#### CITY OF SACRAMENTO



CITY PLANNING DEPARTMENT

927 TENTH STREET SUITE 300 SACRAMENTO, CA 95814 TELEPHONE (918) 449-5604 MARTY VAN DUYN
PLANNING DIRECTOR

APPROVED

STP 19:1984 AG 8406/

OFFICE OF THE

September 13, 1984

City Council Sacramento, California

Honorable Members in Session:

SUBJECT: 1.

- 1. Environmental Determination
- 2. Amendment of 1974 General Plan from Industrial to Office
- 3. Amendment of 1965 Arden Arcade Community Plan from Heavy Commercial or Industrial to Office
- 4 Rezoning of 23+ Acres from M-1 and M-2 to OB(PUD) T. T. T. T.
- Adoption of Planned Unit Development Known as Capital West, Schematic Plan and PUD guidelines (P84-101)

LOCATION: Northwest Corner of Arden Way and Harvard Street

#### SUMMARY

This is a request for entitlements necessary to develop four office buildings on  $23\pm$  acres, totalling 697,000 $\pm$  sq. ft. The staff and Planning Commission recommend approval of the request subject to conditions.

#### BACKGROUND INFORMATION

This is a request for entitlements necessary to develop approximately  $23\pm$  acres with four office structures consisting of a 11, 8, and two 6-story office buildings. The total square footage amounts to 697,394 sq. ft.

The major issues relate to provision of adequate traffic mitigation measures and tenant relocation assistance to residents of the Arden Star Mobile Home Park located within the project boundary.

#### Pedestrian Bridge

The primary condition of approval to mitigate potential traffic impacts of the project called for construction of a pedestrian bridge connecting the Swanston Light Rail Station to the subject site.

An agreement has been developed which proposes the formation of an assessment district to fund the cost of the bridge estimated at \$450,000. Primary parties to this agreement consist of the major land owners in the area which are U.S.A.A. (applicant) and RJB/Interland. A draft of the Agreement is included as Attachment 1.

In the event the primary parties fail to execute this agreement, the applicant (U.S.A.A.) will submit an alternative agreement whereby they assume full responsibility for financing the cost of the pedestrian bridge.

Subsequent projects determined to benefit from the bridge improvement (as described in the attached Agreement #1) may be conditioned to reimburse the applicant on a equitable fair share basis for the cost of the pedestrian ramp.

The applicant shall submit a written agreement to form an assessment district or alternative financing method to provide a fully privately funded pedestrian bridge to the satisfaction of the City Attorney prior to issuance of building permit.

#### Relocation Plan

The other major issue involves relocation assistance to residents of the Arden Star Mobile Home Park, which consists of 27 mobile trailers located on the North portion of the subject site adjacent to Silica Avenue. Many of the residents appear to be low income, elderly and some with special needs.

The applicant has prepared a relocation assistance plan which would mitigate the economic hardships of displacement. The major provisions of the relocation plan include reimbursement for costs of moving and miscellaneous expenses, payment of replacement housing and/or rent differentials (refer to Attachment 2).

The condition of Special Permit approval required the preparation of a Relocation Plan subject to the review and approval of the Planning Director. The applicant has diligently worked with the tenants and City officials developing a detailed Relocation Plan.

This plan is being submitted to the City Council for review and comment. If the City Council determines that the Relocation Plan is satisfactory, the Planning Director will approve the plan.

The one addition to the plan calls for the Relocation Specialist of the Sacramento Housing and Redevelopment Agency to arbitrate any conflicts between tenants and the applicant. The staff requests that the agency be reimbursed by the applicant for the actual time spent by their staff related to this relocation program. The applicant shall submit a revised Relocation Plan or seperate written agreement incorporating this condition to the satisfaction of the Planning Director.

Included in this report are two attachments; Attachment 1 constitutes the draft agreement between the applicant and RJB to establish a pedestrian bridge assessment district. Attachment 2 is the draft Relocation Plan for tenants of Arden Star Mobile Home Park.

#### VOTE\_OF\_THE PLANNING\_COMMISSION

On June 28, 1984, the Planning Commission, by a vote of 6 ayes, 3 absent, recommended approval of the project subject to conditions.

#### RECOMMENDATION

The staff and Planning Commission recommend that the City Council approve the project by:

- 1. Ratification of the Negative Declaration;
- 2. Adopting the attached Resolution amending the 1974 General Plan and 1965 Arden-Arcade Community Plan from Industrial and Commercial to Office;
- Adopting the attached Rezoning Ordinance with Conditions\*; and
- 4. Adopting the attached Resolution designating 23± acres as the Capital West PUD, the PUD Schematic Plan which allows four office buildings totalling 697,394 square feet and PUD Guidelines.

Respectfully submitted,

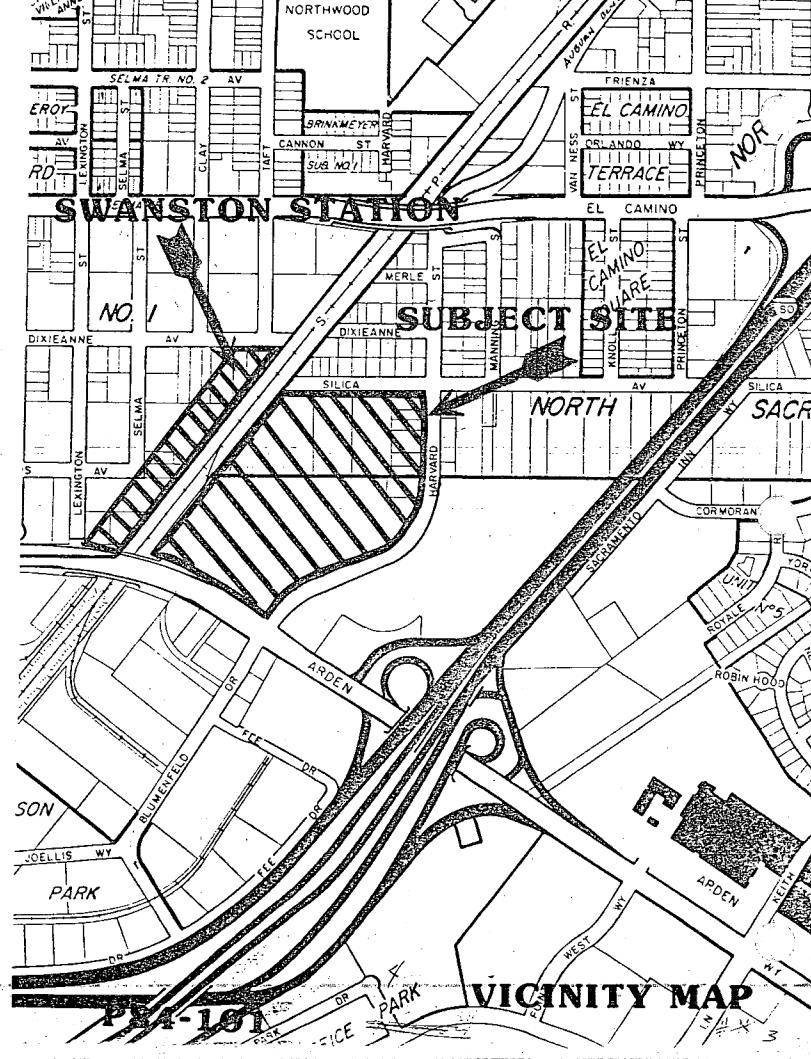
Marty Van Duyn Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

GM:pkb attachments P84-101

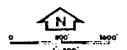
September 18, 1984 District No. 2

\* Rezoning Ordinance to be distributed at a later date.





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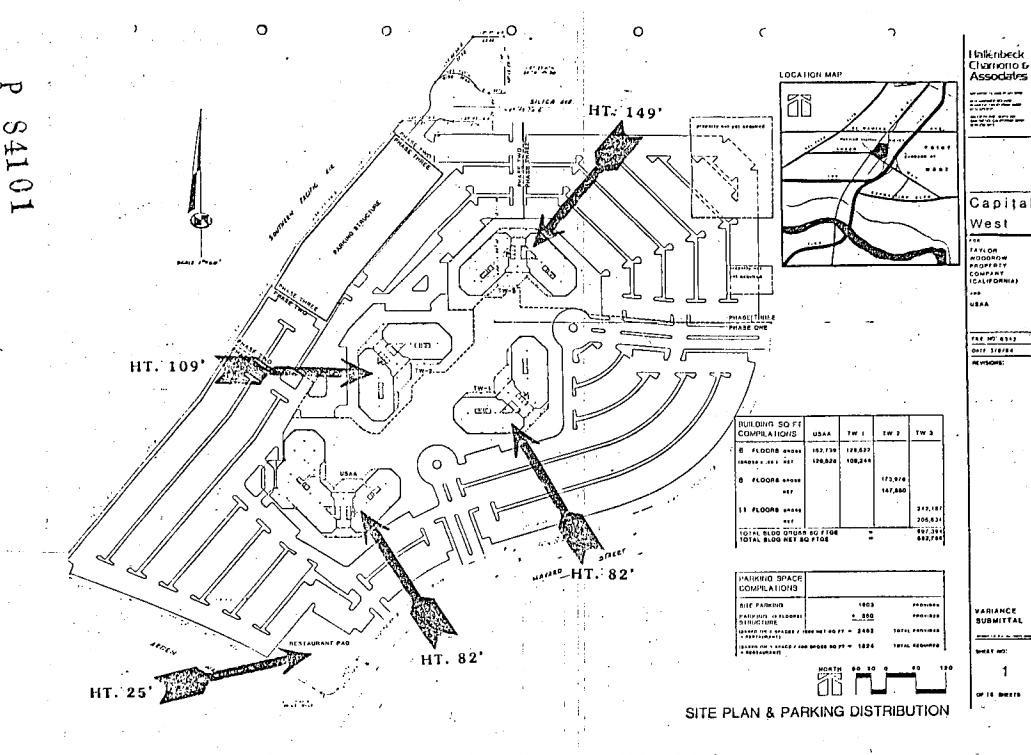


SUBJECT SITE

STUDY AREA

PROPOSED LAND USES





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#### USAA Agreement

This Agreement is made and entered into this 26th day of August , 1985, by and among USAA FINANCIAL SERVICES COMPANY, a Texas corporation (hereafter "FINCO"), UNITED SERVICES AUTOMOBILE ASSOCIATION, a reciprocal interinsurance exchange (hereafter "USAA"), the City of Sacramento, a charter city (hereafter "City"), and Sacramento Regional Transit District, a joint powers agency (herafter "RT").

WHEREAS, RT is constructing a light rail line and light rail passenger station in the vicinity of Arden Way and Interstate Highway Business 80; and

WHEREAS, FINCO is an owner and USAA is the purchaser and developer of property (hereafter "Property") located in the northwest quadrant of Arden Way and Interstate Highway Business 80 as shown on Exhibit A;

WHEREAS, the conditions of approval for rezoning and a special use permit for part of the Property being purchased by USAA (file number P85-101 and 018) are set forth in Exhibit B; and

WHEREAS, the construction of this pedestrian bridge will confer a direct and special benefit to the Property and, additionally, may confer a direct and special benefit to a larger area which includes the Property:

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

1. FINCO and USAA shall petition the City for formation of a special assessment district within an area bounded by the Southern Pacific Railroad tracks on the West, El Camino Avenue on the North, Interstate Highway Business 80 on the East and Arden Way on the South (hereafter the "area"). In the event that FINCO and/or USAA acquires additional property in the area, they shall take any necessary action to cause such property to be included in the assessment district if such property shall be benefited by the improvements to be constructed by the district. The purpose of the district shall be to provide financing for a pedestrian bridge in an amount not to exceed \$450,000 for design, construction, acquisition of right-of-way and related costs, plus any additional amount necessary for assessment district costs. Such petition shall be

filed upon request of the City and shall be in form and content as determined in the sole discretion of City. Among other things, the petition shall waive the provisions of the Special Assessment Investigation, Limitations and Majority Protest Act of 1931 (Streets and Highways Code Sections 2800 et seq.; California Constitution Article XVI, Section 19.)

- 2. FINCO and USAA consent to participate in such an assessment district which includes the Property together with such other properties, if any, as are determined by the assessment proceedings to be benefited by the proposed pedestrian bridge.
- 3. The location and design of the pedestrian bridge shall be substantially as shown on Exhibit D, unless changes are mutually agreed upon by all parties to this Agreement.
- 4. USAA shall reserve land from the Property necessary for the pedestrian bridge and public access thereto.
- 5. City agrees to institute and process proceedings for formation of an assessment district upon receipt of a petition from FINCO and USAA; provided that nothing herein shall constitute a limitation on the discretion of the City to consider other alternatives or to limit the exercise of discretion by the City.
- 6. No assessment lien shall be levied against any of the Property until:
  - A. building permits are issued for construction of 455,000 gross square feet of nonresidential building space, excluding the Hilton Hotel, within the assessment district boundaries; and
  - B. the light rail line on Arden Way and the Swanston light rail station are under construction.

Issuance of building permits shall not be delayed or withheld based upon failure of the conditions stated in subparagraph 6B above.

7. Upon formation of an assessment district, RT or City shall construct or cause to be constructed by contract a pedestrian bridge as such work has been authorized by the assessment proceedings or as changes are permissible under applicable law.

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- 8. Notwithstanding any other provisions of this agreement, FINCO and/or USAA shall pay to RT on demand the sum of \$450,000, less any contributions required pursuant to paragraph 9; provided, however, that no demand for payment shall be made prior to termination of the assessment district proceedings or prior to occurrence of the conditions specified in Paragraph 6 above.
- 9. Prior to the demand date, if any, described in Paragraph 8 above, City shall consider in any hearing whether to condition approval of nonresidential discretionary land use entitlements in the area upon payment on an equitable basis of the cost of the pedestrian bridge according to the benefit to the property involved.
- 10. FINCO and/or USAA shall either be reimbursed or receive a reduction in share of bridge improvement cost on a pro rata formula based upon square footage of nonresidential development in the event (a) the City approves new development on land located within the area bounded by the Southern Pacific Railroad tracks, Silica Avenue, Business 80 Freeway and Arden Way; and (b) conditions such approval as a requirement to contribute for bridge improvements.
- 11. In the event that FINCO and/or USAA fails to pay its contribution as required by Paragraph 8 or 9 within thirty (30) days of demand by RT, no building permit shall thereafter be issued for any structure in the area on land owned by the property owner failing to pay its contribution. The foregoing remedy is cumulative and in addition to all other remedies RT or the City may have at law or in equity.
- 12. If the light rail line on Arden Way and the Swanston Light Rail Station are not under construction prior to completion of 697,000 gross square feet of nonresidential building space on the land designated on Exhibit A as owned by FINCO and/or USAA, or its successors in interest, such party or parties shall be relieved of their obligations under this agreement which shall immediately terminate.
- All assessment district costs incurred by City in arranging assessment district financing, including but not limited to costs of notices, publication, posting, printing, bond counsel, condemnation litigation expenses, underwriting costs and any security deposits or funds shall be included in the assessment.

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14. Subject to the provisions of paragraph 21, execution of this Agreement and performance of the obligations by FINCO and/or USAA pursuant to this Agreement shall constitute compliance with all conditions imposed upon FINCO and/or USAA for provision of pedestrian access to the light rail station.

- 15. City agrees that execution of this agreement and performance of the obligations pursuant to this agreement, including payment toward financing the pedestrian bridge in either manner specified herein, shall constitute TMP compliance by FINCO and/or USAA for that development approved by P85-018 and P85-101; provided however, that the foregoing shall not excuse compliance with other TMP requirements set forth in P85-018 and P85-101 as approved by the City Council.
- 16. The rights and obligations of FINCO and/or USAA may be assigned to any successor in interest in the Property. Such assignment shall be effective only when the assignment agreement and the agreement of the assignee to assume the obligations of this agreement are delivered to City in the manner prescribed for written notice.
- 17. Should any litigation be commenced between the parties hereto concerning enforcement of this agreement, for breach of this agreement or for a declaration of the rights and duties of the parties under this Agreement, the prevailing party or parties shall be entitled to reasonable attorneys' fees and costs.
- 18. The burdens of this Agreement shall be binding upon and the benefits of this Agreement shall inure to the successors in interest of the parties hereto.
- 19. All exhibits referred to herein are attached hereto, marked respectively as referred to herein, and are by this reference incorporated herein.
- 20. Any notice required or desired to be given pursuant to this agreement shall be given in writing, sent by U.S. Mail, certified mail return, receipt requested, postage prepaid, addressed as follows:

FINCO: Senior Vice President, Real Estate Investments 9800 Fredericksberg (USAA Building) San Antonio, Texas 78288

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USAA:

Vice President Facilities

USAA

9800 Fredericksberg

(USAA Building)

San Antonio, Texas 78288

City:

City of Sacramento

915 I Street

Sacramento, CA 95814

RT:

APPROVED AS TO FORM:

Assistant City Attorney

Sacramento Regional Transit

District

1400 29th Street P. O. Box 2110

Sacramento, CA 95810

Any party desiring to change its address for notice may do so by giving notice as set forth herein.

21. A fully executed copy of this Agreement shall be recorded with the County Recorder within 10 days following its approval by the City Council of the City of Sacramento.

H. DRAKE LEDDY

Senior Vice President, Real Estate Investments

USAA Financial Services Company

SAMUEL W. PINNELL

Vice President, Facilities

United Services Automobile Association

The Parls of March Die

Sacramento Regional Transit Distric

City of Sacramento

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Harried Bright

RELOCATION PLAN

ARDEN STAR MOBILE PARK

SACRAMENTO, CALIFORNIA

September 18, 1984

#14

USAA Financial Services, Inc. (hereinafter, "Owner") has obtained approval of a Project which involves a change in the use of the land currently occupied by the Arden Star Mobile Park. As a result of this approved change of use, the Arden Star Mobile Park is closing.

This relocation plan (hereinafter, "Plan") has been developed to ensure the uniform, fair and equitable treatment of the Tenants of the Arden Star Mobile Park (hereinafter, "Park") in order to mitigate the impact of relocation.

#### Section l. Eligibility

Participants in the Plan shall be any Tenant who has been a resident in the Park since before March 14, 1984, which is ninety days prior to the first notice of the intention to close the Park dated June 13, 1984 and also was a Tenant on June 13, 1984.

Participants may not be in default of their rental agreement and all monies owed to Owner by Tenant must have been paid. Any rights to participate in the Plan are personal to Tenant and are not assignable. Hereinafter, all eligible participants shall be referred to as "Tenants". "Tenant" specifically excludes investors who own Units which they rent out.

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Any other person who lawfully occupies any Unit in the Park after March 14, 1984 shall not be eligible to participation in the Plan. A Unit is defined as any mobile home or recreational vehicle occupying a space in the Park since before March 14, 1984 and continuing to occupy a space through June 13, 1984.

Reasonable acceptance of the assistance provided by this

Plan is expected from each Tenant. Tenant's participation
in this Plan will terminate if it is determined that

Tenant is being unreasonable or that Owner is unable to

relocate Tenant due to the Tenant's inability to make a

decision or unwillingness to accept comparable replacement
housing. In the event that a question develops,

"Reasonableness" shall be determined by Myrna Eberline,

Relocation Specialist with the Sacramento Housing and

Redevelopment Agency. If Ms. Eberline is called on, Owner
agrees to pay for her time.

### Section 2. Notice of Closure

After the Owner has received final approval of the Project from the Sacramento City Council, the Owner will give written notice to each Tenant indicating the date on which the Park will close. This closing date will be twelve (12) months from the date of said written notice to the Tenants by the Owner. This twelve month period shall be known as the relocation period.

# Section 3. Rental Rate

14

From June 13, 1984 through the end of the twelve (12) month relocation period, the rental rate currently in effect for the rental of spaces in the Park shall remain constant and not be increased or decreased.

#### Section 4. Relocation Assistance

The Owner shall provide assistance to each Tenant in order to mitigate the impact of the relocation.

This assistance will be provided by a person hired by the Owner for this purpose. This person will be known as the Relocation Assistance Director, (hereinafter, R.A.D.).

The R.A.D. will establish an office in Sacramento within reasonable proximity of the Park. Each Tenant will be notified of the name of the R.A.D. and the location and hours of the local office.

# Section 4. Relocation Assistance (Continued)

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R.A.D. will provide current information on availability of comparable replacement dwellings within a one hundred (100) mile radius including prices, rents, costs of deposits, etc.

Comparable replacement dwelling is defined as a decent, safe and sanitary mobile home or recreational vehicle which is:

- Comparable with respect to number of rooms, habitable living space and type and quality of construction to Tenants existing Unit.
- 2. Available.

3. Located within a twenty-five (25) mile radius and in an area not generally less desirable than the area where the Park is located.

R.A.D. will also provide a list and description of available relocation housing resources and services.

R.A.D. will evaluate the situation of each individual Tenant by personal interview to identify any special needs and provide individual assistance and counseling as indicated.

# Section 5. Incentive Relocation Payment

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Any Tenant who relocates from the Park quickly will be paid an incentive bonus. The Incentive Relocation Payment schedule begins from the date of notice by the Owner as definied in Section 2 hereof. The schedule is as follows:

# of Days from Notice	Bonus
0-120	\$500
121-180	\$250
181 forward	\$-0-

This Incentive Relocation Payment is not available to those Tenants whose units are purchased by the Owner.

# Section 6. Relocation of Existing Unit

If the Tenant elects to relocate the Unit, the relocation payment will be the reasonable cost of the following items:

ron o. Welocation of Existing Ouit

A. Transportation of persons and property not to exceed a distance of one hundred (100) miles from the Park.

- B. Packing, crating, unpacking and uncrating personal property.
- C. Insurance of said personal property during the move.
- D. The cost of disconnecting, dismantling, removing, reconnecting and installing the Unit including connection charges imposed by public utilities and the telephone company for starting service.
- E. Any cost directly related to modifying or replacing personal property, other than the Unit, to adapt it to the comparable replacement location, which is a direct result of the relocation, required by law, or specifically agreed to by Owner. Owner shall be responsible for the cost of any permits or inspection fees required for occupancy of the Unit at its new location.
- F. Other reasonable miscellaneous expenses agreed to by the Owner not to exceed \$350 for each Tenant. This includes the cost of any deposit required to be paid by Tenant at the new location, less the amount of the deposit, if any currently held by Owner for Tenants account.



Said reasonable cost of items A-E above will be determined by the low bid received from a qualified moving company approved by the Owner. Owner will provide Tenant with a list of at least three approved contractors to provide this service.

Tenant shall contract directly with the moving company with regard to the move. Owner shall pay Tenant the relocation payment after the Tenant has removed themselves and all property owned by Tenant from the Park and has signed the attached release statement. However, if expenditures are required to be made by Tenant prior to the move in order to accomplish the move, Owner, will advance these costs to Tenant if proper documentation is made which establishes the need for an advance payment.

Tenant shall be responsible for accomplishing the move. Any Tenant electing to self move will be paid the same relocation payment as they would have if they contracted the move as provided above.

# Section 7. Sale of Existing Unit



The sale of a Unit may be a "Forced Sale" or a "Voluntary Sale".

- A. Owner agrees to purchase any Unit which is subject to a "Forced Sale" at Fair Market Value. A "Forced Sale" is a sale which occurs because the Unit cannot be relocated for either of the following reasons:
  - 1. The Owner and an independent third party have determined that the Unit cannot be moved because of its deteriorated physical condition.
  - 2. At the sole discretion of the Owner and after extensive and complete research of all possible locations, it is determined that there is no comparable space available within the twenty-five (25) mile radius onto which the Unit can be moved.
- B. A Voluntary Sale is a sale in which the Tenant desires to sell the Unit rather than relocate the Unit.

#### Section 8. Forced Sale

A replacement housing payment will be made by the Owner to Tenant, subject to evaluation as set forth below.

# Replacement Housing Payment.

Owner shall purchase Tenants Unit at Fair
Market Value. The replacement housing payment
shall be the additional amount necessary, in the
opinion of the Independent Third Party and
agreed to by the Owners, to enable Tenant to
purchase a comparable replacement dwelling which
may, at Owners discretion, include Units other
than mobile homes or recreational vehicles.

Any such payment must be used to purchase a dwelling Unit. All such payments will be made into an approved escrow account. Verification of the purchase price and payment schedule will be made by R.A.D. reviewing the purchase documents.

When it has been established that a Replacement Housing Payment is to be made, R.A.D. utilizing the Independent Third Party shall notify Tenant of the amount to be considered sufficient to purchase a comparable replacement dwelling.

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#### Section 8. Sale (Continued)

#### 2. Rent Differential

The rent differential payment shall be the difference between Tenants current rent and Tenants new rent for a period of forty-eight (48) months. This payment applies to the rental of a space on which to put a Unit or the rental of a Unit and a space if a Unit is not purchased.

#### 3. Appraisal

The Independent Third Party shall be a local person qualified as an appraiser of mobile homes and recreational vehicles for the purpose of financing or sale. He shall determine the Fair Market Value of Unit as the price that would reasonably be expected to be paid by a willing buyer to a willing seller - given the age and condition of the subject Unit and on the basis that the Unit must be moved prior to the closing date of the park.

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#### Section 9. Voluntary Sale

If Tenant voluntarily elects to sell the Unit rather than relocate it, the Tenant must diligently pursue a buyer. R.A.D. will assist Tenant in this effort and reasonable costs of advertising the Unit for sale will be absorbed by Owner. Tenant must notify Owner through R.A.D. of all offers to purchase which are received. Tenant must seriously consider all offers.

Once the Unit has been sold, the Owner will provide a relocation payment to Tenant for relocating Tenants personal property. Section 6, items B, C and F defines the relocation payment.

#### Section 10. Rent Differential Payment

If Tenant rents comparable replacement housing, because of the voluntary sale of their Unit or rents or purchases a space on which to relocate their existing Unit, the Owner will make a rent differential payment to Tenant if the monthly rent for a comparable space exceeds his current monthly rent. This total payment will be calculated by multiplying the monthly increase by a period of 48 months. The payment under this category shall not exceed \$1,500.00.

TTACHMENT 2 ARDEN STAR MOBILE PARK SACRAMENT!

USAA Financial Services, Inc. (hereinafter, "Owner") has obtained approval of a Project which involves a change in the use of the land currently occupied by the Arden Star Mobile Park. As a result of this approved change of use, the Arden Star Mobile Park is closing.

This relocation plan (hereinafter, "Plan") has been developed to ensure the uniform, fair and equitable treatment of the Tenants of the Arden Star Mobile Park (hereinafter, "Park") in order to mitigate the impact of relocation.

# Section 1. Eligibility

Participants in the Plan shall be any Tenant who has been a resident in the Park since before March 14, 1984, which is ninety days prior to the first notice of the intention to close the Park dated June 13, 1984 and also was a Tenant on June 13, 1984. Participants may not be in default of their rental agreement and all monies owed to Owner by Tenant must have been paid. Any rights to participate in the Plan are personal to Tenant and are not assignable. Hereinafter, all eligible participants shall be referred to as "Tenants". "Tenant" specifically excludes investors who own Units which they rent out. crigionity (Continued)

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### Section 4. Relocation Assistance

The Owner shall provide assistance to each Tenant in order to mitigate the impact of the relocation.

This assistance will be provided by a person hired by the Owner for this purpose. This person will be known as the Relocation Assistance Director, (hereinafter, K.A.D.).

The R.A.D. will establish an office in Sacramento within reasonable proximity of the Park. Each Tenant will be notified of the name of the R.A.D. and the location and hours of the local office.

#### Section 4. Relocation Assistance (Continued)

K.A.D. will provide current information on availability of comparable replacement dwellings within a one hundred (100) mile radius including prices, rents, costs of deposits, etc.

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  - 2. Available.
  - 3. Located within a twenty-five (25) mile radius and in an area not generally less desirable than the area where the Park is located.

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R.A.D. will evaluate the situation of each individual Tenant by personal interview to identify any special needs and provide individual assistance and counseling as indicated.

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Any Tenant who relocates from the Park quickly will be paid an incentive bonus. The Incentive Relocation Payment schedule begins from the date of notice by the Owner as definied in Section 2 hereof. The schedule is as follows:

# of Days from Notice	Bonus
0-90	\$500
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### Section b. Relocation of Existing Unit

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- B. Packing, crating, unpacking and uncrating personal property.
- C. Insurance of said personal property during the move.
- D. The cost of inspection fees, disconnecting, dismantling, removing, reconnecting and installing the Unit including connection charges imposed by public utilities and the telephone company for starting service.
- E. Any cost directly related to modifying or replacing personal property, other than the Unit, to adapt it to the comparable replacement location, which is a direct result of the relocation, required by law, or specifically agreed to by Owner. Owner shall be responsible for the cost of any permits required for occupancy of the Unit at its new location.
- F. Other reasonable miscellaneous expenses agreed to by the Owner not to exceed \$350 for each Tenant. This includes the cost of any deposit required to be paid by Tenant at the new location, less the amount of the deposit, if any currently held by Owner for Tenants account.

### Section 6. Relocation of Existing Unit (Continued)

Said reasonable cost of items A-E above will be determined by the low bid received from a qualified moving company approved by the Owner. Owner will provide Tenant with a list of at least three approved contractors to provide this service.

Tenant shall contract directly with the moving company with regard to the move. Owner shall pay Tenant the relocation payment after the Tenant has removed themselves and all property owned by Tenant from the Park and has signed the attached release statement. However, if expenditures are required to be made by Tenant prior to the move in order to accomplish the move, Owner, will advance these costs to Tenant if proper documentation is made which establishes the need for an advance payment.

