

RESOLUTION NO.

2005-056

ADOPTED BY THE SACRAMENTO CITY COUNCIL

FEB 0 8 2005

ON DATE OF _____

A RESOLUTION ADOPTING THE NOTICE OF DECISION AND FINDINGS OF FACT FOR APPROVAL OF THE SPECIAL PERMIT MAJOR MODIFICATION REQUEST TO REMOVE THE CONDITION FROM THE WESTBOROUGH PLANNED UNIT DEVELOPMENT SPECIAL PERMIT FOR VEHICULAR GATES THAT REQUIRES THE GATES TO REMAIN OPEN BETWEEN THE HOURS OF 7AM AND 6PM.

(P04-102)

WHEREAS, the City Council conducted a public hearing on January 25, 2005 concerning the above project and based on documentary and oral evidence submitted at the public hearing, the Council hereby adopts the Notice of Decision and Findings of Fact, as set forth herein.

NOTICE OF DECISION

At the regular meeting of January 25, 2005, the City Council heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Council took the following actions for the location listed above:

- A. Approved the Special Permit Major Modification to remove the condition from the Westborough Planned Unit Development (PUD) Special Permit for vehicular gates that requires the gates to remain open between the hours of 7am and 6pm.

This action was made based upon the following findings of fact:

- A. Special Permit Major Modification: The **Special Permit Major Modification** to amend the Special Permit condition that requires the Westlake Subdivision vehicular gates to remain open between the hours of 7am to 6pm, and to allow the vehicular gates to remain closed 24 hours a day, in the Westborough PUD is hereby **approved** based on the following findings of fact:
 - 1. Removal of the Special Permit condition is based upon sound principles of land use in that it is consistent with the guiding principles of the North Natomas Community plan;
 - 2. Removal of the Special Permit condition will not be detrimental to the public general welfare.

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CONDITIONS OF APPROVAL

- A. The **Special Permit Major Modification** to amend the Special Permit condition that requires the Westlake Subdivision vehicular gates to remain open between the hours of 7am to 6pm, and to allow the vehicular gates to remain closed 24 hours a day, in the Westborough PUD is hereby **approved** subject to the following conditions of approval:
- A1) The Westlake Homeowner Association shall provide the Solid Waste Division with an access code assigned only to the Solid Waste Division. This will ensure timely and convenient services to the residents of Westlake.
 - A2) The Westlake Homeowner Association shall provide two week advanced notice to the Solid Waste Division of any change in the access code.
 - A3) Provide appropriate Knox access for the site.
 - A4) Westlake Homeowners Association shall provide the Department of Utilities with keys and/or security codes to enter the project through all private gates. The Department of Utilities needs access to maintain the storm drain and water facilities in the street right-of-ways.
 - A5) The applicant shall install a crosswalk at the corner of A Street East and D Street, south of the #4 entry gates as approved by the Park Planning, Design and Development Division.
 - A6) The applicant shall comply with all requirements for gated development projects, as noted in Section 17.76.070 of City Code (if not already satisfied).
 - A7) The gates shall be remotely operated in a manner approved by the Police and Fire Departments. Gates must be operable by police, fire, and utility personnel at all times.
 - A8) CSD-1 standards for accessibility through gates shall be met.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT THE NOTICE OF DECISION AND FINDINGS OF FACT AS STATED HEREIN IS APPROVED AND ADOPTED.

HEATHER FARGO

MAYOR

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DATE ADOPTED: **FEB 08 2005**

ATTEST:

SHIRLEY CONCOLINO

CITY CLERK

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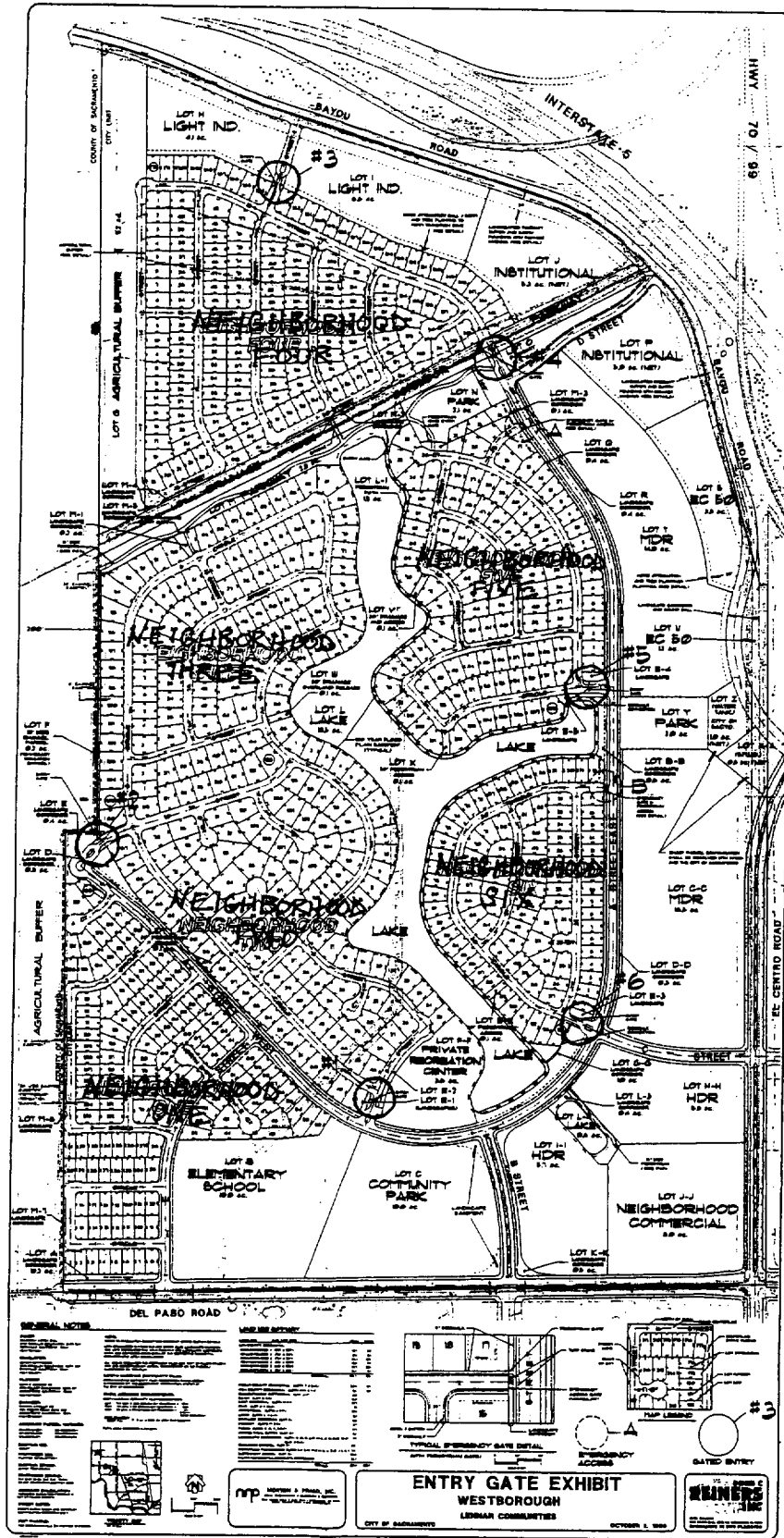
Exhibit 1 Westborough PUD Site Plan

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Exhibit 1- Westborough
PUD Site Plan



P04-102

RECEIVED 05/25/2004

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