



# CITY OF SACRAMENTO

## CITY PLANNING DEPARTMENT

725 "J" STREET

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

MARTY VAN DUYN  
PLANNING DIRECTOR

May 28, 1981

By the City Council  
Office of the City Clerk

*cont 6-9-81*

City Council  
Sacramento, California

JUN 2 1981

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

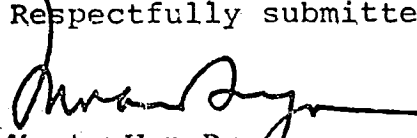
The subdivision consists of a 76-unit zero lot line adjustment. It was approved with a unique street design with tree pockets located within the public right-of-way. Also, a wall with landscaping will be provided along Pocket Road. In order to assure maintenance of the landscaping, a condition was placed 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 Duyen  
Planning Director

FOR CITY COUNCIL INFORMATION *WJ* §  
WALTER J. SLIPE  
CITY MANAGER

*KUL*

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-

SACRAMENTO

• ROCKLIN

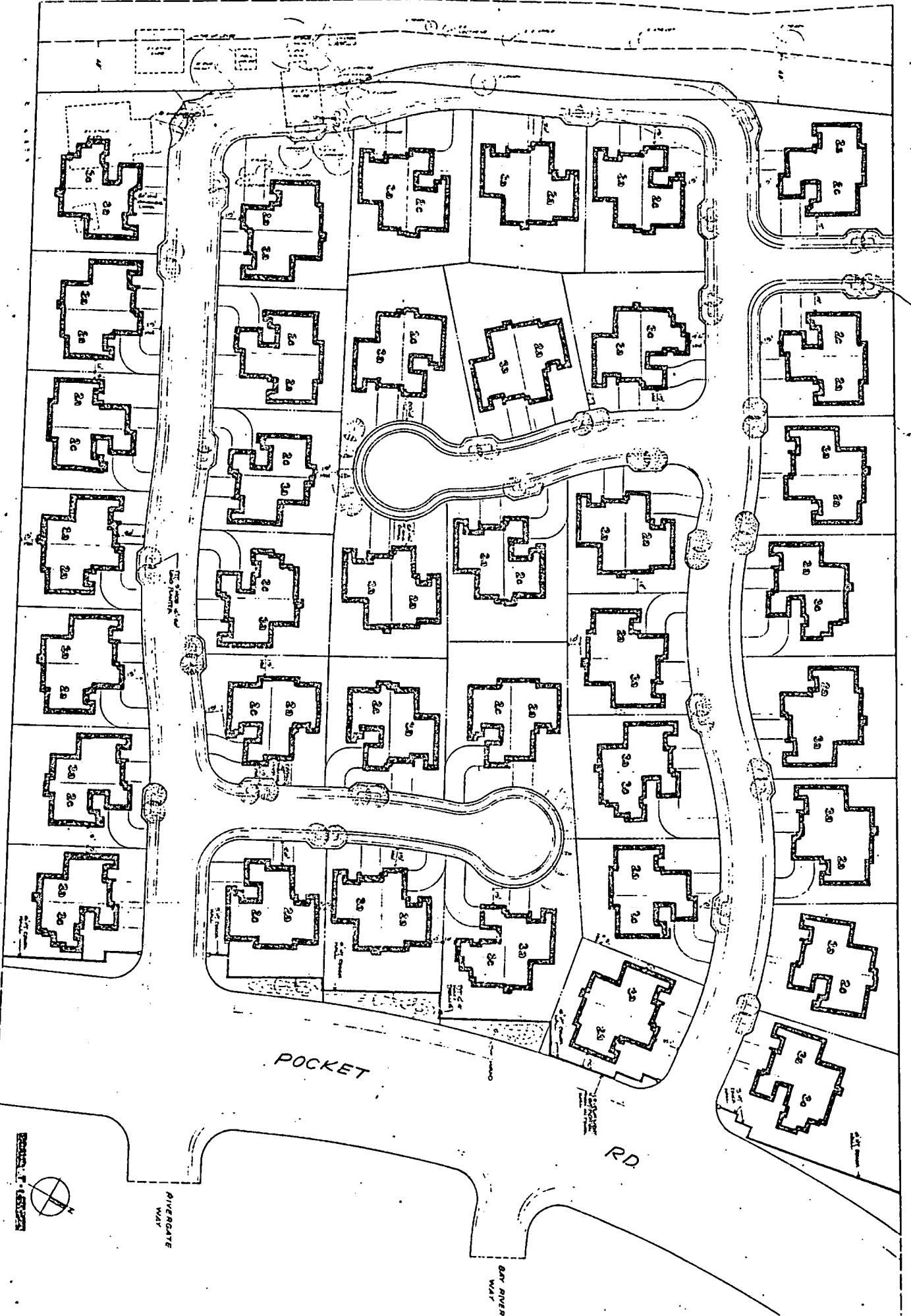
• SAN FRANCISCO

• REDWOOD CITY

• RENO



# CAMDEN PASSAGE



SCALE 1" = 20'