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- A. Owner agrees to purchase any Unit which is subject to a "Forced Sale" at Fair Market Value. A "Forced Sale" is a sale which occurs because the Unit cannot be relocated for either of the following reasons:
  - 1. The Owner and an independent third party have determined that the Unit cannot be moved because of its deteriorated physical condition.
  - 2. At the sole discretion of the Owner and after extensive and complete research of all possible locations, it is determined that there is no comparable space available within the twenty-five (25) mile radius onto which the Unit can be moved.
- B. A Voluntary Sale is a sale in which the Tenant desires to sell the Unit rather than relocate the Unit.

Section 8. Forced Sale

A replacement housing payment will be made by the Owner to Tenant, subject to evaluation as set forth below.

#### 1. Replacement Housing Payment.

Owner shall purchase Tenants Unit at Fair Harket Value. The replacement housing payment shall be the additional amount necessary, in the opinion of the Independent Third Party and agreed to by the Owners, to enable Tenant to purchase a comparable replacement dwelling which may, at Owners discretion, include Units other than mobile homes or recreational vehicles.

Any such payment must be used to purchase a dwelling Unit. All such payments will be made into an approved escrow account. Verification of the purchase price and payment schedule will be made by R.A.D. reviewing the purchase documents.

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#### Section 8. Sale (Continued)

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#### 3. Appraisal

The Independent Third Party shall be a local person qualified in appraising mobile homes and recreational vehicles for the purpose of financing or sale. He shall determine the Fair Market Value of Unit as the price that would reasonably be expected to be paid by a willing buyer to a willing seller – given the age and condition of the subject Unit and on the basis that the Unit must be moved prior to the closing date of the park.

Section 9. Voluntary Sale

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Once the Unit has been sold, the Owner will provide a relocation payment to Tenant for relocating Tenants personal property. Section 6, items B, C and F defines the relocation payment.

#### Section 10. Rent Differential Payment

If Tenant rents comparable replacement housing, because of the voluntary sale of their Unit or rents or purchases a space on which to relocate their existing Unit, the Owner will make a rent differential payment to Tenant if the monthly rent for a comparable space exceeds his current monthly rent. This total payment will be calculated by multiplying the monthly increase by a period of 48 months. The payment under this category shall not exceed \$1,500.00.

RESOLUTION NO. 84-809

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

RESOLUTION AMENDING THE 1965 ARDEN-ARCADE COMMUNITY PLAN FROM HEAVY COMMERICAL OR INDUSTRIAL TO OFFICE, AND THE 1974 GENERAL PLAN FROM INDUSTRIAL TO OFFICE

(P84-101) (APN: 277-151-18,19; 277-093-05,06,07,09, 11,13,15,03)

WHEREAS, the City Council conducted a public hearing on September 18, 1984 concerning the above plan amendment and based on documentary and oral evidence submitted at the public hearing, the Council hereby finds:

- 1. The proposed plan amendment is compatible with the surrounding uses;
- 2. The subject site is suitable for office development; and
- 3. The proposal is consistent with the policies of the 1974 General Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento that the area in the City of Sacramento is hereby designated on the 1965 Arden-Arcade Community Plan as Office and the 1974 General Plan as Office.

	MAYOR	
ATTEST:	HATOK	
CITY CLERK		,

P84-101

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## ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPRENENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES AS AMENDED, BY REMOVING PROPERTY LOCATED AT THE NORTHWEST CORNER OF ARDEN WAY AND HARVARD STREET FROM THE LIGHT INDUSTRIAL, M-1 AND HEAVY INDUSTRIAL, M-2 ZONE(S)

AND PLACING SAME IN THE OFFICE BUILDING, OB (PUD).

ZONE(S)

(FILE NO. P-84-101 )(APN: 277-151-18,19; 277-093-05, 06,07,09,11,13,13,03)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTS:

#### SECTION 1.

The territory described in the attached exhibit(s) which is in the <u>Light Industrial</u>, M-1 and Heavy Industrial, M-2 zone(s), established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the <u>Office Bailding</u>, OB (PUD) zone(s).

This action rezoning the property described in the attached exhibit(s) is adopted subject to the following conditions and stipulations:

- a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.
- b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission June 28, 1984 , on file in the office of the Planning Department, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Director shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

## SECTION 2

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this ordinance.

## SECTION 3.

Rezoning of the property described in the attached exhibit(s) by the adoption of this ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550, Fourth Series, as said procedures have been affected by recent court decisions.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

P84-101



March 28, 1984 840007 MORTON & PITALO, INC.

Civil Engineering, Planning, Surveying.

1767 J Tribute Rd., Sacromento Ca. 958(5)

916/920-2411

#### DESCRIPTION

LOT MERGER

APN 277-151-18\& 19; 277-093-03, 05, 06, 07, 09, 11, 13 & 15

All that certain real property situate in the City and County of Sacramento, State of California, described as follows:

Parcel 1, as said parcel is shown and so designated on that certain Parcel Map filed in Book 72 of Parcel Maps, at Page 26, Official Records of said County, Lots 17, 18, 19, 20 and a portion of Lots 15 and 16 of Block F, as said lots and block are shown and so designated on that certain map entitled "North Sacramento Subdivision No. 2," filed in Book 11 of Maps, at Page 27, Official Records of said County, more particularly described as follows:

BEGINNING at the most Easterly corner of said Parcel 1; thence, along the Easterly, Southerly, Westerly and Northerly lines of said Parcel 1, the following fifteen (15) courses: (1) along the arc of a curve to the right, concave Northwesterly, having a radius of \410.00 feet and being subtended by a chord bearing South 36°36'27" West 488,52 feet; (2) South 73°00'00" West 243.22 feet; (3) South 77°34'33" West 80.19 feet; (4) along the arc of a curve to the left, concave Southeasterly, having a radius of 495.00 feet and being subtended by a chord bearing South 51°34'40" West 335.38 feet; (5) South 31°46'34" West 68.74 feet; (6) along the arc of a curve to the right, concave Northwesterly, having a rakius of 25.00 feet and being subtended by a chord bearing South 77°13'43' West 35.63 feet; (7) along the arc of a curve to the left, concave Southwesterly, having a radius of 2000.00 feet and being subtended by a chord bearing North 63°23'12" West 422.83 feet; (8) North 69°27'17" West 55.92 feet; (9) South 39°58'43" West 24.70 feet; (10) North 50°01'26" West 88.39 feet; (11) North 02°26'19" East 27.23 feet; (12) North 39°58\34" East 436.41 feet; (13) North 32°27'13" East 346.04 feet; (14) North\39°58'34" East 342.54 feet; and (15) North 89°43'06" East 182.51 feet to the Northwest corner of said Lot 20; thence, along the North line of said Block F, North 89°43'06" East 399.00 feet to the Northeast corner of said Lot 17; thence, along the East line of said Lot 17, South 00°13'39"\East 100.40 feet; thence, North 89°46'21" East 176.24 feet; thence, South 00°21'25" West 200.01 feet; thence, South 89°46'21" West 104.20 feet; thence, South 00°13'39" East 58.00 feet; thence, North 89°46'21" East 103.61 feet; thence, South 00°21'25" West 58.95 feet; thence, North 89°31'26" West 14.27 feet to the point of beginning.

P 84101

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# ordinance no. 84-696

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT THE NORTHWEST CORNER OF ARDEN WAY AND HARVARD STREET FROM THE LIGHT INDUSTRIAL, M-1 AND HEAVY INDUSTRIAL, M-2 ZONES AND PLACING SAME IN THE OFFICE BUILDING, OB (PUD) ZONE (FILE NO. P-84-101) (APN: 277-151-18,19; 277-093-05,06,07,09,11,13,15,03)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

#### SECTION 1.

The territory described in the attached exhibit which is the Light Industrial, M-1 and Heavy Industrial, M-2 zones, established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the Office Building, OB (PUD) zone.

This action rezoning the property described in the attached exhibit is adopted subject to the following conditions and stipulations:

- a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.
- b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission June 28, 1984, on file in the office of the Planning Department, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Director shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

#### c. Conditions of Rezone

- 1. Circulation and traffic improvements
  - (a) The applicant shall install two lanes of new asphalt on Harvard Street, from Silica Avenue to Auburn Boulevard, prior to issuance of the first building permit.
- 2. Transportation Management Plan

The applicant shall submit a Transportation Management Plan to the Planning Director for review and approval, prior to issuance of the first building permit.

- (a) The plan shall include a written agreement which provides for:
  - (1) The construction of the pedestrian bridge prior to completion of 455,000 square feet of non-residential square feet in the Capital West PUD (refer to Exhibit D for PUD boundaries). The bridge shall be designed and located as shown on Exhibit E; any substantial change in this design or location shall be mutually agreed upon by the City, STDA, and the applicant.
  - (2) Payment by the applicant for all bridge improvement costs or \$450,000.00, whichever is less. The \$130,000.00 payment specified in Ordinance No. 83-136 shall be applied to the cost of the new bridge.
  - The applicant shall either be reimbursed or receive a reduction in share of bridge improvement cost on a pro rata formula based on square footage of nonresidential development, as specified above (ref c-2-a-(1) and (2)) in the event (1) the City approves new development on land bounded by the Southern Pacific Railroad tracks, Silica Avenue, Bus. 80 Freeway and Arden Way, and (2) conditions such approval as a requirement to contribute for bridge improvements. (CPC added...or prior to City Council consideration of this project, the applicant, owners of all other properties in the original Capital West Master Plan area (excluding the site area encompassing the Hilton Hotel), STDA and the City shall enter into a written agreement to form an assessment district or other acceptable enforceable device to provide a fully privately funded pedestrian bridge in the time and manner as specified above.

(4) The pedestrian bridge shall be constructed prior to issuance of building permit for Phase III, or when the non-residential square footage exceeds the threshold level of 455,000 square feet for the Capital West PUD and/or original Capital West Master Plan area as shown on Exhibit B. The Transportation Management Plan shall include (b) shower and locker facilities in each building for employee use to facilitate bicycle commuting. The applicant shall receive full credit of 10% (a 5% (c) credit was approved for the subject site under P83-221) to satisfy the 15% trip reduction target pursuant to the City's Trip Reduction Ordinance for construction of the pedestrian bridge and installation of shower and locker facilities. SECTION 2. The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this ordinance. SECTION 3. Rezoning of the property described in the attached exhibits by the adoption of this ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550, Fourth Series, as said procedures have been affected by recent court decisions. PASSED FOR PUBLICATION: PASSED: EFFECTIVE: MAYOR. ATTEST: CITY CLERK

W AND

March 28, 1984 840007 MORTON & PITALO, INC.
Civil Engineering, Planning, Surveying, 1767 U Tribute Rd., Sparamenta, Ca. 95315, 96/920-2411

## DESCRIPTION

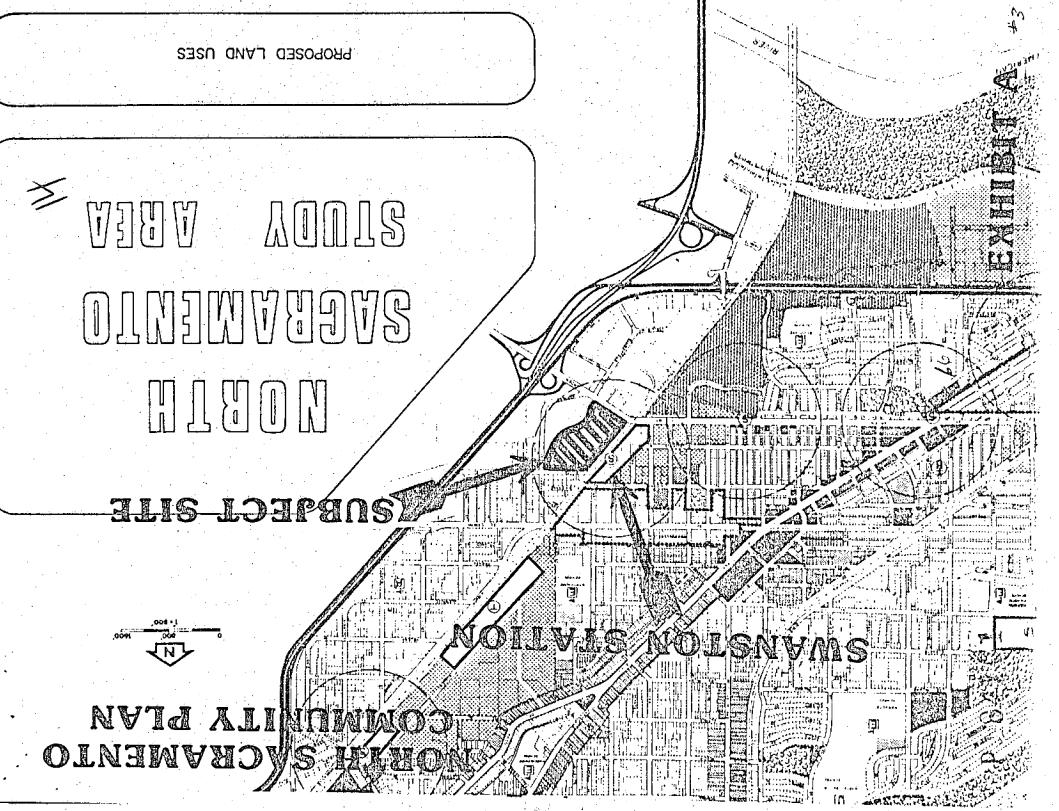
LOT MERGER
APR 277-151-18 & 19; 277-093-03, 05, 06, 07, 09, 11, 13 & 15

All that certain real property situate in the City and County of Sacramento, State of California, described as follows:

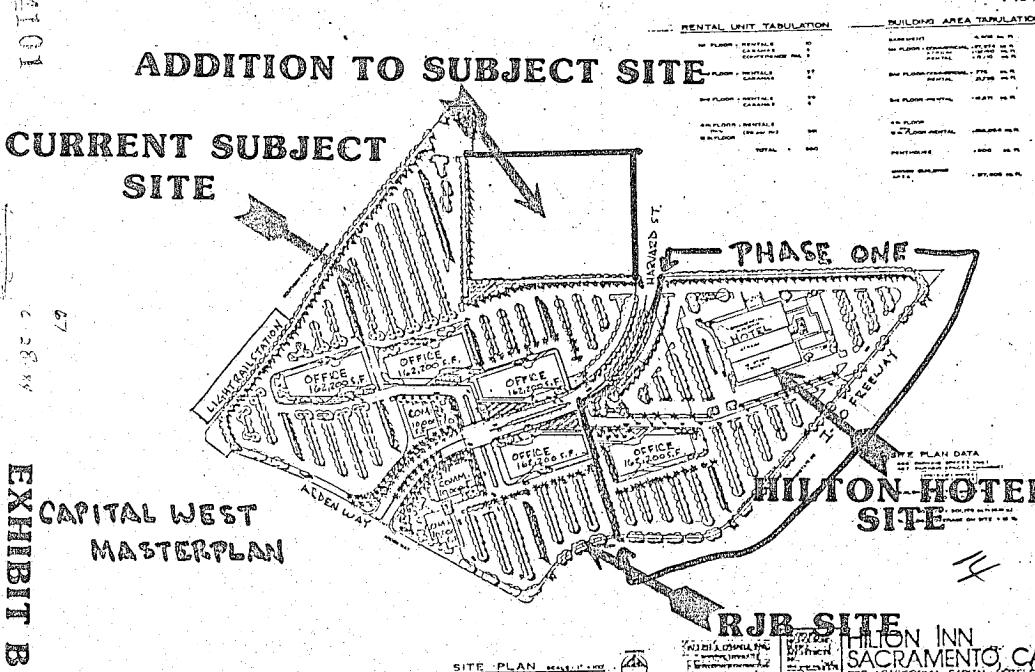
Parcel 1, as said parcel is shown and so designated on that certain Parcel Map filed in Book 72 of Parcel Maps, at Page 26, Official Records of said County, Lots 17, 18, 19, 20 and a portion of Lots 15 and 16 of Block F, as said lots and block are shown and so designated on that certain map entitled "North Sacramento Subdivision No. 2," filed in Book 11 of Maps, at Page 27, Official Records of said County, more particularly described as follows:

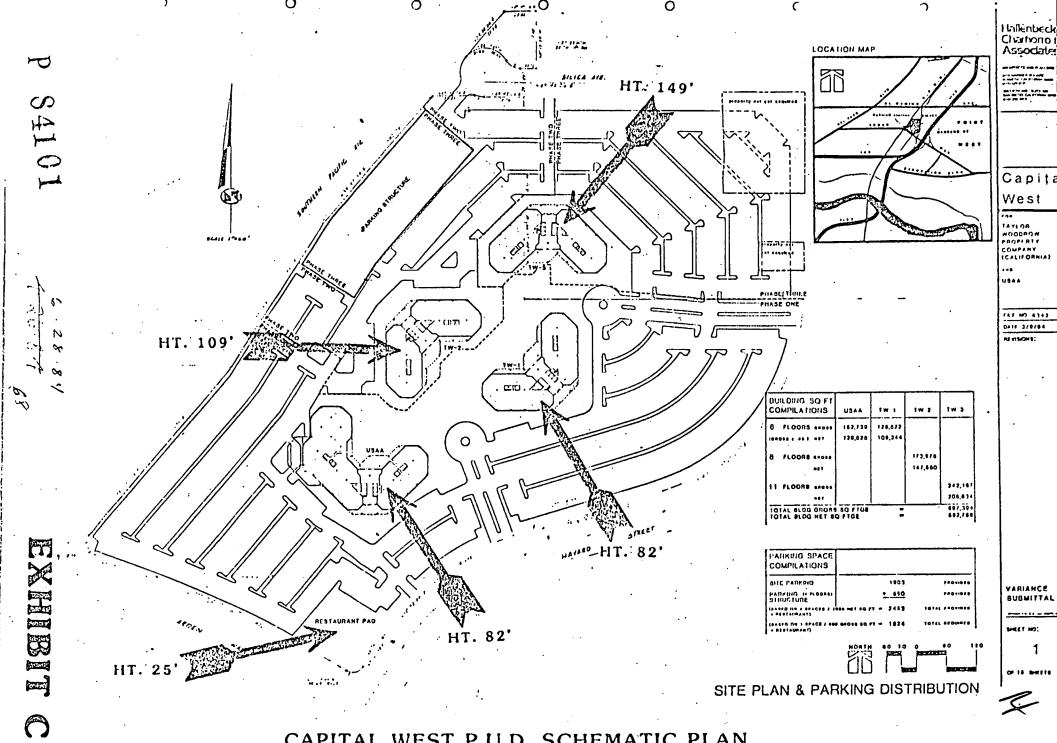
BEGINNING at the most Easterly corner of said Parcel 1; thence, along the Easterly, Southerly, Westerly and Northerly lines of said Parcel 1, the following fifteen (15) courses: (1) along the arc of a curve to the right, concave Northwesterly, having a radius of 410.00 feet and being subtended by a chord bearing South 36°36'27" West 486.52 feet; (2) South 73°00'00" West 243.22 feet; (3) South 77°34'33" West 60.19 feet; (4) along the arc of a curve to the left, concave Southeasterly, having a radius of 495.00 feet and being subtended by a chord bearing South 51°34'40" West 335.38 feet; (5) South 31°46'34" West 68.74 feet; (6) along the arc of a curve to the right, concave Northwesterly, having a radius of 25.00 feet and being subtended by a chord bearing South 77°13'43" West 35.63 feet; (7) along the arc of a curve to the left, concave Southwesterly, having a radius of 2000.00 feet and being subtended by a chord bearing North 63°23'12" West 422.83 feet; (8) North 69°27'17" West 55.92 feet; (9) South 39°58'43" West 24.70 feet; (10) North 50°01'26" West 88.39 feet; (11) North 02°26'19" East 27.23 feet; (12) North 39°58'34" East 436.41 feet; (13) North 32°27'13" East 346.04 feet; (14) North 39°58'34" East 342.54 feet; and (15) North 89°43'06" East 192.51 feet to the Northwest corner of said Lot 20; thence, along the North line of said Block F. North 39°43'06" East 399.00 feet to the Northeast corner of said Lot 17; thence, along the East line of said Lot 17, South 00°13'39" East 100.40 feet; thence, North 89°46'21" East 176.24 feet; thence, South 00°21'25" West 200.01 feet; thence, South 89°46'21" West 104.20 feet; thence, South 00°13'39" East 58:00 feet; thence, North 89°46'21" East 103.61 feet; thence, South 00°21'25" West 58.95 feet; thence, North 89°31'26" West 14.27 feet to the point of beginning.

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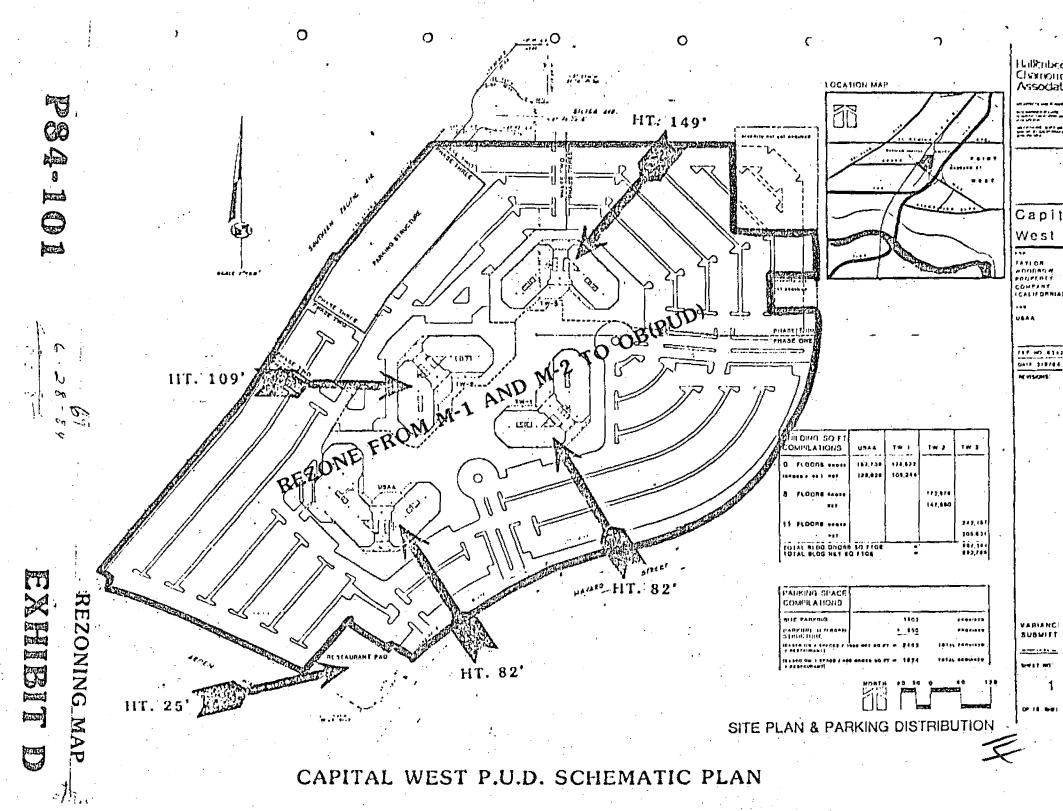


# ORIGINAL CAPITAL WEST MASTERPLAN





CAPITAL WEST P.U.D. SCHEMATIC PLAN



## resolution no. 84-810

Adopted by The Sacramento City Council on date of

RESOLUTION DESIGNATING THAT CERTAIN AREA OF THE CITY OF SACRAMENTO AS HEREIN DESCRIBED AS A PLANNED UNIT DEVELOPMENT TO BE KNOWN AS CAPITAL WEST (P84-101)

WHEREAS, the City Council conducted a public hearing on September 18, 1984, concerning the conformance of the Planned Unit Development with the provisions of the adopted Arden-Arcade Specific Plan. Based on documentary and oral evidence submitted at the public hearing, the City Council hereby finds as follows:

- The proposed project is an office planned unit development designed to provide office uses in close proximity to, and in support of, the Arden-Arcade Community Plan area.
- 2. The PUD conforms to the provisions of the Arden-Arcade Specific Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento, in accordance with Ordinance No. 2550, Fourth Series, as amended, the area described in the attached description of the Capital West PUD is hereby designated as a Planned Unit Development subject to the following conditions and stipulations:

- A. Binding Effect of Resolution. This resolution is binding, without limitation as to time, upon the applicant and all owners, or persons having any interest in the property or any part thereof, and their heirs, successors and assigns in or to the property or any party therein.
- B. <u>Title Search</u>. Any costs incurred by the City of Sacramento for a title search to determine that all such persons are so bound shall be borne by the applicant.
- C. Overall Development Plan.
  - 1. The PUD consists of the following:

Phase I two 6-story office structures
Phase II one 8-story office structure
Phase III one 11-story office structure and parking
structure

697,394 square feet of office use

2. The development of any portion of the PUD shall conform with the Schematic Plan (Exhibits A and B), and Design Criteria (Exhibit C), as approved by the City Planning Commission on June 28, 1984, and by the City Council on September 18, 1984.

#### 3. Conditions.

- (a) Circulation and traffic improvements
  - (1) The applicant shall install two lanes of new asphalt on Harvard Street, from Silica Avenue to Auburn Boulevard, prior to issuance of the first building permit.
- (b) Transportation Management Plan

The applicant shall submit a Transportation Management Plan to the Planning Director for review and approval, prior to issuance of the first building permit.

- (1) The plan shall include a written agreement which provides for:
  - (a) The construction of the pedestrian bridge prior to completion of 455,000 square feet of non-residential square feet in the Capital West PUD (refer to Exhibit D for PUD boundaries). The bridge shall be designed and located as shown on Exhibit E; any substantial change in this design or location shall be mutually agreed upon by the City, STDA, and the applicant.
  - (b) Payment by the applicant for all bridge improvement costs or \$450,000.00, whichever is less. The \$130,000.00 payment specified in Ordinance No. 83-136 shall be applied to the cost of the new bridge.
  - (c) The applicant shall either be reimbursed or receive a reduction in share of bridge improvement cost on a pro rata formula based on square footage of non-residential development, as specified above (ref 3-b-(1)-(a) and (b)) in the event (1) the City approves new development on land bounded by the Southern Pacific Railroad tracks, Silica Avenue, Bus. 80 Freeway and Arden Way, and (2) conditions such approval as a requirement to contribute for bridge improvements. (CPC added...or prior to City Council consideration of this project, the applicant, owners of all other properties in the original Capital West

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Master Plan area (excluding the site area encompassing the Hilton Hotel), STDA and the City shall enter into a written agreement to form an assessment district or other acceptable enforceable device to provide a fully privately funded pedestrian bridge in the time and manner as specified above.)

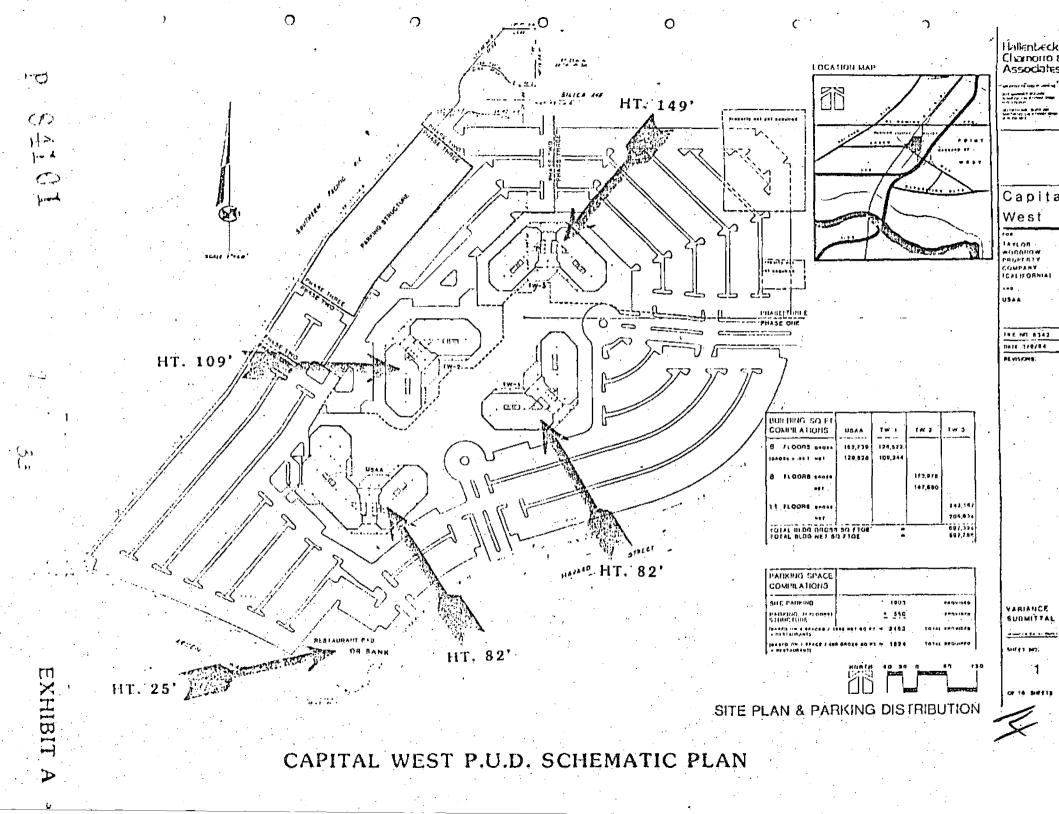
- (d) The pedestrian bridge shall be constructed prior to issuance of building permit for Phase III, or when the non-residential square footage exceeds the threshold level of 455,000 square feet for the Capital West PUD and/or original Capital West Master Plan area as shown on Exhibit B.
- (2) The Transportation Management Plan shall include shower and locker facilities in each building for employee use to facilitate bicycle commuting.
- (3) The applicant shall receive full credit of 10% (a 5% credit was approved for the subject site under P83-221) to satisfy the 15% trip reduction target pursuant to the City's Trip Reduction Ordinance for construction of the pedestrian bridge and installation of shower and locker facilities.

