

DEVELOPMENT SERVICES DEPARTMENT

CITY OF SACRAMENTO

1231 I STREET ROOM 300 SACRAMENTO, CA 95814-2998

Planning Division

PLANNING 916-808-5381 FAX 916-808-5328

January 7, 2005

City Council Sacramento, California

Honorable Members in Session:

**SUBJECT: WESTLAKE GATES** (P04-102)

Call-Up of Planning Commission denial of an amendment to the Special Permit condition that requires the Westlake Subdivision vehicular gates to remain open between the hours of 7am and 6pm, and to allow the vehicular gates to remain closed 24 hours a day.

- A. **Environmental Determination**: Exempt, per CEQA Section 15301;
- B. **Special Permit Major Modification** to amend the Special Permit condition that requires the Westlake Subdivision vehicular gates to remain open between the hours of 7am and 6pm, and to allow the vehicular gates to remain closed 24 hours a day, in the Westborough Planned Unit Development.

LOCATION AND COUNCIL DISTRICT:

North of Del Paso Road and west of El Centro Road,

Westborough Neighborhoods 2-6 North Natomas Community Plan Area Council District 1 (Attachments A and B)

**RECOMMENDATION:** Staff and the Planning Commission recommend that the City Council take the following action:

Deny the Special Permit Major Modification request to remove the condition requiring the vehicular gates to remain open between the hours of 7am and 6pm.

**CONTACT PERSONS:** 

Stacia Cosgrove, Associate Planner, 808-7110

David Kwong, Senior Planner, 808-2691

FOR COUNCIL MEETING OF: January 25, 2005 (evening)

City Council January 5, 2005

RE: Westlake Gates, P04-102

### **SUMMARY:**

The applicant is requesting to amend a condition of the October 1999 Special Permit for the Westborough Planned Unit Development (PUD) that requires that the vehicular gates in place at five subdivision tracts be kept open from 7am to 6pm every day. Approval of the Special Permit Major Modification request would allow the vehicular gates to remain closed 24 hours a day. Neighborhoods 2-6 of the Westlake community are gated and subject to this application. Please see Attachment C for the location of these neighborhoods and the existing gates.

Planning Commission and Staff are recommending denial of the Special Permit modification request because removal of the condition is inconsistent with the policies and goals of the North Natomas Community Plan, the Planning Commission's adopted Visions and Values Principles, and because there are no evident circumstances that exist within the Westlake community that necessitate removal of the Special Permit condition.

The project was denied by the Planning Commission on November 18, 2004. The Planning Commission decision was subsequently called-up by Councilmember Tretheway. A number of letters from Westlake residents and petitions in favor of the project are attached to this staff report as Attachments D and E.

## **COMMITTEE/COMMISSION ACTION:**

The Planning Commission denied the project at the November 18, 2004 public hearing by a vote of 4 ayes to 2 noes. (Attachment F- Planning Commission Voting Record)

### **BACKGROUND INFORMATION:**

On September 9, 1999, the Planning Commission supported staff's recommendation to deny the Westborough PUD project (P98-112) entitlements, based upon a number of policy considerations. Most relevant to the current application was the concern by staff that at the heart of the Westborough project was the proposal to gate nearly 200 acres of the project site, comprising six of the site's residential villages. The argument against gated development centered around the idea that walls and gates create physical and social barriers within communities.

After the Planning Commission denied the project entitlements, the applicant, Lennar Communities, appealed those entitlements to the City Council. The applicant subsequently revised the project and offered several compromises to address the Council, staff, and community concerns regarding the vehicular and pedestrian gates: 1) Village 1 was redesigned to eliminate the vehicular gates and eliminate walls on Westlake Parkway (identified on Attachment C as "A" Street West), 2) The Westborough PUD Guidelines were amended to stipulate that no walls would be allowed along the east side of "A" Street East, for future medium density development; and 3) The vehicular gates for Villages 2-6 must remain open between the hours of 7am and 6pm. The reason why the gates were conditioned to remain open during these specified hours was to promote internal and external connectivity and minimize barriers both visually and physically between those villages and the other residential neighborhoods within the Westborough PUD.

City Council January 5, 2005

RE: Westlake Gates, P04-102

The Westborough Planned Unit Development (PUD) subsequently was established on October 26, 1999 with the approval by City Council of a Development Agreement, General Plan and Community Plan Amendments, Rezone, the establishment of a PUD Schematic Plan and PUD Guidelines, and (on appeal) a Tentative Master Parcel Map, Tentative Subdivision Map, and Special Permits. (P98-112)

**Justification for Request-** The Westlake Master Association (applicant) is now requesting to amend the condition that requires the vehicular gates on Villages 2-6 to remain open between 7am and 6pm; by approving the Special Permit Major Modification, the vehicular gates for Neighborhoods 2-6 could remain closed 24 hours a day.

The applicant offers the following justifications for the Special Permit Modification request (Attachment G):

- 1. The gated community experiences an abnormal and uninvited amount of traffic as a result of NBA (National Basketball Association) players and owners living in the community.
- 2. Non-Westlake residents and those Westlake residents living outside the gated communities are accessing the lake front through the gated neighborhoods (often through lots or residents' yards) instead of through the main lake entrance primarily during the daytime.
- 3. Westlake experiences an unusually high amount of business solicitation during the daytime.

<u>Staff Response</u>: Overall, staff does not find the circumstances listed above as a persuasive policy justification for the Special Permit condition to be removed; the reasoning behind the inclusion of the Special Permit condition outweighs the justifications provided by the applicant.

While NBA players and owners living in the Westlake community may generate interest and an unsubstantiated increase in traffic in the area, staff believes that this does not represent an issue to which the response should be to further close off the gated neighborhoods from the surrounding community. In order to address traffic concerns, the City's Development Engineering & Finance Division (in cooperation with the City's Transportation Department) has offered to sit down with the applicant to discuss whether there might be certain intersections or streets which are adversely impacted, where the installation of traffic calming devices might resolve any problems caused by vehicular traffic. As is done in other neighborhoods in the City, traffic counts and speeds in the affected area would be measured to determine if the residential streets are receiving an unusually high volume of traffic, traveling at unsafe speeds and the appropriate traffic calming devices could be discussed to alleviate any problems. This option was offered to the applicant, but the applicant did not communicate any interest in pursuing it by the time of the writing of this staff report.

Similarly, if subdivision design is allowing unsafe public access to the lake, whether by Westlake or non-Westlake residents, that condition should be resolved in some way other than closing the vehicular gates 24 hours a day. If Westlake residents are cutting through their neighbors yards to reach the lake, closing the gates would not resolve this issue because they would already live inside the gates or have code access to the gated portion of the community. Staff encourages the applicant to explore other, perhaps more effective, means of addressing this concern.

RE: Westlake Gates, P04-102

Finally, it is difficult to substantiate the amount of business solicitation that occurs within the Westlake community versus in any of the other neighborhoods in the City. Staff does not believe this is a valid justification for removing the Special Permit condition.

### FINANCIAL CONSIDERATIONS:

This project has no fiscal considerations.

## **ENVIRONMENTAL CONSIDERATIONS:**

The proposed project is exempt from environmental review pursuant to CEQA Guidelines (CEQA Section 15301). Section 15301 allows for projects such as the current application, characterized as an "Existing Facility," to be categorically exempt from CEQA Guidelines because the proposed project involves negligible or no expansion of an existing use. Altering the hours of operation for the existing vehicular gates involves negligible or no expansion of a use that was existing at the time of the lead agency's determination.

### **POLICY CONSIDERATIONS:**

North Natomas Community Plan- The North Natomas Community Plan is based upon the vision of a community that encourages internal and external connectivity, minimizing the barriers between neighborhoods, and facilitating the integration of land uses. Guiding Principles within the Community Plan include, "Connect, don't isolate neighborhoods and activity centers with a well-designed circulation system," and "Provide multiple routes and connections to adjacent developments." (NNCP, p. 38) Providing multiple routes, according to the Community Plan, is dependant upon creating direct, short and simple linkages between neighborhoods and activity centers. Promoting gated barriers does not contribute toward the realization of these goals.

**Visions and Values Policy-** The "Visions and Values Principles" were developed by the Planning Commission, with participation from the Design Review Board and City staff, and adopted by the Planning Commission in 1997 (Attachment H). The goal of the Visions and Values Principles are to articulate the desired design and development principles for neighborhood development, based upon the five core values of Completeness, Identity, Diversity, Quality, and Connectivity. The "Connectivity" principle emphasizes the importance of promoting easy, multi-modal movement within and between neighborhoods through subdivision design and encourages minimizing barriers to that movement. (Attachment H, page 4 and 6)

The Westborough PUD Special Permit was conditioned to require that the vehicular gates remain open during the daytime hours in order to minimize the disruption that gates on subdivisions cause to the physical and social flow between neighborhoods. Neighborhoods 2-6 are surrounded predominantly by other residential uses of varying densities, community and neighborhood parks, and an elementary school site. Staff does not believe that there is a need to further isolate Neighborhoods 2-6 from these land uses.

