florin Fire Protection District, Florin-Elder Creek Cemetery District, Southgate Recreation and Park District, and Metropolitan Storm Drain Maintenance District is approved; the property description is attached hereto and made a part hereof. (Exhibit A).
3. Section 99.1 of the Revenue and Tax Code has been satisfied.
4. As approved, the reorganization is in conformity with applicable and specific plans.
5. The reasons for approval of the reorganization are as follows:
 - a. All of the proposal area is within the City of Sacramento Sphere of Influence.
 - b. Said territory is contiguous to the City of Sacramento.
 - c. The parcels are in need of municipal services for the purpose of development.
 - d. The City of Sacramento is capable of providing municipal services to all of the area in question.
 - e. There are no significant environmental impacts caused by this project and a categorical exemption has been filed.
 - f. This reorganization represents a reasonable and logical extension of the City's corporate boundary.
6. The City of Sacramento, as conducting authority, shall initiate further proceedings in this matter and may proceed in accordance with notice and hearing procedures.

Resolution No. LAFC 931, page 3.

7. The Executive Officer is directed to mail certified copies of this resolution in the manner and as provided in Section 56272 of the Government Code.

PASSED AND ADOPTED by the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION on August 6, 1986, by the following vote, to wit:

AYES: Commissioners Collin, Hannaford, Kastanis, Chamberlain

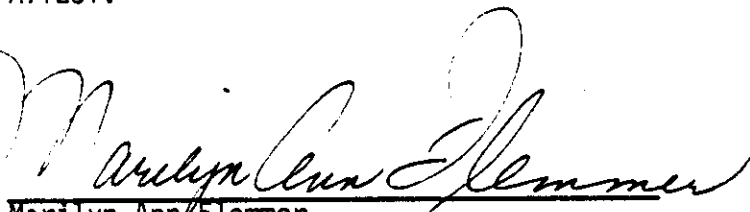
NOES: Commissioners Smith, Johnson.

ABSENT: Commissioners Keller, Tomson.



Chairman
SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

ATTEST:



Marilyn Ann Flemmer
Commission Clerk

AKT DEVELOPMENTS REORGANIZATION (24-85)
(Annexation to City of Sacramento)
Exhibit A - Legal Description

All that portion of Sections 25 and 36, Township 8 North, Range 5 East, M.D.B. & M., described as follows:

Beginning at a point located on the Northerly line of said Section 36, from which the Northwest corner thereof bears Westerly, 1989 feet, more or less, said Northerly line being the centerline of Elder Creek Road, said point of beginning being the Northeast corner of that certain property described in the Deed filed in the Office of the Recorder of Sacramento County, California, in Book 72-01-18 of the Official Records at Page 289; thence from said point of beginning Easterly along said Northerly line of Section 36, 2630 feet, more or less, to a point located South 89° 54' 45" West 664.11 feet from the northwest corner of said Section 36, said point being situate on the City limits line of the City of Sacramento; thence along said City limits line the following six (6) courses and distances: (1) North 00° 11' 05" East 931.16 feet to a point on the westerly right of way line of the Central California Traction Railroad, (2) Along said Westerly right of way line North 35° 36' 20" West 408.77 feet, (3) North 00° 05' 15" East 122.96 feet to a point on the easterly right of way line of said Central California Traction Railroad, (4) South 35° 36' 20" East along said easterly right of way line 1395 feet, more or less, to its intersection with the easterly line of Section 25, said Township and Range, (5) continuing South 35° 36' 20" East along said easterly right of way line 275 feet, more or less, to a point on the centerline of Elder Creek Road, and (6) easterly along the centerline of Elder Creek Road to its intersection with the westerly right of way line of Elk Grove Florin Road; thence leaving said City limits line southerly along the westerly right of way line of Elk Grove Florin Road and the

