



CITY OF SACRAMENTO
CALIFORNIA

OFFICE OF THE
CITY MANAGER

December 5, 1985

CITY HALL
915 I STREET - 95814
(916) 449-5704

APPROVED
BY THE CITY COUNCIL

City Council
Sacramento, CA

DEC 10 1985

Honorable Members In Session:

OFFICE OF THE
CITY CLERK

Subject: Report on Negotiations Concerning Capital 80 Properties (Robert C. Cook) Development Proposal in the South Natomas Community

SUMMARY

This report recommends that the City Council approve an intention to designate land uses for the Capital 80 Properties (Robert C. Cook) according to the specific uses contained within this report.

BACKGROUND INFORMATION

On Tuesday, December 3, 1985, the City Council approved the land uses proposed for the Sammis Technology Center (McCuen and Steele) and directed the City staff to return in one week with further negotiations with representatives of Capital 80 Properties, (Robert C. Cook) concerning the 60 acres in the southwest quadrant of the intersection of Northgate Boulevard and Interstate 80. City staff, with the participation of a representative of the Natomas Community Association, met on December 4th and 5th to negotiate with representatives of Capital 80 Properties.

An agreement was reached between City representatives and the developers on the following land use designation.

<u>LAND USE</u>	<u>ACRES</u>
1. Public Park	7 Acres
2. Office	27 Acres
3. Single Family Residential	5 Acres
4. Highway Commercial	21 Acres

	60 Acres (Gross)

The recommendation includes an acceptance of a proposal by Robert C. Cook to present the park as a gift fully developed to City standards. The proposal is conditioned upon the park being improved at 50% build-out of the project. Mr. Cook has indicated an interest in the formation of an assessment district to assist in the financing of the infrastructure required by the development of this property. The City representatives acceptance of the proposal to change the land use from medium density residential and to reduce 2 acres of highway commercial in exchange for public park, office, single family and highway commercial results in a traffic impact that is equal to or less than 23 acres of highway commercial and 37 acres of medium density residential.

RECOMMENDATION

It is recommended that the City Council approve the intention to designate the 60 acres of property owned by Robert C. Cook for the land uses as described in the body of this report.

Respectfully submitted,

Solon Wisham, Jr.
SOLON WISHAM, JR.
 Assistant City Manager

RECOMMENDATION APPROVED:

Walter J. Slipe
Walter J. Slipe,
 City Manager

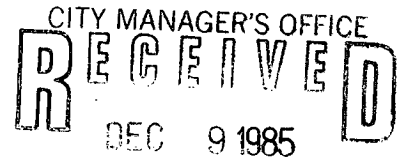
District 1
 December 10, 1985

Attachment

#18

ROBERT C. COOK
ATTORNEY AT LAW
1108 2ND STREET
SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 448-2300

December 9, 1985



Doc Wisham
City Manager
915 I Street, Suite 109
Sacramento, California 95814

Dear Mr. Wisham:

The purpose of this letter is to confirm the terms and conditions of my offer to transfer to the City of Sacramento a parcel of seven gross acres, including streets and the rights-of-way, if any, for use solely as a park. I estimate the cost of the improved park site, including land cost, cost of adjacent streets with curbs, gutters and the sidewalks, landscaping, parking lot, drainage and irrigation, to be \$1,060,968. The offer is made on the following terms and conditions:

1. Location.

The seven-acre park (hereinafter, the "Park") will be located on a specific site to be determined by City Staff and myself within the boundary of the Capitol/80 Properties project as shown on Exhibit A hereto. The Park will be at or near the western boundary of Capitol/80 Properties and will be south of and contiguous to the major road ("Rosin Boulevard") to be constructed between Northgate Boulevard and Truxel Avenue. The Park will be continuous with a similar park of 23 acres located in the Sutter West project of McCuen & Steele.

2. Improvements.

At the time specified in paragraph 3 hereof, I will complete the following improvements to the Park site:

a. Adequate parking for a park of similar use and size;

b. Appropriate landscaping with trees, grass and automatic irrigation system;

c. Grading, drainage and planting of grass throughout the interior of the Park;

d. All adjoining streets complete with curbs, gutters and sidewalks.

3. Timing Of Park Improvement.

I will commence improvement of the Park no later than the time at which building permits have been issued for fifty percent plus one foot of the total aggregate square footage of buildings permitted within 27 acres OB and 21 acres HC zoning within Capitol/80 Properties, and I shall diligently complete such improvements once they are commenced. The improved Park will be conveyed to the City of Sacramento upon its completion.