Other Gated Communities in the City of Sacramento- Staff traditionally opposes gating residential subdivisions unless some sort of special circumstance is present, due to the desire to reduce barriers between neighborhoods. The Heritage Park (P00-005) subdivision, located south

City Council January 5, 2005

RE: Westlake Gates, P04-102

of Elkhorn Boulevard and west of Natomas Boulevard in North Natomas, is gated and was specifically designed as an age-restricted development. It is important to note that the design of this community includes front on lots on all of the major streets, throughout the low and medium density development, thereby precluding walls on the major streets. This project was supported by staff.

Gates were approved at Heritage Place/Riverwalk (P96-119), located west of Gateway Oaks Drive and Venture Oaks Way in South Natomas, due to security concerns. The development (173 homes) is surrounded by "hard edges" that restricted subdivision design, including a shopping center with a wall, a drainage canal, and an apartment complex.

There are a number of gated developments in the Pocket Community that were approved in the 1980's. With regards to the North Natomas Community Plan area, staff has consistently been critical of vehicular gates requests for single-family subdivisions. An application was denied in 2001 to gate Westborough Villages 7 & 8, based upon the preponderance of residential gates already present in the Westborough PUD.

This discussion does not include any multi-family residential developments (apartments and condominiums) that more commonly include gates and wrought iron fencing as an added amenity to entice renters or to deter criminal activity. Gated apartment complexes are more common throughout all of the community plan areas.

In staff's opinion, special circumstances do not exist in the Westborough case that lead to the conclusion that the special permit condition should be removed; evaluation of the justification for the request provided by the applicant (discussed below) does not override the present policy considerations and the purpose of the condition to promote community inclusiveness.

**Smart Growth Principles**- In December 2001, Sacramento City Council adopted a set of Smart Growth Principles in order to promote growth that is economically sound, environmentally friendly, and supportive of community livability. The Smart Growth Principles encourage, "Foster(ing) walkable, close-knit neighborhoods through a system of fully connected activity centers, streets, pedestrian paths and bike routes." The proposed project may present an additional barrier to a fully connected street system and would not be in keeping with the City's Smart Growth Principles.

**Strategic Plan Implementation-** The City of Sacramento Strategic Plan directs that, "Development in new growth areas should be consistent with Smart Growth principles and with the tenets of the North Natomas Community Plan." Staff does not support the proposed project because of the project's inconsistency with the North Natomas Community Plan, and does not believe the proposal is consistent with the City's Smart Growth Principles.

### **ESBD CONSIDERATIONS:**

No goods or services are being purchased under this report.

RE: Westlake Gates, P04-102

Respectfully submitted and approved:

Gary Stonehouse Planning Director

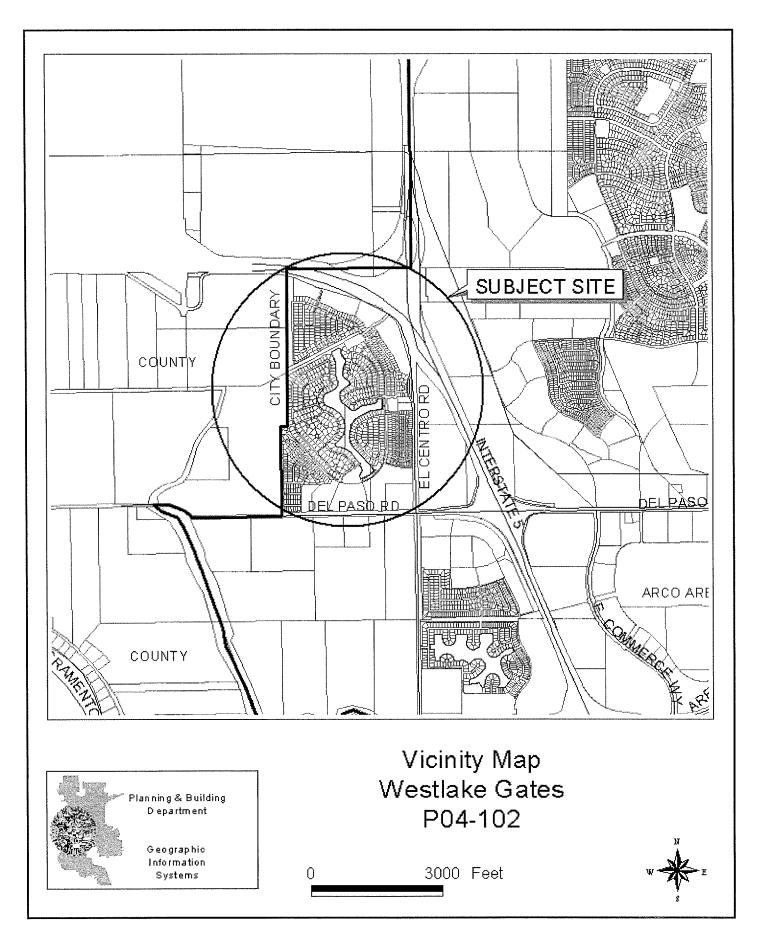
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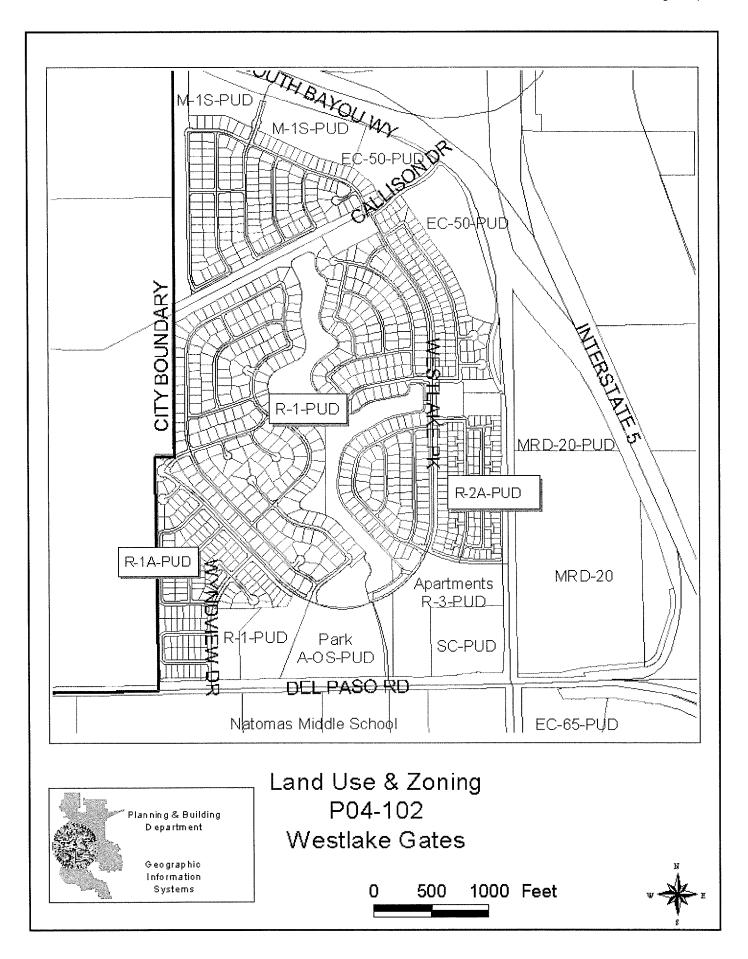
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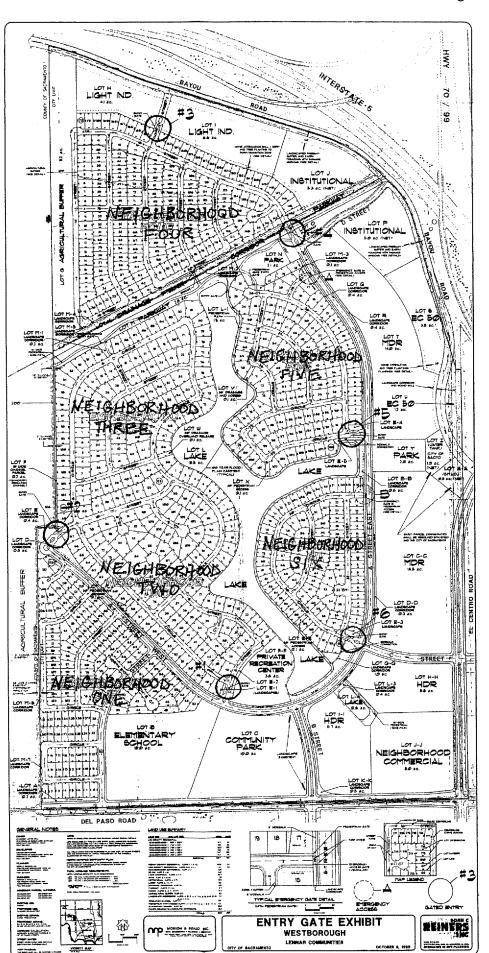
City Manager