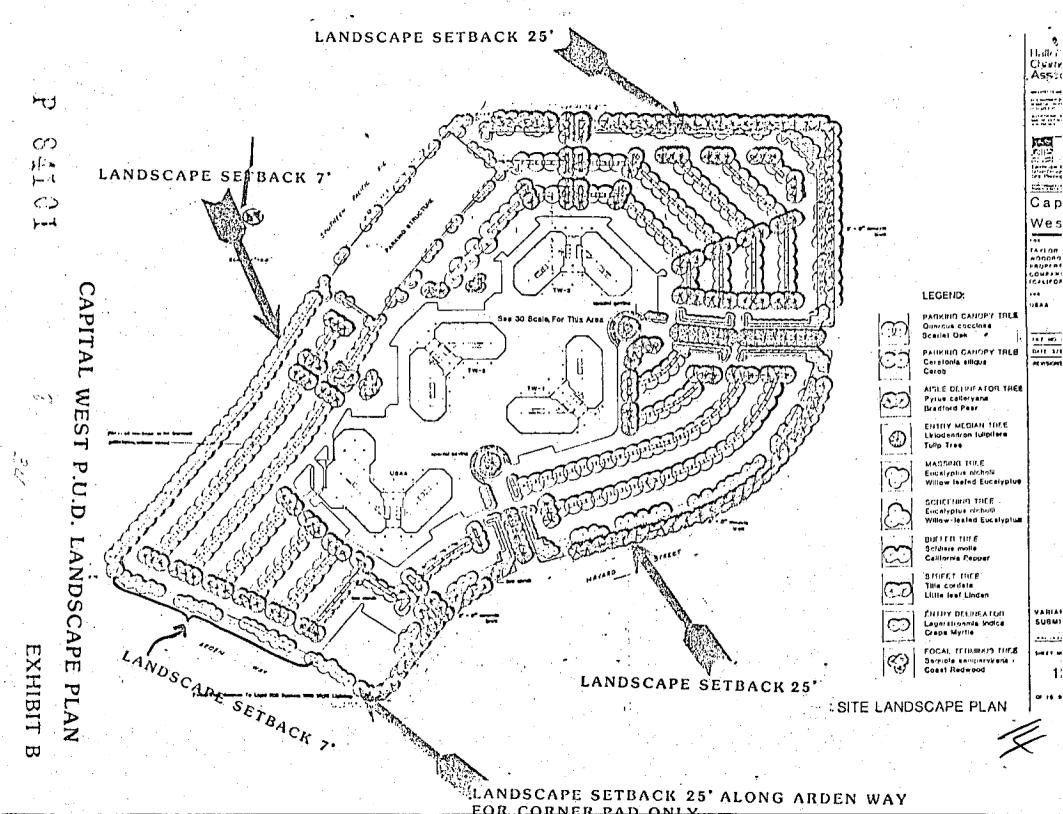
MAYOR

ATTEST:

CITY CLERK

P84-101





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DEVELOPMENT GUIDELINES

CAPITAL WEST OFFICE PARK

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#### CAPITAL WEST OFFICE PARK PLANNED UNIT DEVELOPMENT GUIDELINES



#### I. Purpose and Intent

The Capitol West Office Park is being created as a planned unit development, composed of office and commercial building uses, intended to provide an interrelated total environment, utilizing a common theme, while encouraging architectural variation. All development within the PUD shall be in general conformance with the approved schematic plan. (See Exhibits A, B, & C)

The following general objectives are set forth to provide an initial basis for project review:

- A. To provide adequate natural light, pure air and safety from fire and other dangers.
- B. To enhance the value of land and structures within and adjacent to Capitol West.
- C. To minimize congestion due to vehicular and pedestrian circulation within the project area.
- D. To preserve and enhance the aesthetic values throughout Capitol West.
- E. To promote public health, safety, comfort, convenience and general welfare.
- F. To provide safe and convenient access to the Swanston Light Rail Station, to encourage public transit usage.

These guidelines are intended to act as a supplement to existing City ordinances and shall prevail when more specific than the City ordinance. Any amendments hereto can only become effective upon approval by the Planning Commission of the City of Sacramento.

#### II. Permitted Uses

- A. Permitted Uses in the Office Building Zone
  - office uses normally allowed in the OB zone are permitted as provided in Section 2 (Land Use Regulations) of the Zoning Urdinance. Additionally, reserach and development in the fields of electronics, communications, medicine, data processing and computer technology, environmental control, measuring devices, scientific instrumentation and advanced engineering research shall be allowed. However, such uses shall not include the manufacture or assembly of products derived from the research and development process. Corporate and regional headquarters and executive offices or uses shall be permitted provided that no manufacturing or retail sales occur in the PUD.

- Principal entrance to the food service use shall be from inside the office building only. Exterior doors shall be for emergency exiting only, and shall have alarms. Signs shall not be visible from the outside.
- B. Permitted Uses in the Commercial Zones

Permitted uses include but are not limited to the following:

- Restaurants (excluding drive-in and/or fast food);
- Banks/savings and loan;

#### III. PROCEDURES FOR APPROVAL

Development of parcels in PUDs are subject to special permit approval by the City Planning Commission. Special permit development plans shall be in conformance with the schematic plan and PUD guidelines approved by the City Council.

A preliminary review of special permit applications may be required when the City determines that such review, by City, County, State and other agencies, is essential to a thorough review.

The following information shall be submitted with a special permit application:

- Names and addresses of builder, contractor, developer and architect.
- 2. Project site plat with dimensions taken from signed recorded plat.
- 3. All submissions must include topography showing existing grades and proposed grades at one foot intervals with spot elevations as required to clarify drawings, also show building corner elevations and floor landscaping.
- Proposed landscaping.
- Retaining walls.
- Locations and details of temporary and permanent signs, including dimensions.
- Temporary and permanent fences.
- 8. Front, side and rear setbacks from building to property lines.
- 9.: Easements and rights-of-way.
- 10. Pipes, berms, ditches, swales.
- 11. Uriveways, parking areas, pathways and lighting, existing and proposed.

- 12: Locations and details of benches and patios.
- 13. Exterior storage and screening devices for trash, mechanical and communications equipment and meters.
- 14. Light poles and transformers, with height and type indicated.
- 15. Sewer alignments and location of manholes and inverts
- 16. Mailboxes, if any.
- 17. Roof projections and/or roof plan and screening treatment.
- 18. Land use distribution:

% and square footage of site used for the following:

- Building pad;
- Surface parking and any other paved area;
- Landscaping (includes private sidewalks and patios).
- 19. Building elevations for all sides and height to top plate and top of roof.
- 20. Location of existing and proposed buildings.
- 21. Street names and right-of-way widths.
- 22. Cross sections of structures indicating relationship to adjacent buildings and roadways.
- 23. Dimensions for typical parking stalls and manuevering areas, including setbacks of buildings and building separation.
- 24. Bar scales on all plans.

## IV. ENVIRONMENTAL STANDARDS

A. General. It is intended that through these guidelines a desirable work and business environment be created - the uses compatible with each other, and the building relating harmoniously with each other and the surrounding grounds, and the project as an entity complementary to the neighborhood.

### B. Landscaping

1. General. Natural groundcovers with permanent automatic irrigation interspersed with tree plantings will tie together the individual elements through the project. All landscaping referred to in this section shall be maintained in a neat and orderly fashion.

- 2. Minimum Landscaping Coverage Per Project. Minimum landscape coverage percentage for property within the PUD and for any project within the PUD shall be 25 percent in the office zone, and 20 percent in the commercial zone. However, in the case of a single story office structure, the minimum landscaping coverage shall be 20%.
- Planting Types. All trees, shrubs and groundcover planting types shall conform to the City of Sacramento approved plant list unless an alternative type is approved by the Director of Community Services or his designee. A plant list for the PUD shall be approved by the Planning Director prior to the submittal of the first special permit application to the Planning Department.
- 4. Setbacks Adjacent to Public Right-of-Way and Private Drives. For the purpose of providing screening of parking lots from the roadways, the abutting frontages shall have landscaped undulating berms. The height of the berms shall be determined with each special permit. The berms shall be landscaped with predominantly evergreen trees, shrubs and groundcover.
- 5. Irrigation. All landscaped areas shall be irrigated with timed permanent automatic underground systems.
- 6. Sufaced Parking Lots. Trees shall be planted and maintained throughout the surfaced parking lot to insure that within fifteen years after the establishment of the parking lot, at least fifty (50) percent of the parking area will be shaded at noon on August 21st.
- 7. Approval of Landscape Plans. Project special permit approvals shall be subject to submittal of detailed landscape and irrigation plans for review and approval of staff prior to issuance of a building permit. A tree shading diagram shall be submitted with each building permit application for the review and approval of the Director of Community Services or his designee.
- 8. Front and Street Side Yard Setback Area. Landscaping in these areas shall consist of an effective combination of trees, groundcover and shrubbery.
- 9. Side and Rear Yard Setback Area. All unpaved areas not utilized for parking shall be landscaped utilizing groundcover and/or shrubbery and tree material. Undeveloped areas proposed for future expansion shall be maintained in a reasonably weed free condition, but need not be landscaped.
- 10. Installation of Landscaping. Prior to the issuance of any temporary or final occupancy permits, each project's landscaping, including permanent automatic irrigation system, shall either be installed, or security, in a form satisfactory to the City, shall be posted to insure installation as soon as climatically possible after occupancy. Plants shall be varied in size: one and five callon shrubs; 5 and 15 gallon and 24 inch box trees.

- The PUD plant list, examples of acceptable design treatment such as berming and screening, and typical street corner treatments shall be approved by the Planning Director prior to submittal of the first special permit application in the PUD.
- 12. Landscaping adjacent to Arden Way, Harvard St. and Silica Ave. shall consist of an undulating 4 foot high berm and a minimum of 30 feet of landscaping along Arden Way and Harvard St., 25 ft. along Silica Ave. A minimum 10 ft. landscape setback is required, along the West property line abutting the SPRR tracks.
- 13. Provide a majority of 24 inch boxed trees instead of 15 gallon trees for Capitol West Office Park.

#### C. Pedestrian Circulation

Primary and secondary walkways shall be designed to provide logical and convenient pedestrian circulation between the Swanston Light Rail Station and the office buildings, and between streets, bus stops, parking areas, adjacent structures and abutting properties through the boundary landscaping. Both walkways and bikeways shall be designed with pedestrian health and safety in mind. Pedestrian walkways and bikeways shall be landscaped to provide shade in the summer, and well lit to encourage night usage. The minimum width of a sidewalk shall be 6 ft.

#### D. Parking Area Standards

- 1. Adequate off-street parking shall be provided to accommodate all parking needs of the site. The intent is to eliminate the need for any on-street parking.
- 2. Required off-street parking shall be provided on the site served.
- Parking Requirements
  - a. Office
    - One automobile parking space for each 300 square feet of gross floor area.

One automobile parking space for each 200 square feet of gross floor area for medical or dental offices.

- 2) One bicycle space for every 15 required automobile parking spaces, 50 percent of which shall be Class I facilities and 50 percent of which shall be either Class II or Class III as defined in Section 22.A.6 of the Zoning Ordinance.
- Of the parking spaces provided, carpool, vanpool and bicycle parking spaces shall be located closest to the employee entrances to the buildings.
- b. Commercial

- Restaurant/Bar. One automobile space for every three seats based upon capacity of the fixed and moveable seating area as determined under the Uniform Building Code. One space for every 1.1 employees in the largest shift.
- 2) Financial Institutions. One automobile space for each 200 square feet of gross floor area.
- 3) All other commercial uses shall conform to City requirements for each commercial use.
- 4) One Class II or Class III bicycle space for every 25 required automobile parking spaces as defined in Section 22.A.6 of the Zoning Ordinance.

#### c. Compact Parking Spaces

Maximum of thirty percent of all vehicle parking spaces may be compact spaces. These should be located so that use by standard sized vehicles will not impede movement in aisles.

- 4. Carpooling and vanpooling is encouraged for each building and shall be addressed in the Special Permit application for each development.
- 5. Minimum stall dimensions shall correspond to standards provided in the City Zoning Ordinance except that the front two feet of all stalls, the area into which the vehicle bumper overhangs, shall be incorporated into the adjacent landscape or walkway improvements resulting in a net decrease of two feet of the required surfaced depth of the parking stall and a minimum net increase of two feet in width of the landscaped planter or walkway. No individual prefabricated wheel stop will be permitted.
- 6. A continuous six-inch raised concrete curb shall be provided along all landscape areas abutting parking or drives.
- Curbs, drives and parking surfaces shall be constructed in accordance with the latest requirements of the City of Sacramento.

#### 8. Exterior Lighting

- a. Lighting shall be designed in such a manner as to provide safety and comfort for occupants of the development and the general public.
- b. Lighting design shall be such as not to produce hazardous and annoying glare to motorists and building occupants, adjacent residents, or the general public.

- c. Lighting shall be oriented away from the properties adjacent to the PUD. Ground lighting, rather than elevated fixtures, shall be used when in close proximity to housing.
- d. Exterior lighting fixtures shall be similar and compatible throughout the PUD.

#### E. Performance Standards

Purpose and Intent.

It is the intent of these restrictions to prevent any use of the business parks which may create dangerous, injurious, noxious or otherwise objectionable conditions.

#### 2. Nuisances.

No nuisance shall be permitted to exist in the business parks. The term "nuisance" shall include, but not be limited to, any use which:

- a. emits dust, sweepings, dirt, fumes, odors, gases or other substances into the atmosphere which may adversely affect the health, safety or welfare of persons working at the business parks or residing in adjacent neighborhoods; or
- exceeds permissible noise levels as established by the City of Sacramento

## V. Building Standards in the Office Building and Commercial Zones.

A. Purpose and Intent

The purpose and intent of this section is (a) to encourage the creative and innovative use of materials and methods of construction, and (b) to prevent indiscriminate and insensitive use of materials and design

- B. Building Height and Setbacks
  - 1. The maximum building heights shall be as follows and as indicated on the Schematic Plan (Exhibit A). If a mechanical penthouse is provided, an additional 14' shall be allowed to accommodate the mechanical penthouse.

USAA		824
TW1		62'
TV/2		109'
TW3	•	149'
commercial	site	25'

#### 2. Building and Landscape Setbacks

	<u>Building S/B</u>	<u>Landscape S/B</u>
Arden Way	25'	*
Harvard Street	25'	25'
Silica Street	25'	25'
S.P.R.R.	10'	7'

\*The minimum landscape setback along Arden Way for the commercial pad shall be 25'. The minimum landscape setback for the remaining portion of the site adjoining the Arden Way overpass R-G-W shall be 7'. The earth fill section of the Arden Way overpass abutting the project site shall be landscaped, irrigated and maintained by the applicant/property owner.

#### C. Exterior Wall Materials

- Finished building materials shall be applied to all sides of a building, including trash enclosures and mechanical and communications equipment screens.
- Tilt-up concrete construction technique shall be allowed, only if full compliance with all of the other conditions of the guidelines is maintained. The intent is not to allow for full tilt-up concrete structures (like a warehouse facility), but only to provide that tilt-up concrete materials may form a portion of the surface area of the structures; e.g., to provide for sheer walls, decorative forms, etc., with other construction materials making up the majority of the surface, such as combination of glass and spandrel.
- 3. Exposed concrete block shall not be acceptable for exterior surfaces. The intent is not to preclude such concrete block construction as split face block, texture block, slump stone or other similar material.
- 4. The effect of exterior wall materials shall be compatible with those used on all other buildings in the development. Examples of acceptable exterior wall materials are stucco, concrete, wood glass, metals and brick. Stucco or wood materials should not be used as the primary exterior building material for buildings exceeding two stories in height

#### D. Colors

- Building colors shall be harmonious and compatible with the colors of other buildings in the development and with the natural surroundings.
- 2. The general overall atmosphere of color shall be earth tones, which includes muted shades of gray and muted shades and medium to dark tones of burnt umber, raw umber, raw sienna, burnt sienna, Indian red, English red, yellow othre, throme green and terra cotta. Redwood, natural stone, brick, dark duranodic aluminum finishes, etc., shall be the background colors. If painted surfaces are used, these shall be earth toned. Accent colors shall be used whenever necessary, but shall be subject to review and approval by the City Planning Department.
- E. Roof Projections and Design

- 1. All air conditioning units, TV antennas, ventilating equipment, other mechanical equipment and communications equipment shall be completely screened or enclosed with materials compatible with the exterior building walls.
- 2. Projections shall be painted to match the roof or building.

#### F. Energy Conservation Standards

Purpose and Intent. The purpose of these energy conservation standards is to set forth cost-effective energy saving measures which shall be incorporated into building design.

#### 2. Standards

- a. Buildings shall be designed to meet current state and federal energy requirements at the time of construction.
- b. Landscaping shall be designed to shade structure, walks, streets, drives and parking areas so as to minimize summer surface heat gain and shall, at a minimum, comply with all current City of Sacramento standards.
- c. Site design shall take into consideration thermal and glare impact of construction materials on adjacent structures, vegetation and roadways.
- d. Outdoor lighting should be designed to provide the minimum level of site lighting commensurate with site security.
- e. Periodic energy-use audits shall be conducted by SMUD to identify wasteful consumption practices and opportunities for energy use reduction.

#### G. Temporary Structures

- Temporary structures, including, but not limited to trailers, mobile homes and other structures not affixed to the ground, are permitted only during construction of a permanent building. These shall be installed at the start of construction, and shall be removed promptly upon completion of the permanent building.
- Such structures shall be a inconspicuous as possible and shall cause no inconvenience to the general public.

#### H. Loading Areas

Truck loading dock(s) shall be designed as an integral part of the structure(s) and shall not be oriented to any public right-of-way. The intent is to assure that these facilities are located in the most inconspicuous manner possible.

#### I. Outside Storage

No open air storage of materials, supplies, equipment, mobile equipment, finished or semi-finished products or articles of any nature shall be allowed. No outside storage of overnight delivery trucks or fleet vehicles shall be permitted. Storage is to be inside structures.

- J. Garbage Services/Trash Enclosures
  - These facilities shall not create a nuisance and shall be located in the most inconspicuous manner possible. Furthermore, they may not be located within the landscape setback of any public street or the building setbacks of Arden Way, Harvard Street and Silica Ave.
  - 2. All exterior garbage and refuse facilities shall be concealed by a screening wall of a material similar to and compatible with the building(s) it serves. Landscaping (shrubs and/or vines) shall be placed along the screening wall to soften the presence of these facilities. Landscaping (trees) shall also be provided to screen the overview of trash and garbage from the upper floors of adjacent buildings.
  - 3. Such facilities shall relate appropriately to the building(s) and shall not be obtrusive in any way, or detract from the building design theme.
  - 4. The Trash Enclosures Shall Be Designed as Follows:
    - a. The walls of the trash enclosure structure shall be constructed of solid masonry material and the exterior surface finished in a manner compatible with the main structures.
    - b. The trash enclosure structure shall have heavy gauge decorative metal gates, and designed with cane bolts on the doors to secure the gates when in the open position.
    - c. The trash enclosure facility shall be designed to allow walk-in access by tenants without having to open the main enclosure gates.
    - d. The walls shall be a minimum six feet in height, more if necessary for adequate screening.
    - e. The perimeter of the trash enclosure structure shall be screened with landscaping, including a combination of shrubs and/or climbing evergreen vines.
    - f. The enclosures shall be adequate in capacity, number and distribution.

- K. Utility Connections, Mechanical Equipment and Communications Equipment.
  - Placement of mechanical and communications equipment, utility meters and storage tanks shall minimize their visibility, particularly from the public rights-of-way. Visual barriers such as walls or landscaping, etc., shall be used when such equipment cannot be placed out of view, provided such barriers do not significantly impede the proper functioning of the equipment.
  - 2. If concealment within the building is not possible, then such utility elements shall be concealed by screen walls, which shall be appropriately landscaped.
  - 3. All utility lines shall be underground.
  - 4. All mechanical equipment shall be located so as not to cause nuisance or discomfort from noise, fumes, odors, etc.
  - Penthouse, mechanical and communications equipment screening shall be of a design and material similar to and compatible with those used in the related buildings.
  - 6. Mechanical equipment shall not be located adjacent to residences.
- L. On-Site Drainage

Each building site owner shall be required to provide adequate drainage facilities in accordance with City of Sacramento standards.

M. Exterior Fire Stairs

Unenclosed exterior fire stairs shall not be permitted.

N. Walkways and Courtyards

Walkway and courtyard materials shall be compatible with the exterior wall materials of adjacent buildings and with walk and path system standards of the PUD. Surfaces shall have a non-skid finish. Layout and design shall provide maximum comfort and safety to pedestrians.

#### VI. SIGN CRITERIA AND REGULATIONS

A. Purpose. The criteria will aid in eliminating excessive and confusing sign displays, preserve and enhance the appearance of the Capitol West Office Park development, safeguard and enhance property values, and will encourage signage which by good design is integrated with and is harmonious to the buildings and sites that it occupies.

These sign regulations are intended to compliment the City of Sacramento Sign Ordinance No. 2868, Fourth Series. In all cases, except for the maximum area for OB, the more restrictive requirements shall apply.

#### B. General Requirements

- A sign program shall be submitted with individual project special permit applications, or to the City Planning staff, if submitted subsequent to the City Planning Commission special permit hearing.
- 2. In no case shall flashing, moving or audible signs be permitted.
- In no case shall the wording of signs describe the products sold, prices or any type of advertising, except as part of the occupant's trade name or insignia.
- 4. No signs shall be permitted on canopy roofs or building roofs.
- 5. No sign or any portion thereof may project above the building or top of the wall upon which it is mounted.
- 6. No signs perpendicular to the face of the building shall be permitted.
- 7. No exposed bulb signs are permitted.
- 8. No offsite signage shall be allowed.

#### C. Design Requirements

- The location of signs shall be only as shown on the approved special permit site plan.
- All electrical signs shall bear the UL label, and their installation must comply with all local building and electrical codes.
- No exposed conduit, tubing or raceways will be permitted.
- 4. All conductors, transformers and other equipment shall be concealed.
- 5. All signs, fastenings, bolts and clips shall be of hot, dipped, galvanized iron, stainless steel, aluminum. Brass, bronze or Black iron of any type will be permitted.
- 6. All exterior letters or signs exposed to the weather shall be mounted at least three fourths inch (3/4") from the building to permit proper dirt and water drainage.
- 7. Location of all openings for conduit and sleeves in sign panels of building shall be indicated by the sign contractor on drawings submitted to the City Building Division.

8. No signmakers' labels or other identification will be permitted on the exposed surface of signs, except those required by local ordinance which shall be located in an inconspicuous location.

#### D. Miscellaneous Requirements:

1. Each occupant will be permitted to place upon each entrance to its premises not more than 144 square inches of lettering, indicating hours of business, emergency telephone numbers and proprietorship. No other window signs will be allowed.

- 2. Each occupant who has a non-consumer door for receiving merchandise may have uniformly applied, on said door, in two-inch high block letters, the occupant's name and address. Where more than one occupant uses the same door, each name and address shall be applied.
- 3. Occupants may install street address numbers as the U.S. Post Office requires. Size, type and color of the numbers shall be reviewed and approved by the City Planning Division.

#### E. Special Signing

- 1. Floor signs, such as inserts into terrazzo, special tile treatment, etc., will be permitted with the occupant's lease line or property line, if approved by the City Planning Division.
- 2. Informational and directional signs, relating to pedestrian and vehicular flows, within the Capitol West Office Park PUD Project Area, shall conform to the standards of the City of Sacramento Sign Ordinance.
- 3. One standard sign denoting the name of the project, the marketing agent, the contractor, architect and engineer shall be permitted on the site, upon the commencement of construction. Said sign shall be permitted until such a time as a final City inspection of the building(s) designates said structure(s) fit for occupancy, or the tenant is occupying said building, whichever occurs first. These signs must be kept in good repair.
- 4. A sign advertising the sale or lease of the site or building shall be permitted, but shall not exceed a maximum area of six (6) square feet.

## F. Designated Park Project Identification Sign

 One non-illuminated monument sign, as defined by Section 3.520 of the City Sign Ordinance, shall be allowed per designated office park.

- 2. Maximum area of sign: 48 square feet.
- 3. Maximum height of sign: 12 feet from street or parking lot grade, whichever is lower.
- 4. Location: To be located at the major entry to the designated park. The sign may be placed in the setback area. However, it must be located farther than ten feet from the public right-of-way and from any driveway. No signs shall be allowed in the public right-of-way.

#### G. UB Office Building Zone

- 1. One non-illuminated monument sign, as defined by Section 3.520 of the City Sign Ordinance, allowed per parcel.
- Maximum area of sign: forty-eight square feet.
- 3. Maximum height: twelve feet from street grade or parking lot grade, whichever is lower.
- 4. Location: To be located at the major entry/exit to the parcel. May be placed in the setback area. However, the sign must be located farther than ten feet from the public right-of-way and from any driveway.

#### H. C-2 Commercial Zone

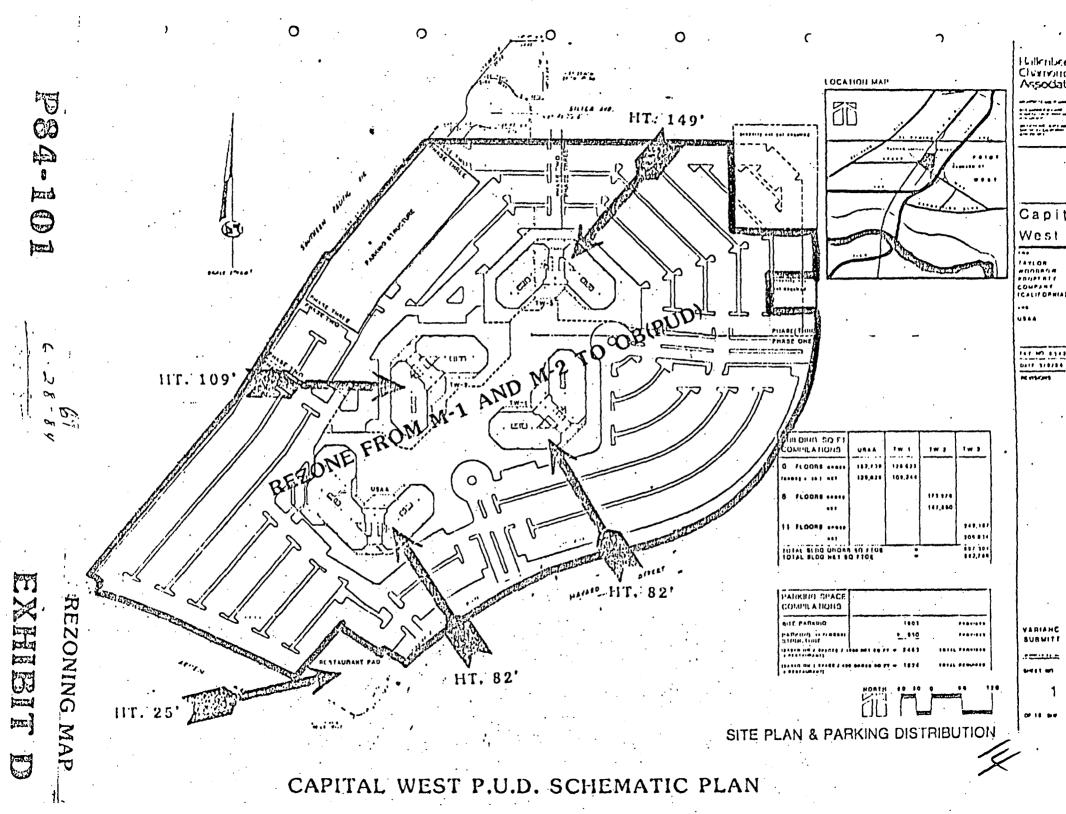
- 1. One monument sign, as defined by Section 3.520 of the City Sign Ordinance, allowed per parcel.
- 2. Maximum area of sign: 48 square feet.
- 3. Maximum height of sign: twelve feet from street or parking lot grade, whichever is lower.
- 4. Location: To be located at the major entry/exit to the parcel. May be placed in the setback area; however, the sign must be located farther than ten feet from the public right-of-way and from any driveway.

## VII. ISSUANCE OF BUILDING PERMITS

Except as otherwise provided in the Special Permit, or in the Resolution, no building permit shall be issued for any building or structure in a Planned Unite Development Project, or a land area covered by a Planned Unite Development Designation, until the plans submitted for the building permit have been reviewed by the Planning Director, and he has determined that said plans conform to a valid special permit issued for a Planned Unit Development under this Section.

## VIII. BUILDING OCCUPANCY

In accordance with Section 8 of the Zoning Ordinance, "no building or structure unit within a Planned Unit Development may be occupied, until an inspection of the project has been made by the Planning Director, to see that all conditions of the special permit have been complied with".



ALTERNATIVE

#### AGREEMENT

This Ageement is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1984, by and among USAA Financial Services Company, a \_\_\_\_\_ (hereafter "USAA"), the City of Sacramento, a charter city (hereafter "City"), and Sacramento transit Development Agency, a joint powers agency (hereafter "STDA").