southerly production thereof to its intersection with the easterly line of said Section 36; thence southerly along the easterly line of Section 36 to the southeast corner of the Northeast one quarter of Section 36; thence Westerly, 990 feet, more or less, along said Southerly line to the Southwest corner of the East 60 acres of said Northeast one-quarter of Section 36, said corner also being the Southeast corner of that certain 5.00 acre tract of land, as said tract is shown on that certain Record of Survey recorded in the Office of said County Recorder in Book 24 of Surveys, at Page 38; thence Northerly, along the Easterly line of said 5.00 acre tract of land, North 00° 05' 20" West 219.90 feet; thence, South 89° 50' 15" West 990.42 feet; thence, South 00° 05' 20" West 219.90 feet, said point being situate on said Southerly line of the Northeast one-quarter of Section 36; thence South 89° 50' 15" West 653.53 feet, along said Southerly line to the center of said Section 36; thence, North 00° 28' 56" West 1322.43 feet along the Westerly line of said Northeast one-quarter of Section 36 to the Northeast corner of the South one-half of the Northwest one-quarter of said Section 36; thence, South 89° 59' 38" West 662.46 feet along the Northerly line of said South one-half of the Northwest one-quarter of Section 36 to the Southeast corner of said property described in Book 72-01-18 of Official Records, at Page 289; thence, North 00° 03' 00" East 1316 feet, more or less, along the Easterly line of said property to the point of beginning.

MB:Maf

3/4/86

APPROVED
SACRAMENTO LOCAL AGENCY
FORMATION COMMISSION

OCT 1 - 1986
BY *Maflemmes*
Clerk

ON FOR DETACHMENT OF TERRITORY
(continued)

development is ultimately planned for properties in the area proposed for annexation. A description of the area proposed for annexation is given in exhibit

in this area are part of the Morrison Creek District, which will provide for sewer and drainages.

Industrial development will ultimately occur in this area. It would be logical to service these developments with water, given the close proximity of the city's water supply on Florin-Perkins Road. There are clearly advantages to the city's water source. These advantages

include savings of approximately \$250,000.00.

There is no over-drafting of ground water supplies.

No additional wells.

No special pass requirement to annex to Florin water district.

Finally, a more uniform police and fire response could be achieved due to a more logical boundary. For example, the Fire Department responds to calls made on the south side of Dek Road and the Police respond to calls made on the north side of the street. If the area were annexed, the Fire Department could respond to calls made from either side of

h) It is requested that the Sacramento Local Agency Formation Commission take proceedings to effect the proposed detachment.