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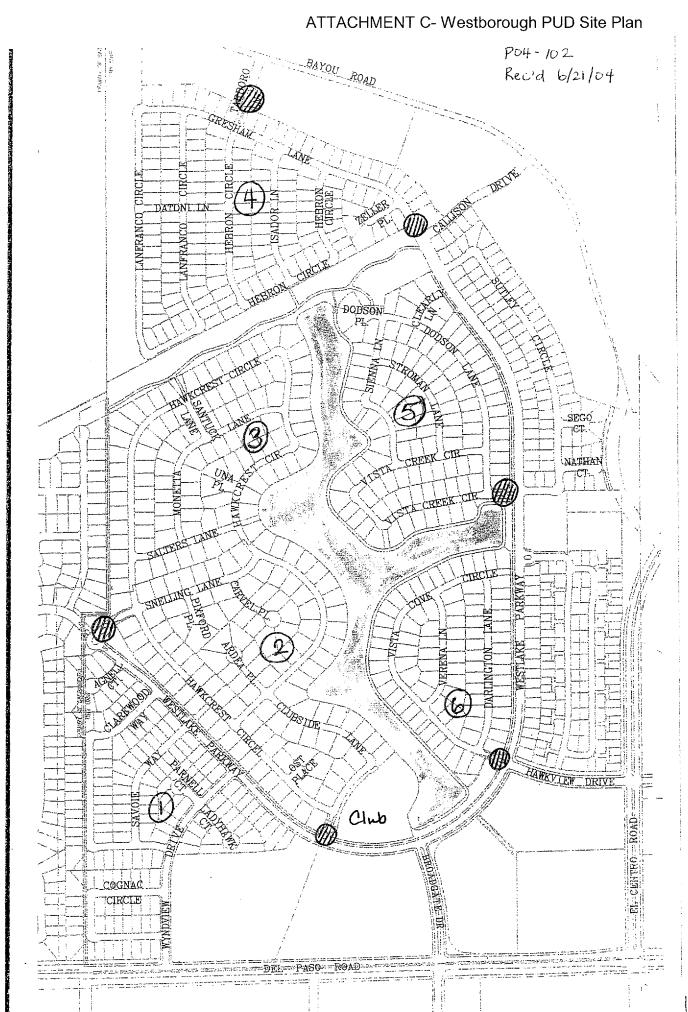






P04-102 RECEIVED 05/25/2004

Westlake Community Geraments, CA



October 2, 2004

City of Sacramento Planning Division Attention: Stacia Cosgrove 1231 I Street Room 300 Sacramento, Ca. 95814-2998

RE: P040102 (Westlake)

Dear Ms. Cosgrove:

I would like to take a moment and express my opposition and concerns regarding the aforementioned Proposal. Unfortunately, I will be out of town on the 14<sup>th</sup> of October and therefore unable to express them in person.

We were told when we purchased our home, the gates would always remain open during the day between the hours of 7:00 AM to 6:00PM. I support the gates remaining open for the following reasons:

- Security Issues: I simply can't imagine the number of people that would have access to our communities day and NIGHT including but not limited to:
  - o Landscapers
  - o All delivery personal
  - o Housekeepers
  - o Handyman and other maintenance personnel
  - Everyone's personal family and friends.

If every home in the Marina community alone had 3 of the above needing entrance the count would be over 500. I understand that they have entrance currently, however when the gates close in the evenings they DO NOT. The fliers going around state security reasons for closing. I seriously wonder if they have thought about the false sense of security this would generate.

> There is currently only one accessible gate to our communities.

The wear and tear on the constant use of the gates would potentially create a nightmare with the increase maintenance that would be necessary, not to mention the inconvenience. When the gate breaks down, and it will, we not being able to exit or enter until repaired. This is not acceptable. Research and common sense would dictate that this would be an ongoing problem. The minimum usage at this time, helps mitigate this issue.

I respectfully request that you consider my concerns, prior to making a decision on this proposal. Thank you.

Show Balda

250 Vista Creek Circle, Sacramento, Ca. 95835

# Westlake Community Awareness

# <u>Did You Think Westlake</u> Was Going To Be A True Gated Community?!

If you thought eventually the gates in our neighborhoods were going to be closed you are not alone. In Sacramento County there are many gated communities. Most of these communities have their gutes closed during the day. Why not Westlake? In the community information binder it simply states that the permit restricts hours of operation, requiring that gates be opened for public access from 7:00 a.m. to 6:00 p.m. daily. The buzz around my subdivision is that it is a public safety issue for emergency service calls. However, that makes no sense what so ever.

The police department, fire department and ambulances are all equipped with a special key that will open these gates. In my opinion there is a greater frublic safety issue at hand. I here are muny stay at home moms, and many children in these communities. It just doesn't make sense to leave our loved ones at home with out the added security of the gates.

We all have a chance and an obligation to our community to show up to the planning commission meeting on October 14th at 5:30 p.m. at 1231 l Street in the first floor hearing room (Keeping these gates closed around the clock is going to aild a greater sense of security for your family as well as adding value to our community and our homes.

I will be at the meeting and would like to see you Noter. If you can't make the meeting the there. If you can't make the meeting please feel free to send me an e-mail with your thoughts on this issue so I can make a greater impact at the meeting.

" Mone we can do so little: Together we can do so Much" Helen Keller

If you would like a free, comprehensive market analysis of your home please feel free to call me at (916) 384-1731 and ask for Jon Brodie. Also, call me to hear about my Nordstrom gift card referral

My team of service providers

# Prudential California Realty



Westlake Resident Jon Brodie 1819 K Street #100 Sacramento, Ca 95814 (916) 384-1731

jou bradic(a)prarealty.com

# Countrywide



Rachelle Munoz 1817 K Street Sacramento, CA 95814 (916) 325-7650 Ext. 227 vachelle\_manaz(a)countrywide.com

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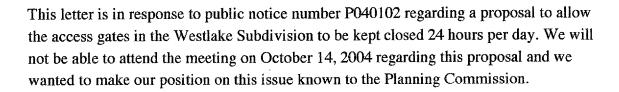
Susie Brink 4411 Freeport Blvd. Sacramento, CA 95822 (916) 732-9001

yo' Planning Comussion Collection and notes

City of Sacramento Planning and Building Department 1231 I Street, Room 300 Sacramento, California 95814-2998

Attn: Stacia Cosgrove

Ms. Cosgrove:



OCT 04 2004

PLANNING DEPARTMENT

We live in the Westlake Subdivision (i.e., the "Marina" village by U.S. Homes), at 130 Vista Creek Circle, Sacramento, California, 95835. Our community is gated. We fully support the proposal to allow the gates to remain closed 24 hours per day, and we request that the commission approve that proposal.

Despite the fact that there is a no trespass sign posted at the gate to our neighborhood, we are constantly harassed by door-to-door sales people. In addition, people attempt to access the Westlake public lake through our private neighboorhood streets. Both of these circumstances increases traffic flow and pose a threat to public safety. So long as the fire department, post office, and police still have unrestricted access, there does not seem to be any legitimate reason to keep the gates open during the day.

9-29-04

Sincerely.

Robert J. Brushia and

Monica C. Brushia

From:

"Sue Thompson" <suet@sac.sticare.com>

To:

<scosgrove@cityofsacramento.org>

Date: Subject:

10/15/04 11:00AM P040102 Westlake

To Stacia Cosgrove:

Here is the email I sent to Arwen Wacht on Oct. 8, 2004. I did not know your email address at the time, but I had the address of Arwen Wacht from a related meeting in regard to Candida the high density subdivision replacing our school site.

October 8, 2004

Dear Arwen,

We are homeowners at 5041 Sienna Lane in the Westborough Planned Unit Development. We are writing in regard to the proposed public hearing on October 14 that would allow the Planning and Building Department for the City of Sacramento to consider a modification of the special permit conditions relating to the Westlake Subdivision to allow the gates to be kept closed 24 hours a day.