WHEREAS, STDA is constructing a light rail line and light rail passenger station in the vicinity of Arden Way and Interstate Highway Business 80; and

WHEREAS, USAA is the owner and developer of a portion of the property (hereafter "Property") located in the north-west quadrant of Arden Way and Insterstate Highway Business 80 as shown on Exhibit A;

WHEREAS, the conditions of approval for rezoning and a special use permit for part of the Property owned by USAA (file number P84-101) are set forth in Exhibit B; and

WHEREAS, the conditions of approval for rezoning a part of the Property (file number P83-221) are set forth in Exhibit C; and

WHEREAS, City Ordinance No. 83-136 to require payment to STDA of \$130,000 for the cost of constructing pedestrian access to the Swanston light rail station; and

WHEREAS, the parties hereto desire to establish a mechanism for private funding of the cost of construction of a pedestrian bridge between the Property and the proposed Swanston light rail station; and

WHEREAS, the construction of this pedestrian bridge will confer a direct and special benefit to the Property and, additionally, may confer a direct and special benefit to a larger area which includes the Property;

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

1. USAA shall petition the City for formation of a special assessment district within an area bounded by the Southern Pacific Railroad tracks on the West, El Camino Avenue on the North, Interstate Highway Business 80 on the East and Arden Way on the South (hereafter the "area"). In the event that USAA acquires additional property in the area, it shall take any necessary action to cause such property to be included in the assessment district. The purpose of the district shall be to provide financing for a pedestrian bridge in an amount not to exceed \$450,000 for design, construction, acquisition of right-of-way and related costs, plus any additional amount necessary for assessment district costs. Such petition shall be filed upon request of the City and shall be in form and content as determined in the sole discretion of City. Among other things, the petition shall waive the provisions of the Special Assessment Investigation, Limitations and Majority Protest Act of 1931 (Streets and Highways Code Sections 2800 et seq.; California Constitution Article XVI, Section 19.)

- 2. USAA consents to participate in such an assessment district which includes the Property together with such other properties, if any, as are determined by the assessment proceedings to be benefited by the proposed pedestrian bridge.
- 3. The location and design of the pedestrian bridge shall be substantially as shown on Exhibit D, unless changes are mutually agreed upon by all parties to this Agreement.
- 4. USAA shall reserve land from the Property necessary for the pedestrian bridge and public access thereto.
- 5. City agrees to institute and process proceedings for formation of an assessment district upon receipt of a petition from USAA; provided that nothing herein shall constitute a limitation on the discretion of the City to consider other alternatives or to limit the exercise of discretion by the City.
- 6. No assessment lien shall be levied against any of the Property until:
  - A. building permits are issued for construction of 455,000 gross square feet of non-residential building space, excluding the Hilton Hotel, within the assessment district boundaries; and
  - B. the light rail line on Arden Way and the Swanston light rail station are under construction.

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Issuance of building permits shall not be delayed or withheld based upon failure of the conditions stated in subparagraph 6B above.

- 7. Upon formation of an assessment district, STDA or City shall construct or cause to be constructed by contract a pedestrian bridge as such work has been authorized by the assessment proceedings or as changes are permissible under applicable law.
- 8. Notwithstanding any other provision of this agreement, USAA shall pay to STDA on demand an amount representing the difference between \$450,000 and the amount required to be paid by Ordinance No. 83-136, less any contributions required pursuant to paragraph 9, on a pro rata basis for the purpose of constructing the pedestrian bridge contemplated by this agreement; provided, however, that no demand for payment shall be made prior to termination of the assessment district proceedings or prior to occurrence of the conditions specified in paragraph 6 above. "Pro rata basis" shall be a fraction, the numerator of which is the maximum gross nonresidential building square feet (excluding the Hilton Hotel) authorized by a discretionary land use entitlement on land within the Property owned by the obligee and the denominator of which is the total maximum gross non-residential building square feet (excluding the Hilton Hotel) authorized on the property.
- 9. Prior to the demand date, if any, described in paragraph 8 above, City shall consider in any hearing whether to condition approval of other non-residential discretionary land use entitlements

in the area upon payment on an equitable basis of the cost of the pedestrian bridge according to the benefit to the property involved.

- 10. In the event that USAA or any other grantee fails to pay its contribution as required by paragraphs 8 or 9 within thirty (30) days of demand by STDA, no building permit shall thereafter be issued for any structure in the area on land owned by the property owner failing to pay its contribution. The foregoing remedy is cumulative and in addition to all other remedies STDA or the City may have at law or in equity.
- If the light rail line on Arden way and the Swanston Light Rail Station are not under construction prior to completion of 697,000 gross square feet of non-residential building space on the land designated on Exhibit A, USAA or its successors in interest shall be relieved of their obligations under this agreement which shall immediately terminate.
- 12. All assessment district costs incurred by City in arranging assessment district financing, including but not limited to costs of notices, publication, posting, printing, bond counsel, condemnation litigation expenses, underwriting costs and any security deposits or funds shall be included in the assessment.
- 13. Execution of this Agreement and performance of the obligations by USAA pursuant to this Agreement shall constitute compliance with all conditions imposed upon USAA for provision of pedestrian access to the light rail station.

ş ...<u>-</u> '

- 14. City agrees that execution of this agreement and performance of the obligations pursuant to this agreement, including payment toward financing the pedestrian bridge in either manner specified herein, shall constitute TMP compliance by USAA for that development approved by P84-101; provided however, that the foregoing shall not excuse compliance with other TMP requirements set forth in P84-101 as approved by the City Council.
- 15. The rights and obligations of USAA may be assigned to any successor in interest in the Property. Such assignment shall be effective only when the assignment agreement and the agreement of the assignee to assume the obligations of this agreement are delivered to City in the manner prescribed for written notice.
- 16. Should any litigation be commenced between the parties hereto concerning enforcement of this agreement, for breach of this agreement or for a declaration of the rights and duties of the parties under this Agreement, the prevailing party or parties shall be entitled to reasonable attorneys' fees and costs.
- 17. The burdens of this Agreement shall be binding upon and the benefits of this Agreement shall inure to the successors in interest of the parties hereto.
- 18. All exhibits referred to herein are attached hereto, marked respectively as referred to herein, and are by this reference incorporated herein.

19. Any notice required or desired to be given pursuant to this agreement shall be given in writing, sent by U.S. Mail, certified mail return, receipt requested, postage prepaid, addressed as follows:

USAA: Taylor Woodrow of California

One Maritime Plaza, Suite 1770

San Francisco, CA 94111

City: City of Sacramento

915 I Street

Sacramento, CA 95814

STDA: STDA

926 J Street, Suite 611 Sacramento, CA 95814

Any party desiring to change its address for notice may do so by giving notice as set forth herein.

20. A fully executed copy of this Agreement shall be recorded with the County Recorder within 10 days following its approval by the City Council of the City of Sacramento.

# ATTACHMENT 1

#### AGREEMENT

This Agreement is made and entered into this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 1984, by and among USAA Financial Services Company, a \_\_\_\_\_\_ (hereafter "USAA"), RJB Interland, a California partnership (hereafter "RJB"), the City of Sacramento, a charter city (hereafter "City"), and Sacramento Transit Development Agency, a joint powers agency (hereafter "STDA").

WHEREAS, STDA is constructing a light rail line and light rail passenger station in the vicinity of Arden Way and Interstate Highway Business 80; and

WHEREAS, RJB and USAA are owners and developers of property (hereafter "Property") located in the northwest quadrant of Arden Way and Interstate Highway Business 80 as shown on Exhibit A;

WHEREAS, the conditions of approval for rezoning and a special use permit for part of the Property owned by USAA (file number P84-101) are set forth in Exhibit B; and

WHEREAS, the conditions of approval for rezoning part of the Property owned by RJB (file number P83-221) are set forth in Exhibit C; and

WHEREAS, RJB is required by City Ordinance No. 83-136 to enter into an agreement with STDA to pay \$130,000 for the cost of constructing pedestrian access to the Swanston light rail station; and

WHEREAS, the parties hereto desire to establish a mechanism for private funding of the cost of construction of a pedestrian bridge between the Property and the proposed Swanston light rail station, and

whereas, the construction of this pedestrian bridge will confer a direct and special benefit to the Property and, additionally, may confer a direct and special benefit to a larger area which includes the Property;

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

- 1. USAA and RJB shall petition the City for formation of a special assessment district within an area bounded by the Southern Pacific Railroad tracks on the West, Camino Avenue on the North, Interstate Highway Business 80 on the East and Arden Way on the South (hereafter the "area"). In the event that USAA or RJB acquire additional property in the area, the party acquiring such property shall take any necessary action to cause such property to be included in the assessment district. The purpose of the district shall be to provide financing for a pedestrian bridge in an amount not to exceed \$450,000 for design, construction, acquisition of right-of-way and related costs, plus any additional amount necessary for assessment district costs. Such petition shall be filed upon request of the City and shall be in form and content as determined in the sole discretion of City. Among other things, the petition shall waive the provisions of the Special Assessent Investigation, Limitations and Majority Protest Act of 1931 (Streets and Highways Code Sections 2800 et seg.; California Constitution Article XVI, Section 19.)
- 2. USAA and RJB consent to participate in such an assessment district which includes the Property together with such other properties, if any, as are determined by the assessment proceedings to be benefited by the proposed pedestrian bridge.
- 3. The location and design of the pedestrian bridge shall be substantially as shown on Exhibit D, unless changes are mutually agreed upon by all parties to this Agreement.



- 4. USAA shall reserve land from the Property necessary for the pedestrian bridge and public access thereto.
- 5. City agrees to institute and process proceedings for formation of an assessment district upon receipt of a petition from USAA and RJB; provided that nothing herein shall constitute a limitation on the discretion of the City to consider other alternatives or to limit the exercise of discretion by the City.
- 6. No assessment lien shall be levied against any of the Property until:
  - A. building permits are issued for construction of 455,000 gross square feet of non-residential building space, excluding the Hilton Hotel, within the assessment district boundaries; and
  - B. the light rail line on Arden Way and the Swanston light rail station are under construction.

Issuance of building permits shall not be delayed or withheld based upon failure of the conditions stated in subparagraph 6B above.

- 7. Upon formation of an assessment district, STDA or City shall construct or cause to be constructed by contract a pedestrian bridge as such work has been authorized by the assessment proceedings or as changes are permissible under applicable law.
- 8. Nothwithstanding any other provisions of this agreement, RJB and USAA shall pay to STDA on demand the sum of \$450,000, less any contributions required pursuant to paragraph 9. The RJB and USAA payment shall be divided between them on a pro rata basis for

the purpose of constructing the pedestrian bridge contemplated by this agreement; provided, however, that for payment shall be made prior no demand termination of the assesment district proceedings or prior to occurrence of the conditions specified in "Pro rata basis" shall Paragraph 6 above. fraction, the numerator of which is the maximum gross non-residential building square feet (excluding the Hilton Hotel) authorized on the demand date by a discretionary land use entitlement on area land owned by the oblique and the denominator of which is total combined maximum gross non-residential building square feet (excluding the Hilton Hotel) authorized by a discretionary land use entitlement on the demand date on area land owned by RJB or USAA.

- 9. Prior to the demand date, if any, described in Paragraph 8 above, City shall consider in any hearing whether to condition approval of non-residential discretionary land use entitlements in the area upon payment on an equitable basis of the cost of the pedestrian bridge according to the benefit to the property involved.
- 10. In the event that RJB, USAA or any other grantee fails to pay its contribution as required by Paragraph 8 or 9 within thirty (30) days of demand by STDA, no building permit shall thereafter be issued for any structure in the area on land owned by the property owner failing to pay its contribution. The foregoing remedy is cumulative and in addition to all other remedies STDA or the City may have at law or in equity.

- If the light rail line on Arden Way and the Swanston 11. Light Rail Station are not under construction prior to completion of 697,000 gross square feet of non-residential building space on the land designated on Exhibit A as owned by USAA, RJB and USAA or their successors in interest shall be relieved of their under this obligations agreement which immediately terminate.
- 12. All assessment district costs incurred by City in arranging assessment district financing, including but not limited to costs of notices, publication, posting, printing, bond counsel, condemnation litigation expenses, underwriting costs and any security deposits or funds shall be included in the assessment.
- 13. Subject to the provisions of paragraph 21, execution of this Agreement and performance of the obligations by USAA pursuant to this Agreement shall RJB and constitute compliance with all conditions imposed upon USAA and RJB for provision of pedestrian access to the light rail station, and the City shall amend Ordinance No.83-136 requiring payment by RJB. RJB agrees to amend and rescind any requirement imposed by RJB or its successors for payment of any portion of the \$130,000 required to be paid by Ordinance No. 83-136, and specifically the contribution to be made by USAA as set out in the RJB-USAA agreement of November , 1983 upon amendment of Ordinance No. 83-136.
- 14. City agrees that execution of this agreement and performance of the obligations pursuant to this agreement, including payment toward financing the pedestrian bridge in either manner specified herein, shall constitute TMP compliance by USAA and RJB, respectively, for that development approved by P83-221 and P84-101;

provided, however, that the foregoing shall not excuse compliance with other TMP requirements set forth in P83-221 and P84-101 as approved by the City Council.

- 15. The rights and obligations of USAA and RJB may be assigned to any successor in interest in the Property. Such assignment shall be effective only when the assignment agreement and the agreement of the assignee to assume the obligations of this agreement are delivered to City in the manner prescribed for written notice.
- 16. Should any litigation be commenced between the parties hereto concerning enforcement of this agreement, for breach of this agreement or for a declaration of the rights and duties of the parties under this Agreement, the prevailing party or parties shall be entitled to reasonable attorneys' fees and costs.
- 17. The burdens of this Agreement shall be binding upon and the benefits of this Agreement shall inure to the successors in interest of the parties hereto.
- 18. All exhibits referred to herein are attached hereto, marked respectively as referred to herein, and are by this reference incorporated herein.
- 19. Any notice required or desired to be given pursuant to this agreement shall be given in writing, sent by U.S. Mail, certified mail return, receipt requested, postage prepaid, addressed as follows:

USAA:

RJB: RJB Interland 7667 Folsom Boulevard, Suite 325 Sacramento, CA 95826

City:

City of Sacramento

915 I Street

Sacramento, CA 95814

STDA:

STDA

926 J Street, Suite 611 Sacramento, CA 95814

Any party desiring to change its address for notice may do so by giving notice as set forth herein.

- 20. A fully executed copy of this Agreement shall be recorded with the County Recorder within 10 days following its approval by the City Council of the City of Sacramento.
- 21. The obligations of RJB under this agreement are conditional upon the approval of the two RJB office buildings, not to exceed 10 stories and 162,200 gross square feet each, in the location designated on Exhibit A. In the event that these two RJB office buildings are not approved by the City Council, City Ordinance No. 83-136 shall not be amended.

# RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

RESOLUTION DESIGNATING THAT CERTAIN AREA OF THE CITY OF SACRAMENTO AS HEREIN DESCRIBED AS A PLANNED UNIT DEVELOPMENT TO BE KNOWN AS CAPITAL WEST (P84-101)

WHEREAS, the City Council conducted a public hearing on September 18, 1984 concerning the conformance of the Planned Unit Development with the provisions of the adopted Arden-Arcade Specific Plan. Based on documentary and oral evidence submitted at the public hearing, the City Council hereby finds as follows:

- 1. The proposed project is an office planned unit development designed to provide office uses in close proximity to, and in support of, the Arden-Arcade Community Plan area.
- 2. The PUD conforms to the provisions of the Arden-Arcade Specific Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento, in accordance with Ordinance No. 2550, Fourth Series, as amended, the area described in the attached description of the Capital West PUD is hereby designated as a Planned Unit Development subject to the following conditions and stipulations:

- A. Binding Effect of Resolution. This resolution is binding, without limitation as to time, upon the applicant and all owners, or persons having any interest in the property or any part thereof, and their keirs, successors and assigns in or to the property or any party therein.
- B. <u>Title Search</u>. Any costs incurred by the City of Sacramento for a title search to determine that all such persons are so bound shall be borne by the applicant.
- C. Overall Development Plan.
  - 1. The PUD consists of the following:

Phase I two 6-story office structures

Phase II one 8-story office structure

Phase III one 11-story office structure and parking structure

697,394 square feet of office use

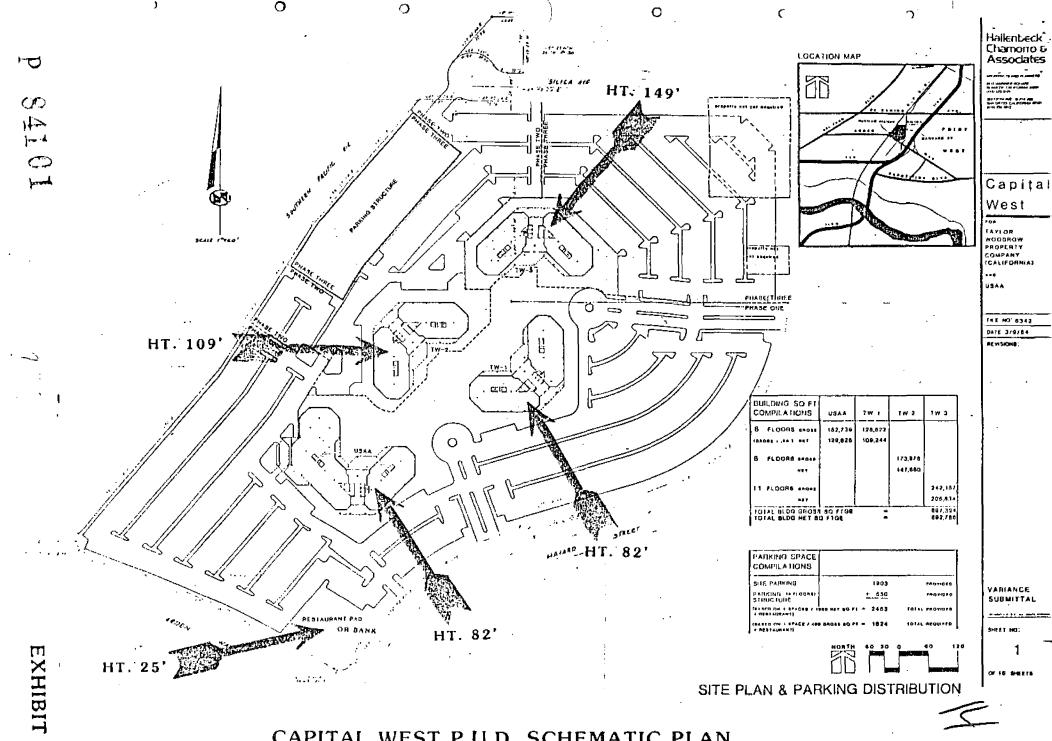
2. The development of any portion of the PUD shall conform with the Schematic Plan (Exhibits A and B), and Design Criteria (Exhibit C), as approved by the City Planning Commission on June 28, 1984 and by the City Council on September 18, 1984.

MAYOR

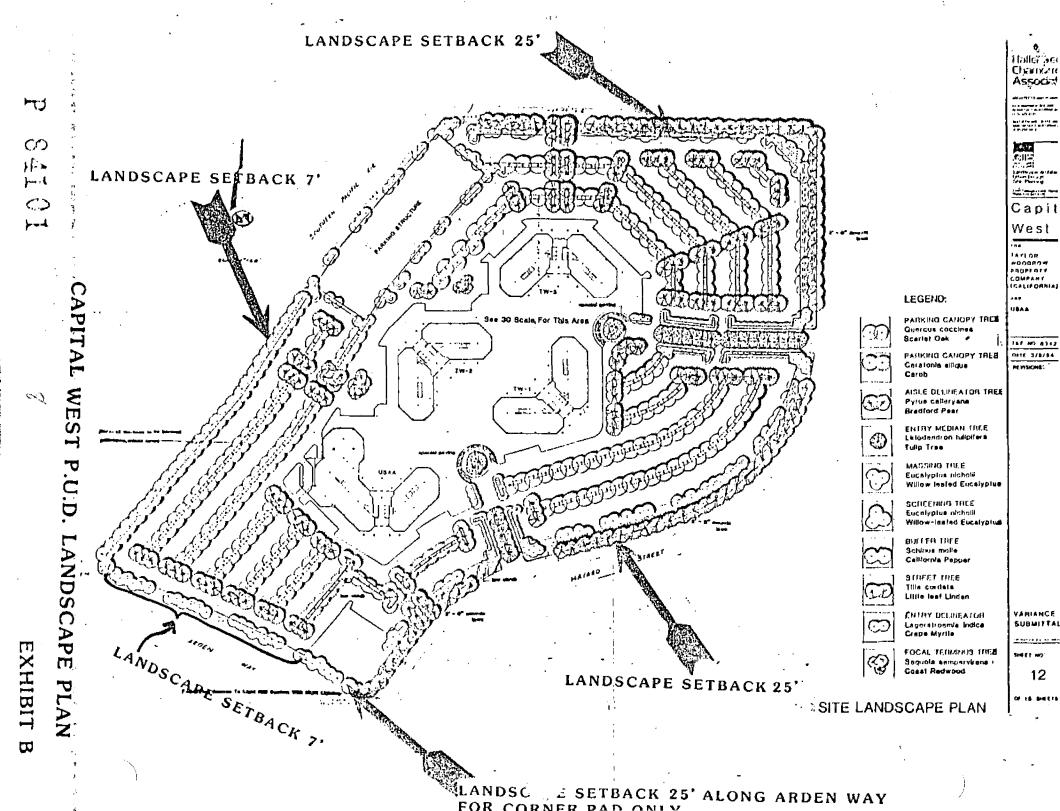
ATTEST:

CITY CLERK

P84-101



CAPITAL WEST P.U.D. SCHEMATIC PLAN



# DEVELOPMENT GUIDELINES CAPITAL WEST OFFICE PARK

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Section VI

Sign Criteria and Regulations \_\_\_

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Building Occupancy

# CAPITAL WEST OFFICE PARK PLANNED UNIT DEVELOPMENT GUIDELINES



#### I. Purpose and Intent

The Capitol West Office Park is being created as a planned unit development, composed of office and commercial building uses, intended to provide an interrelated total environment, utilizing a common theme, while encouraging architectural variation. All development within the PUD shall be in general conformance with the approved schematic plan. (See Exhibits A, B, & C)

The following general objectives are set forth to provide an initial basis for project review:

- A. To provide adequate natural light, pure air and safety from fire and other dangers.
- B. To enhance the value of land and structures within and adjacent to Capitol West.
- C. To minimize congestion due to vehicular and pedestrian circulation within the project area.
- U. To preserve and enhance the aesthetic values throughout Capitol West.
- E. To promote public health, safety, comfort, convenience and general welfare.
- F. To provide safe and convenient access to the Swanston Light Rail Station, to encourage public transit usage.

These guidelines are intended to act as a supplement to existing City ordinances and shall prevail when more specific than the City ordinance. Any amendments hereto can only become effective upon approval by the Planning Commission of the City of Sacramento.

#### II. Permitted Uses

- A. Permitted Uses in the Office Building Zone
  - 1. Office uses normally allowed in the OB zone are permitted as provided in Section 2 (Land Use Regulations) of the Zoning Ordinance. Additionally, reserach and development in the fields of electronics, communications, medicine, data processing and computer technology, environmental control, measuring devices, scientific instrumentation and advanced engineering research shall be allowed. However, such uses shall not include the manufacture or assembly of products derived from the research and development process. Corporate and regional headquarters and executive offices or uses shall be permitted provided that no manufacturing or retail sales occur in the PUD.

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- Food service uses are also permitted within the office buildings when ancillary to the office use (e.g., employee cafeteria). Principal entrance to the food service use shall be from inside the office building only. Exterior doors shall be for emergency exiting only, and shall have alarms. Signs shall not be visible from the outside.
- B. Permitted Uses in the Commercial Zones

Permitted uses include but are not limited to the following:

- Restaurants (excluding drive-in and/or fast food);
- Banks/savings and loan;

## III. PRUCEDURES FOR APPROVAL

Development of parcels in PUDs are subject to special permit approval by the City Planning Commission. Special permit development plans shall be in conformance with the schematic plan and PUD guidelines approved by the City Council.

A preliminary review of special permit applications may be required when the City determines that such review, by City, County, State and other agencies, is essential to a thorough review.

The following information shall be submitted with a special permit application:

- Names and addresses of builder, contractor, developer and architect.
- 2. Project site plat with dimensions taken from signed recorded plat.
- 3. All submissions must include topography showing existing grades and proposed grades at one foot intervals with spot elevations as required to clarify drawings, also show building corner elevations and floor landscaping.
- Proposed landscaping.
- Retaining walls.
- 6. Locations and details of temporary and permanent signs, including dimensions.
- 7. Temporary and permanent fences.
- 8. Front, side and rear setbacks from building to property lines.
- 9. Easements and rights-of-way.
- 10. Pipes, berms, ditches, swales.
- 11. Driveways, parking areas, pathways and lighting, existing and proposed.

- 12: Locations and details of benches and patios.
- 13. Exterior storage and screening devices for trash, mechanical and communications equipment and meters.
- 14. Light poles and transformers, with height and type indicated.
- 15. Sewer alignments and location of manholes and inverts
- 16. Mailboxes, if any.
- 17. Roof projections and/or roof plan and screening treatment.
- 18. Land use distribution:

% and square footage of site used for the following:

- Building pad;
- Surface parking and any other paved area;
- Landscaping (includes private sidewalks and patios).
- 19. Building elevations for all sides and height to top plate and top. of roof.
- 20. Location of existing and proposed buildings.
- 21. Street names and right-of-way widths.
- 22. Cross sections of structures indicating relationship to adjacent buildings and roadways.
- 23. Dimensions for typical parking stalls and manuevering areas, including setbacks of buildings and building separation.
- 24. Bar scales on all plans.

# IV. ENVIRONMENTAL STANDARDS

A. General. It is intended that through these guidelines a desirable work and business environment be created - the uses compatible with each other, and the building relating harmoniously with each other and the surrounding grounds, and the project as an entity complementary to the neighborhood.

#### B. Landscaping

1. General. Natural groundcovers with permanent automatic irrigation interspersed with tree plantings will tie together the individual elements through the project. All landscaping referred to in this section shall be maintained in a neat and orderly fashion.

- 2. Minimum Landscaping Coverage Per Project. Minimum landscape coverage percentage for property within the PUD and for any project within the PUD shall be 25 percent in the office zone, and 20 percent in the commercial zone. However, in the case of a single story office structure, the minimum landscaping coverage shall be 20%.
- 3. Planting Types. All trees, shrubs and groundcover planting types shall conform to the City of Sacramento approved plant list unless an alternative type is approved by the Director of Community Services or his designee. A plant list for the PUD shall be approved by the Planning Director prior to the submittal of the first special permit application to the Planning Department.
- 4. Setbacks Adjacent to Public Right-of-Way and Private Drives. For the purpose of providing screening of parking lots from the roadways, the abutting frontages shall have landscaped undulating berms. The height of the berms shall be determined with each special permit. The berms shall be landscaped with predominantly evergreen trees, shrubs and groundcover.
- 5. Irrigation. All landscaped areas shall be irrigated with timed permanent automatic underground systems.
- 6. Sufaced Parking Lots. Trees shall be planted and maintained throughout the surfaced parking lot to insure that within fifteen years after the establishment of the parking lot, at least fifty (50) percent of the parking area will be shaded at noon on August 21st.
- 7. Approval of Landscape Plans. Project special permit approvals shall be subject to submittal of detailed landscape and irrigation plans for review and approval of staff prior to issuance of a building permit. A tree shading diagram shall be submitted with each building permit application for the review and approval of the Director of Community Services or his designee.
- 8. Front and Street Side Yard Setback Area. Landscaping in these areas shall consist of an effective combination of trees, groundcover and shrubbery.
- 9. Side and Rear Yard Setback Area. All unpaved areas not utilized for parking shall be landscaped utilizing groundcover and/or shrubbery and tree material. Undeveloped areas proposed for future expansion shall be maintained in a reasonably weed free condition, but need not be landscaped.
- 10. Installation of Landscaping. Prior to the issuance of any temporary or final occupancy permits, each project's landscaping, including permanent automatic irrigation system, shall either be installed, or security, in a form satisfactory to the City, shall be posted to insure installation as soon as climatically possible after occupancy. Plants shall be varied in size: one and five gallon shrubs; 5 and 15 gallon and 24 inch box trees.

- 11. The PUD plant list, examples of acceptable design theatment such as berming and screening, and typical street corner treatments shall be approved by the Planning Director prior to submittal of the first special permit application in the PUD.
- 12. Landscaping adjacent to Arden Way, Harvard St. and Silica Ave. shall consist of an undulating 4 foot high berm and a minimum of 30 feet of landscaping along Arden Way and Harvard St., 25 ft. 1 along Silica Ave. A minimum 10 ft. landscape setback is required along the West property line abutting the SPRR tracks.
- 13. Provide a majority of 24 inch boxed trees instead of 15 gallon trees fo Capitol West Office Park.

#### C. Pedestrian Circulation

Primary and secondary walkways shall be designed to provide logical and convenient pedestrian circulation between the Swanston Light Rail Station and the office buildings, and between streets, bus stops, parking areas, adjacent structures and abutting properties through the boundary landscaping. Both walkways and bikeways shall be designed with pedestrian health and safety in mind. Pedestrian walkways and bikeways shall be landscaped to provide shade in the summer, and well lit to encourage night usage. The minimum width of a sidewalk shall be 6 ft.

#### D. Parking Area Standards

- Adequate off-street parking shall be provided to accommodate all parking needs of the site. The intent is to eliminate the need for any on-street parking.
- 2. Required off-street parking shall be provided on the site served.
- 3. Parking Requirements

#### a. Office

 Une automobile parking space for each 300 square feet of gross floor area.

One automobile parking space for each 200 square feet of gross floor area for medical or dental offices.

- 2) One bicycle space for every 15 required automobile parking spaces, 50 percent of which shall be Class I facilities and 50 percent of which shall be either Class II or Class III as defined in Section 22.A.6 of the Zoning Ordinance.
- 3) Of the parking spaces provided, carpool, vanpool and bicycle parking spaces shall be located closest to the employee entrances to the buildings.

#### b. Commercial

- Restaurant/Bar. One automobile space for every three seats based upon capacity of the fixed and moveable seating area as determined under the Uniform Building Code. One space for every 1.1 employees in the largest shift.
- Financial Institutions. One automobile space for each 200 square feet of gross floor area.
- All other commercial uses shall conform to City requirements for each commercial use.
- 4) One Class II or Class III bicycle space for every 25 required automobile parking spaces as defined in Section 22.A.6 of the Zoning Ordinance.