RIVERGATE WAY

DAN RIVER WAY

RD

POCKET

# RESOLUTION NO. 80-388

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



# PLANNING DEVELOPMENT PERMIT

SACRAMENTO CITY  
PLANNING DEPARTMENT  
725 J STREET  
SACRAMENTO, CA. 95814  
TELEPHONE (916) 449-5604

P 9338

Application date \_\_\_\_\_

Project Location 1425 River Park Drive  
 Assessor Parcel No. 277-286-27 Comm. Pln. Industrial Park  
 Owner Point West Associates Phone No. 929-3193  
 Address 1421 River Park Dr., Ste. 110, Sacramento, CA 95815  
 Applicant William G. Holliman, Jr. Phone No. 444-3900  
 Address 555 Capitol Mall, Ste. 950, Sacramento, CA 95814  
 Signature \_\_\_\_\_ CPC Mtg. Date 3/26/81; 4/9/81

## REQUESTED ENTITLEMENTS

REQUESTED ENTITLEMENTS	Commission Action/Date	Council Action/Date	Filing Fees
<input checked="" type="checkbox"/> Environ. Determination: Neg. Dec. _____, Exempt <u>15111</u>	_____	_____	\$ <u>25.00</u>
<input type="checkbox"/> General Plan Amend	_____	Res. _____	\$ _____
<input type="checkbox"/> Community Plan Amend	_____	Res. _____	\$ _____
<input type="checkbox"/> Rezone	_____	Ord. _____	\$ _____
<input type="checkbox"/> Tentative Map	_____	Res. _____	\$ _____
<input type="checkbox"/> Special Permit	_____	_____	\$ _____
<input checked="" type="checkbox"/> Variance	_____	_____	\$ <u>200.00</u>
<input type="checkbox"/> Plan Review	_____	_____	\$ _____
<input type="checkbox"/> PUD	_____	Res. _____	\$ _____
<input type="checkbox"/> Other	_____	_____	\$ _____
		NOTIFICATION AND POSTING	\$ <u>36.00</u>
		FEE TOTAL	\$ <u>261.00</u>

Permit Sent to Applicant: \_\_\_\_\_ Date \_\_\_\_\_ By: \_\_\_\_\_ Sec. to Planning Commission

Recolpt No. 5852  
By/date PB/3-24-81

## Key to Actions

- |                                    |   |  |
|------------------------------------|---|--|
| R - Ratified                       | D - Denied                                    | IAF - Intent to Approve based on Findings of Fact  |
| Cd - Continued                     | RD - Recommend Denial                         | AFF - Approved based on Findings of Fact           |
| A - Approved                       | RA - Recommend Approval                       | RPC - Return to Planning Commission                |
| AC - Approved w/Conditions         | RAC - Recommend Approval w/Conditions         | CSR - Condition indicated on attached Staff Report |
| AA - Approved w/Amended Conditions | RAA - Recommend Approval w/Amended Conditions |  |

NOTE: There is a ten (10) calendar day appeal period from commission action date and a thirty (30) calendar day appeal period from council action date. Action authorized by this document shall not be conducted in such a manner as to constitute a public nuisance. Violation of any condition(s) will constitute grounds for revocation of this permit. Building permits are required in the event of any building construction. The County Assessor is notified of actions taken on rezoning, special permits and variances.

Gold - applicant Receipt White - applicant permit Green - exploration book Yellow - department file Pink - permit book

P



The proposed signs are significantly in excess of the sign area allowed for this project. The application of the adopted City Sign Ordinance to the subject development would not result in an unnecessary hardship; therefore, a variance is not justified. In fact, the granting of the variance constitutes a special privilege to a development that is easily identified in the area due to its height and exterior materials. Allowing the subject signs would be in-consistance with the application of the City Sign Ordinance for previous development in the area and would encourage similar requests from other property owners who considered their situation similar. Finally, the proposed signs are not in conformance with the City General Plan or Point West P.U.D.



SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE April 9, 1981  
 ITEM NO. 170/c FILE NO. P-9338  
M-

- GENERAL PLAN AMENDMENT  TENTATIVE MAP   
 COMMUNITY PLAN AMENDMENT  SUBDIVISION MODIFICATION   
 REZONING  EIR DETERMINATION   
 SPECIAL PERMIT  OTHER \_\_\_\_\_  
 VARIANCES  \_\_\_\_\_

Recommendation:

- Favorable  Petition  Correspondence  
 Unfavorable

LOCATION: NE quadrant of Int 80 & Exposition Blvd.