We are in favor of closing the gates 24/7. The streets are private and we, the homeowners, are maintaining them. It will be a safer atmosphere for our children. It will deter crime. It was not made clear to us, when we purchased our home, that the gates would not be closed 24 hours a day. It is discriminatory. There are a minimum of eight subdivisions in the Greenhaven/Pocket area of Sacramento where the gates are closed 24/7: Coleman Ranch, Oakshore, Westshore, Southshore, Eastshore, Bridgeview, Marina Cove and Cobble Shores.

There are no barriers to connectivity, as to any of the 900+ homeowners in Westlake having pedestrian access to any of the other communities. As to automotive access barriers, it is a waste of time and fuel for our neighbors or anyone else to drive aimlessly through the subdivisions without purpose.

Please vote to modify the condition that allows the gates to be kept closed 24 hours a day.

Suzanne and James Thompson suet@sac.sticare.com 916-769-8565 Cell

## ATTACHMENT E- Resident Petitions

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# BEL LAGO

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10-30-04	Rita Spaur	4812 Darlington LN	Pt a. Den	
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City of Sacramento Planning Commission amend the Special Permit requiring the gates to remain open from 7am to 6pm everyday. Date ü NATASUA RUPP 330 11/10/04

We, the undersigned of Westlake, strongly support the full time closure of the vehicular gates and request that the

		BEL LAGO	
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11-13-04	Chwood & FRANC	CES FOY 4839 VEREN	IA LALE Control for
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10/31/04	Jennifer Duga	Ian 5012 Stroman Laws S	nimin
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SIGNATURE, HOPKESS 5040 MONETTALN for Hair 5041 MONETTA LN. Slanne BUCKley 5071 Monetta In Fatiena ND Daved 5110 Monetta Ln m. The 5030 monetta Lr. 5030 Monetta Lane Mara lace 5070 MONESTALN 5101 Monetta LN Seve Shee 600 Hawkerest Cir Janet Wollows 630 Hawkorest Cir-Letter leur 641 HALLICIST CIR 650 Howk CREST 8 Ura Place Suna Place & Denier Duty 11 Una Place // artifacilly Patel 650 Hawkered Circli Rich Owing 7 YNA Pl. 700 Hawkcrest Circle William & Sultrule Consul Pat > 3840 SALTERS LANE Jenn Mage 3860 Salters Lane Jan Bom L 3860 Salters Lane Asto 5031 No hetta ly 5090 Monetta Kane Andrea Lacy Hugd & Frank 5120 Monetta In 5112 modettalane 580 Hawkerest and Saw Ottera 582 4 Harsh

NAME
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DAVID MANTAL
Karla Gillespie
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ADDRESS

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Westlake Vehicular Gates Petition 2064

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14/10/04	Ernest Don Willis	330 Vista Creek circle	

<u>Date</u>	Name (Print)	<u>Address</u>	Signature
1/-12-04	MARTS ARCIGA	3830 FALCON PRIVE SALVERS LANE SACRAMENTO, CAGOSSS	Mart S. Con
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11/11/04	TRI 10	371 Lanfranco Circle	Cri Zan Vo
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<u>Date</u>	Name (Print)	Address	Signature
11-13-04	DAVID CURRINGHAM	5200 CLEARLY	LANS X
11-13-04	Pat Cunningham	5200 Clearly	un tal
Market 1971			
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11-13-04	Tan Jammons	3155 Isadar Cone	Tan Dammon
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11/12/04	Elizabeth E. Bellocchio Michael J. Negrek	Sacramento CA 95835	7/1/1
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<u>Date</u>	Name (Print)	<u>Address</u>	<u>Signature</u>
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<u>Date</u>	Name (Print)	Address SHAP INVENTE GARAGE	<u>Signature</u>
11/13/04	Name (Print)  MARISSA CALCETA  VEORE CALCETA	4814 VERENO LA.	Manson Calce
11/13/04	LEONE CALCETA	4814 VERCHA UN	hele
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<u>Date</u>	Name (Print)	<u>Address</u>	<u>Signature</u>
11-11-04	Toni Dodson	310 Vista Creek Circle	Jone Dodso
11-11-04	John Dodson	310 Vista Creek Circle	Semon
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<u>Date</u>	Name (Print)	<u>Address</u>	Signature
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<u>Date</u>	Name (Print)	<u>Address</u>	<u>Signature</u>
11/9/04	THEFFIRY PHIL	LEPS 710 HAWK	CAFEST CINCUE AND
11-10-04	Chenoa Philips	710 Hawkerest Circle	Chenochileps
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<u>Date</u>	Name (Print)	<u>Address</u>	<u>Signature</u>
11-10-06	CMIN - CHUNG CHANG	III Vista Creek Cir	Sato . 4. 95835 Chi - Chy
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<u>Date</u>	Name (Print)	Address	Signature
11/17/04	Laurie Schwann	670 Hawkerese Circle	Laurie Schoon
1/1/104	Vance Schram	670 Hawkerese Circle 670 Hawkerest Circle	Van Sch
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<u>Date</u> / i ∕ j √	Name (Print) LAURIE CONATY	Address 5030 Dodsov LANC	Signature
11/14	Janice Hoberg	5030 Dodson Ln. 5030 Dodson Ln.	James Hober
11/14	JUSTIN SMITT	5030 Docker Lane	Jestin Smith
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<u>Date</u>	Name (Print) KARL O. PAPE	Address (	Signature
11/15/CH	KARL O. PAVE	Address 4811 DARlington LANC	Kail O Va
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<u>Date</u>	Name (Print)	<u>Address</u>	Signature
11/13/04	SANTIAGO TI QUITZVIS	250 VISTA COVE CIRCLE	. YOlm
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We, the undersigned of Westlake, strongly support the full time closure of the vehicular gates and request that the City of Sacramento Planning Commission amend the Special Permit requiring the gates to remain open from 7am to 6pm everyday.

<u>Date</u>	Name (Print)	<u>Address</u>	Signature
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<u>Date</u>	Name (Print)	Address	Signature
10.20.04	Ray Hill	290 HAWKUZESTO	2. 1/1/V/
10-20-04	Robin Hill	290 Hawkeres	+ Civ Rober 4
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## CITY PLANNING COMMISSION

## HEARING ITEM CPC AGENDA DATE: November 18, 2004

Item No.	Project No.	Title/Location	Action: Approved Denied	ton
6.	P04-102	Westlake Gates, located north of Del Paso Road and west of El Centro Road	TO LONGINE	
		ACTION	ENIED_	
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VOTE OF THE PLANNING COMMISSION: DENY

	TOM	ONI		MOTE	ON2		
COMMISSIONER	Yes	No.	M/S	Yes	No	M/S	ABSTAIN
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<sup>\*\*\*\*</sup> List "Proponents" and Opponents" on reverse side of this page\*\*\*\*

Stacia Cosgrove, Associate Planner City of Sacramento, North Area Planning Team 1231 I Street Suite 300 Sacramento, CA 95814

Dear Ms. Cosgrove,

The residents of Westlake Community respectfully request the approval to change the part time hours gates are closed currently from 6pm to 6am to fulltime (proposed). In short, the residents are convinced this will cut down on the amount of unnecessary and unsolicited traffic within the gated communities. Westlake residents believe this will, in some small way, improve the security and the safety of the neighborhood. Unique factors that contribute to our situation include:

- The gated community experiences an abnormal and uninvited amount of traffic as a result of NBA players and owners living in the community.
- Non Westlake residents and those Westlake residents living outside the gated communities are accessing the lake front through the gated neighborhoods (often through lots or residents' yards) instead of through the main lake entrance primarily during the daytime.
- Westlake experiences an unusually high amount of business solicitation during the daytime.

The residents overwhelmingly support having the gates closed fulltime as opposed to part time. As daylight hours change throughout the year, the gates are often open when it is dark and unregistered vehicles are difficult to identify. The residents of these communities take security very serious as evidenced by the successful implementation of neighborhood watch programs, private patrol service, enhanced safety and security signage and an active Westlake Safety and Security Committee. This is just another measure to improve the situation and hopefully reduce the amount of city resources (police and paramedics) required to service this presently remote part of the city. In addition, there have been no reported adverse impacts or impaired operations caused by the gates to the Sacramento Police and Fire departments.

Please let me know if having a petition signed by all residents has any greater impact in the decision making process. We are fully prepared to act on that, if necessary. If there is any other information I can provide, please call me at the number below. Thanks for your help.