## c. Compact Parking Spaces

Maximum of thirty percent of all vehicle parking spaces may be compact spaces. These should be located so that use by standard sized vehicles will not impede movement in aisles.

- '4. Carpooling and vanpooling is encouraged for each building and shall be addressed in the Special Permit application for each development.
- 5. Minimum stall dimensions shall correspond to standards provided in the City Zoning Ordinance except that the front two feet of all stalls, the area into which the vehicle bumper overhangs, shall be incorporated into the adjacent landscape or walkway improvements resulting in a net decrease of two feet of the required surfaced depth of the parking stall and a minimum net increase of two feet in width of the landscaped planter or walkway. No individual prefabricated wheel stop will be permitted.
- 6. A continuous six-inch raised concrete curb shall be provided along all landscape areas abutting parking or drives.
- 7. Curbs, drives and parking surfaces shall be constructed in accordance with the latest requirements of the City of Sacramento.
- 8. Exterior Lighting
  - a. Lighting shall be designed in such a manner as to provide safety and comfort for occupants of the development and the general public.
  - b. Lighting design shall be such as not to produce hazardous and annoying glare to motorists and building occupants, adjacent residents, or the general public.

- c. Lighting shall be oriented away from the properties adjacent to the PUD. Ground lighting, rather than elevated fixtures, shall be used when in close proximity to housing.
- d. Exterior lighting fixtures shall be similar and compatible throughout the PUD.

#### E. Performance Standards

Purpose and Intent.

It is the intent of these restrictions to prevent any use of the business parks which may create dangerous, injurious, noxious or otherwise objectionable conditions.

Nuisances.

No nuisance shall be permitted to exist in the business parks. The term "nuisance" shall include, but not be limited to, any use which:

- a. emits dust, sweepings, dirt, fumes, odors, gases or other substances into the atmosphere which may adversely affect the health, safety or welfare of persons working at the business parks or residing in adjacent neighborhoods; or
- b. exceeds permissible noise levels as established by the City of Sacramento

# V. Building Standards in the Office Building and Commercial Zones

A. Purpose and Intent

The purpose and intent of this section is (a) to encourage the creative and innovative use of materials and methods of construction, and (b) to prevent indiscriminate and insensitive use of materials and design

- B. Building Height and Setbacks
  - The maximum building heights shall be as follows and as indicated on the Schematic Plan (Exhibit A). If a mechanical penthouse is provided, an additional 14' shall be allowed to accommodate the mechanical penthouse.

USAA	82 '
TW1	62 <b>'</b>
TW2	109'
TW3	149'
commercial site	251

#### 2. Building and Landscape Setbacks

	<u>Building S/B</u>	Landscape S/B
Arden Way	25'	*
Harvard Street	25'	25'
Silica Street	25'	25'
S.P.R.R.	10'	7'

\*The minimum landscape setback along Arden Way for the commercial pad shall be 25'. The minimum landscape setback for the remaining portion of the site adjoining the Arden Way overpass R-O-W shall be 7'. The earth fill section of the Arden Way overpass abutting the project site shall be landscaped, irrigated and maintained by the applicant/property owner.

#### C. Exterior Wall Materials

- Finished building materials shall be applied to all sides of a building, including trash enclosures and mechanical and communications equipment screens.
- Tilt-up concrete construction technique shall be allowed, only if full compliance with all of the other conditions of the guidelines is maintained. The intent is not to allow for full tilt-up concrete structures (like a warehouse facility), but only to provide that tilt-up concrete materials may form a portion of the surface area of the structures; e.g., to provide for sheer walls, decorative forms, etc., with other construction materials making up the majority of the surface, such as combination of glass and spandrel.
- 3. Exposed concrete block shall not be acceptable for exterior surfaces. The intent is not to preclude such concrete block construction as split face block, texture block, slump stone or other similar material.
- 4. The effect of exterior wall materials shall be compatible with those used on all other buildings in the development. Examples of acceptable exterior wall materials are stucco, concrete, wood glass, metals and brick. Stucco or wood materials should not be used as the primary exterior building material for buildings exceeding two stories in height

# D. Colors

- Building colors shall be harmonious and compatible with the colors of other buildings in the development and with the natural surroundings.
- The general overall atmosphere of color shall be earth tones, which includes muted shades of gray and muted shades and medium to dark tones of burnt umber, raw umber, raw sienna, burnt sienna, Indian red, English red, yellow ochre, chrome green and terra cotta. Redwood, natural stone, brick, dark duranodic aluminum finishes, etc., shall be the background colors. If painted surfaces are used, these shall be earth toned. Accent colors shall be used whenever necessary, but shall be subject to review and approval by the City Planning Department.
- E. Roof Projections and Design

- 1. All air conditioning units, TV antennas, ventilating equipment, other mechanical equipment and communications equipment shall be completely screened or enclosed with materials compatible with the exterior building walls.
- 2. Projections shall be painted to match the roof or building.

#### F. Energy Conservation Standards

1. Purpose and Intent. The purpose of these energy conservation standards is to set forth cost-effective energy saving measures which shall be incorporated into building design.

#### Standards

- a. Buildings shall be designed to meet current state and federal energy requirements at the time of construction.
- b. Landscaping shall be designed to shade structure, walks, streets, drives and parking areas so as to minimize summer surface heat gain and shall, at a minimum, comply with all current City of Sacramento standards.
- c. Site design shall take into consideration thermal and glare impact of construction materials on adjacent structures, vegetation and roadways.
- d. Outdoor lighting should be designed to provide the minimum level of site lighting commensurate with site security.
- e. Periodic energy-use audits shall be conducted by SMUD to identify wasteful consumption practices and opportunities for energy use reduction.

#### G. Temporary Structures

- Temporary structures, including, but not limited to trailers, mobile homes and other structures not affixed to the ground, are permitted only during construction of a permanent building. These shall be installed at the start of construction, and shall be removed promptly upon completion of the permanent building.
- Such structures shall be a inconspicuous as possible and shall cause no inconvenience to the general public.

#### H. Loading Areas

Truck loading dock(s) shall be designed as an integral part of the structure(s) and shall not be oriented to any public right-of-way. The intent is to assure that these facilities are located in the most inconspicuous manner possible.

#### I. Outside Storage

No open air storage of materials, supplies, equipment, mobile equipment, finished or semi-finished products or articles of any nature shall be allowed. No outside storage of overnight delivery trucks or fleet vehicles shall be permitted. Storage is to be inside structures.

- J. Garbage Services/Trash Enclosures
  - These facilities shall not create a nuisance and shall be located in the most inconspicuous manner possible. Furthermore, they maynot be located within the landscape setback of any public street or the building setbacks of Arden Way, Harvard Street and Silica Ave.
  - 2. All exterior garbage and refuse facilities shall be concealed by a screening wall of a material similar to and compatible with the building(s) it serves. Landscaping (shrubs and/or vines) shall be placed along the screening wall to soften the presence of these facilities. Landscaping (trees) shall also be provided to screen the overview of trash and garbage from the upper floors of adjacent buildings.
  - 3. Such facilities shall relate appropriately to the building(s) and shall not be obtrusive in any way, or detract from the building design theme.
  - 4. The Trash Enclosures Shall Be Designed as Follows:
    - a. The walls of the trash enclosure structure shall be constructed of solid masonry material and the exterior surface finished in a manner compatible with the main structures.
    - b. The trash enclosure structure shall have heavy gauge decorative metal gates, and designed with cane bolts on the doors to secure the gates when in the open position.
    - c. The trash enclosure facility shall be designed to allow walk-in access by tenants without having to open the main enclosure gates.
    - d. The walls shall be a minimum six feet in height, more if necessary for adequate screening.
    - e. The perimeter of the trash enclosure structure shall be screened with landscaping, including a combination of shrubs and/or climbing evergreen vines.
    - f. The enclosures shall be adequate in capacity, number and distribution.

- K. Utility Connections, Mechanical Equipment and Communications Equipment
  - Placement of mechanical and communications equipment, utility meters and storage tanks shall minimize their visibility, particularly from the public rights-of-way. Visual barriers such as walls or landscaping, etc., shall be used when such equipment cannot be placed out of view, provided such barriers do not significantly impede the proper functioning of the equipment.
  - 2. If concealment within the building is not possible, then such utility elements shall be concealed by screen walls, which shall be appropriately landscaped.
  - All utility lines shall be underground.
  - 4. All mechanical equipment shall be located so as not to cause nuisance or discomfort from noise, fumes, odors, etc.
  - 5. Penthouse, mechanical and communications equipment screening shall be of a design and material similar to and compatible with those used in the related buildings.
  - 6. Mechanical equipment shall not be located adjacent to residences.

#### L. On-Site Drainage

Each building site owner shall be required to provide adequate drainage facilities in accordance with City of Sacramento standards.

M. Exterior Fire Stairs

Unenclosed exterior fire stairs shall not be permitted.

N. Walkways and Courtyards

Walkway and courtyard materials shall be compatible with the exterior wall materials of adjacent buildings and with walk and path system standards of the PUD. Surfaces shall have a non-skid finish. Layout and design shall provide maximum comfort and safety to pedestrians.

#### VI. SIGN CRITERIA AND REGULATIONS

A. Purpose. The criteria will aid in eliminating excessive and confusing sign displays, preserve and enhance the appearance of the Capitol West Uffice Park development, safeguard and enhance property values, and will encourage signage which by good design is integrated with and is harmonious to the buildings and sites that it occupies.

These sign regulations are intended to compliment the City of Sacramento Sign Ordinance No. 2868, Fourth Series. In all cases, except for the maximum area for UB, the more restrictive requirements shall apply.

#### B. General Requirements

- 1. A sign program shall be submitted with individual project special permit applications, or to the City Planning staff, if submitted subsequent to the City Planning Commission special permit hearing
- 2. In no case shall flashing, moving or audible signs be permitted.
- In no case shall the wording of signs describe the products sold, prices or any type of advertising, except as part of the occupant's trade name or insignia.
- 4. No signs shall be permitted on canopy roofs or building roofs.
- 5. No sign or any portion thereof may project above the building or top of the wall upon which it is mounted.
- 6. No signs perpendicular to the face of the building shall be permitted.
- 7. No exposed bulb signs are permitted.
- 8. No offsite signage shall be allowed.

#### C. Design Requirements

- The location of signs shall be only as shown on the approved special permit site plan.
- All electrical signs shall bear the UL label, and their installation must comply with all local building and electrical codes.
- No exposed conduit, tubing or raceways will be permitted.
- 4. All conductors, transformers and other equipment shall be concealed.
- 5. All signs, fastenings, bolts and clips shall be of hot, dipped, galvanized iron, stainless steel, aluminum. Brass, bronze or black iron of any type will be permitted.
- 6. All exterior letters or signs exposed to the weather shall be mounted at least three fourths inch (3/4") from the building to permit proper dirt and water drainage.
- 7. Location of all openings for conduit and sleeves in sign panels of building shall be indicated by the sign contractor on drawings submitted to the City Building Division.

8. No signmakers' labels or other identification will be permitted on the exposed surface of signs, except those required by local ordinance which shall be located in an inconspicuous location.

# D. Miscellaneous Requirements

- 1. Each occupant will be permitted to place upon each entrance to its premises not more than 144 square inches of lettering, indicating hours of business, emergency telephone numbers and proprietorship. No other window signs will be allowed.
- 2. Each occupant who has a non-consumer door for receiving merchandise may have uniformly applied, on said door, in two-inch high block letters, the occupant's name and address. Where more than one occupant uses the same door, each name and address shall be applied.
- Occupants may install street address numbers as the U.S. Post Office requires. Size, type and color of the numbers shall be reviewed and approved by the City Planning Division.

#### E. Special Signing

- Floor signs, such as inserts into terrazzo, special tile treatment, etc., will be permitted with the occupant's lease line or property line, if approved by the City Planning Division.
- 2. Informational and directional signs, relating to pedestrian and vehicular flows, within the Capitol West Office Park PUD Project Area, shall conform to the standards of the City of Sacramento Sign Ordinance.
- 3. One standard sign denoting the name of the project, the marketing agent, the contractor, architect and engineer shall be permitted on the site, upon the commencement of construction. Said sign shall be permitted until such a time as a final City inspection of the building(s) designates said structure(s) fit for occupancy, or the tenant is occupying said building, whichever occurs first. These signs must be kept in good repair.
- 4. A sign advertising the sale or lease of the site or building shall be permitted, but shall not exceed a maximum area of six (6) square feet.

# F. Designated Park Project Identification Sign

 One non-illuminated monument sign, as defined by Section 3.520 of the City Sign Ordinance, shall be allowed per designated office park.

- 2. Maximum area of sign: 48 square feet.
- 3. Maximum height of sign: 12 feet from street or parking lot grade, whichever is lower.
- 4. Location: To be located at the major entry to the designated park. The sign may be placed in the setback area. However, it must be located farther than ten feet from the public right-of-way and from any driveway. No signs shall be allowed in the public right-of-way.

# G. OB Office Building Zone

- 1. One non-illuminated monument sign, as defined by Section 3.520 of the City Sign Ordinance, allowed per parcel.
- Maximum area of sign: forty-eight square feet.
- 3. Maximum height: twelve feet from street grade or parking lot grade, whichever is lower.
- 4. Location: To be located at the major entry/exit to the parcel. May be placed in the setback area. However, the sign must be located farther than ten feet from the public right-of-way and from any driveway.

#### H. C-2 Commercial Zone

- 1. One monument sign, as defined by Section 3.520 of the City Sign Ordinance, allowed per parcel.
- Maximum area of sign: 48 square feet.
- 3. Maximum height of sign: twelve feet from street or parking lot grade, whichever is lower.
- 4. Location: To be located at the major entry/exit to the parcel. May be placed in the setback area; however, the sign must be located farther than ten feet from the public right-of-way and from any driveway.

#### VII. ISSUANCE OF BUILDING PERMITS

Except as otherwise provided in the Special Permit, or in the Resolution, no building permit shall be issued for any building or structure in a Planned Unite Development Project, or a land area covered by a Planned Unit Development Designation, until the plans submitted for the building permit have been reviewed by the Planning Director, and he has determined that said plans conform to a valid special permit issued for a Planned Unit Development under this Section.

# VIII. BUILDING OCCUPANCY

In accordance with Section 8 of the Zoning Ordinance, "no building or structure unit within a Planned Unit Development may be occupied, until an inspection of the project has been made by the Planning Director, to see that all conditions of the special permit have been complied with".

#### STAFF REPORT AMENDED 6-28-84 CITY PLANNING COMMISSION

927 10TH STREET, SUITE 300 - SACRAMENTO, CALIFORNIA 95814

Hallenbeck, Chamorro & Associates, 2015 Mariner Square Dr. Alameda, Ca. 94501 APPLICANT\_ OWNER Taylor Woodrow of California, One Maritime Plaza, San Francisco, Ca. 94111 PLANS BY Hallenbeck, Chamorro & Assoc. 2415 Mariner Sq. Dr., Alameda, Ca 94501 \_\_\_50 DAY CPC ACTION DATE\_\_\_\_ FILING DATE. .06. ASSESSOR'S PCL NO\_ NEGATIVE DEC. 4-16-84 EIR\_

#### APPLICATION:

- Negative Declaration Α.
- Amend General Plan from Industrial to Office В.
- Amend Community Plan from Heavy Commercial or Industrial to С. Office
- υ. Rezone 23± ac. from M-1 and M-2 to OB (PUD)
- Ε. Designate Planned Unit Development to be known as Capital West
- F. Adopt PUD Schematic Plan and PUD Guidelines
- Special Permit to develop 4 office buildings (108±': 148±': 20 82±')

LUCATION:

Northwest corner of Arden Way and Harvard Street

PROPOSAL:

The applicant is requesting the necessary entitlements to develop four office structures known as the Capital West Office PUD.

M-1 and M-2

23.05± acres

Vacant

Commercial and offices

Light Industrial and M-1

Light Industrial and M-1

SPRR and Light Rail and M-1

Heavy commercial or industrial

#### PROJECT INFORMATION:

1974 General Plan Designation: 1965 Arden Arcade Community

Plan Designation:

Existing zoning of site:

Existing land use of site:

Surrounding land use and zoning:

North:

South:

East:

West:

Property Area:

Topography:

Street improvements:

Utilities:

Exterior building colors:

Exterior building materials:

Flat Existing Existing

C-4-R

Neutral medium tone - not yet determined

Metal curtainwall skin or precast

Vacant (proposed Hilton Hotel) and

concrete panels w/black/grey tinted

glass

#### Parking Information:

Parking Ratio Required: 1 space/400 s.f.
Parking Spaces Required: 1,744 spaces
Parking Ratio\_Provided: 1 space/284 s.f.
Parking Spaces Provided: 2,453 spaces

#### **Building Characteristics**

<u>Phase</u>	Building	Gross Square Feet	<u>Height</u>	Floors
1	USAA	152,739	81'8"	6
j	TW 1	128,522	81'8"	6
2	TW 2	173,976	108'4"	8
3	TW 3	242,157	148'4"	11
		697,394		

BACKGRUUND: The subject site encompasses an area approximately 23± acres in size and is bordered by Silica Avenue on the north, Arden Way on the south, S.P.R.R. (future light rail line) on the west, and Harvard Street on the east. The subject site consists of the western one half of the project area that is referred to as the Capitol West Office Plaza. In late 1983, the Commission and City Council approved the necessary entitlements to develop a 12-story (104' tall) Hilton Hotel across Harvard Street to the east (P83-221) from the subject site. In conjunction with the Hilton Hotel project, a masterplan for the future development of the entire Capitol West Office Plaza Project Area (39± acres) which includes the current subject site was submitted and approved by the Commission (refer to Exhibit B). The original masterplan included the following uses:

Square Footage
217,605
811,000
20.000
30,000
1,058,605

Following the approval of the Hilton Hotel project, the original land owner has sold the current subject site to Taylor Woodrow of California and U.S.A.A.

#### Applicant's Proposal:

Taylor Woodrow of California and U.S.A.A. has acquired the western half of the Capitol West project area in addition to approximately 5± acre area at the southeast corner of Silica Avenue and Harvard Street. The applicant proposes to develop a four building office complex which deviates substantially from the original master plan for the subject site (refer to Exhibit C).



The project is designed to be developed in three phases as follows:

Phase	Building	<pre>Size (Gross s.f.)</pre>	Height	Floors
1 1 2 3	USAA TW1 TW2 TW3	152,739 128,522 173,976 242,157	81'8" 81'8" 108'4" 148'4"	6 6 8 11
Total:		697,394 g.s.f.		

The applicant is requesting a P.U.D. designation for the subject site to allow development of the four office structures.

Phase One of the PUD includes two office buildings identified as USAA and TW1. The first structure is a build to suit office building for the United States Automobile Association which is locating a western regional office in Sacramento. The second building identified as TW1, is being developed for general lease. The Phase One buildings are similar in design and consist of six floors at a height of . 81' 8". The Phase Two (TW2) building consists of a 8 story (108'4" tall) office structure. The Phase Three (TW3) development consists of a 11 story office tower at a height of 148' 4" and a 4 story parking structure for 550 vehicles. The applicant's site plan proposes a total of 2,453 off-street parking spaces which computes to a parking ratio of 1 space per 284 s.f.

STAFF EVALUATION: The staff comments and concerns regarding this project relate to the following issues: 1) Traffic impacts, 2) Transportation Management Plan and improved access to Swanston Light Rail Station 3) PUD Schematic Plan, 4) Relocation plan for residents of Arden Star Mobile Home Park.

#### Traffic Analysis

As summarized in the previous section, the applicant is proposing a four building office complex of substantial size and dimensions. A comparison of the previous master plan with the applicant's proposal indicates an increase of office square footage by  $210,794 \, \text{s.f.}$  (697,394-486,600 s.f. =  $210,794 \, \text{s.f.}$ ). This application also includes an area approximately  $5\pm$  acres in size (parcels south of Silica Avenue) which was not a part of the previous master plan.

Two of the office structures (TW2 and TW3) have heights of 108' 4" and 148' 4" and contain 8 floors and 11 floors respectively. These two buildings are the tallest buildings proposed to date in Sacramento outside of the Central Business District. The proposed Hilton Hotel across Harvard Street to the east from the subject site was approved for 12 floors at a height of 104 feet.

In order to assess the potential traffic impacts, the planning staff requested a traffic study of the proposed project as well as the cumulative impacts of similar developments within the vicinity. For purposes of analysis, the study area included the area bounded by El Camino Avenue to the north, S.P.R.R. tracks to the west, Arden Way to the south, and I-80 to the east.

The traffic study identified existing traffic conditions, project impact traffic conditions, as well as anticipated traffic impacts from cumulative development within the study area. This study assumed an overall 15-percent trip reduction for the project based upon implementation of a Comprehensive Transporation Management Plan.

The existing and anticipated traffic impacts as indicated by this study were evaluated for impact, using the "level of service" technique where LOS of "A" is good and "F" is poor. The acceptable level of service according to the City Traffic Engineer is a LOS of "C".

The results of the analysis of the Traffic at key intersections is outlined as follows:

Intersection	Existing LOS	Subject Project Only Existing and Projected LOS	Buildout LOS
Arden/Harvard	8	D	D
Arden/I-80 WB off	D	D	Ε
Arden/I-80 on	ט	£	F
El Camino/I-80	А	B (East bound off only)	B (East Bound off only)

In order to reduce traffic impacts generated by the subject project on Arden Way and direct northeast bound commuters to exit onto Harvard Street and use the El Camino/I-80 freeway interchange, the traffic study identified the following street improvements as traffic mitigation measures:

Measures necessary to mitigate project impacts:

- Improvement of Arden/Harvard intersection (necessary improvements currently under construction by the City);
- Signalization of intersection of Van Ness and El Camino Avenue. (Included in the 1988-89 Capital Improvement Program).
- Installation of two lanes of asphalt on Harvard from Silica to Auburn Boulevard;

The Environmental Coordinator has filed a conditional negative declaration incorporating the above referenced mitigation measures as conditions of project approval. The timing of these improvements are scheduled as follows:

1. Asphalt repaying of Harvard Street between Silica to Auburn shall be installed prior to issuance of building permit for the first phase (281,261 s.f.).



The improvements identified as being necessary to mitigate the impacts of cumulative development within the study area which shall be required of subsequent developments in the future are:

- Widening of westbound off-ramp from I-80 to Arden Way;

- Improve capacity from eastbound Arden Way traffic onto I-80.

# 2. Transportation Management Plan

In accordance with the City's Trip Reduction Ordinance, the applicant is required to submit a Transportation Management Plan prior to issuance of any building permit which achieves a 15% reduction in vehicle trips generated by the proposed project. (The applicant will receive na 5% credit from the previous application P83-221).

As the results of the traffic study has shown, even with the street and intersection improvements, there will be significant congestion at the Arden/Harvard Intersection and I-80/Arden Way Interchange. In order to further mitigate these impacts and encourage optimum usage of the Swanston Station Light Rail Station which abutts the subject site to the west, staff recommends that a separate pedestrian ramp be constructed over the SPRR tracks connecting the proposed project site directly to the station platform.

A different pedestrian ramp connection was previously approved as a condition of the Hilton Hotel project (P83-221) which provided a short-cut for pedestrians from the new Arden Way overpass down to the Swanston Station. An amount of \$130,000 was committed by RJB Interland/Republic Capital Hotels to construct this project.

However, due to the projected traffic impacts identified by the traffic study based on the new applicant's project (697,000± s.f. of offices), staff determined that a substantial number of employees would need to be enticed to take light rail for work commute purposes in order to mitigate the projected circulation impacts. In order to encourage employees of the proposed office complex to use light rail, a shorter and more direct walking route to the Swanson Station is necessary.

The staff, therefore, recommends shifting the location of pedestrian access to the station from the Arden Way access to a new site more central to the proposed office buildings and hotel. This alternative would involve construction of a separate free-standing pedestrian ramp over the SP railroad tracks connecting the station passenger platform to the subject site (refer to Exhibit E for possible ramp location). The walking distance would be reduced from approximately 8 city blocks to 2 blocks with the new alternative vs. the Arden Way access. The Sacramento Transit Development Agency (STDA) estimates a cost of \$450,000 for this alternative design. The \$130,000 previously committed can be applied to the cost of the new pedestrian bridge.

The timing for construction of the new bridge will be tied to the third phase development or to a threshold level of 455,000 square feet of new development. The applicant shall enter into a written agreement with the City and STDA regarding obligation for construction of the new pedestrian bridge at a cost of \$450,000 prior to issuance of the first building permit.

A letter from the STDA Board of Directors endorsing the proposal of a new pedestrian bridge connection between the subject site and Swanston Station is included as Exhibit F.

#### 3. PUD Schematic Master Plan

The PUD Schematic Plan proposes four office buildings, a parking structure, and a future restaurant or bank pad on 23± acres. The landscape plan proposes a 25 foot landscape setback along Arden Way and Harvard Street and a 25 foot landscape setback along Silica Avenue. A large water element including ponds and waterfalls surrounded by outdoor dining terraces and passive balconies and courtyards are proposed in the common area located between the four office structures. The parking lot is extensively planted with shade trees in lineal planter strips.

The Phase One buildings (USAA and TWI) are 6 stories in height, the Phase Two building is 8 stories, and the Phase Three building is 11 stories in height. A four story parking structure is also proposed in conjunction with the Phase Three office building. The applicant proposes to construct the office buildings of pre-cast concrete or Alucabond skin with recessed black/grey tinted windows. The buildings incorporate many stepped back terraces at different floor levels to provide an interesting building design. The two six-story buildings are located toward Arden Way and Harvard Street with the taller (8 and 11 story) buildings at the rear of the site near the S.P.R.R. tracks.

As mentioned earlier, the 8 and 11 story buildings will be the tallest buildings outside the Central City, and in combination with the twelve story Hilton Hotel, establishes a dramatic change in the urban form and skyline of Sacramento. However, in this particular instance, staff supports the applicant's project given its location to the Swanston light rail station. Staff's support is contingent upon the construction of the pedestrian ramp linking the subject office buildings to the station platform.

The proposal is also consistent with policies contained in the North Sacramento Community Plan relative to public transit which states:

- "Place higher density and people intensive uses next to public transit routes and near light rail stations whenever possible."
- "Encourage development designs which encourage public transit usage."
- "Establish special planning districts and other zoning mechanisms adjacent to near light rail station stops to allow for flexible mixed-uses that benefit from and complement the light rail development."

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he site plan is general in terms of pedestrian walkways and sidewalks. Staff equests that the applicant submit a detailed pedestrian circulation system that provides walkways throughout the site with interconnections with adjacent properties and access to the Swanston Station pedestrian ramp.

The PUD Schematic Plan specifies the location, height, and size of each structure. The underlying zone for the subject site is OB (PUD) with the height, size, and area requirements regulated by the PUD Schematic Plan and the PUD Guidelines (See attachment A-1).

There are two parcels included in the overall Schematic Plan area which have not yet been acquired by the applicant at the time application was submitted. In addition, staff recommends that the restaurant or bank pad be zoned general commercial (C-2 PUD) and be legally noticed accordingly. It is recommended that the necessary rezonings and lot line adjustments affecting these parcels be completed subsequent to action on this application.

## 4. Arden Star Mobile Home Park

A non-conforming mobile home park consisting of 29 mobile homes are located at the north end of the subject site adjacent to Silica Avenue. The mobile home park is located in the area designated for Phase III development. According to a City survey conducted in January, 1984, 49 persons were residing in this park. Many residents appear to be low income, elderly, and some with special needs.

assistance to mitigate the economic impacts of displacement. The applicant shall submit a plan for the review and approval of the Planning Director specifying how relocation assistance will be provided to all residents of the mobile home park prior to notification of the residents to vacate the premises and issuance of building permit for the Phase Three development.

The applicant should consult the Sacramento Redevelopment Agency staff regarding assistance in preparation of the relocation plan. The relocation plan shall address, but not be limited to, the following:

- a. Identify locations of comparable replacement housing within a 25 mile radius of the mobile home park.
- b. Provide current information on availability of replacement housing, replacement housing prices and rents, costs of any deposits, closing costs, and any other pertinent financial information.
  - c. Survey residents of mobile home park and identify any special needs, (e.g. elderly, illnesses, families, etc.) which require special assistance.
  - d. Compile a list and description of available relocation housing resources and services.

P84-101

June 28, 1984

- e. Description of relocation payments to be made and a plan for disbursement. Payments shall cover the following costs:
  - -costs of deposits at new location
  - -tear down, moving cost, and set-up costs to any location within a 25 mile radius
  - -reimbursement for use of any home finders agency for residents who cannot locate a park which fits their financial status or family needs
  - -any reasonable costs based upon special needs identified through the resident survey.
  - -in the event that a mobile home resident chooses to sell their home, the applicant shall provide the financial aid to assist in the sale of the mobile home, or purchase the mobile home at a fair market value. The applicant shall pay either a rent differential in the case of renters or replacement housing differential in the case of mobile home owners pursuant to the California Relocation Assistance and Real Property Acquisition's Guidelines, California Administrative Code, Title 25, Chapter 6.
- f. The relocation plan report shall be made available to all residents of the Arden Star Mobile Home Park.
- \_\_g. \_The applicant shall employ a person to administer and carry out the relocation plan and act as a liason between the residents and the applicant/developer.

The staff further requests that the applicant refrain from raising the monthly space rental between the time of project approval and relocation of the residents. The residents request that a one year written notice of park closure be given rather than a 6 month notice as stipulated by the applicant. Given that the applicant does not intend to develop Phase III of the project area for a minimum two to three years, staff does not believe the one year notification requirement as being unreasonable, and therefore supports the one year notification request.

A letter from residents of the Arden Star Mobile Home Park and other correspondence is included as Exhibit G.

