



1.22

DEPARTMENT OF
NEIGHBORHOODS, PLANNING AND
DEVELOPMENT SERVICES

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 300
SACRAMENTO, CA
95814-2904

PLANNING
916-264-5381
FAX 916-264-5328

June 9, 2000



City Council
Sacramento, California

Honorable Members In Session:

**SUBJECT: CANCELLATION OF WILLIAMSON ACT CONTRACT
RIVERVIEW PLANNED UNIT DEVELOPMENT (PUD) (P98-079/080).**

LOCATION: North side of San Juan Road; west of the West Drainage Canal
APN: 225-0190-002, 003
Community Plan Area: *North Natomas*
Natomas Unified School District
Council District 1

RECOMMENDATION: Staff recommends approval of the attached resolution to cancel the Williamson Act contract on the subject property.

CONTACT PERSON: Thomas Pace, Associate Planner: 264-6848
Scot Mende, Senior Planner: 264-5894

FOR CITY COUNCIL MEETING OF: June 20, 2000 (Afternoon)

SUMMARY: The attached resolution approves final cancellation of Land Conservation Agreement Number 73-AP-006.

BACKGROUND: In 1973, the Witter family entered into a Williamson Act contract (land conservation agreement) with the County. In July 1991, the City Council received and filed a Notice for Non-Renewal for Land Conservation Agreement Number 73-AP-006. The North Natomas Community Plan which was adopted in 1994, designated the subject property for low density residential development. The property was sold to Gateway South LLC (Brian Vail) who then applied for land use entitlements (i.e., subdivision map, establishment of the River View Planned Unit Development, and tentative cancellation of the Land Conservation Agreement, processed as entitlement request P98-079/080.)

Williamson Act Cancellation for City Council Meeting of 06/20/00

On March 23, 1999, the City Council adopted findings and approved cancellation of the Land Conservation Agreement. This cancellation was contingent upon satisfaction of certain conditions; in particular, the developer had to pay a cancellation fee prior to execution of the final cancellation of the contract.

In accordance with the Government Code (Section 51245 et seq), the remaining steps are the recordation of the tentative cancellation {recorded 06/02/00}, payment of cancellation fees {paid 06/05/00}, and a properly noticed public hearing for cancellation. The developer has, therefore, satisfied all of the conditions and contingencies required in order to cancel the contract, and the required procedures have been followed.

The attached resolution directs staff to execute the certificate of cancellation of the agreement.

FINANCIAL CONSIDERATIONS: The applicant has paid \$250,000 to the County Tax Collector.

POLICY CONSIDERATIONS: The North Natomas Community Plan goals and policies fully contemplated the development of the subject property.

ESBD PROGRAM: There are no services or supplies purchased with this action.

Respectfully submitted,



SCOT MENDE
Senior Planner

FOR CITY COUNCIL INFORMATION:
ROBERT P. THOMAS
CITY MANAGER

APPROVED:



GARY L. STONEHOUSE
Planning Director

<u>ATTACHMENTS</u>	<u>PAGE</u>
Resolution Canceling Land Conservation Agreement 73-AP-006	3
Exhibit: Subject Property Subject to Cancellation	7
Resolution CC99-134	8

RESOLUTION NO. 2000-357

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____



A RESOLUTION CANCELING LAND CONSERVATION AGREEMENT NUMBER 73-AP-006 FOR UNIT 2 OF RIVER VIEW PUD, LOCATED IN NORTH NATOMAS, WEST OF THE WEST DRAIN, NORTH OF SAN JUAN ROAD, ON EITHER SIDE OF EL CENTRO ROAD; SACRAMENTO, CA. (P98-079 & P98-080) (APN: 225-0190-002, 003)

WHEREAS, the subject property identified above as "River View Unit 2" (the "Property") is subject to a "Williamson Act Contract" (Land Conservation Agreement Number 73-AP-006);

WHEREAS, Notice of Non-Renewal for Land Conservation Agreement Number 73-AP-006 was received and filed by the City Council on July 23, 1991 and the date of termination of the Land Conservation Agreement is January 8, 2001;

WHEREAS, the current owner of the Property subject to the Land Conservation Agreement, Gateway South, LLC, desires to develop the Property prior to the termination date of the Agreement and therefore desires that the Agreement be canceled;

WHEREAS, on July 15, 1998, the owner submitted a petition to the City to terminate Land Conservation Agreement Number 73-AP-006;