Sincerely,

Guy Wolcott Vice President Westlake Homeowners Association

## VISIONS AND VALUES

A users guide to Neighborhood and Community Development in the City of Sacramento



Prepared by:

The Sacramento Planning Commission
The Sacramento Design Review / Preservation Board
Planning and Development Department Staff
For more information contact Art Gee at 264-5945

## SACRAMENTO VISION

Sacramento provides for quality urban living with its urban forests and riverfronts to a vibrant commercial core and neighborhoods of timeless grace. Sacramento is a community that welcomes cultural and economic diversity and social interaction. The City supports quality design and honors its rich heritage as it forges a progressive future.

This report was prepared by the City Planning Commission, the Design Review/Preservation Board and the staff of the Department of Planning and Development as a tribute to the fine urban qualities of the City of Sacramento. We believe that the City of Sacramento offers a quality urban environment and experience. These qualities do not exist equally everywhere in the City. They can be improved. But first, they must be identified and understood. The report presents a set of city visions and core values that can be used as a guide to the improvement and expansion of our City. This guide can be used by City leadership, staff, and the populace to make decisions that will affect the future of the City. This guide can be used to evaluate existing neighborhood conditions to assist in making neighborhood improvement plans. The guide will help direct planning efforts by identifying the qualities we want to protect and those we need to create. Finally, the guide can be used to evaluate projects to ensure they fit into our vision of the future.

The elements of the City vision are:

- -Sustainable Neighborhoods
- -Balance & Diversity in our Communities
- -A Human Scale to the Built Environment
- -Preserved and Enhanced Resources
- -A Sustaining Economy

The Core Values for the Development of the City are: Completeness, identity, diversity, quality, and connectiity. Building these traits into our communities and into specific public and private projects will move us closer to our vision.

## SACRAMENTO

community that welcomes cultural and economic diversity and social interaction. The City Sacramento provides for quality urban living with its urban forests and riverfronts to a supports quality design and honors its rich heritage as it forges a progressive future. vibrant commercial core and neighborhoods of timeless grace. Sacramento is a

CITY VISIONS

HESOURCES PRESERVED A SUSTAINING AND ENHANCED ECONOMY	◆ Compact growth     ◆ Mutually supporting land uses     ◆ Mutually supporting land uses     ◆ Economic viability of     ◆ Emphasis on Infill and reuse     ◆ Livability     ◆ Opportunities to live and work	♦ Urban, suburban	<ul> <li>♦ Retention of small unique</li> <li>♦ Parametric pulldings</li> <li>♦ Retain historic buildings</li> </ul>	<ul> <li>♦ Prevent deterioration of built environment and land values environment and land values having more spaces</li> <li>♦ Maintain open spaces infrastructure engiborhoods preserved</li> <li>♦ Classic neighborhoods preserved</li> <li>♦ Safe environment</li> </ul>	◆ Choices for transportation ◆ Planning cooperatively
AHUMAN SCALE TO THE BUILT ENVIRONMENT	♦ Mixture of uses and activities at street level	<ul> <li>◆ People gathering places</li> <li>◆ Contextual architecture</li> </ul>	♦ Street faces with variety	♦ Access to open space ♦ Urban forest	◆ Streets, paths, trails ◆ Streets with pedestrian orlentation ◆ Transportation that is comprehensive ◆ Accessible transit facilities
BALANCE & DIVERSITY IN OUR COMMUNITIES	♦ Mixture of uses ♦ Infilling ♦ Area-wide economic vlability	♦ Sustainable conversions	♦ Business diversity ♦ Socio-economic diversity	<ul> <li>♦ Environmental protection and conservation</li> <li>♦ Access to human services</li> <li>♦ Revenue neutral or positive developments</li> <li>♦ Distribution of high impact uses</li> </ul>	♦ Transportation choices ♦ Street patterns that link
	CCIVIPLETENESS  COMPleteness in uses and services	Sense of place and orientation	UNVERSITY  ♦ Housing diversity  ♦ Income diversity	COLUMNITY  Livability  Urban forest  Quality of design	CONNECTIVITY

## VISION: SUSTAINABLE NEIGHBORHOODS

Community values can be sustained through effective land use, energy efficiency, transportation alternatives and conservation of resources which support identifiable neighborhoods.

The basic elements of safety, community pride, availability of services and housing will determine the "quality of life" within a neighborhood and whether it remains vigorous in the face of change and time.

Sustainable: The efficient use and integration of renewable resources and land use policies to ensure prosperous social and economic living patterns without exhausting our resources.

Neighborhood: Persons living within a particular vicinity or area which is defined by a variety of uses and distinguishing characteristics.

## VALUES:

- Completeness in uses and services Residents should have good access to basic services within their neighborhood. As much as possible, these services should be within walking distance or reachable by public transit.
  - Parking should be reasonably available near commercial enterprises but should not intrude unnecessarily on the peace and comfort of local residents.
  - The physical characteristics which provide a sense of continuity such as street and sidewalk patterns, setbacks and tree-lined streets providing for human scale should be preserved and enhanced.
  - Community plans and zoning regulations should be flexible enough to anticipate the future as they accommodate the present opportunities for mixed uses, infill projects and other land use alternatives.
  - The community should support the young with quality child care and successful schools and the elderly with safe and accessible social support activities.
  - Libraries, health/medical facilities, schools, police and fire stations and churches provide opportunities for interaction and understanding. They should be centrally located for maximum community use.
  - Sense of Place Neighborhoods often have identifiable and distinguishing characteristics. These characteristics should be preserved and enhanced in established neighborhoods while they may need to be created in new neighborhoods to create a sense of plan.

Diversity

- Housing Diversity Housing Diversity should be provided in terms of home ownership and renting, and to provide housing opportunities close to work and to transit. The elderly, disabled and infirm will be accommodated within the fabric of the community.
- Income Diversity The City encourages its citizens to appreciate and enjoy our diversity. Recreational, cultural, commercial, religious, and housing opportunities which encourage this aspect of the urban experience should be readily available.

Quality

- Livability Vibrant active street environments promote positive behavior and safety. Residents and visitors should be able to walk well-lighted streets in comfort. Children should be able to play and learn without fear.
- Urban Forest Sacramento's glory is its canopy of trees. Trees will be placed
  on every street and should be maintained in partnership between residents and
  the city. New development should preserve unique natural amenities and
  provide for the establishment of tree-lined streets, neighborhood parks, openspace and greenbelts.
- Quality of Design The design, detailing and materials used to develop new facilities and to alter existing buildings should convey a high level of quality, craftsmanship and permanence.

Connectivity

- Internal and External Connectivity Barriers within and between neighborhoods should be minimized. Pedestrian, bikes and cars should be able to move safely and easily between local destinations, and between home and work. The neighborhood and a responsive local government will work together to solve connectivity problems.
- Neighborhood Transportation System Giving priority to alternative needs
  of transportation and to the development of light rail and public transit
  systems will not only result in a transportation system that is efficient and safe
  and easy to use but also one that will help improve the area's air quality. A
  finer network of neighborhood streets is preferred to major boulevards.

## VISION: BALANCE AND DIVERSITY IN OUR COMMUNITIES

Communities, no matter their size or place in the city structure (a residential enclave, an industrial park or the Central Business District) need balance and diversity.

Balance: The harmonious arrangement of elements Too much harmony becomes tedious

Diversity: Variety; multiformity Too much diversity becomes chaotic... "Sustainability implies that the needs of a population and the flow of resources needed to support them are in dynamic balance. Sim Van der Ryn

## **VALUES:**

## Completeness

- Mixture of Uses Communities should provide a full complement of uses civic facilities, housing (with varied types), parks, schools, shops, work
  places, etc. to support the daily lives of its residents.
- Infilling Infill development maximizes the efficient use of land and avoids
  the potential intrusion of urban uses on prime agricultural land. Infill uses, by
  definition, are additions to existing communities and must respect the
  preexisting uses, patterns, and community aesthetic.
- Area Wide Economic Viability Projects should be economically feasible for the community as a whole and not adversely impact existing land uses.

## Identity ity

Sustainable Conversions - As land use changes occur, converting existing structures to accommodate new uses should be considered first.

## Diversity

- Business Diversity The community's economy should be as varied as possible and not be dependent on any one segment, such as government. Businesses should provide as many job types and levels as possible.
- Socio-economic Diversity The socio-economic characteristics of a community are dynamic. Each individual community should support the ethnic groups, cultures, ages, family sizes, life styles and economic needs of the broader community.

## Quality

- Environmental Protection and Conservation Natural resources should be used responsibly to ensure long term benefits including stability, community health, and efficient maintenance.
- Access to Services Services should be equitably distributed in all communities and be responsive to specific neighborhood needs.

- Revenue Neutral or Positive Developments Existing development should not
  be required to subsidize new development. All new development should
  create a positive fiscal impact on the community.
- Distribution of High Impact Uses and Facilities High impact uses and facilities such as freeway interchanges, "big box stores", drive-through restaurants or social services, should be carefully sited with consideration for each community's concerns.