Comments on the site plan from other City offices are as follows:

# Fire Department

 No objection to the proposed height of buildings but request minor modification to parking plan and driveways to allow closer access to buildings by fire equipment.

# Traffic Engineer

- All driveways shall be constructed to City Code requirements and require City permit.
- Relocate driveway at north end of curve on Harvard Street further north to eliminate hazardous location at curve.

Minor driveways must be minimum width of 24'.



- Construct Silica Avenue west of Harvard to 54' ROW Street prior to providing access on Silica Avenue.
- Construct Harvard Street to 80' RUW (40' half section) in conjunction with Phase II development.
- Divided driveway at south end must conform to original master plan per location of opening onto Harvard Street.

# City Engineering

- Prepare sewer and drainage study for portion of drainage onto Silica Avenue.
- Check with County Sanitation District concerning sewer capacity.

# Staff Recommendation: Staff recommends the following actions:

- A. Ratification of the Negative Declaration;
- B. Approval of the General Plan Amendment;
- C. Approval of the Community Plan Amendment;
- D. Approval of the rezone of 23± acres from M-1 and M-2 to OB-(PUD); (CPC approved, subject to conditions which follow)
- E. Designation of the site as a planned unit development and adoption of the Capital West Schematic Plan and Guidelines; (CPC approved, subject to conditions which follow)
- F. Approval of the Special Permit to develop four office buildings, subject to conditions, and based upon the Findings of Fact which follow:

Conditions - Rezoning, Designation of Site as PUD, and Adoption of the Schematic Plan and Guidelines

- 1. Transportation Management Plan
  - a) The plan shall include a written agreement which provides for:
    - (1) The construction of the pedestrian bridge prior to completion of 455,000 square feet of non-residential square feet in the Capital West PUD (refer to Exhibit D for PUD boundaries). The bridge shall be designed and located as shown on Exhibit E; any substantial change in this design or location shall be mutually agreed upon by the City, STDA, and the applicant.

- (2) Payment by the applicant for all bridge improvement costs or \$450,000, whichever is less. The \$130,000 payment specified in Ordinance No. 83-136 shall be applied to the cost of the new bridge.
- (3) The applicant shall either be reimbursed or receive a reduction in share of bridge improvement cost on a pro rata formula based on square footage of non-residential development, as specified above (re. 1-a-(1) and (2)) in the event (a) the City approves new development on land bounded by the Southern Pacific Railroad tracks, Silica Avenue, Bus. 80 Freeway and Arden Way, and (b) conditions such approval as a requirement to contribute for bridge improvements. (CPC added...or prior to City Council consideration of this project, the applicant, owners of all other properties in the original Capital West Master Plan area (excluding the site area encompassing the Hilton Hotel), STDA and the City shall enter into a written agreement to form an assessment district or other acceptable enforceable device to provide a fully privately funded pedestrian bridge in the time and manner as specified above.
- (4) The pedestrian bridge shall be constructed prior to issuance of building permit for Phase III, or when the non-residential square footage exceeds the threshold level of 455,000 square feet for the Capital West PUD and/or original Capital West Master Plan area as shown on Exhibit B.
- b) The Transportation Management Plan shall include shower and locker facilities in each building for employee use to facilitate bicycle commuting.
- c) The applicant shall receive full credit of 10% (a 5% credit was approved for the subject site under P83-221) to satisfy the 15% trip reduction target pursuant to the City's Trip Reduction Ordinance for construction of the pedestrian bridge and installation of shower and locker facilities.

# Conditions - Special Permit

- 1. Circulation and traffic improvements
  - a) The applicant shall install two lanes of new asphalt on Harvard Street, from Silica Avenue to Auburn Boulevard, prior to issuance of the first building permit.
- 2. Transportation Management Plan

The applicant shall submit a Transportation Management Plan to the Planning Director for review and approval, prior to issuance of the first building permit.

The plan shall include a written agreement which provides for:

June 28, 1984

- (1) The construction of the pedestrian bridge prior to completion of 455,000 square feet of non-residential square feet in the Capital West PUD (refer to Exhibit D for PUD boundaries). The bridge shall be designed and located as shown on Exhibit E; any substantial change in this design or location shall be mutually agreed upon by the City, STDA, and the applicant.
- (2) Payment by the applicant for all bridge improvement costs or \$450,000, whichever is less. The \$130,000 payment specified in Ordinance No. 83-136 shall be applied to the cost of the new bridge.
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- (4) The pedestrian bridge shall be constructed prior to issuance of building permit for Phase III, or when the non-residential square footage exceeds the threshold level of 455,000 square feet for the Capital West PUD and/or original Capital West Master Plan area as shown on Exhibit B.
- b) The Transportation Management Plan shall include shower and locker facilities in each building for employee use to facilitate bicycle commuting.
- c) The applicant shall receive full credit of 10% (a 5% credit was approved for the subject site under P83-221) to satisfy the 15% trip reduction target pursuant to the City's Trip Reduction Ordinance for construction of the pedestrian bridge and installation of shower and locker facilities.

#### 3. Site Plan

- a) The applicant shall revise the site plan to the satisfaction of the City Traffic Engineer, Fire Department and Planning Director, prior to issuance of building permit for Phase One. Refer to page 8 and 9 of staff report for City comments.
- b) The applicant shall prepare a sewer and drainage study for portion of drainage onto Silica Avenue for the review and approval of the City Engineer.

June 28, 1984

- c) The applicant shall submit a detailed pedestrian system for the review and approval of the Planning Director, prior to issuance of any building permit for Phase One, which provides an integrated walkway system between buildings, parking lots, streets, adjacent properties and connection to the Swanston Station Pedestrian Ramp. The pedestrian system shall be well lit to encourage night usage, and well shaded to provide shelter against summer sun.
- d) The applicant shall submit detailed landscape, 50% shading and irrigation plans for review and approval by the Planning Director, prior to issuance of a building permit for Phase One. These plans shall incorporate those design elements indicated in the PUD quidelines.
- 4. Building Design

The applicant shall submit detailed plans and elevations including sample materials, and color board for the four office buildings and parking structure to the Planning Director for review and approval, prior to issuance of a building permit for Phase One.

5. Arden Star Mobile Home Park Relocation Plan

The applicant shall prepare a relocation assistance plan for the residents of the Arden Star Mobile Home Park. The plan shall be submitted to the Planning Director for review and approval prior to notification of the residents to vacate the premises or prior to issuance of building permit for Phase Three, which ever occurs first. The relocation plan shall provide the following:

- a.) A minimum one-year written notification requirement of park closure shall be given to the residents of the mobile home park.
- b.) The monthly space rental for all existing residents shall not be raised between the time of project approval and actual relocation of the residents.
- c) Identify locations of comparable replacement housing within a/25 mile radius of the mobile home park. (CPC amended to...within a 100 mile...)
- d.) Provide current information on availability of replacement housing, replacement housing prices and rents, costs of any deposits, closing costs and any other pertinent financial information.
- e.) Survey residents of mobile home park and identify any special needs (e.g. elderly, illnesses, families, etc.) which require special assistance.
- f.) Compile a list and description of available relocation housing resources and services.

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- g.) Description of relocation payments to be made. Payments shall cover the following costs.
  - Costs of deposits at new location.
  - Tear down, moving cost, and set-up costs to any location within a '/25 mile radius (CPC amended to...within a 100 mile...)
  - Reimbursement for use of any home finders agency for residents who cannot locate a park which fits their financial status or family needs
  - Any reasonable costs based upon special needs identified through the resident survey
  - In the event that a mobile home resident chooses to sell their home, the applicant shall provide the financial aid to assist in the sale of the mobile home, or purchase the mobile home at fair market value determined by an appraisal by the State Department of Housing and Community Development (CPC amended to..resident is unable to relocate on chooses...)
  - The applicant shall pay either a rent differential in the case of renters or replacement housing differential in the case of mobile homeowners pursuant to the California Relocation Assistance and Real Property Acquisition Guidelines, California Administrative Code, Title 25, Chapter 6.
- h.) The relocation plan report shall be made available to all residents of the Arden Star Mobile Home Park Residents shall be consulted prior to the relocation plan being approved by the Planning Director. (CPC added)
- i.) The applicant shall employ a person to administer and carry out the relocation plan and act as the liason between the residents and the applicant.
- 6. Follow-Up Measures

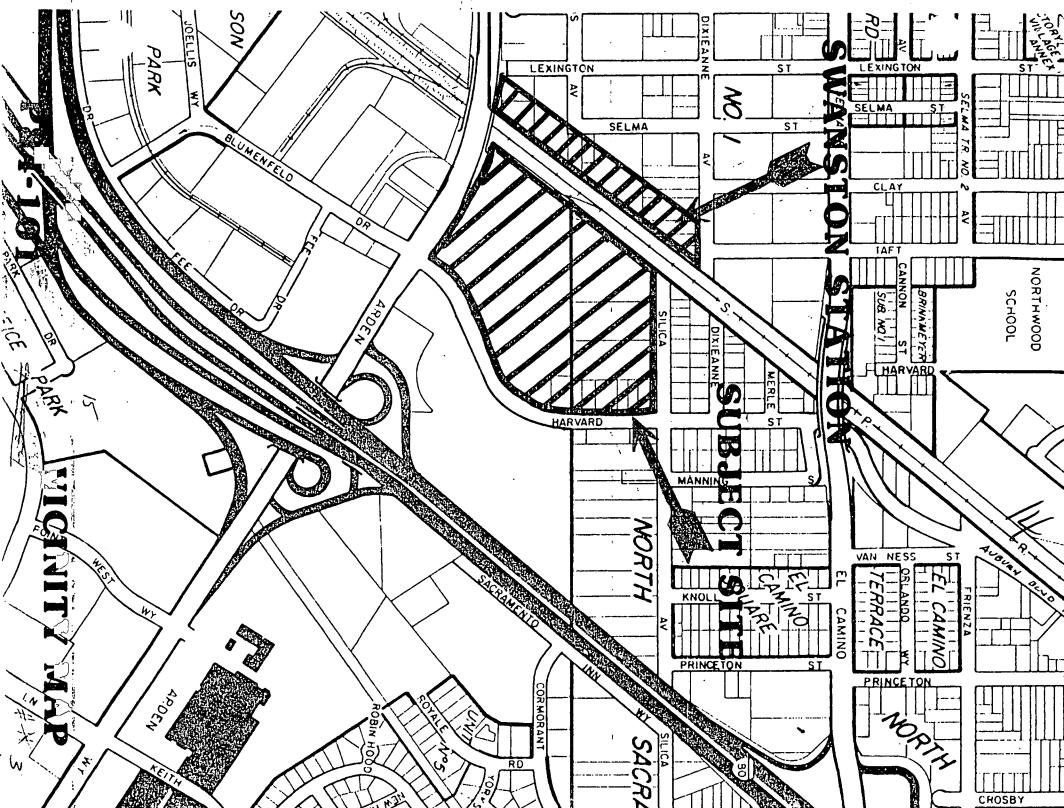
Upon final acquisition of the two parcels not yet acquired by the applicant, located at the Northeast corner of the subject site, the applicant shall submit the necessary application for the lot line merger rezonings and other entitlements to include these parcels in the P.U.D.—The applicant shall include the rezoning of the corner parcel, designated as a restaurant/bank pad to general commercial (C-2 (PUD)).

# <u>Findings</u> of Fact

- The project, as conditioned, is based upon sound principles of land use, in that the more intensive land uses are supportive of light rail public transit.
- The project, as conditioned, will not be detrimental to the public health, safety or welfare, nor result in the creation of a nuisance, in that:

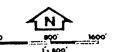
June 28, 1984

- a) The applicant shall adhere to a transportation management plan, which will mitigate potential traffic related impacts, through improved access to the Swanston Light Rail Station.
- b) The applicant shall install off-site street improvements.
- c) The project shall adhere to the PUD Guidelines, which stipulate parking, landscaping and building design criteria.
- 3. The project is consistent with the General Plan and 1965 Arden Arcade Community Plan, which designate the site for commercial and office use.
- 4. The project is compatible with policies in the 1984 North Sacramento Community Plan, which states:
  - a) "Place higher density and people intensive uses next to public transit routes, and near light rail stations, whenever possible".
  - b) "Encourage development designs which encourage public transit usage".
  - c) "Establish special planning districts and other zoning mechanisms adjacent to or near light rail station stops, to allow for flexible mixed uses, that benefit from and complement the light rail development".





# SWANSTONSTATION

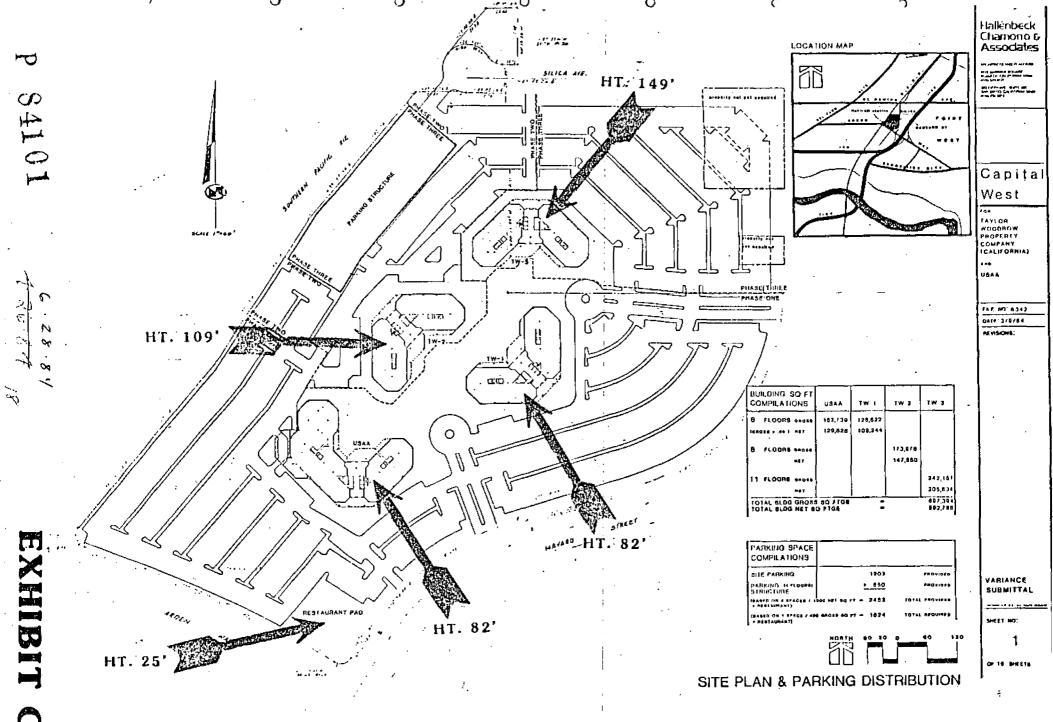


# SUBJECT SITE

NORTH
SAGRAMENTO
STUDY AREA

PROPOSED LAND USES

ORIGINAL CAPITAL WEST MASTERPLAN 00 ADDITION TO SUBJECT SITE CURRENT SUBJECT SITE phase one CAPITAL WEST MASTERPLAN



CAPITAL WEST P.U.D. SCHEMATIC PLAN

JEW.

О O Hallenbeck Chamono & Associates LOCATION MAP HT: 149' West Beaut Pres' COMPARY (CALIFORNIA) UBAA M-1 AND M-? III DING SOFT OMPILATIONS 170,023 109,344 129,026 173,974 6 FLOORS SAGE 147,860 347,167 11 PLOORS error 206,834 TOTAL BLDG GHOAN SQ FTGE HT. 82' PARKING SPACE REZONING COMPILATIONS HT. 82' SITE PLAN & PARKING DISTRIBUTION

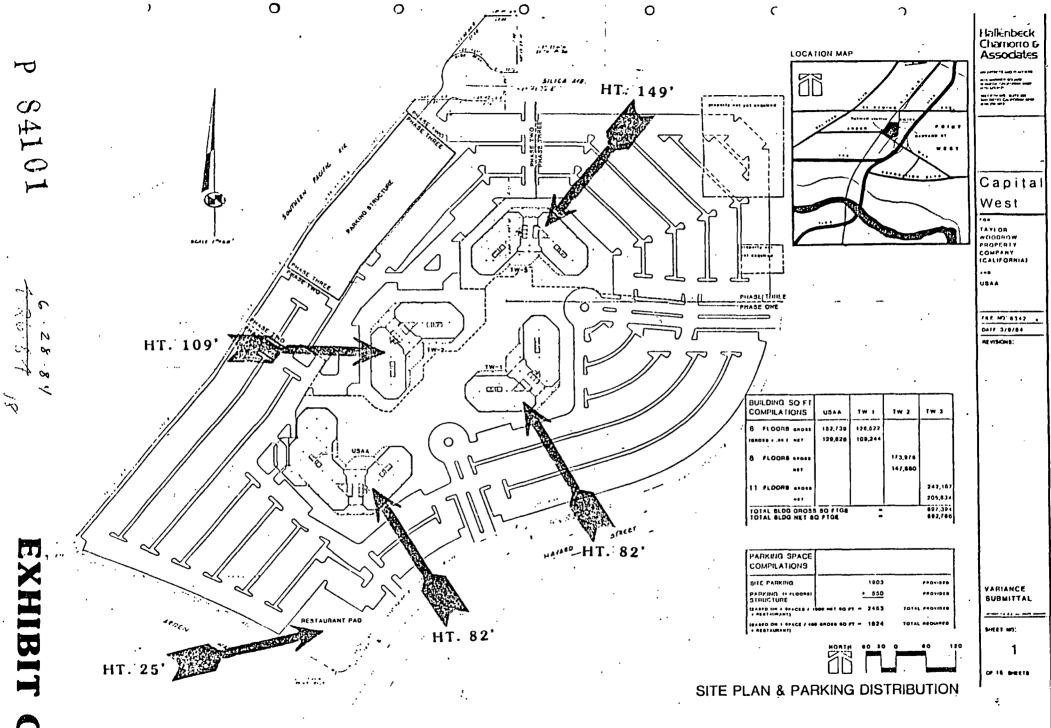
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FRE 90' 8142 DATE 3/9/84

VARIANCE SUBMITTAL

CAPITAL WEST P.U.D. SCHEMATIC PLAN



CAPITAL WEST P.U.D. SCHEMATIC PLAN

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# SACRAMENTO TRANSIT DEVELOPMENT AGENCY

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Executive Offices
926 J Street, Suite 611 • Sacramento, California 95814

#### GOVERNING BOARD

ANNE RUDIN, Councilwoman (Chairperson) City of Sacramento ARTHUR BAUER, Director Sacramento Regional Transit District

(LLA COLLIN, Supervisor County of Socramento

PHILIP FLYNN, Director Sacramento Regional Transit District

DAVID SHORE, Councilman City of Sacramento

RATING AGENCIES

Sacramento, Colifornia 95814

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County of Socramenta

Department of Transportation —

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(916) 445-6519

Socramento Regional
Transit District

June 20, 1984

Sacramento City Council Sacramento City Planning Commission 915 I Street Sacramento, CA 95814

> SUBJECT: Pedestrian bridge between the Swanston Light Rail Station and adjacent future nonresidential development

Dear Colleague:

On May 16, 1984, the Sacramento Transit Development Agency Board of Directors (STDA) voted to endorse the recommendation of the Sacramento Transportation Coalition to better coordinate light rail and land use planning by improving pedestrian access to the Swanston Light Rail Station from the adjacent proposed major office/hotel complex.

In November 1983 the City Council approved the rezoning of 14+ acres to facilitate a Hilton Hotel and office building. One of the rezone conditions was a requirement that the developer contribute \$130,000 for construction of a facility to shorten the walking distance between that site and the Swanston Station.

As additional development proposals are considered by the City on land proximate to, and east of the Swanston Station, STDA urges that such development also contribute to the cost of a free standing pedestrian bridge across the Southern Pacific and light rail tracks which, according to STDA staff, will cost approximately \$450,000.

This bridge will substantially shorten the walking distance to the Swanston Station by employees, hotel patrons, and other individuals doing business in the proposed hotel office complex. Easier light rail access will encourage use of the light rail system and help mitigate the traffic congestion in this area.

Although STDA can provide no financial contribution to the cost of the bridge due to severe funding constraints, STDA would be pleased to provide technical support to developers and City staff as needed.

Very truly yours,

base Riden

ANNE RUDIN Chairperson

AR:hg

Dear Mr. Gene Masuda,

I would like to thank you for taking the time to answer my questions on the phone concerning the rezoning to be done on the Arden Star Mobile Park at 1334 Silica Avenue, Sacramento, Calif. We have not been able to retain a lawyer to speak to you do to the cost of \$1000.00 to be shared among eleven residents of the park. I am therefore communicating with you myself on behalf of the residents of the park to inform you of the actions we are taking to insure that our families are not put in jepardy at the expense of Taylor Woodrow of Calif.

We are having a City Councilman meet with us this Thursday night to discuss ways to approach this problem we have with ommunication. I understand that Holiman is drawing up the terms of how to neatly displace the residents of this park, but I have not been able to reach him. We definitely need to see the terms (plans) that will be removing us from our homes. Could you please send me a co OF THE PLANS THAT WILL SAFEGUARD OUR RIGHTS AS CITIZENS OF SACRAMENTO?

In order to protect ourselves, I have typed up a petition to be signed by the residents of Arden Star Mobile Park. I have included a copy of the petition and a copy of the letter sent by Taylor Woodrow of California (which you requested). Would you please give these papers to the City Planning Commission to be reviewed carefully? We are trying to go through the proper channels, but I still need your help. Please. help us.

It will take me many months to find a Mobile Home Park vacancy Sacramento, because of the fact that we have children. Cnly 6% of the Mobile Home Parks allow children. We want to keep our home.

Thank - you. O. 2 1 M Kinter Sour #13

Taylor Woodrow of Calif. One Maritime Plaza, Suite 1770 San Francisco, Calif. 94111

Dear Sirs.

We, the residents at Arden Star Mobile Park, wish to make a response (in the form of a petition) to the letter we received dated June 13, 1984 regarding the rezoning of the property at 1334 Silica Avenue, Sacramento, Calif.

We are not in favor to the changes enclosed in the above forementioned letter. The rezoning would ultimately lead to the closing of the park causing great financial loss as well as family displacement. We are aware of the inevitability of the closing of the Arden Star Mobile Park, and therefore, we request certain provisions be made to aid the uprooted residents of the park.

# The Hardship Petition

1. An advance notice of 6 months is not sufficient for lowincome families to arrange financially for a move and placement in a park of equal quality, rent fees, deposits, and reasonable locations. Instead of receiving 6 months notice, we request a notice of 1 year.

2.— The park owners should pay for the use of a home-finders agency for the residents who cannot locate a park which

fits their financial status or family needs.

3. The park owners should be required to meet the cost of any deposits in mobile home parks over the amount required

by Arden Star Mobile Park of \$50.00.

4. Park owners should pay for the tear down, moving cost, and set up of all mobile homes in Arden Star Mobile Park to any location within a 25 mile radius or within the Sacramento Area. If the resident decides to move outside of this designated area - the moving cost over the regular expense will be paid by the mobile home resident.

5. Special consideration should be given to the residents who have disabling illnesses. Financial aid may be required to have an emergency phone at all times, or to have a regular moving company handle all personal properties so that the resident may not be under too great amount of strees.

6. In the event that a mobile home resident chooses to sell their home, the park owner should provide the financial aid to list the home on the market, or the park owner should purchase the mobile home for the price assessed by the Department of Housing and Community Development if the home does not sell within the time allowed by the Sacramento City Planning Commission.

Signatures: Lefonch M. Kinter Wallace C. Ranch

Signatures: Lefonch M. Kinter Wallace C. Ranch

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XHIBIT G

## TO HOMEOWNERS AND RESIDENTS OF ARDEN STAR MOBILE PARK

PLEASE TAKE NOTICE that on June 28, 1984 at 5:30 p.m., the management of Arden Star Mobile Park, acting through Taylor Woodrow of California, whose address appears below, will appear before the Sacramento City Planning Commission to seek a general plan amendment and a rezoning of the property upon which Arden Star Mobile Park is located from industrial use to office building (planned unit development) use, and to obtain a special permit to develop office buildings on the property. If approved, these requested changes to the property will ultimately result in the closure of Arden Star Mobile Park and the displacement of its residents. You will receive no less than six months' advance written notice of the termination of your tenancies at Arden Star Mobile Park and the closure of the park in the event that the above changes to the property are approved.

DATED: June 13, 1984.

TAYLOR WOODROW OF CALIFORNIA

One Maritime Plaza, Suite 1770 San Francisco, California 94111

Telephone: (415)982-6010

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Winnel muley 1224 Elicas and #18 Sacramento, Calif. June 19, 1984 Jean masuda Sacramento Planning Commellet 927 - 10 St. Sacramento, california I am writing in regards to the Dear Sir; Notice I reclined on the regioning of I am a decability retirence arden Star mobile Park. all alone, and on a fix income I have asthma, Hypertension, Least Trouble, on an implanted gardenaker, Hypothyreid. I'm yot to do any lefting or be under any kind of street, Is there any way you can help us and with the froblem, Thank you Dumie Masley

Marine Communication

Taylor Woodrow of Calif. One Maritime Plaza , Suite 1770 San Francisco, California

Dear persons,

We, the residents at Arden Star Mobile Home Park, 1334 Silica Ave, Sacramento, California 95815 would be more than happy to move.

Providing that your plans include the rezoning of another piece of property, of which has been permanently allocated for mobile home useage with-in the city of Sacramento, and will never to be rezoned again.

This mobile home park must also accepted the following;

- 1. Any mobile home, regardless of its ventage or size.
- Any travel trailer and or house trailer regardless of its ventage or size.
- 3. Children, of all ages, in that portion of the mobile home park which has been specially designated for family use.

We bring these conditions to your attention at this time because none of the above conditions are available in the city of Sacramento and or the county of Sacramento. IN fact mobile home parks have been dentured so badly in this county that one can not find any place to live here in a mobile home UNLESS the mobile home is of a ventage of one year or less.

We are definitely not against progress, as long as the progress is for everyone and this progress does not harm or divest other peoples lives on their way of living.

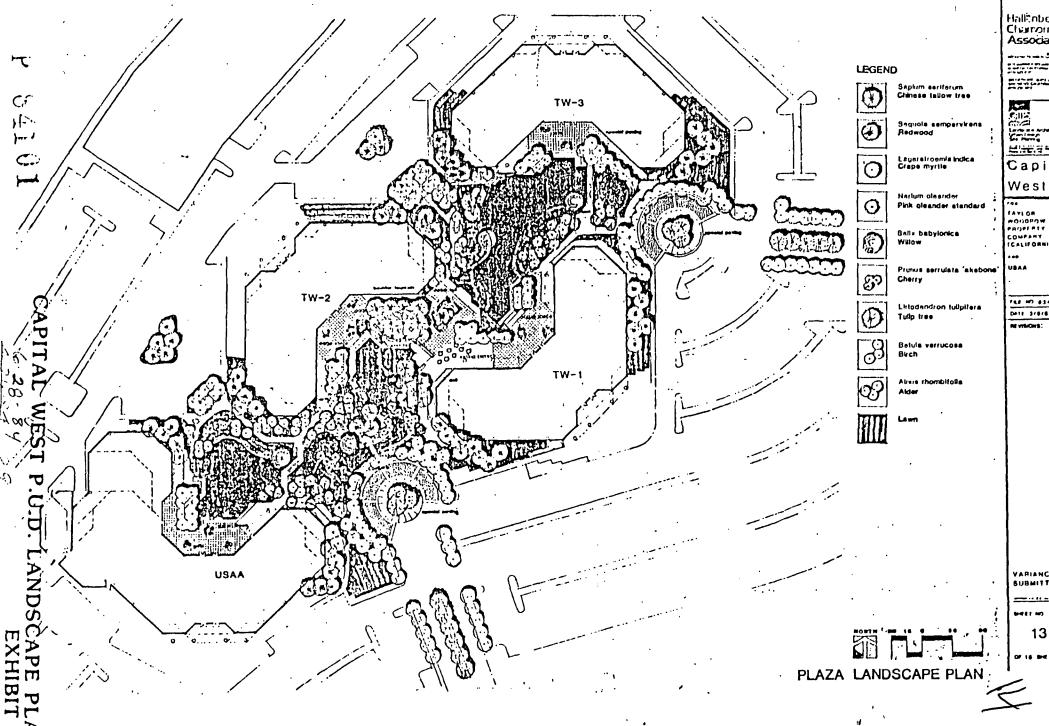
If the rezoning would be monetarily profitable for everyone then this rezoning would be of great interest to all. BUT as you know it is NOT.

THEREFORE if you will have the city of Sacramento planning commissioner provide another mobile home park, which accepts the above three conditions, AND reimburse any or all expenses incurred by the present residents of this mobile home park along with all inconviences which they may incur, (such as having to stay in a motel during the move, telephone disconnected and reconnected and or any other expenses which is indured), we would consider allowing this mobile home park to be rezoned.

Many of the mobile home in this city are over thirty years old and are still in good condition. They are more convenient, easier to maintain, less of a fire hazard, and provide an inviroment that many people like. In fact, if the cost of building keeps going up, more and more people will be buying mobile homes in the future. BUT where will they go?

WHERE will we go if this mobile park is rezoned to your liking?

WE THE PEOPLE OF Arden Star Mobile Home Park 1334 Silica Ave, Sacramento, California.