PROPOSERS		
NAME	ADDRESS	
Bill Holloman	555 Capital Mall, Sacramento, CA	
Fritz Brown	1500 River Park Drive, Sacramento, CA	
Mark Nelson	1451 River Park Drive, Ste. 110, Sacramento, CA	
OPPOSERS		
NAME	ADDRESS	
Ethan Brunning	610 Howe Ave. #45, Sacramento, CA	

MOTION NO. 30/3

	YES	NO	MOTION	2ND
Augusta	absent			
Fong	✓			✓
Goodin	✓			
Holloway	✓		✓	
Hunter		✓		
Larson		✓		
Muraki	✓			
Silva		✓		
Simpson	✓			

MOTION:

- TO APPROVE  
 TO DENY  
 TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT  
 INTENT TO APPROVE SUBJ. TO COND. & BASED ON FINDINGS OF FACT DUE 4-23-81  
 TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL  
 TO RATIFY NEGATIVE DECLARATION  
 TO CONTINUE TO \_\_\_\_\_ MEETING  
 OTHER without lighting

**McDONOUGH, HOLLAND & ALLEN**

A PROFESSIONAL CORPORATION  
ATTORNEYS

555 CAPITOL MALL, SUITE 950  
SACRAMENTO, CALIFORNIA 95814  
(916) 444-3900

MARTIN McDONOUGH  
ALFRED E. HOLLAND  
BRUCE F. ALLEN  
V. BARLOW GOFF  
JOSEPH E. COOMES, JR.  
WILLIAM G. HOLLIMAN, JR.  
DAVID J. SPOTTISWOOD  
ELMER R. MALAKOFF  
RICHARD W. NICHOLS  
DONALD C. POOLE  
RICHARD W. OSEN  
RICHARD E. BRANDT  
GARY F. LOVERIDGE  
G. RICHARD BROWN  
DENNIS D. O'NEIL  
DAVID W. POST  
SUSAN K. EDLING

BRUCE McDONOUGH  
WILLIAM L. OWEN  
O. WILLIAM DENTINO  
DAVID F. BEATTY  
ALICE A. WOODYARD  
MICHAEL T. FOGARTY  
ANN H. MORRIS  
HARRY E. HULL, JR.  
RICHARD L. DECOSKY, JR.  
JEFFRY R. JONES  
DAVID R. BAABE  
DANIEL J. GRIMM  
ROBERT W. O'CONNOR  
BETSY S. KIMBALL  
WILLIAM F. ZIPRICK

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF SACRAMENTO  
JUN 10 11 20 AM '81

NEWPORT BEACH OFFICE  
4041 MACARTHUR BOULEVARD, SUITE 190  
NEWPORT BEACH, CALIFORNIA 92660  
(714) 833-2304

IN REPLY REFER TO:

June 9, 1981

20250/015

Mrs. Lorraine Magana  
City Clerk  
City of Sacramento  
City Hall  
915 I Street, Room 203  
Sacramento, CA 95814

Dear Lorraine:

We have received from you a letter addressed to Point West Associates indicating that on June 2, 1981 the City Council denied the appeal filed by Point West Associates.

On June 2, 1981, the City Council granted the appeal filed by Point West Associates and denied the appeal filed by the Golden One Credit Union. You will recall that there was some error in the manner in which these two items appeared on the agenda. We would appreciate your providing us with a corrected notice of the City Council's action.

Very truly yours,



William G. Holliman, Jr.

WGH:js

cc: Point West Associates  
Bank of Alex Brown  
Marty Van Duyn  
James P. Jackson





# CITY OF SACRAMENTO

## OFFICE OF THE CITY CLERK

915 I STREET  
CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814  
TELEPHONE (916) 449-8426

LORRAINE MAGANA  
CITY CLERK

June 11, 1981

William G. Holliman, Jr.  
555 Capitol Mall, Suite 950  
Sacramento, CA 95814

Dear Mr. Holliman:

In response to your letter of June 9, 1981, I have reviewed the records regarding the appeals on the Point West Executive Center.

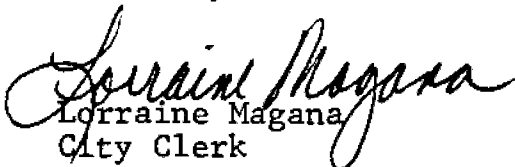
A clerical error was found and the correct action taken by the City Council on June 9, 1981, is as follows:

Intent to GRANT the appeal of a condition of a Special Permit and Variance application which prohibits the illumination of signs for the Point West Executive Center (P-9338) contingent on Findings of Fact due June 16, 1981.

The Findings of Fact is scheduled for the June 16, 1981 Council meeting and will be sent to you upon adoption.

If there are further questions, please feel free to call me.

Sincerely,

  
Lorraine Magana  
City Clerk

LM/mm

cc: Point West Associates  
Ethan Browning, Jr.  
John Joyce  
Marty Van Duyn, Planning Director