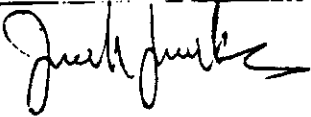
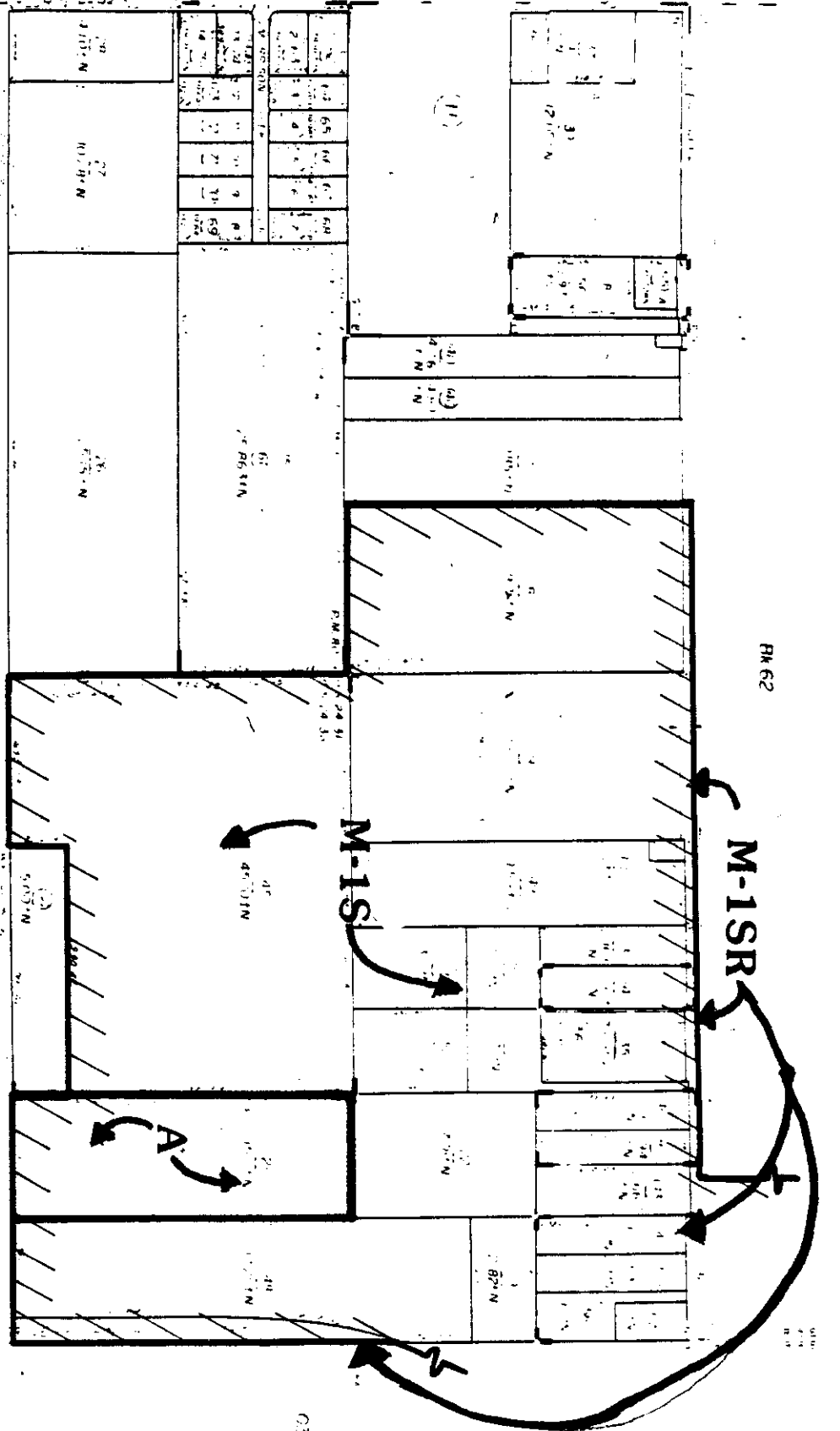
Date of Signature	Signature of Petitioners	PRINTED NAME and Residential Address of Petitioners	Phone
10-22-85		Jack Sienkas Valley J ag, Inc. 7700 College Town Dr #101 Sacramento, CA 95826	(916) 383

EXHIBIT A

N 1/2 SEC. 36, T 8N, R. 5E. M.D.B. 8 M

04-02



APPROVED
 SACRAMENTO LOCAL AGENCY
 FORMATION COMMISSION

OCT 1 - 1986

BY *M. Williams*
 Admission Clerk

CITY & COUNTY OF SACRAMENTO
 Assessor's Map Bk. 64 - Pg. 02
 County of Sacramento, Calif.