Hallánbe Charron Associa

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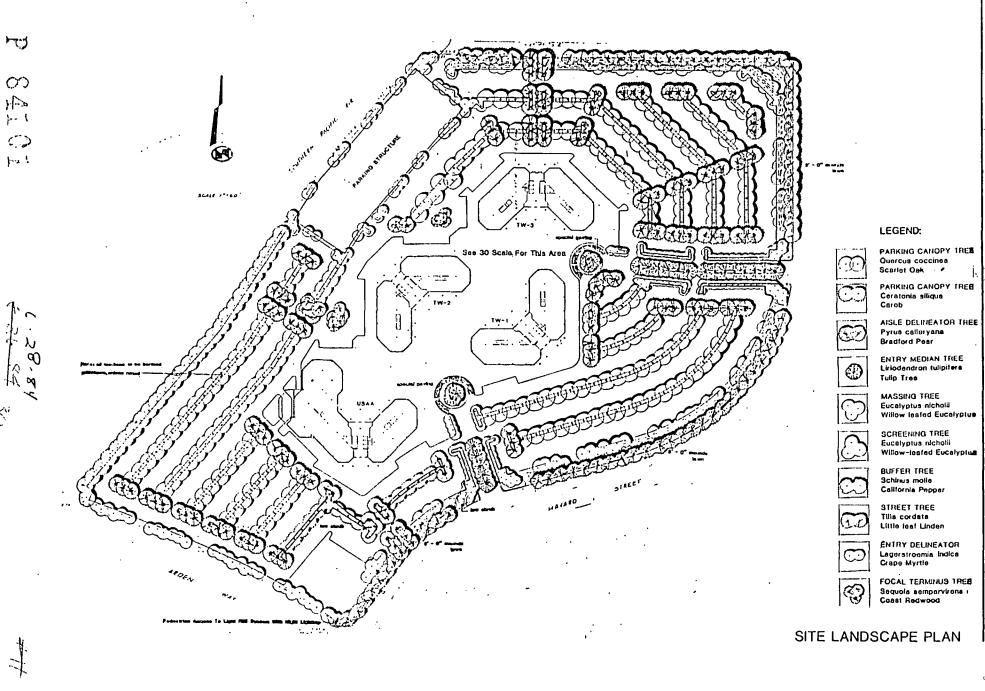
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Hallenbeck Chamorro & **Associates** 

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West

TAYLOR WOODROW PROPERTY COMPANY (CALIFORNIA)

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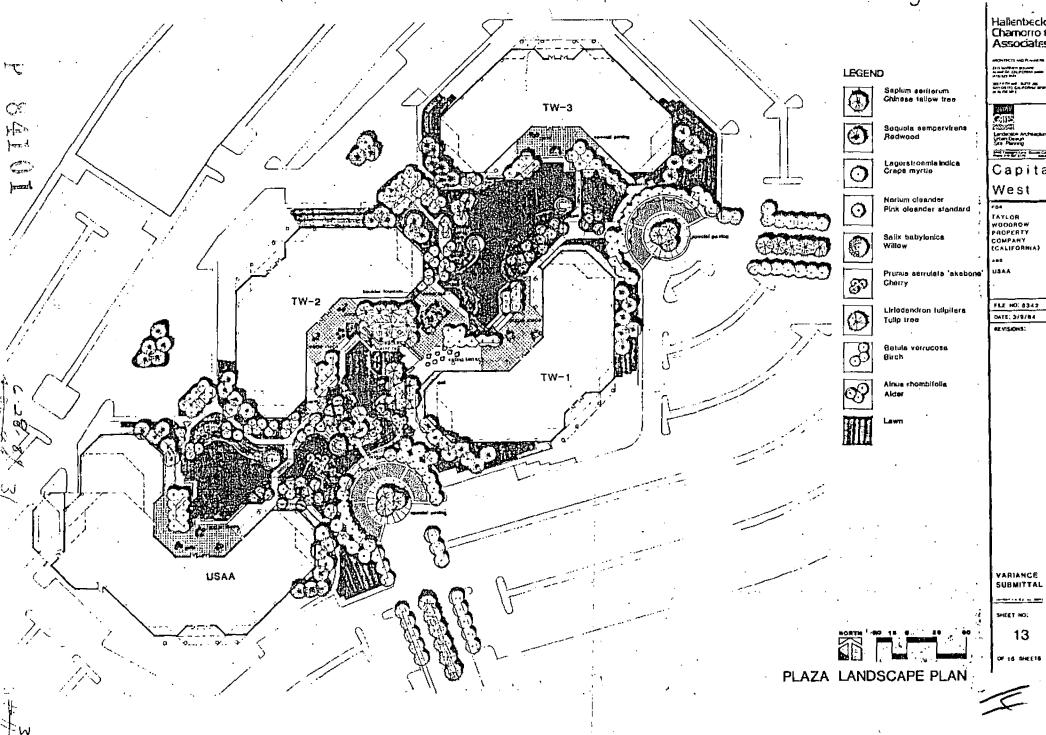
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OF 15 SHEETS



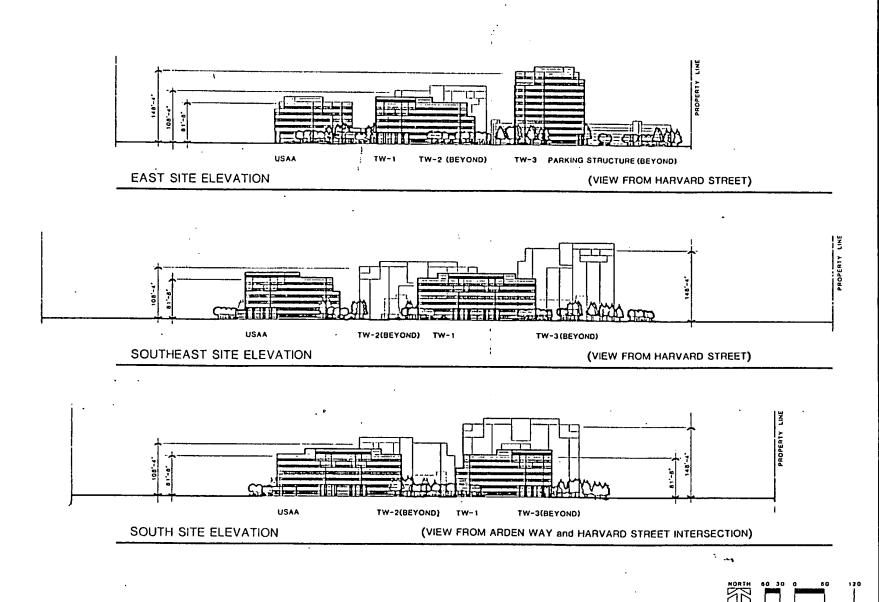
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VARIANCE SUBMITTAL

SHEET NO:

13



Hallenbeck Chamorro 8 Associates

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West

MARU

FAYLOR WOODROW PROPERTY COMPANY (CALIFORNIA)

FRE NO: 8342

DATE: 3/9/84 REVISIONS:

VARIANCE SUBMITTAL

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SITE ELEVATIONS

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CONCEPTUAL SITE SECTION

West

FOR TAYLOR WOODROW PROPERTY COMPANY (CALIFORNIA

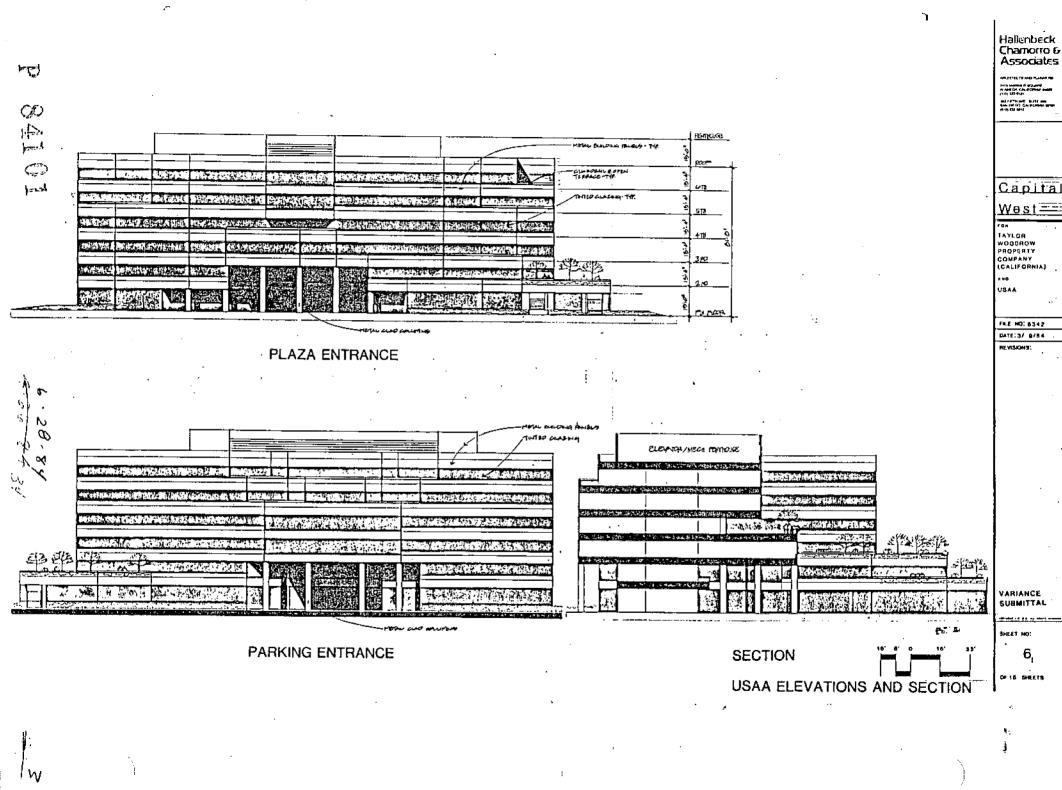
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GROUND FLOOR

Hallenbeck Chamorio Associate

Capita West

TAYLOR
WOODROW
PROPERTY
COMPANY
(CALIFORNIA)

MABU

FLE NO: 8342 DATE: 3/9/64

REVISIONS:

VARIANCE BUBMITTAL

SHEET NO:

FLOOR PLANS USAA

# DEVELOPMENT GUIDELINES CAPITOL WEST OFFICE PARK

# **EXHIBIT A-1**

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# CAPITOL WEST OFFICE PARK PLANNED UNIT DEVELOPMENT GUIDELINES

## I. Purpose and Intent

The Capitol West Office Park is being created as a planned unit development, composed of office and commercial building uses, intended to provide an interrelated total environment, utilizing a common theme, while encouraging architectural variation. All development within the PUD shall be in general conformance with the approved schematic plan. (See Exhibits A, B, & C)

The following general objectives are set forth to provide an initial basis for project review:

- A. To provide adequate natural light, pure air and safety from fire and other dangers.
- B. To enhance the value of land and structures within and adjacent to Capitol West.
- C. To minimize congestion due to vehicular and pedestrian circulation within the project area.
- D. To preserve and enhance the aesthetic values throughout Capitol West.
- E. To promote public health, safety, comfort, convenience and general welfare.
- F. To provide safe and convenient access to the Swanston Light Rail Station, to encourage public transit usage.

These guidelines are intended to act as a supplement to existing City ordinances and shall prevail when more specific than the City ordinance. Any amendments hereto can only become effective upon approval by the Planning Commission of the City of Sacramento.

#### II. Permitted Uses

- A. Permitted Uses in the Office Building Zone
  - 1. Office uses normally allowed in the OB zone are permitted as provided in Section 2 (Land Use Regulations) of the Zoning Ordinance. Additionally, reserach and development in the fields of electronics, communications, medicine, data processing and computer technology, environmental control, measuring devices, scientific instrumentation and advanced engineering research shall be allowed. However, such uses shall not include the manufacture or assembly of products derived from the research and development process. Corporate and regional headquarters and executive offices or uses shall be permitted provided that no manufacturing or retail sales occur in the PUD.

- Food service uses are also permitted within the office buildings when ancillary to the office use (e.g., employee cafeteria). Principal entrance to the food service use shall be from inside the office building only. Exterior doors shall be for emergency exiting only, and shall have alarms. Signs shall not be visible from the outside.
- B. Permitted Uses in the Commercial Zones

Permitted uses include but are not limited to the following:

- Restaurants (excluding drive-in and/or fast food);
- Banks/savings and loan;

### III. PRUCEDURES FOR APPROVAL

Development of parcels in PUDs are subject to special permit approval by the City Planning Commission. Special permit development plans shall be in conformance with the schematic plan and PUD guidelines approved by the City Council.

A preliminary review of special permit applications may be required when the City determines that such review, by City, County, State and other agencies, is essential to a thorough review.

The following information shall be submitted with a special permit application:

- Names and addresses of builder, contractor, developer and architect.
- 2. Project site plat with dimensions taken from signed recorded plat.
- 3. All submissions must include topography showing existing grades and proposed grades at one foot intervals with spot elevations as required to clarify drawings, also show building corner elevations and floor landscaping.
- 4. Proposed landscaping.
- Retaining walls.
- Locations and details of temporary and permanent signs, including dimensions.
- Temporary and permanent fences.
- 8. Front, side and rear setbacks from building to property lines.
- 9. Easements and rights-of-way.
- 10. Pipes, berms, ditches, swales.
- 11. Driveways, parking areas, pathways and lighting, existing and proposed.

- 12: Locations and details of benches and patios.
- 13. Exterior storage and screening devices for trash, mechanical and communications equipment and meters.
- 14. Light poles and transformers, with height and type indicated.
- 15. Sewer alignments and location of manholes and inverts
- 16. Mailboxes, if any.
- 17. Roof projections and/or roof plan and screening treatment.
- 18. Land use distribution:

% and square footage of site used for the following:

- Building pad;
- Surface parking and any other paved area;
- Landscaping (includes private sidewalks and patios).
- 19. Building elevations for all sides and height to top plate and top of roof.
- 20. Location of existing and proposed buildings.
- 21. Street names and right-of-way widths.
- 22. Cross sections of structures indicating relationship to adjacent buildings and roadways.
- 23. Dimensions for typical parking stalls and manuevering areas, including setbacks of buildings and building separation.
- 24. Bar scales on all plans.

### IV. ENVIRONMENTAL STANDARDS

- A. General. It is intended that through these guidelines a desirable work and business environment be created the uses compatible with each other, and the building relating harmoniously with each other and the surrounding grounds, and the project as an entity complementary to the neighborhood.
- B. Landscaping
  - 1. General. Natural groundcovers with permanent automatic irrigation interspersed with tree plantings will tie together the individual elements through the project. All landscaping referred to in this section shall be maintained in a neat and orderly fashion.

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- 2. Minimum Landscaping Coverage Per Project. Minimum landscape coverage percentage for property within the PUD and for any project within the PUD shall be 25 percent in the office zone, and 20 percent in the commercial zone. However, in the case of a single story office structure, the minimum landscaping coverage shall be 20%.
- Planting Types. All trees, shrubs and groundcover planting types shall conform to the City of Sacramento approved plant list unless an alternative type is approved by the Director of Community Services or his designee. A plant list for the PUD shall be approved by the Planning Director prior to the submittal of the first special permit application to the Planning Department.
- 4. Setbacks Adjacent to Public Right-of-Way and Private Drives. For the purpose of providing screening of parking lots from the roadways, the abutting frontages shall have landscaped undulating berms. The height of the berms shall be determined with each special permit. The berms shall be landscaped with predominantly evergreen trees, shrubs and groundcover.
- 5. Irrigation. All landscaped areas shall be irrigated with timed permanent automatic underground systems.
- Sufaced Parking Lots. Trees shall be planted and maintained throughout the surfaced parking lot to insure that within fifteen years after the establishment of the parking lot, at least fifty (50) percent of the parking area will be shaded at noon on August 21st.
- 7. Approval of Landscape Plans. Project special permit approvals shall be subject to submittal of detailed landscape and irrigation plans for review and approval of staff prior to issuance of a building permit. A tree shading diagram shall be submitted with each building permit application for the review and approval of the Director of Community Services or his designee.
- 8. Front and Street Side Yard Setback Area. Landscaping in these areas shall consist of an effective combination of trees, groundcover and shrubbery.
- 9. Side and Rear Yard Setback Area. All unpaved areas not utilized for parking shall be landscaped utilizing groundcover and/or shrubbery and tree material. Undeveloped areas proposed for future expansion shall be maintained in a reasonably weed free condition, but need not be landscaped.
- 10. Installation of Landscaping. Prior to the issuance of any temporary or final occupancy permits, each project's landscaping, including permanent automatic irrigation system, shall either be installed, or security, in a form satisfactory to the City, shall be posted to insure installation as soon as climatically possible after occupancy. Plants shall be varied in size: one and five gallon shrubs; 5 and 15 gallon and 24 inch box trees.

- 11. The PUD plant list, examples of acceptable design treatment such as berming and screening, and typical street corner treatments shall be approved by the Planning Director prior to submittal of the first special permit application in the PUD.
- 12. Landscaping adjacent to Arden Way, Harvard St. and Silica Ave. shall consist of an undulating 4 foot high berm and a minimum of 30 feet of landscaping along Arden Way and Harvard St., 25 ft. along Silica Ave. A minimum 10 ft. landscape setback is required along the West property line abutting the SPRR tracks.
- 13. Provide a majority of 24 inch boxed trees instead of 15 gallon trees for Capitol West Office Park.

### C. Pedestrian Circulation

Primary and secondary walkways shall be designed to provide logical and convenient pedestrian circulation between the Swanston Light Rail Station and the office buildings, and between streets, bus stops, parking areas, adjacent structures and abutting properties through the boundary landscaping. Both walkways and bikeways shall be designed with pedestrian health and safety in mind. Pedestrian walkways and bikeways shall be landscaped to provide shade in the summer, and well lit to encourage night usage. The minimum width of a sidewalk shall be 6 ft.

### D. Parking Area Standards

- 1. Adequate off-street parking shall be provided to accommodate all parking needs of the site. The intent is to eliminate the need for any on-street parking.
- 2. Required off-street parking shall be provided on the site served.
- 3. Parking Requirements

### a. Office

 One automobile parking space for each 300 square feet of gross floor area.

One automobile parking space for each 200 square feet of gross floor area for medical or dental offices.

- 2) One bicycle space for every 15 required automobile parking spaces, 50 percent of which shall be Class I facilities and 50 percent of which shall be either Class II or Class III as defined in Section 22.A.6 of the Zoning Ordinance.
- 3) Of the parking spaces provided, carpool, vanpool and bicycle parking spaces shall be located closest to the employee entrances to the buildings.

### b. Commercial

- 1) Restaurant/Bar. One automobile space for every three seats based upon capacity of the fixed and moveable seating area as determined under the Uniform Building Code. One space for every 1.1 employees in the largest shift.
- Financial Institutions. One automobile space for each 200 square feet of gross floor area.
- All other commercial uses shall conform to City requirements for each commercial use.
- 4) One Class II or Class III bicycle space for every 25 required automobile parking spaces as defined in Section 22.A.6 of the Zoning Ordinance.

### c. Compact Parking Spaces

Maximum of thirty percent of all vehicle parking spaces may be compact spaces. These should be located so that use by standard sized vehicles will not impede movement in aisles.

- 4. Carpooling and vanpooling is encouraged for each building and shall be addressed in the Special Permit application for each development.
- 5. Minimum stall dimensions shall correspond to standards provided in the City Zoning Ordinance except that the front two feet of all stalls, the area into which the vehicle bumper overhangs, shall be incorporated into the adjacent landscape or walkway improvements resulting in a net decrease of two feet of the required surfaced depth of the parking stall and a minimum net increase of two feet in width of the landscaped planter or walkway. No individual prefabricated wheel stop will be permitted.
- 6. A continuous six-inch raised concrete curb shall be provided along all landscape areas abutting parking or drives.
- 7. Curbs, drives and parking surfaces shall be constructed in accordance with the latest requirements of the City of Sacramento.
- 8. Exterior Lighting
  - a. Lighting shall be designed in such a manner as to provide safety and comfort for occupants of the development and the general public.
  - b. Lighting design shall be such as not to produce hazardous and annoying glare to motorists and building occupants, adjacent residents, or the general public.

- c. Lighting shall be oriented away from the properties adjacent to the PUD. Ground lighting, rather than elevated fixtures, shall be used when in close proximity to housing.
- d. Exterior lighting fixtures shall be similar and compatible throughout the PUD.

### E. Performance Standards

Purpose and Intent.

It is the intent of these restrictions to prevent any use of the business parks which may create dangerous, injurious, noxious or otherwise objectionable conditions.

### 2. Nuisances.

No nuisance shall be permitted to exist in the business parks. The term "nuisance" shall include, but not be limited to, any use which:

- a. emits dust, sweepings, dirt, fumes, odors, gases or other substances into the atmosphere which may adversely affect the health, safety or welfare of persons working at the business parks or residing in adjacent neighborhoods; or
- b. exceeds permissible noise levels as established by the City of Sacramento

### V. Building Standards in the Office Building and Commercial Zones

A. Purpose and Intent

The purpose and intent of this section is (a) to encourage the creative and innovative use of materials and methods of construction, and (b) to prevent indiscriminate and insensitive use of materials and design

- B. Building Height and Setbacks
  - 1. The maximum building heights shall be as follows and as indicated on the Schematic Plan (Exhibit A). If a mechanical penthouse is provided, an additional 14' shall be allowed to accommodate the mechanical penthouse.

USAA	82 '
TW1	82'
TW2	109'
TW3	149'
commercial site	25'

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### 2. Building and Landscape Setbacks

	Building S/B	Landscape S/B
Arden Way	25'	*
Harvard Street	25'	25'
Silica Street	25'	25'
S.P.R.R.	10'	7'

\*The minimum landscape setback along Arden Way for the commercial pad shall be 25'. The minimum landscape setback for the remaining portion of the site adjoining the Arden Way overpass R-O-W shall be 7'. The earth fill section of the Arden Way overpass abutting the project site shall be landscaped, irrigated and maintained by the applicant/property owner.

### C. Exterior Wall Materials

- Finished building materials shall be applied to all sides of a building, including trash enclosures and mechanical and communications equipment screens.
- Tilt-up concrete construction technique shall be allowed, only if full compliance with all of the other conditions of the guidelines is maintained. The intent is not to allow for full tilt-up concrete structures (like a warehouse facility), but only to provide that tilt-up concrete materials may form a portion of the surface area of the structures; e.g., to provide for sheer walls, decorative forms, etc., with other construction materials making up the majority of the surface, such as combination of glass and spandrel.
- 3. Exposed concrete block shall not be acceptable for exterior surfaces. The intent is not to preclude such concrete block construction as split face block, texture block, slump stone or other similar material.
- 4. The effect of exterior wall materials shall be compatible with those used on all other buildings in the development. Examples of acceptable exterior wall materials are stucco, concrete, wood glass, metals and brick. Stucco or wood materials should not be used as the primary exterior building material for buildings exceeding two stories in height

### D. Colors

- Building colors shall be harmonious and compatible with the colors of other buildings in the development and with the natural surroundings.
- The general overall atmosphere of color shall be earth tones, which includes muted shades of gray and muted shades and medium to dark tones of burnt umber, raw umber, raw sienna, burnt sienna, Indian red, English red, yellow ochre, chrome green and terra cotta. Redwood, natural stone, brick, dark duranodic aluminum finishes, etc., shall be the background colors. If painted surfaces are used, these shall be earth toned. Accent colors shall be used whenever necessary, but shall be subject to review and approval by—the City Planning Department.
- E. Roof Projections and Design

- All air conditioning units, TV antennas, ventilating equipment, other mechanical equipment and communications equipment shall be completely screened or enclosed with materials compatible with the exterior building walls.
- 2. Projections shall be painted to match the roof or building.

### F. Energy Conservation Standards

1. Purpose and Intent. The purpose of these energy conservation standards is to set forth cost-effective energy saving measures which shall be incorporated into building design.

### 2. Standards

- a. Buildings shall be designed to meet current state and federal energy requirements at the time of construction.
- b. Landscaping shall be designed to shade structure, walks, streets, drives and parking areas so as to minimize summer surface heat gain and shall, at a minimum, comply with all current City of Sacramento standards.
- c. Site design shall take into consideration thermal and glare impact of construction materials on adjacent structures, \_\_\_\_ vegetation and roadways.
- d. Outdoor lighting should be designed to provide the minimum level of site lighting commensurate with site security.
- Periodic energy-use audits shall be conducted by SMUD to identify wasteful consumption practices and opportunities for energy use reduction.

### G. Temporary Structures

- Temporary structures, including, but not limited to trailers, mobile homes and other structures not affixed to the ground, are permitted only during construction of a permanent building. These shall be installed at the start of construction, and shall be removed promptly upon completion of the permanent building.
- 2. Such structures shall be a inconspicuous as possible and shall cause no inconvenience to the general public.

### H. Loading Areas

Truck loading dock(s) shall be designed as an integral part of the structure(s) and shall not be oriented to any public right-of-way. The intent is to assure that these facilities are located in the most inconspicuous manner possible.

### I. Outside Storage

No open air storage of materials, supplies, equipment, mobile equipment, finished or semi-finished products or articles of any nature shall be allowed. No outside storage of overnight delivery trucks or fleet vehicles shall be permitted. Storage is to be inside structures.

### J. Garbage Services/Trash Enclosures

- These facilities shall not create a nuisance and shall be located in the most inconspicuous manner possible. Furthermore, they may= not be located within the landscape setback of any public street or the building setbacks of Arden Way, Harvard Street and Silica Ave.
- 2. All exterior garbage and refuse facilities shall be concealed by a screening wall of a material similar to and compatible with the building(s) it serves. Landscaping (shrubs and/or vines) shall be placed along the screening wall to soften the presence of these facilities. Landscaping (trees) shall also be provided to screen the overview of trash and garbage from the upper floors of adjacent buildings.
- 3. Such facilities shall relate appropriately to the building(s) and shall not be obtrusive in any way, or detract from the building design theme.
- 4. The Trash Enclosures Shall Be Designed as Follows:
  - a. The walls of the trash enclosure structure shall be constructed of solid masonry material and the exterior surface finished in a manner compatible with the main structures.
  - b. The trash enclosure structure shall have heavy gauge decorative metal gates, and designed with cane bolts on the doors to secure the gates when in the open position.
  - c. The trash enclosure facility shall be designed to allow walk-in access by tenants without having to open the main enclosure gates.
  - d. The walls shall be a minimum six feet in height, more if necessary for adequate screening.
  - e. The perimeter of the trash enclosure structure shall be screened with landscaping, including a combination of shrubs and/or climbing evergreen vines.
  - f. The enclosures shall be adequate in capacity, number and distribution.

- K. Utility Connections, Mechanical Equipment and Communications Equipment
  - Placement of mechanical and communications equipment, utility meters and storage tanks shall minimize their visibility, particularly from the public rights-of-way. Visual barriers such as walls or landscaping, etc., shall be used when such equipment cannot be placed out of view, provided such barriers do not significantly impede the proper functioning of the equipment.
  - 2. If concealment within the building is not possible, then such utility elements shall be concealed by screen walls, which shall be appropriately landscaped.
  - 3. All utility lines shall be underground.
  - 4. All mechanical equipment shall be located so as not to cause nuisance or discomfort from noise, fumes, odors, etc.
  - 5. Penthouse, mechanical and communications equipment screening shall be of a design and material similar to and compatible with those used in the related buildings.
  - 6. Mechanical equipment shall not be located adjacent to residences.
- L. <u>On-Site Drainage</u>

Each building site owner shall be required to provide adequate drainage facilities in accordance with City of Sacramento standards.

M. Exterior Fire Stairs

Unenclosed exterior fire stairs shall not be permitted.

N. Walkways and Courtyards

Walkway and courtyard materials shall be compatible with the exterior wall materials of adjacent buildings and with walk and path system standards of the PUD. Surfaces shall have a non-skid finish. Layout and design shall provide maximum comfort and safety to pedestrians.

### VI. SIGN CRITERIA AND REGULATIONS

A. Purpose. The criteria will aid in eliminating excessive and confusing sign displays, preserve and enhance the appearance of the Capitol West Office Park development, safeguard and enhance property values, and will encourage signage which by good design is integrated with and is harmonious to the buildings and sites that it occupies.

These sign regulations are intended to compliment the City of Sacramento Sign Ordinance No. 2868, Fourth Series. In all cases, except for the maximum area for OB, the more restrictive requirements shall apply.

### B. General Requirements

- 14
- 1. A sign program shall be submitted with individual project special permit applications, or to the City Planning staff, if submitted subsequent to the City Planning Commission special permit hearing.
- 2. In no case shall flashing, moving or audible signs be permitted.
- In no case shall the wording of signs describe the products sold, prices or any type of advertising, except as part of the occupant's trade name or insignia.
- 4. No signs shall be permitted on canopy roofs or building roofs.
- 5. No sign or any portion thereof may project above the building or top of the wall upon which it is mounted.
- 6. No signs perpendicular to the face of the building shall be permitted.
- 7. No exposed bulb signs are permitted.
- 8. No offsite signage shall be allowed.

### C. Design Requirements \_\_\_

- The location of signs shall be only as shown on the approved special permit site plan.
- 2. All electrical signs shall bear the UL label, and their installation must comply with all local building and electrical codes.
- No exposed conduit, tubing or raceways will be permitted.
- 4. All conductors, transformers and other equipment shall be concealed.
- 5. All signs, fastenings, bolts and clips shall be of hot, dipped, galvanized iron, stainless steel, aluminum. Brass, bronze or black iron of any type will be permitted.
- 6. All exterior letters or signs exposed to the weather shall be mounted at least three fourths inch (3/4") from the building to permit proper dirt and water drainage.
- 7. Location of all openings for conduit and sleeves in sign panels of building shall be indicated by the sign contractor on drawings submitted to the City Building Division.

No signmakers' labels or other identification will be permitted on 8. the exposed surface of signs, except those required by local ordinance which shall be located in an inconspicuous location.