4. Use Restrictions.

Development and conveyance of the park shall be subject to the following restrictions related to its use:

a. A deed restriction on the Park site property prohibiting its use as other than a park and prohibiting structures other than restrooms, showers, lockers, grandstands (bleachers) and similar amenities reasonably necessary for the utilization of the Park;

b. I will not construct buildings within 75 feet of the Park, but will be permitted to place parking, loading or service areas within this 75-foot zone if reasonably necessary to support the buildings within Capitol/80 Properties;

c. The City will not be permitted to erect a fence between my property and the Park site nor will the City require me to erect such a fence. I must be allowed both physical and visual access to the Park;

d. To assure a uniform appearance from the street, the planting scheme for the proposed perimeter strip around the Park will be designated by me. Future planting schemes for the interior of the Park will be consistent with planting materials used in the Capitol/80 Properties and will be subject to my reasonable approval.

Doc Wisham
December 9, 1985
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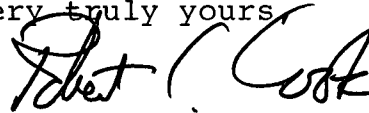
5. Offsets.

The development cost of improvements related to the Park which are of area-wide benefit to the South Natomas community, including without limitation that portion of Rosin Boulevard adjacent to the Park, shall be credited to Capitol/80 Properties exaction fee or facility benefit assessment account.

6. Zoning.

The City of Sacramento shall grant OB zoning on at least 27 acres of Capitol/80 Properties permitting development of at least 297,000 square feet of office space, shall grant 21 acres of HC zoning, and on Capitol/80 Properties, permitting development of Highway Commercial use. The remaining 5 acres of Capitol/80 Properties may be zoned for low density residential development. The exact location and boundaries of these zones will be specified in further discussions between City representatives and myself.

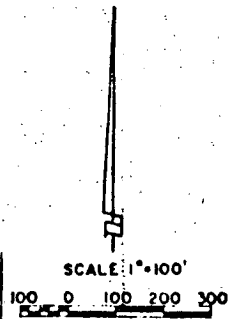
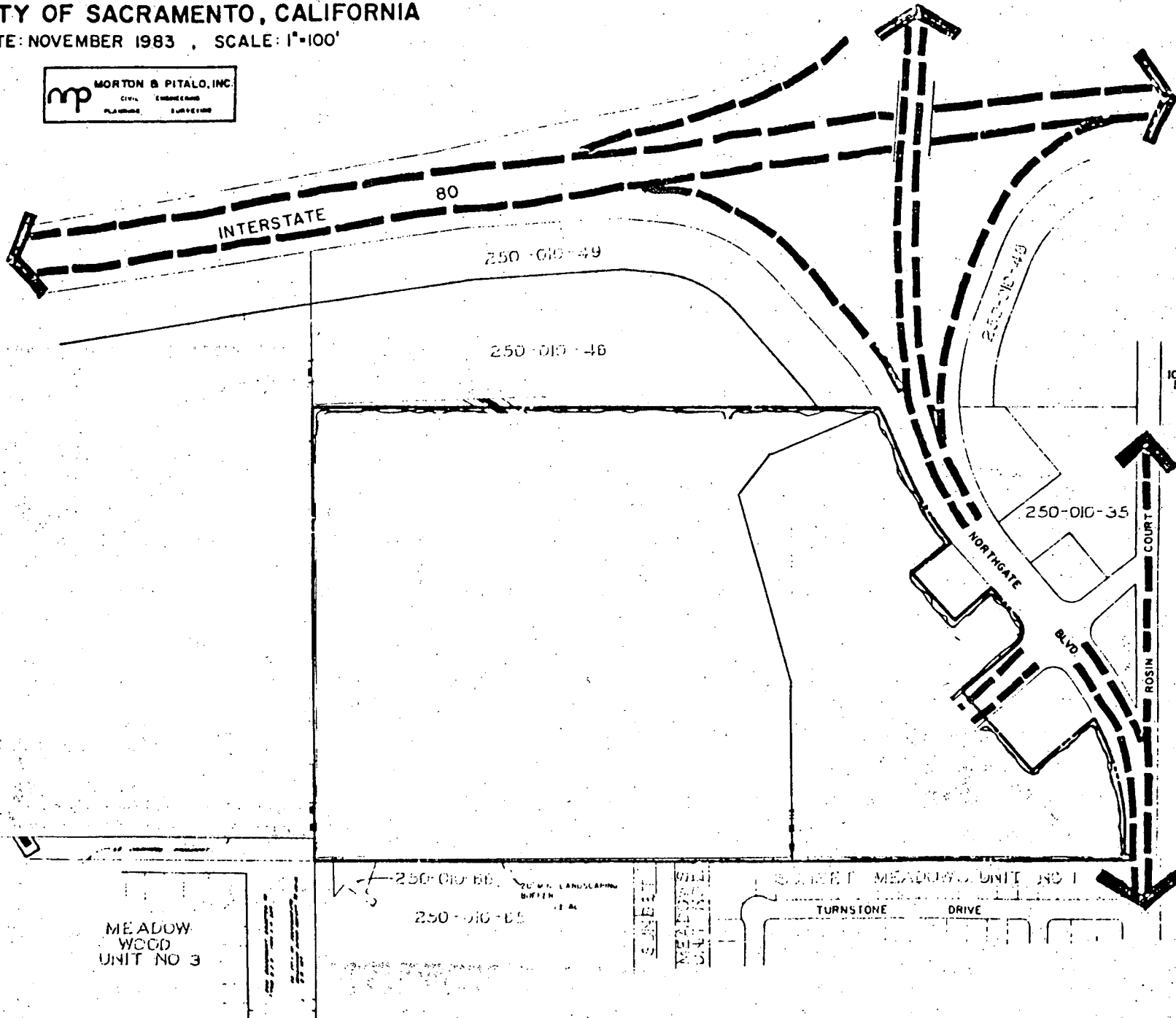
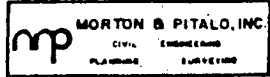
Very truly yours