13-58W

98-8-1

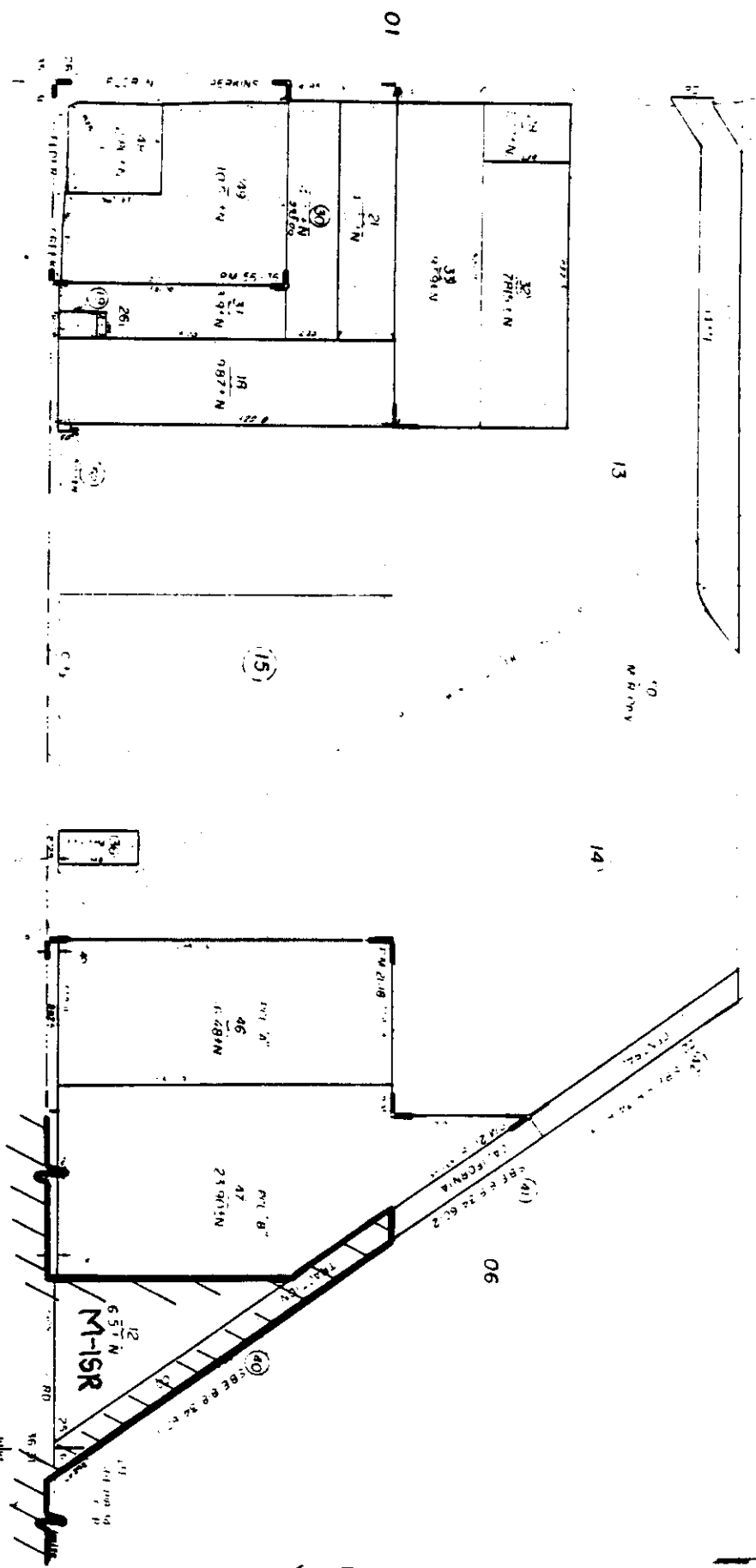
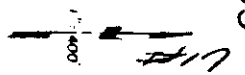
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1/2 SEC. 25, T. 8N., R. 5E., M.D.B. 8 M.