Connectivity

- Transportation Choices Communities should be serviced by all modes of transportation. Transportation infrastructure should support the needs of residents and users. Communities should be developed at residential or employee densities that support transit.
- Street Patterns That Link Streets (with varied capacity), pedestrian paths, and bike trails should contribute to an accessible system that is fully linked to the frequently used destinations and transportation systems.

## VISION: A HUMAN SCALE TO THE BUILT ENVIRONMENT

You can dream, create, design, and build the most wonderful place in the world, but it requires people to make the dream a reality. Walt Disney

Human:

Humans come in a wide variety of shapes, sizes, abilities, and ages

Scale:

The proportion which an object relates to another object.

## **VALUES:**

Completeness

• Mixture of Uses Which Create Interest and Activity at Street Level - To encourage pedestrian activity, create areas within the communities that have a complementary mixture of uses, that are within walking distance of their homes or workplaces, and are connected by safe direct walkways.

Identity

- People Gathering Places Gathering Places are among the most important features of a city They can be places were people want to either interact with others (such as under the Camphor tree at 18th and Capitol or a sidewalk cafe along J Street). These can be quiet places (such as a picnic table along the American River). They can be playful places (the playground at 42nd St. and Folsom or Fairy Tale Town in Land Park).
- Contextual Architecture Too often we lack a sense of continuity and history. To increase our awareness of that past and create a sense of true community however, we must recognize, preserve, protect, and integrate cultural and positive historical elements in our neighborhoods. While we want to protect the historical context and patterns we also want to allow and promote creativity through the use of present day designs, technology, and materials.

Diversity

• Street Faces with Variety - In designing for our neighborhoods we must recognize that there are differing types of spaces, those that are designed to be public (the street, the sidewalk, or a park), to be semiprivate (the entrance alcove of an commercial building, the outdoor cafe, or the interior recreation space of a multifamily housing project) and those to be private (interior space and the backyard). These spaces must be clearly delineated and unambiguous.

Quality

- Access to Open Space A full range of usable open space options from neighborhood and regional parks to the rivers - should be available and easily accessible to every resident in the community.
- Urban Forest Though often taken for granted, our neighborhoods are
  blessed by their wonderful tree canopy. Future building and landscape activity
  must respect, protect, and reinforce that invaluable resource. The forest must
  extended into newly developed areas, into areas undergoing reuse and should
  be established in barren areas of our city. Additional drought tolerant
  greenery should be established wherever feasible.

Connectivity

- Streets, Paths, Trails Streets (with varied capacity), sidewalks, pedestrian paths, and bike trails should be part of an accessible transportation system that is safe, comfortable, and allows for all citizens to be independent including the elderly and the disabled.
- Streets with Pedestrian Orientation Design of City streets must place the comfort of people over the ease of mobility for the automobile. This can be accomplished in many fashions signage at eye level, wide sidewalks protected from the flow of traffic, people scaled street lighting, benches, buildings at a scale that does not dwarf and intimidate the pedestrian, pedestrian controlled crosswalks, plenty of shade. We need to think of people first.
- Comprehensive Transportation Development projects must address several modes to create a quality transportation system, including access for pedestrians, bicycles, and modes of transit; the location, amount, and cost of parking; the location, intensity, and design of residential, retail, and employment uses; the location of community facilities, schools, parks, etc.; and the design of streets, intersections, and other public improvements.
- Accessible Transit Facilities Transit should be readily accessible to all
  residents and workers. Transit facilities should be safe, clean and inviting to
  travelers. The residential and commercial areas of our community should be
  designed to support transit and pedestrians.

## VISION: PRESERVATION AND ENHANCEMENT OF OUR RESOURCES

All important resources, be it a single historic ornament, a preservation district or a natural feature, should be identified, retained, and preserved.

Preservation: To keep safe from harm or injury, to keep up or maintain; protect, save.

Resources: A new or reserve source of supply or support. The collective wealth of an area or its means of producing wealth.

## VALUES:

## Completeness

- Compact Growth The concepts of planned or compact growth and in-fill
  development should be fostered as environmentally sound practices since they
  will preserve resources.
- Mutually Supportive Land Use Within each city area a balance of supportive land uses should be retained and strengthened wherever possible.
- Economic Viability of Preservation The City of Sacramento should work with owners/applicants to foster the belief in the need for preservation and its long term economic value to the entire region.
- Livability Sacramento's unique qualities should be identified, preserved, and enhanced because they contribute greatly to the City's liveability. A few of these special qualities are its human scale, size of blocks, existing building stock, classic neighborhoods, tree lined streets, porches, stoops etc.

### Identity

• Urban, Suburban & Rural Qualities - The distinct differences or characteristics between the urban, suburban and rural character of the city need to be defined and preserved and enhanced.

## Diversity

- Retention of Small Unique Uses retention of small unique uses or places is an important component in the preservation of an area or district, and would generally be preferable to demolition, or absorption, into a larger land use pattern.
- Retain Historic Buildings Our major historic resources should continue to be an important focus of the city. Identifying and preserving architectural icons and important outdoor spaces is an important goal.

## Quality

- Prevent Deterioration of Built Environment and Land Values The adaptive reuse of existing buildings may help prevent deterioration and stabilize neighborhoods. Enhancement of the existing public right of way, including proper maintenance and alley improvements are needed.
- Maintain Open Spaces Existing natural features, outdoor spaces and the urban forest should be maintained, not only for aesthetic reasons, but also

because these spaces encourage congregation outdoors. This in turn leads to neighborhood spirit and a pride in one's area. New development should include adequate preservation of natural features, establishment of new outdoor spaces and a continuation of the urban forest.

- Preserve Classic Neighborhoods Retaining classic neighborhoods requires understanding their defining features and allowing them to be retained. Neighborhoods should be encouraged to organize and reach agreement about basic services and use of community resources.
- Quality of Design The design, detailing and materials for new developments
  as well as alterations to existing buildings and their sites should convey a high
  level of quality, craftsmanship and permanence. Poor quality perpetuates
  decline.

## VISION: A SUSTAINING ECONOMY

Facilitate stability, diversity and quality in our employment centers through sound land use and design decisions. Our values include:

Sustaining: To ensure without giving way or yielding - to keep going. To supply with the necessities of life.

necessities of tije

Economy: The management of the resources of a community with a view to productiveness and avoidance of waste.

## **VALUES:**

Completeness

- Stable Industrial Areas Industrial areas provide important opportunities to diversify the City's employment base, and although they appear on city land use maps, conscious efforts are needed to reinforce their stability. Adequate access and internal/external land use compatibility must be addressed to reach this goal.
- Mixture of Uses in Business Areas A variety of business uses increases
  efficiency by having supportive use close by, have positive traffic and air
  quality implications and makes for a more functional and desirable
  employment center.
- Emphasis on Infill and Reuse Opportunities Infill and reuse opportunities become increasingly important as Sacramento begins it's next phase of urbanization. Infill and reuse strategies needs to be a component of the City's economic and redevelopment planning.
- Opportunity for People to Live and Work in the City Expanding housing
  opportunities in new growth areas, through reuse or mixed use and infil! areas
  and near major transit services will allow for more people to both live and
  work in the city. Housing opportunities should involve the number of units,
  a variety of type and costs.

Identity

- Reinforcing the Rebirth of Downtown Through policies and actions, establish the downtown as the landmark district filled with the hustle and bustle expected of the regional center for business, government, cultural and entertainment events.
- Cultivating a City Identity and Character Great cities attract people from all over the world by having attractive and distinct images and destinations. Sacramento's rich history, natural resources, including our trees and rivers, diversity of neighborhoods and population and public institutions are foundations for our identity.

Diversity

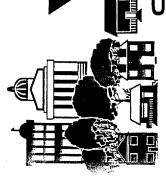
- Economic Diversity Having a diversified economy provides a much needed buffer from the severe impacts associated with an over reliance on one employment sector.
- Culturally Responsive We must create programs that recognize the expanding diversity in our local economy and respond by removing barriers that are identified.

Quality

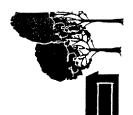
- A High Quality of Life The quality of life in Sacramento is a key element to retaining business as well as attracting new employers. Quality of life is paramount in every urban design and development decision. Quality of life is defined by how well we protect our natural resources such as air, water and plant life and how well we assemble and maintain our built environment.
- Training Programs and Schools Sacramento must provide adequate resources to create a well educated and trained work force.
- Safe Environment Development which promotes extended hours of activities
  and site and building designs which allows surveillance of public spaces
  provide for public safety.