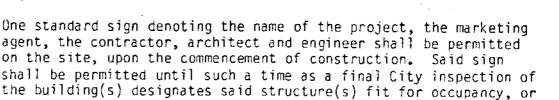
#### D. Miscellaneous Requirements

- ١. Each occupant will be permitted to place upon each entrance to its premises not more than 144 square inches of lettering, indicating hours of business, emergency telephone numbers and proprietorship, No other window signs will be allowed.
- 2. Each occupant who has a non-consumer door for receiving merchandise may have uniformly applied, on said door, in two-inch high block letters, the occupant's name and address. Where more than one occupant uses the same door, each name and address shall be applied.
- 3. Occupants may install street address numbers as the U.S. Post Office requires. Size, type and color of the numbers shall be reviewed and approved by the City Planning Division.

#### Ε. Special Signing

3.

- 1. Floor signs, such as inserts into terrazzo, special tile. treatment, etc., will be permitted with the occupant's lease line or property line, if approved by the City Planning Division.
- 2. Informational and directional signs, relating to pedestrian and vehicular flows, within the Capitol West Office Park PUD Project Area, shall conform to the standards of the City of Sacramento Sign Ordinance.



- agent, the contractor, architect and engineer shall be permitted on the site, upon the commencement of construction. Said sign shall be permitted until such a time as a final City inspection of the building(s) designates said structure(s) fit for occupancy, or the tenant is occupying said building, whichever occurs first. These signs must be kept in good repair.
- A sign advertising the sale or lease of the site or building shall 4. be permitted, but shall not exceed a maximum area of six (6) square feet.

### F. Designated Park Project Identification Sign

١. One non-illuminated monument sign, as defined by Section 3.520 of the City Sign Ordinance, shall be allowed per designated office park.

- 2. Maximum area of sign: 48 square feet.
- 3. Maximum height of sign: 12 feet from street or parking lot grade, whichever is lower.
- 4. Location: To be located at the major entry to the designated park. The sign may be placed in the setback area. However, it must be located farther than ten feet from the public right-of-way and from any driveway. No signs shall be allowed in the public right-of-way.

### G. OB Office Building Zone

- 1. Une non-illuminated monument sign, as defined by Section 3.520 of the City Sign Ordinance, allowed per parcel.
- Maximum area of sign: forty-eight square feet.
- 3. Maximum height: twelve feet from street grade or parking lot grade, whichever is lower.
- 4. Location: To be located at the major entry/exit to the parcel. May be placed in the setback area. However, the sign must be located farther than ten feet from the public right-of-way and from any driveway.

### H. C-2 Commercial Zone

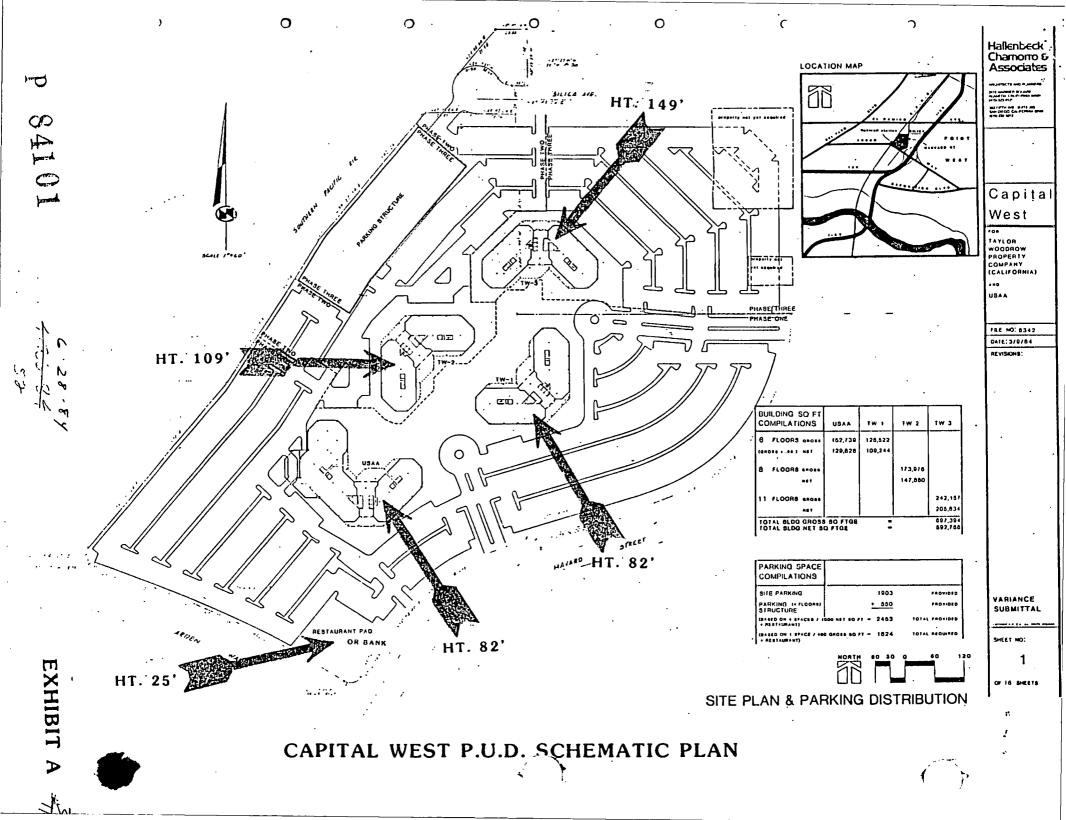
- 1. One monument sign, as defined by Section 3.520 of the City Sign Ordinance, allowed per parcel.
- Maximum area of sign: 48 square feet.
- 3. Maximum height of sign: twelve feet from street or parking lot grade, whichever is lower.
- 4. Location: To be located at the major entry/exit to the parcel. May be placed in the setback area; however, the sign must be located farther than ten feet from the public right-of-way and from any driveway.

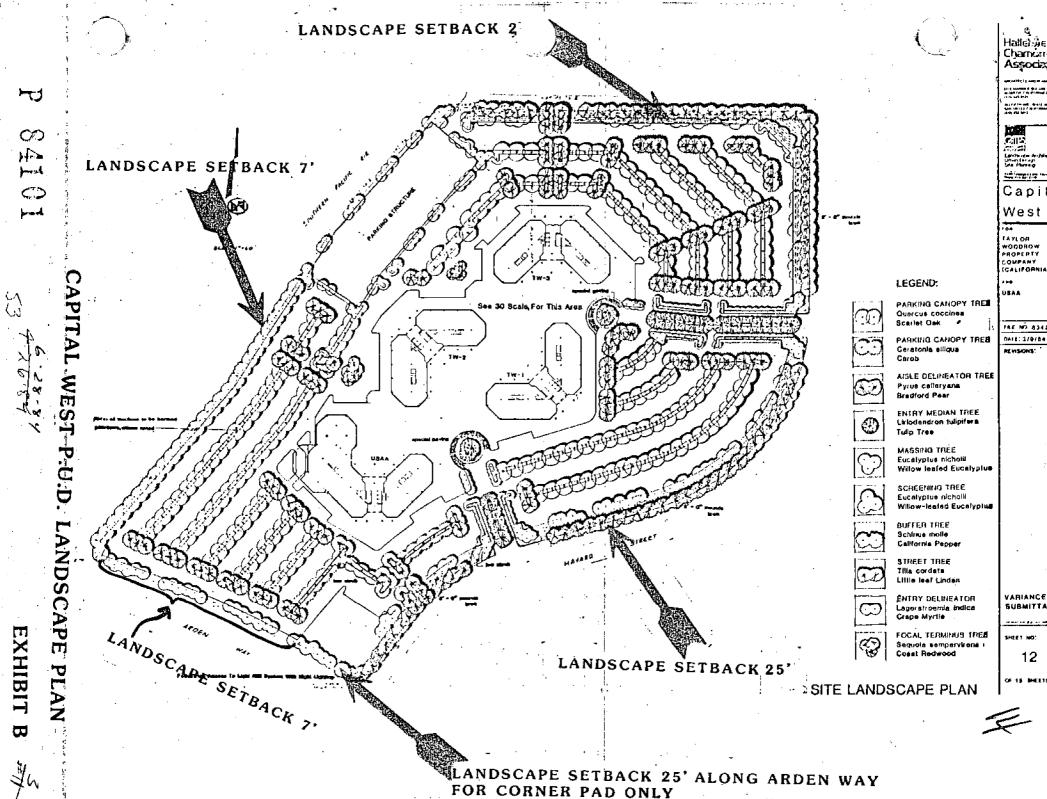
### VII. ISSUANCE OF BUILDING PERMITS

Except as otherwise provided in the Special Permit, or in the Resolution, no building permit shall be issued for any building or structure in a Planned Unite Development Project, or a land area covered by a Planned Unit Development Designation, until the plans submitted for the building permit have been reviewed by the Planning Director, and he has determined that said plans conform to a valid special permit issued for a Planned Unit Development under this Section.

## VIII. BUILDING OCCUPANCY

In accordance with Section 8 of the Zoning Ordinance, "no building or structure unit within a Planned Unit Development may be occupied, until an inspection of the project has been made by the Planning Director, to see that all conditions of the special permit have been complied with".





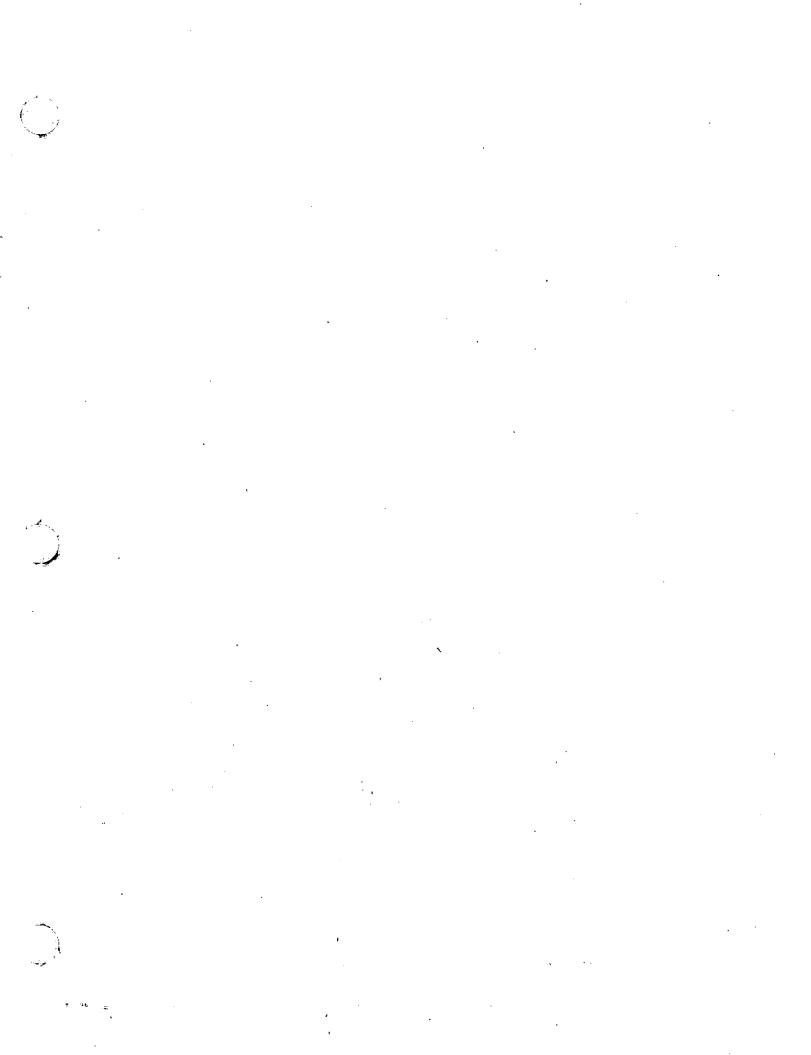
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FRE HÖ 8342 DATE: 3/9/84



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- 4. P84-201 Amend Lakecrest Village PUD Schematic Plan to allow increase in square footage to 15,182 square feet for two-story office building located at 930 Florin Road and southwest corner of Florin Road and Greenhaven Drive. (D8) (APN: 031-430-03,04)
- 5. P84-213 Various requests for property located at southeast corner of Truxel Road and West El Camino Avenue. (D1) (APN: 274-060-26,27)
  - a. Amend Delta Point PUD Schematic Plan to delete 30 dwelling units and to designate a day care center.
  - b. Tentative Man to subdivide 10.3+ acres into two lots in the R-3-R(PUD) zone.
- 6. P84-214 Various requests for property located on the easterly side of Pocket Road, 200+' south of Nasca Hay. (D8) (APN: 031-030-03,43)
  - a. Rezone 12+ acres from A to R-1A.
  - b. Tentative Map to subdivide 12+ acres into 60 lots.

SACRAMENTO CITY PLANNING DEPARTMENT Application taken by/date: JP 3/9/84 Application Information **P** 84-101 Project Location NW con. Arden Way & Harvard Street Assessor Parcel No.277-151-18,19; 277-093-05,06,07,09,11,13,15,03 Taylor Woodrow of California Phone No. Address One Maritime Plaza, San Francisco, CA 94111 Applicant Hallenbeck, Chamorro & Associates Phone No. Address 2415 Mariner Square Dr., Alameda, CA 94501 Signature C.P.C. Mtg. Date 4/26/84 REQUESTED ENTITLEMENTS ACTION ON ENTITLEMENTS **Filina** Commission date Council date Fees ☐ Environ, Determination Neg Dec 6/28/84 ☑ General Plan Amend from Industrial to Office Res. X Community Plan Amend (1965 Arden/Arcade) from Heavy Commercial or Industrial to Office-Planned Unit Development RMC Ord ☐ Tentative Map\_\_\_\_\_ Special Permit to develop 4 office bldgs. AA ☐ Variances □ Plan Review RMC ☑ PUD <u>Designate Planned Unit Development to be</u> known as Capitol West RA ADOPT PUD SCHEMATIC PLAN & PUD GUIDELINES \_ ☐ Other FEE TOTAL

Key to Entitlement Actions

Sent to Applicant: \_\_\_

R - Ratified D - Denied

RD - Recommend Denial

IAF - Intent to Approve based on Findings of Fact

RECEIPT NO.

3009

By/doteJP 3/9/84

Cd - Continued A - Approved RA - Recommend Approval AFF- Approved based on Findings of Fact

AC - Approved W/conditions

RPC- Return to Planning Commission

AA- Approved W/amended conditions RMC-Recommend Approval W/amended conditions

RAC-Recommend Approval W/conditions

CSR-Condition Indicated on attached Staff Report

NOTE: There is a thirty (30) consecutive day appeal period from date of approval. Action authorized by this document shall not be conducted in such a manner as to consitute a public nuisance. Violatian of any of the foregoing conditions will consitute grounds for revocation of this permit Building permits are required in the event any building construction is planned. The County Assessor is notified of actions P 8 4-10/ Pink-permit book taken an rezonings, special permits and variances.

Date

Sec. to Planning Commission

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### CITY OF SACRAMENTO



CITY PLANNING DEPARTMENT

927 TENTH STREET

SACRAMENTO, CA 95814

SCITE 300

TELEPHONE (916) 449-5604

MARTY VAN DUYN FLANNING DIRECTOR

July 23, 1984

City Council Sacramento, California

Honorable Members in Session:

SUBJECT:

Rezone from Light Industrial, M-1 and Heavy Industrial, M-2 to

Office Building, OB (PUD).

LOCATION:

Northwest corner of Arden Way and Harvard Street.

### SUMMARY

This item is presented at this time for approval of publication of title pursuant to City Charter, Section 38.

### BACKGROUND

Prior to publication of an item in a local paper to meet legal advertising requirements, the City Council must first pass the item for publication. The City Clerk then transmits the title of the item to the paper for publication and for advertising the meeting date.

### RECOMMENDATION

It is recommended that the item be passed for publication of title and continued to August 7, 1984.

Respectfully submitted,

Marty Van Duyn

Planning Dinegtor

FOR CITY COUNCIL INFORMATION

WALTER J. SÉIPE PASSED FOR

CITY MANAGER

PUBLICATION

& CONTINUED

MVD:pkb attachments P84-101

July 31, 1984 District Ho 2

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## ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT THE NORTHWEST CORNER OF ARDEN WAY AND HARVARD STREET FROM THE LIGHT INDUSTRIAL, M-1 AND HEAVY INDUSTRIAL, M-2 ZONE(S)

AND PLACING SAME IN THE OFFICE BUILDING, OB (PUD).

ZONE(S)

(FILE NO. P-84-101 )(APN: 277-151-18,19; 277-05,

06,07,09,11,13,15,03)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

### SECTION 1.

The territory described in the attached exhibit(s) which is in the Light Industrial, M-1 and Heavy Industrial, M-2 zone(s), established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the Office Building, OB (PUD) zone(s).

This action rezoning the property described in the attached exhibit(s) is adopted subject to the following conditions and stipulations:

- a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.
- b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission <u>June 28, 1984</u>, on file in the office of the Planning Department, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Director shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

### SECTION 2.

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this ordinance.

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### SECTION 3.

Rezoning of the property described in the attached exhibit(s) by the adoption of this ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550, Fourth Series, as said procedures have been affected by recent court decisions.

PASSED FOR PUBLICATION:

PASSED:

**EFFECTIVE:** 

MAYOR

ATTEST:

CITY CLERK

P84-101



March 28, 1984 840007 MORTON & PITALO, INC.
Civil Engineering, Planning, Surveying
1767 J Tribute Rd., Sacramento, Cc. 95815
916/920-2411

### DESCRIPTION

LOT MERGER
APN 277-151-18 & 19; 277-093-03, 05, 06, 07, 09, 11, 13 & 15

All that certain real property situate in the City and County of Sacramento, State of California, described as follows:

Parcel 1, as said parcel is shown and so designated on that certain Parcel Map filed in Book 72 of Parcel Maps, at Page 26, Official Records of said County, Lots 17, 18, 19, 20 and a portion of Lots 15 and 16 of Block F, as said lots and block are shown and so designated on that certain map entitled "North Sacramento Subdivision No. 2," filed in Book 11 of Maps, at Page 27, Official Records of said County, more particularly described as follows:

BEGINNING at the most Easterly corner of said Parcel 1; thence, along the Easterly, Southerly, Westerly and Northerly lines of said Parcel 1. the following fifteen (15) courses: (1) along the arc of a curve to the right, concave Northwesterly, having a radius of 410.00 feet and being subtended by a chord bearing South 36°36'27" West 486.52 feet; (2) South 73°00'00" West 243.22 feet; (3) South 77°34'33" West 60.19 feet; (4) along the arc of a curve to the left, concave Southeasterly, having a radius of 495.00 feet and being subtended by a chord bearing South 51°34'40" West 335.38 feet; (5) South 31°46'34" West 68.74 feet; (6) along the arc of a curve. to the right, concave Northwesterly, having a radius of 25.00 feet and being subtended by a chord bearing South 77°13'43" West 35.63 feet; (7) along the arc of a curve to the left, concave Southwesterly, having a radius of 2000.00 feet and being subtended by a chord bearing North 63°23'12" West 422.83 feet; (8) North 69°27'17" West 55.92 feet; (9) South 39°58'43" West 24.70 feet; (10) North 50°01'26" West 88.39 feet; (11) North 02°26'19" East 27.23 feet; (12) North 39°58'34" East 436.41 feet; (13) North 32°27'13" East 346.04 feet; (14) North 39°58'34" East 342.54 feet; and (15) North 89°43'06" East 182.51 feet to the Northwest corner of said lot 20; thence, along the North line of said Block F, North 89°43'06" East 399.00 feet to the Northeast corner of said Lot 17; thence, along the East line of said Lot 17, South 00°13'39" East 100.40 feet; thence, North 89°46'21" East 176.24 feet; thence, South 00°21'25" West 200.01 feet; thence, South 89°46'21" West 104.20 feet; thence, South 00°13'39" East 58.00 feet; thence, North 89°46'21" East 103.61 feet; thence, South 00°21'25" West 58.95 feet; thence, North 89°31'26" West 14.27 feet to the point of beginning.

-P 84101'

The Arden Star Park Committee; August 10th, 1984. ANNOUNCEMENT The City Council meeting is scheduled for Tuesday August 28th, 1984 at 7:30 PM An the evening at 915 "I" Street (Second Floor) in the council chambers. IT IS VERY IMPORTANT THAT YOU ATTEN. As of yet the relocation plans of Taylor Woodrow have NOT been completed. The council CAN APPROVE THE PLANS WITHOUT THEIR COMPLETION!!!. Please send any statements or comments in writting WE NEED YOUR HELP! to: Sacramento City Council C/O Office of the City Clerk Street City Hall Rm 203 <u>Sacramento, California 95</u>814 oints to cover: Any fears concerning relocation! Financial considerations! Their support is needed! We still may NOT HAVE ANY STATEMENT IN WRITTING AFTER THE CITY COUNCIL EETS. Sincerely. Deborah Kinter Linn Nelson Wally Ranch

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Donna J. Weycker 1334 Silica Avenue Sp.22 Sacramento, CA 95815 RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO
AUG 20 8 50 AM 'A4

August 16, 1984

Sacramento City Council c/o Office of the City Clerk 915 I St. City Hall Rm. 203 Sacramento, CA 95814

TO WHOM IT MAY CONCERN:

I live in space 22 at Arden Star Moble Park. I moved in approximately 2½ yrs. ago due to the fact that I could no longer afford to commute to work, which is on Silica Avenue also. The company I work for is one which requires a person being on call weekends and after hours. The trailer was for sale at that time, and for that reason I was able to rent with option to buy. I now hold title on the trailer but am in no way possible, able to afford another move. The trailer is used to hold company meetings, and would be most inconvenient if moved: Due to my long work hours, I have no time to look for other parks, which in my opinion would be less desirable than Arden Star is in, and when living alone, this is frightening.

Sincerely,

Donna J. Weycker

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# TAYLOR WOODROW PROPERTY COMPANY (CALIFORNIA) INCLERES OFFICE

CITY OF SACRAM

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Aug 15

August 14, 1984

City Clerk City of Sacramento 915 I Street Sacramento, California 95814

Capital West, City Council Hearing Date

Gentlemen,

Please reschedule the next hearing on the approval of our project at Arden Way and Highway 80 known as Capital West from Tuesday, August 21, 1984 to Tuesday, August 28, 1984.

Thank you for your cooperation.

cc: Gene Masuda, Planning Director William Holliman, McDonough, Holland & Allen

TELEPHONE: (415) 982-6010

### AFFIDAVIT OF MAILING

P-84101 - Various requests for property located at northwest corner of Arden Way and Harvard Street. (D2) (APN: 277-151-18,19; 277-05,06,07,09,11,13,15,03)

- A. Amend General Plan from Industrial to Office.
- B. Amend Community Plan from Heavy Commercial or Industrial to Office (Planned Unit Development).
- C. Rezone 23± ac. from M-1 and M-2 to OB (PUD)
- D. Designate Planned Unit Development to be known as Capitol West.
- E. Adopt PUD Schematic Plan and PUD Guidelines.

THE ABOVE DESCRIBED HEARING NOTICES WERE MAILED BY PLACING COPIES THEREOF IN THE UNITED STATES MAIL, POSTAGE PREPAID, AND ADDRESSED TO THE FOLLOWING, AS INDICATED BY A CHECK MARK WHERE APPLICABLE:

- (X) OWNER OF PROPERTY: Taylor Woodrow of California
- (X) APPLICANT: Hallenbeck, Chamorro & Associates
- ( ) APPELLANT (IF APPLICABLE):
- ( X ) MAILING LIST FOR P-NUMBER 84101
- ( ) SIGNERS OF PETITION (IF APPLICABLE)

I DECLARE UNDER PENALTY OF PERJURY THE FOREGOING IS TRUE AND CORRECT. EXECUTED AT SACRAMENTO, CALIFORNIA, ON THE 30 DAY OF August, 1984.

SIGNATURE OF PERSON MAILING NOTICE

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### **CITY OF SACRAMENTO**



OFFICE OF THE CITY CLERI

915 I STREET CITY HALL ROOM 203 SACRAMENTO, CALIFORNIA 95814 TELEPHONE (918) 449-5428 LORRAINE MAGANA CITY CLERK

August 29, 1984

Taylor Woodrow of California One Maritime Plaza San Francisco, CA 94111

On August 28, 1984, the following matter was scheduled to be heard before the City Council after having been previously continued.

P-84101 - Various requests for property located at northwest corner of Arden Way and Harvard Street. (D2) (APN: 277-151-18,19; 277-05,06,07,09,11,13,15,03)

- A. Amend General Plan from Industrial to Office.
- B. Amend Community Plan from Heavy Commercial or Industrial to Office (Planned Unit Development).
- C. Rezone 23± ac. from M-1 and M-2 to OB (PUD)
- D. Designate Planned Unit Development to be known as Capitol West.
- E. Adopt PUD Schematic Plan and PUD Guidelines.

This hearing has been further continued to September 11, 1984, at the hour of 7:30 p.m., and in the Council Chamber, Second Floor, City Hall, 915 "I" Street, Sacramento, California. Interested parties may appear and speak at the hearing.

Pursuant to Council Rules of Procedure 4.5(4), "No person who has twice obtained a continuance of a hearing shall be granted an additional continuance unless such person shall appear at the Council meeting at the time such hearing is scheduled, and satisfy the Council that a miscarriage of justice would result from the refusal of the Council to grant such a continuance." Continuances may be requested by the owner of the subject property, applicant, appellant, or a designee for same.

Any questions regarding this hearing should be referred to the City Planning Department, 927 Tenth Street, Sacramento, California, phone (916) 449-5604.

Sincerely,

Lorraine Magana City Clerk

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LM/kmn

cc: MAILING LIST P-84101 (43)

Hallenbeck, Chamorro & Associates, Applicant

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### AFFIDAVIT OF MAILING

ON <u>September 7, 1984</u>, NOTICES OF HEARING, A TRUE AND CORRECT COPY OF WHICH IS ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN, WERE MAILED ON THE FOLLOWING PROJECT:

P-84101 - Various requests for property located at northwest corner of Arden Way and Harvard Street. (D2) (APN: 277-151-18,19; 277-05,06,07,09,11,13,15,03)

- A. Amend General Plan from Industrial to Office.
- B. Amend Community Plan from Heavy Commercial or Industrial to Office (Planned Unit Development).
- C. Rezone  $23\pm$  ac. from M-1 and M-2 to OB (PUD).
- D. Designate Planned Unit Development to be known as Capitol West.
- E. Adopt PUD Schematic Plan and PUD Guidelines.

THE ABOVE DESCRIBED HEARING NOTICES WERE MAILED BY PLACING COPIES THEREOF IN THE UNITED STATES MAIL, POSTAGE PREPAID, AND ADDRESSED TO THE FOLLOWING, AS INDICATED BY A CHECK MARK WHERE APPLICABLE:

- ( X ) OWNER OF PROPERTY: Taylor Woodrow of California
- ( X ) APPLICANT: Hallenbeck, Chamorro & Associates
- ( ) APPELLANT (IF APPLICABLE):
- ( X ) MAILING LIST FOR P-NUMBER 84101
- ( ) SIGNERS OF PETITION (IF APPLICABLE)
- I DECLARE UNDER PENALTY OF PERJURY THE FOREGOING IS TRUE AND CORRECT. EXECUTED AT SACRAMENTO, CALIFORNIA, ON THE \_\_\_\_\_\_ DAY OF September, 1984.

SIGNATURE OF PERSON MAILING NOTICE

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### CITY OF SACRAMENTO

14

OFFICE OF

CITY HALL ROOM 203

THE CITY CLERK

SACRAMENTO, CALIFORNIA 95814 TELEPHONE (918) 449-5428 LORRAINE MAGANA CITY CLERK

September 7, 1984

Taylor Woodrow of California One Maritime Plaza San Francisco, CA 94111

On September 11, 1984, the following matter was scheduled to be heard before the City Council after having been previously continued.

P-84101 - Various requests for property located at northwest corner of Arden Way and Harvard Street. (D2) (APN: 277-151-18,19; 277-05,06,07,09,11,13,15,03)

- A. Amend General Plan from Industrial to Office.
- B. Amend Community Plan from Heavy Commercial or Industrial to Office (Planned Unit Development).
- C. Rezone 23± ac. from M-1 and M-2 to OB (PUD).
- D. Designate Planned Unit Development to be known as Capitol West.
- E. Adopt PUD Schematic Plan and PUD Guidelines.

This hearing has been further continued to September 18, 1984, at the hour of 7:30 p.m., and in the Council Chamber, Second Floor, City Hall, 915 "I" Street, Sacramento, California. Interested parties may appear and speak at the hearing.

Pursuant to Council Rules of Procedure 4.5(4), "No person who has twice obtained a continuance of a hearing shall be granted an additional continuance unless such person shall appear at the Council meeting at the time such hearing is scheduled, and satisfy the Council that a miscarriage of justice would result from the refusal of the Council to grant such a continuance." Continuances may be requested by the owner of the subject property, applicant, appellant, or a designee for same.

Any questions regarding this hearing should be referred to the City Planning Department, 927 Tenth Street, Sacramento, California, phone (916) 449-5604.

Sincerely,

Lorraine Magana

City Clerk

Íanice Beaman Deputy City Clerk

LM/kmn

cc: MALING LIST P-84101 (43)

Hallenbeck, Chamorro & Associates, Applicant

September 21, 1984

Taylor Woodrow of California One Maritime Plaza San Francisco, CA 94111

### Dear Gentlemen:

On September 18, 1984, the Sacramento City Council took the following action(s) for property located northwest corner of Arden Way and Harvard Street:

Adopted Resolution 84-809, Ordinance 84-096 with conditions, Resolution 84-810, and approved Agreement 84061. (P-84101)

Enclosed, for your records, are fully certified copies of the above referenced documents, except for Agreement 84061 which we will forward upon completion.

Sincerely,

Lorraine Magana City Clerk

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Enclosure(s)

cc: Planning Department
Hallenbeck, Chamorro & Associates

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