62-05

(07)

(12)



O S BK 34, Pg 22 (18 20)

APPROVED
SACRAMENTO LOCAL AGENCY
FORMATION COMMISSION

OCT 1 - 1986

BY *Madeline Miller*
Administrative Director
Approved: Forest R. Johnson, Chairman of the
Commission

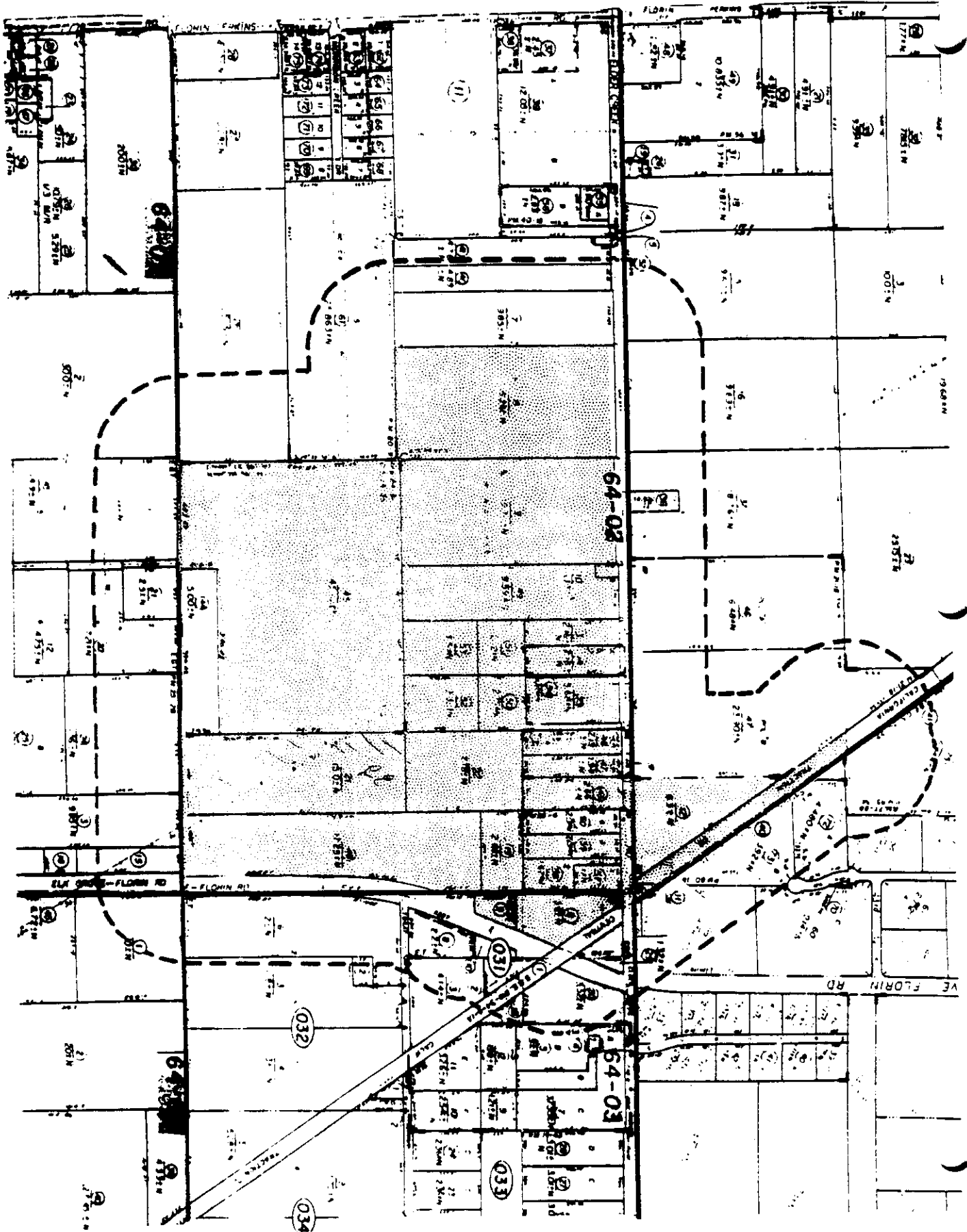
CITY & COUNTY OF SACRAMENTO
Assessor's Map Bk. 62 - Pg. 05
County of Sacramento, Calif.