Connectivity

- Choices for Transportation Alternatives to auto trips will help to maintain accessibility and air quality, both important issues to maintaining our quality of life.
- Planning Cooperatively Work with other jurisdictions to develop a regional
  approach to economic development to support balance and avoid competition.
  Jobs, housing, tax base, infrastructure, land use issues need cooperative
  planning.



## SZOISIN



# JSTAINABLE NEIGHBORHOODS

COMPLETENESS

◆ Completeness in uses and services

 Sense of place and orientation

DIVERSITY

Housing diversityIncome diversity

GUALITY ♦ Livability

Urban forestQuality of design

CONNECTIVITY

Internal & external connectivity

♦ Neighborhood transportation

Does it have schools, parks, libraries, fire station .....

Does it have room for places to shop?

Does it have places to eat?

Does it have room for services (laundry, real estate, dentist Does it have places to walk and to linger and talk

etc.)?

Does it offer choices for transportation?

Do you know when you are entering or leaving? Are there landmarks?

Are the routes to destination places direct and connected?

Are there choices for housing and do they accommodate an income diversity?

Are the streets and street system designed for safety of the pedestrians?

Is the beauty of our urban forest enhanced and expanded? Do the structures exhibit quality and permanence?

Is the neighborhood internally and externally connected?

CITY PLANNING COMMISSION SACRAMENTO, CALIFORNIA MEMBERS IN SESSION ITEM# 6 November 18, 2004 PAGE 1

## P04-102 - Westlake Gates

**REQUEST:** 

- A. **Environmental Determination:** Exempt, per CEQA Section 15301;
- B. Special Permit Major Modification to amend the Special Permit condition that requires the Westlake Subdivision vehicular gates to remain open between the hours of 7am to 6pm, and to allow the vehicular gates to remain closed 24 hours a day, in the Westborough PUD.

LOCATION:

North of Del Paso Road, west of El Centro Road,

Neighborhoods 2-6 Council District 1

APPLICANT/OWNER:

Westlake Master Association, Contact: Guy Wolcott

c/o Vierra Moore

2890 Gateway Oaks Drive, #250

Sacramento, CA 95834

(916) 925-9000

APPLICATION FILED:

May 25, 2004

STAFF CONTACT:

Stacia Cosgrove, Associate Planner, (916) 808-7110

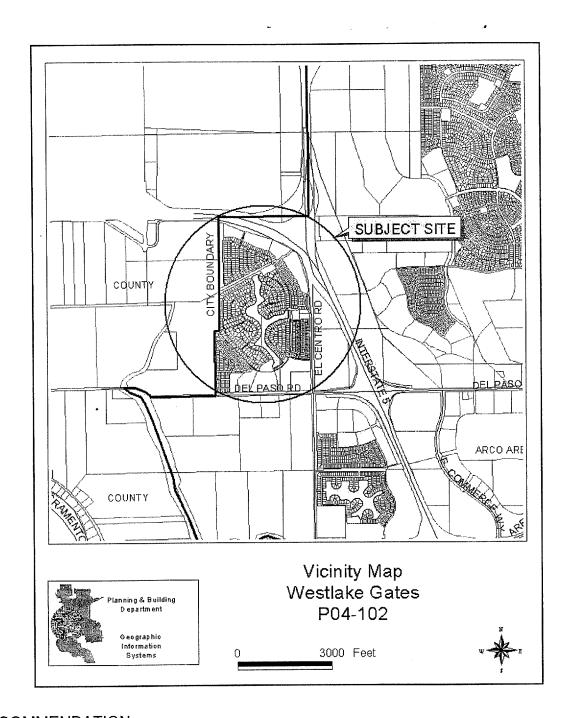
David Kwong, Senior Planner, (916) 808-2691

## SUMMARY:

The applicant is requesting to amend a condition of the October 1999 Special Permit for the Westborough Planned Unit Development (PUD) that requires that the vehicular gates in place at five subdivision tracts be kept open from 7am to 6pm everyday. Approval of the Special Permit Major Modification request would allow the vehicular gates to remain closed 24 hours a day.

Neighborhoods 2-6 of the Westlake community are gated and subject to this application. Please see Exhibit 1A for the location of these neighborhoods and the existing gates.

This item was continued from the October 14, 2004 Planning Commission agenda at the written request of the applicant. This item is a hearing item because staff is recommending denial of the Special Permit modification request. Staff is recommending denial because removal of the condition is inconsistent with the policies and goals of the North Natomas Community Plan, the Planning Commission's adopted Visions and Values Principles, and because there are no evident circumstances that exist within the Westlake community that necessarians are the Special Permit Lanch.



## **RECOMMENDATION:**

**Staff recommends denial of the project.** This recommendation is based upon its inconsistency with North Natomas Community Plan Policies and inconsistency with the Planning Commission's adopted Visions and Values Principles, promoting internal and external connectivity and minimizing barriers between neighborhoods. Staff finds that circumstances do not exist within the Westborough Community that necessitates the removal of the Special Permit condition.

## PROJECT INFORMATION:

General Plan Designation:

Community Plan Designation:

Existing Land Use of Site:

Existing Zoning of Site:

Low Density Residential (4-15 du/na) Low Density Residential (3-10 du/na)

Single-Family Residential

Standard Single-Family Planned Unit Development (R-1-PUD), Single-Family Alternative Planned Unit Development

(R-1A-PUD)

## Surrounding Land Use and Zoning:

North: Mini-Storage; M-1S-PUD

South: Community Park, Elementary School, Multi-family Housing; R-1-PUD, A-OS-

PUD, R-3-PUD

East: Single-Family Residential; R-2A-PUD West: Agriculture (County); County Ag-80

**Property Dimensions:** 

Irregular

Property Area:

Approximately 300 Acres

Topography:

Flat

OTHER APPROVALS REQUIRED: No additional approvals are required.

## **BACKGROUND INFORMATION:**

The Westborough Planned Unit Development (PUD) was established on October 26, 1999 with the approval by City Council of a Development Agreement, General Plan and Community Plan Amendments, Rezone, the establishment of a PUD Schematic Plan and PUD Guidelines, and (on appeal) a Tentative Master Parcel Map and Tentative Subdivision Map. (P98-112)

On September 9, 1999, the Planning Commission supported staff's recommendation to deny the Westborough PUD project (P98-112) entitlements, based upon a number of policy considerations. Most relevant to the current application was the concern by staff that at the heart of the Westborough project was the proposal to gate nearly 200 acres of the project site, comprising six of the site's residential villages. The argument against gated development centered around the idea that walls and gates create physical and social barriers within communities.

After the Planning Commission denied the project entitlements, the applicant, Lennar Communities, appealed those entitlements to the City Council. The applicant subsequently revised the project and offered several compromises to address the Council, staff, and

community concerns regarding the vehicular and pedestrian gates: 1) Village 1 was redesigned to eliminate the vehicular gates and eliminate walls on Westlake Parkway (identified on Exhibit 1A as "A" Street West), 2) The Westborough PUD Guidelines were amended to stipulate to no walls would be allowed along the east side of "A" Street East, for future medium density development; and 3) The vehicular gates for Villages 2-6 must remain open between the hours of 7am and 6pm. The reason why the gates were conditioned to remain open during these specified hours was to promote internal and external connectivity and minimize barriers both visually and physically between those villages and the other residential neighborhoods within the Westborough PUD.

The Westlake Master Association (applicant) is now requesting to amend the condition requiring the vehicular gates on Villages 2-6 to remain open between 7am and 6pm; by approving the Special Permit Major Modification, the vehicular gates for Neighborhoods 2-6 could remain closed 24 hours a day.

Other Gated Communities in the City of Sacramento: Staff traditionally opposes gating residential subdivisions unless some sort of special circumstance is present, due to the desire to reduce barriers between neighborhoods. The Heritage Park (P00-005) subdivision, located south of Elkhorn Boulevard and west of Natomas Boulevard in North Natomas, is gated and was specifically designed as an age-restricted development. It is important to note that the design of this community includes front on lots on all of the major streets, throughout the low and medium density development, thereby precluding walls on the major streets. This project was supported by staff.

Gates were approved at Heritage Place/Riverwalk (P96-119), located west of Gateway Oaks Drive and Venture Oaks Way in South Natomas, due to security concerns. The development (173 homes) is surrounded by "hard edges" that restricted subdivision design, including a shopping center with a wall, a drainage canal, and an apartment complex.

There are a number of gated developments in the Pocket Community that were approved in the 1980's. With regards to the North Natomas Community Plan area, staff has consistently been very critical of vehicular gates requests for single-family subdivisions. An application was denied in 2001 to gate Westborough Villages 7 & 8, based upon the preponderance of residential gates already present in the Westborough PUD.