Robert C. Cook

RCC:cjp:46H
enclosure

LAND USE DIAGRAM
CAPITOL / 80 PROPERTIES
CITY OF SACRAMENTO, CALIFORNIA
DATE: NOVEMBER 1983 , SCALE: 1"=100'



MEADOW
WOOD
UNIT NO 3

250-010-66
250-010-65
LANDSCAPING
BUSH

TURNSTONE DRIVE
MEADOW WOOD UNIT NO 1

HOLLIMAN, HACKARD & TAYLOR

A PROFESSIONAL CORPORATION

ATTORNEYS

WILLIAM G. HOLLIMAN, JR.
MICHAEL A. HACKARD
JOHN M. TAYLOR
ROBERT B. PYE
GEORGE E. PHILLIPS

1545 RIVER PARK DRIVE, SUITE 550
SACRAMENTO, CALIFORNIA 95815
(916) 929-5545

December 6, 1985

Mr. Doc Wisham
Assistant City Manager
City of Sacramento
915 "I" Street, Room 109
Sacramento, California 95814

Re: Sutter West/McCuen & Steele

Dear Doc:

As I discussed with you this morning, it is my suggestion that approval of zoning for the Sutter West and Capital 80 projects be conditioned upon consent of the applicants to participate in an assessment district for construction of specified improvements. Questions relating to allocation of benefit and other details may be left open. Such a condition has been imposed on numerous occasions by the County of Sacramento in connection with properties which require improvements which would benefit other properties. McCuen & Steele consented to such a condition in connection with approval of Prospect Business Park, as did The Cook Company with respect to the White Rock (now Capital Center) project in the U.S. 50 corridor.

Once again, I must emphasize that McCuen & Steele will not dedicate and construct a community park in the absence of such an assurance that the adjacent property will participate in a financing mechanism necessary to provide for access to the park. It seems to me that this condition is both reasonable and necessary for implementation of the recommendation for the Capital 80 property.

I suggest that you schedule a meeting with the two property owners prior to the City Council hearing on December 10th to discuss the matter. I believe that we can agree on the necessary road and traffic improvements and language which will assure their construction when needed. I am willing to meet with you and Messrs. Cook and McCray on Monday or Tuesday.

Mr. Doc Wisham
December 6, 1985
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Once again, I must emphasize that the proposed condition is a reasonable and necessary condition of the rezoning of both properties and we request that the City Council impose such a condition.

Very truly yours,

William G. Holliman, Jr.

WGH/ean

cc: James P. Jackson
Marty Van Duyn
Chris Steele
Robert Cook
Robert McCray
City Council

December 13, 1985

Robert C. Cook
918 Second St
Sacramento CA 95814

Dear Mr. Cook:

On December 10, 1985, the Sacramento City Council took the following action(s) for property located on the west side of Northgate Boulevard, south of I-80 (P-83394):

The hearing was closed and it is the Council's intent to adopt the staff recommendations; documentation is due back to Council on 01-14-86.

Sincerely,

LORRAINE MAGANA, CITY CLERK

Deputy City Clerk

LM/mls/18

cc: Planning Department
Morton & Pitalo Inc, 1430 Alhambra Blvd Ste 200, 95816