12-4-86

11-585

EXHIBIT B

PROPERTIES WITHIN 300 FEET OF PROPOSED ANNEXATION AREA



M85-113

98-4-21

#17

PRE-ANNEXATION AGREEMENT

THIS AGREEMENT, dated _____, is by and between the City of Sacramento, a Municipal Corporation ("City") and Charles Somers ("Somers").

RECITALS

WHEREAS, Somers owns real property in the unincorporated area of the County of Sacramento as described in Exhibit "A" appended hereto and made a part of this Agreement, hereinafter "subject property"; and

WHEREAS, the subject property is currently zoned by the County of Sacramento to the A-10 Agricultural Zoning classification; and

WHEREAS, Somers desires to have City zone the subject property to the M-1 and M-1S classifications; and

WHEREAS, Somers has filed an application with the Local Agency Formation Commission (LAFCO) for annexation of the subject property to the City of Sacramento; and

WHEREAS, the General Plan of City indicates that the subject property, if annexed to the City, should be used industrially; and

WHEREAS, the County General Plan and the South Sacramento Community Plan both indicated that the subject property should be used industrially; and

WHEREAS, City, is an annexation similar to Somers' annexation, reimbursed application fees for zoning the property to the applicant; and

WHEREAS, City desires to annex subject property.

NOW THEREFORE, in consideration of the subject property being annexed to City, City and Somers agree as follows:

1. Somers will:

a. diligently process its annexation application through LAFCO to annex the subject property to City.

b. develop the subject property consistent with the following conditions:

i. the subject property is within the boundaries of the Morrison Creek Assessment District. Trunk sewer, City water, and drainage facilities are available to the subject property, or will be upon payment of applicable fees.

ii. Sewer service will be provided the subject property by the County Sanitation District No. 1.

iii. Somers will prepare sewer, water, and drainage studies for approval of the City Engineer.

iv. Off-site water and sewer extensions will be required.

v. Street extensions, and right-of-way

dedications for two access routes, with a minimum of two lanes of pavement off-site will be required to the satisfaction of the Public Works Department.

- vi. For off-site right-of-way, City will condemn at developer's expense if necessary as provided in Chapter 40 of the Sacramento City Code.
- vii. Standard subdivision improvements required per City Code.
- viii. Soils testing for street design will be required.
- ix. No building permits for the construction of new buildings will be issued until improvements under the Morrison Creek Assessment District are completed to the satisfaction of the Public Works Department.

2. City will:

- a. initiate and zone the subject property to the M-1 and/or M-1S zones, with all rights and entitlements prescribed therefore in the Comprehensive Zoning Plan of the City of Sacramento (the Zoning Ordinance). If Somers initiates the re-zoning to the M-1 and/or M-1S zones, City will reimburse or waive

Somers for the appropriate application fees.

b. make available to the subject property upon annexation, typical City services, including City water.

3. This Agreement is binding upon and shall inure to the benefit of the successors, assigns, heirs, and advisees of the County and Owner and to this end the covenants contained herein shall run with the land.

Executed on the date set forth above.

CITY OF SACRAMENTO:

Charles Somers
Charles Somers

By: *Walter J. Slape*
Title: *City Manager*

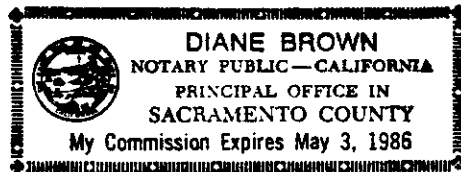


STATE OF CALIFORNIA
COUNTY OF Sacramento } ss.
On this the 16th day of April, 19 86, before me the undersigned, a Notary Public in and for said County and State, personally appeared Charles Somers

_____, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name subscribed to the within instrument and acknowledged that he executed the same.