WHEREAS, at a public hearing on March 23, 1999, the City Council approved Resolution 99-134, in which the City Council approved tentative cancellation of Land Conservation Agreement Number 73-AP-006 based upon the following findings:

1. The cancellation is for land on which a notice of non-renewal has been served pursuant to Government Code Section 51245;
2. The cancellation is not likely to result in the removal of adjacent lands from agriculture use in that such adjacent lands are located outside of the City limits and are not within the Urban Services Boundary of the County of Sacramento;

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

Williamson Act Cancellation for City Council Meeting of 06/20/00

3. That cancellation is for an alternative use which is consistent with the applicable provisions of the General Plan and North Natomas Community Plan in that the proposed type and extent of uses in River View are consistent with the General and Community Plans;
4. That cancellation will not result in discontinuous patterns of urban development in that the proposed River View project is contiguous to existing and planned urban development in North Natomas and South Natomas;
5. That there is no proximate non-contracted land which is both available and suitable for the use to which it is proposed the contracted land be put in that:
 - a. The adjacent (proximate) non-contracted land in the City limits is either already entitled for specific land uses (and therefore unavailable for the proposed use) or the adjacent properties which do not have entitlements are designated for land uses which are not consistent with the proposed project and which do not provide equivalent acreage for the proposed uses;
 - b. Market forces dictate the availability and suitability of alternate development sites, and as such must meet the following criteria:
 - i. There is an existing or impending market for the proposed land use.
 - ii. The applicant is a "participating property owner" which attests to their readiness;
 - iii. Infrastructure is either already available or will be available as required by and consistent with the NNCP; and
 - iv. The project is or will be, better positioned comparatively, to capture the market due either to timing, location, product, or other factors.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

Williamson Act Cancellation for City Council Meeting of 06/20/00

- c. No alternate site better meets the above criteria than does the subject site and therefore no other site is as available and suitable as the River View site;

WHEREAS, on April 23, 1999, the Sacramento County Assessor calculated that the cancellation fee for this contract is \$250,000;

WHEREAS, on June 2, 2000, the City recorded a certificate of tentative cancellation in the Office of the County Recorder (Gov. Code, § 51283.4);

WHEREAS, on June 16, 2000, the City published notice of its decision to tentatively cancel Land Conservation Agreement Number 73-AP-006 (Gov. Code, § 51284);

WHEREAS, on June 5, 2000, the applicant notified the City that the applicant had paid the cancellation fee of \$250,000 to the County Treasurer, and that all other conditions and contingencies had been satisfied;

WHEREAS, on June 16, 2000, the City published notice of its intention to approve final cancellation of Land Conservation Agreement Number 73-AP-006 at a hearing on June 20, 2000;

WHEREAS, on June 8, 2000, the City mailed such notice to every owner of land under contract, any portion of which is situated within one mile of the exterior boundary of the Property;

WHEREAS, on June 6, 2000, the City mailed such notice, together with the petition and the Resolution Number 99-134, to the Department of Conservation;

NOW, THEREFORE, the City Council hereby finds and resolves as follows:

1. The applicant has satisfied all contingencies and conditions associated with tentative cancellation of Land Conservation Agreement Number 73-AP-006; and
2. The City Council approves final cancellation of Land Conservation Agreement Number 73-AP-006; and

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

Williamson Act Cancellation for City Council Meeting of 06/20/00

3. The City Council directs City Staff to execute a certificate of cancellation of Land Conservation Agreement Number 73-AP-006, and to cause the certificate to be recorded.

Dated: June 20, 2000

ATTEST:

CITY CLERK

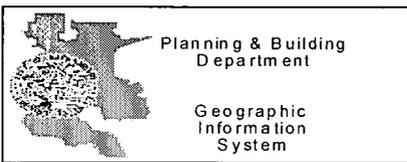
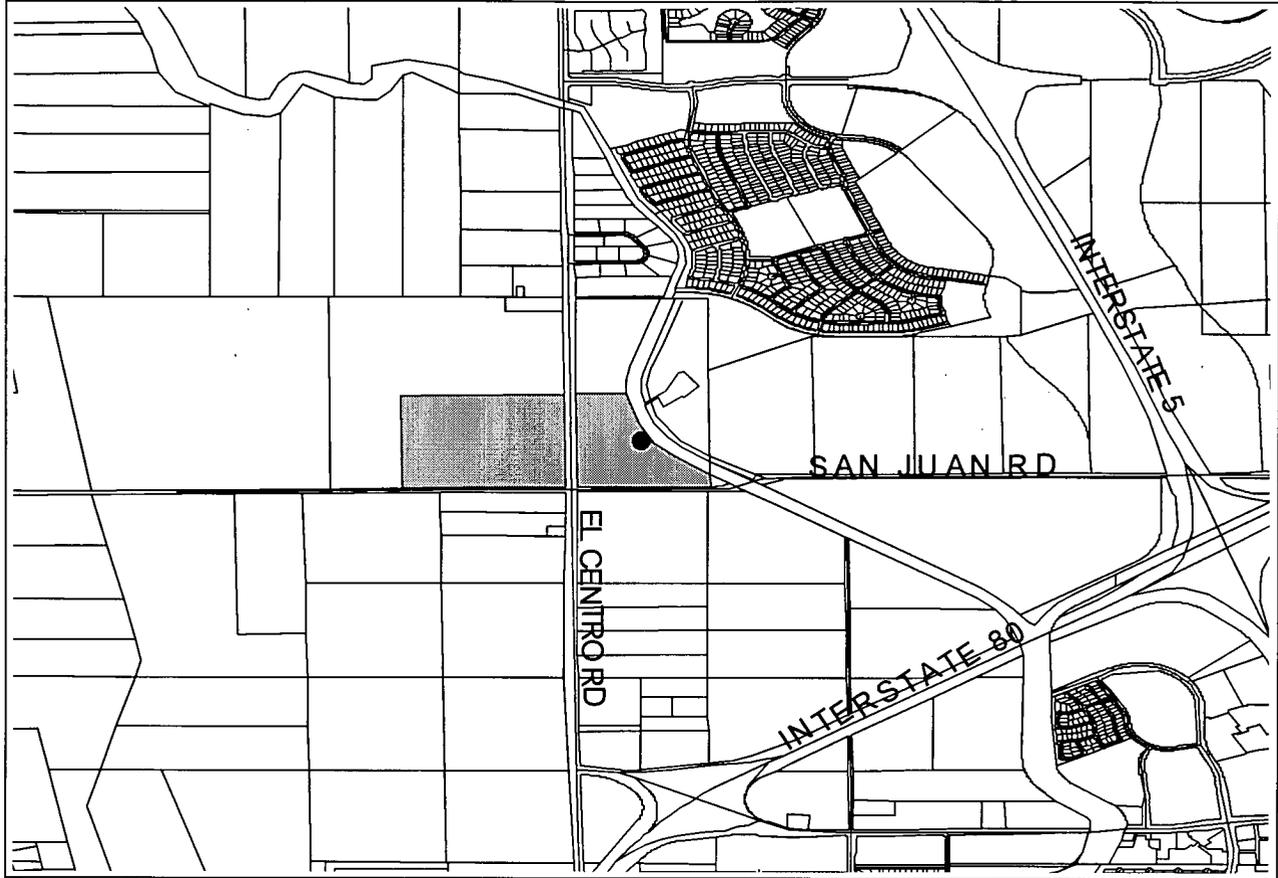
MAYOR

P98-079/080

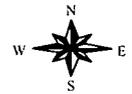
FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____



Vicinity Map
RIVER VIEW PUD
SUBJECT PROPERTY



CERTIFIED AS TRUE COPY

RESOLUTION NO. 99-134

of Resolution 99-134

3/30/99

DATE CERTIFIED
ASSISTANT CITY CLERK, CITY OF SACRAMENTO

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAR 23 1999

A RESOLUTION CANCELING LAND CONSERVATION AGREEMENT NUMBER 73-AP-006 FOR UNIT 2 OF RIVER VIEW PUD, LOCATED IN NORTH NATOMAS, WEST OF THE WEST DRAIN, NORTH OF SAN JUAN ROAD, ON EITHER SIDE OF EL CENTRO ROAD; SACRAMENTO, CA. (P98-079 & P98-080) (APN: 225-0190-002, 003)

WHEREAS, The subject property identified above as "River View Unit 2" is subject to a "Williamson Act Contract" (Land Conservation Agreement Number 73-AP-006);

WHEREAS, Notice of Non-Renewal for Land Conservation Agreement Number 73-AP-006 was received and filed by the City Council on July 23, 1991 and the date of termination of the Land Conservation Agreement is January 8, 2001;

WHEREAS, The current owner of the property subject to the Land Conservation Agreement, Gateway South, LLC, desires to develop said property prior to the termination date of the Agreement and therefore desires that the Agreement be canceled; and

WHEREAS, in accordance with California Government Code Section 51282, the City Council of the City of Sacramento must make certain findings in order to effect the cancellation of the Land Conservation Agreement,

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT LAND CONSERVATION AGREEMENT NUMBER 73-AP-006 BE CANCELED BASED ON THE FOLLOWING FINDINGS:

1. The cancellation is for land on which a notice of non-renewal has been served pursuant to Government Code Section 51245;
2. The cancellation is not likely to result in the removal of adjacent lands from agricultural use in that such adjacent lands are located outside of the City limits and are not within the Urban Services Boundary of the County of Sacramento;
3. That cancellation is for an alternative use which is consistent with the applicable provisions of the General Plan and North Natomas Community Plan in that the proposed type and extent of uses in River View are consistent with the General and Community Plans;
4. That cancellation will not result in discontinuous patterns of urban development in that the proposed River View project is contiguous to existing and planned urban development in North Natomas and South Natomas;
5. That there is no proximate non-contracted land which is both available and suitable for the use to which it is proposed the contracted land be put in that

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 99-134
DATE ADOPTED: MAR 23 1999

- a. The adjacent (proximate) non-contracted land in the City limits is either already entitled for specific land uses (and therefore unavailable for the proposed use) or the adjacent properties which do not have entitlements are designated for land uses which are not consistent with the proposed project and which do not provide equivalent acreage for the proposed uses;
- b. Market forces dictate the availability and suitability of alternate development sites, and as such must meet the following criteria:
 - i. There is an existing or impending market for the proposed land use;
 - ii. The applicant is a "participating property owner" which attests to their readiness;
 - iii. Infrastructure is either already available or will be available as required by and consistent with the NNCP; and
 - iv. The project is or will be, better positioned comparatively, to capture the market due either to timing, location, product, or other factors.
- c. No alternate site better meets the above criteria than does the subject site and therefore no other site is as available and suitable as the River View site.

JOE SERNA, JR.

MAYOR

ATTEST: **VALERIE BURROWES**

CITY CLERK

P98-079 & P98-080

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 99-134

DATE ADOPTED: MAR 23 1999

City Council
June 6, 2000
Renaming Hagginwood Community Center
Page 2

COMMITTEE ACTION:

On April 13, 2000 the renaming proposal was presented for *information only* to the Del Paso Heights Redevelopment Advisory Committee. On May 4, 2000, the *Citizens Advisory Committee for Parks and Recreation* unanimously approved the renaming of Hagginwood Community Center to the Joe Mims, Jr. Hagginwood Community Center.

BACKGROUND INFORMATION:

Shortly after the untimely loss of this great leader in youth development and recreation, there were petitions from the community and support from city staff and City Council members to find an appropriate way to best remember Mr. Mims. Joe Mims worked tirelessly for 34 years in the recreation field, all for the City of Sacramento. His final assignment was that of Recreation Superintendent in charge of community centers throughout the City. During his long career, Joe worked to provide safe places and numerous activities for children and teens. Mr. Mims devoted his life to improving the lives of children in our community.

After several meetings with the Mims' family, City Council members, City staff and community leaders, the Hagginwood Community Center located at 3271 Marysville Boulevard, is being recommended for naming in his memory. The proposed name for the center is the Joe Mims, Jr. Hagginwood Community Center. This name keeps the important neighborhood and historic "Hagginwood" designation as well as paying tribute to Mr. Mims. City staff and community members believe that the community center is a fitting place to honor a man who gave so much to the community, particularly in the North Sacramento neighborhoods.

The Hagginwood Community Center is scheduled for a major renovation project. This much needed renovation project will bring about a rebirth of the center and coordinate with the renaming proposal. A formal rededication of the center in Mr. Mims' name will be planned at the completion of the renovation project. In the meantime, staff is recommending that a temporary sign be placed at the Center to recognize the future home of the renovated Joe Mims, Jr. Hagginwood Community Center.

FINANCIAL CONSIDERATIONS:

There are no costs associated with this renaming proposal. Any additional cost for changes in signage at the community center will be absorbed through existing budgets.