Diane Brown
Signature of Notary

FOR NOTARY SEAL OR STAMP



CAL-375 (Rev. 8-82) Ack. Individual
Staple

PRE-ANNEXATION AGREEMENT

THIS AGREEMENT, dated _____, is by and between the City of Sacramento, a Municipal Corporation ("City") and Valley Jag, a California Corporation ("Valley Jag").

RECITALS

WHEREAS, Valley Jag owns real property in the unincorporated area of the County of Sacramento as described in Exhibit "A" appended hereto and made a part of this Agreement, hereinafter "subject property"; and

WHEREAS, the subject property is currently zoned by the County of Sacramento to the A-10 Agricultural Zoning classification; and

WHEREAS, Valley Jag desires to have City zone the subject property to the M-1 and M-1S classifications; and

WHEREAS, Valley Jag has filed an application with the Local Agency Formation Commission (LAFCO) for annexation of the subject property to the City of Sacramento; and

WHEREAS, the General Plan of City indicates that the subject property, if annexed to the City, should be used industrially; and

WHEREAS, the County General Plan and the South Sacramento Community Plan both indicated that the subject property should be used industrially; and

WHEREAS, City, is an annexation similar to Valley Jag's annexation, reimbursed application fees for zoning the property to the applicant; and

WHEREAS, City desires to annex subject property.

NOW THEREFORE, in consideration of the subject property being annexed to City, City and Valley Jag agree as follows:

1. Valley Jag will:

a. diligently process its annexation application through LAFCO to annex the subject property to City.

b. develop the subject property consistent with the following conditions:

i. the subject property is within the boundaries of the Morrison Creek Assessment District. Trunk sewer, City water, and drainage facilities are available to the subject property, or will be upon payment of applicable fees.

ii. Sewer service will be provided the subject property by the County Sanitation District No. 1.

iii. Valley Jag will prepare sewer, water, and drainage studies for approval of the City Engineer.

iv. Off-site water and sewer extensions will be required.

v. Street extensions, and right-of-way

dedications for two access routes, with a minimum of two lanes of pavement off-site will be required to the satisfaction of the Public Works Department.

- vi. For off-site right-of-way, City will condemn at developer's expense if necessary as provided in Chapter 40 of the Sacramento City Code.
- vii. Standard subdivision improvements required per City Code.
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- a. initiate and zone the subject property to the M-1 and/or M-1S zones, with all rights and entitlements prescribed therefore in the Comprehensive Zoning Plan of the City of Sacramento (the Zoning Ordinance). If Somers initiates the re-zoning to the M-1 and/or M-1S zones, City will reimburse or waive

waive Valley Jag for the appropriate application fees.

b. make available to the subject property upon annexation, typical City services, including City water.

3. This Agreement is binding upon and shall inure to the benefit of the successors, assigns, heirs, and advisees of the County and Owner and to this end the covenants contained herein shall run with the land.

Executed on the date set forth above.

VALLEY JAG:

Frank Jank

CITY OF SACRAMENTO:

By: *Walter J. Slize*
Title: *City Manager*

CORPORATE ACKNOWLEDGMENT

NO. 202

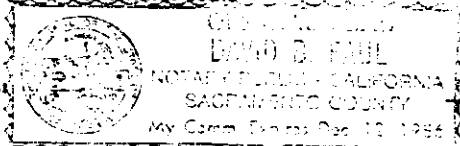
CORPORATE ACKNOWLEDGMENT

STATE OF CALIFORNIA }
COUNTY OF } ss.

On this 13th day of May 1986 before me, the undersigned, a Notary Public in and for said County and State, personally appeared Walter J. Slize, known to me to be the City Mgr. President, and _____, known to me to be the _____ Secretary of the corporation that executed the within deed, and known to me to be the persons who executed the within deed on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same, and acknowledged to me that such corporation executed the within deed pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

My Commission Expires
12-12-86



David B. Paul (SEAL)
Notary Public in and for said County and State