This discussion does not include any multi-family residential developments (apartments and condominiums) that more commonly include gates and wrought iron fencing as an added amenity to entice renters or to deter criminal activity. Gated apartment complexes are more common throughout all of the community plan areas.

In staff's opinion, special circumstances do not exist in the Westborough case that lead to the conclusion that the special permit condition should be removed; evaluation of the justification for the request provided by the applicant (discussed below) does not override the present policy considerations and the purpose of the condition to promote community inclusiveness.

## STAFF EVALUATION: Staff has the following comments:

## A. Policy Considerations

North Natomas Community Plan: The North Natomas Community Plan is based upon the vision of a community that encourages internal and external connectivity, minimizing the barriers between neighborhoods, and facilitating the integration of land uses. Guiding Principles within the Community Plan include, "Connect, don't isolate neighborhoods and activity centers with a well-designed circulation system," and "Provide multiple routes and connections to adjacent developments." (NNCP, p. 38) Providing multiple routes, according to the Community Plan, is dependant upon creating direct, short and simple linkages between neighborhoods and activity centers. Promoting gated barriers does not contribute toward the realization of these goals.

<u>Visions and Values Policy:</u> The "Visions and Values Principles" were developed by the Planning Commission, with participation from the Design Review Board and City staff, and adopted by the Planning Commission in 1997 (Attachment 4). The goal of the Visions and Values Principles are to articulate the desired design and development principles for neighborhood development, based upon the five core values of Completeness, Identity, Diversity, Quality, and Connectivity. The "Connectivity" principle emphasizes the importance of promoting easy, multi-modal movement within and between neighborhoods through subdivision design and encourages minimizing barriers to that movement. (Attachment 4, page 4 and 6)

The Westborough PUD Special Permit was conditioned to require that the vehicular gates remain open during the daytime hours in order to minimize the disruption that gates on subdivisions cause to the physical and social flow between neighborhoods. Neighborhoods 2-6 are surrounded predominantly by other residential uses of varying densities, community and neighborhood parks, and an elementary school site. Staff does not believe that there is a need to further isolate Neighborhoods 2-6 from these land uses.

## B. Justification for Request

The applicant offers the following justifications for the Special Permit Modification request (Exhibit 1B):

- The gates community experiences an abnormal and uninvited amount of traffic as a result of NBA (National Basketball Association) players and owners living in the community.
- 2. Non-Westlake residents and those Westlake residents living outside the gated communities are accessing the lake front through the gated neighborhoods (often though lots or residents' yards) instead of through the main lake entrance primarily during the daytime.
- 3. Westlake experiences an unusually high amount of business solicitation during the daytime.

<u>Staff Response</u>: Overall, staff does not find the circumstances listed above as a persuasive policy justification for the Special Permit condition to be removed; the reasoning behind the inclusion of the Special Permit condition outweighs the justifications provided by the applicant.

While NBA players and owners living in the Westlake community may generate interest and an unsubstantiated increase in traffic in the area, staff believes that this does not represent an issue to which the response should be to further close-off the gated neighborhoods from the surrounding community. In order to address traffic concerns, the City's Development Engineering & Finance Division (in cooperation with the City's Transportation Department) has offered to sit down with the applicant to discuss whether there might be certain intersections or streets which are adversely impacted, where the installation of traffic calming devises might resolve any problems caused by vehicular traffic. As is done in other neighborhoods in the City, traffic counts and speeds in the affected area would be measured to determine if the residential streets are receiving an unusually high level of traffic, traveling at unsafe speeds and the appropriate traffic calming devices could be discussed to alleviate any problems. This option was offered to the applicant, but there was no interest in pursuing it communicated from the applicant by the time of the writing of this staff report.

Similarly, if subdivision design is allowing unsafe public access to the lake, whether by Westlake or non-Westlake residents, that condition should be resolved in some way other than closing the gates 24 hours a day. If Westlake residents are cutting through their neighbors yards to reach the lake, closing the gates would not resolve this issue because they would already live inside the gates or have code access to the gated portion of the community. Staff encourages the applicant to explore other, perhaps more effective, means of addressing this concern.

Finally, it is difficult to substantiate the amount of business solicitation that occurs within the Westlake community versus in any of the other neighborhoods in the City. Staff does not believe this is a valid justification for removing the Special Permit condition.

## PROJECT REVIEW PROCESS:

## A. Environmental Determination

The proposed project is exempt from environmental review pursuant to CEQA Guidelines (CEQA Section 15301). Section 15301 allows for projects such as the current application which are characterized as "existing facilities" to be categorically exempt from CEQA Guidelines because the proposed project consists of a minor alteration of an existing facility, involving negligible or no expansion of an existing use.

## B. Public/Neighborhood/Business Association Comments

The subject project was routed to the following neighborhood groups: Gardenland-Northgate Neighborhood Association (GNNA), Natomas Chamber of Commerce, Natomas Community Association (NCA), Natomas Crossing Homeowners Association (NC HOA), Natomas Journal, North Natomas Alliance (NNA), North Natomas Community Association (NNCA), North Natomas Study Group (NNSG), River Oaks Community Association (ROCA), Sundance Lake Homeowners Association (SLHA), Walk Sacramento, West Natomas Community Association (WNCA), and Westside Community Association (WCA).

Staff also noticed every property owner north of Del Paso Road and west of El Centro Road of the Planning Commission hearing, totally nearly 1000 notices. Public Notices were posted at each of the gated entrances.

Three response cards to the project routing were received. At the time of the writing of this staff report, several letters from Westlake residents have been received and are listed as Attachment 5. First, the North Natomas Alliance (NNA) responded with the following comments:

"Do they then own the roads for repair and maintenance? Does the Community Association have written agreement from all owners re: consequences of closed community? Trash, fire, police, maintenance."

<u>Staff Response</u>: The roads within the Westborough development are private and are maintained by the Homeowner's Association. The development did not receive Quimby credit for the lake/detention basin. Staff does not know if the Westlake Master Association received written agreements from all property owners about the closing of the gates, but all of the property owners within the gated area and outside the gated area were noticed for the Planning Commission hearing. Were the project to be approved, conditions would be placed on the Special Permit that would allow emergency, service, and utilities access.

The Westside Community Association (WCA) submitted the following comments:

"Public access roads, City lake, City roads. This permit should <u>not</u> be approved. <u>Very</u> strong objection to closing access to public streets regardless of community status (e.g. NBA players)."

<u>Staff Response</u>: Please see response above.

The River Oaks Community Association (ROCA) responded with "No Comment."

No other public comments have been received.

## C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. Should the project be approved, several conditions would be added to the project Special Permit related to site access.

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny A and B. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

## **RECOMMENDATION:**

Staff recommends the Planning Commission take the following actions:

- A. Adopt the attached Notice of Decision and Findings of Fact, which finds that the project is Exempt pursuant to CEQA Section 15301;
- B. Adopt the attached Notice of Decision and Findings of Fact to deny the Special Permit Major Modification to amend the Special Permit condition that requires the Westlake Subdivision vehicular gates to remain open between the hours of 7am to 6pm, and to allow the vehicular gates to remain closed 24 hours a day, in the Westborough PUD.

Report Prepared By,

Stacia Cosgrove, Associate Planner

Report Reviewed By,

David Kwong, Senior Planner

## **Attachments**

Attachment 1 Notice of Decision & Findings of Fact

Exhibit 1A Westborough PUD Site Plan

Exhibit 1 B Justification Letter

Attachment 2 Vicinity Map

Attachment 3 Land Use & Zoning Map

Attachment 4 Visions and Values Principles

Attachment 5 Letters from Westlake Residents

## **ATTACHMENT 1**

## NOTICE OF DECISION AND FINDINGS OF FACT FOR WESTLAKE GATES, LOCATED NORTH OF DEL PASO ROAD AND WEST OF EL CENTRO ROAD, SACRAMENTO, CALIFORNIA IN THE WESTBOROUGH PLANNED UNIT DEVELOPMENT.

(P04-102)

At the regular meeting of November 18, 2004, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. Environmental Determination: Exempt per CEQA Section 15301;
- B. Denied the Special Permit Major Modification to amend the Special Permit condition that requires the Westlake Subdivision vehicular gates to remain open between the hours of 7am to 6pm, and to allow the vehicular gates to remain closed 24 hours a day, in the Westborough PUD.

These actions were made based upon the following findings of fact and subject to the following conditions:

## FINDINGS OF FACT

- Environmental Determination: The City Planning Commission finds that the project is A. Exempt pursuant to CEQA Section 15301.
- Special Permit Major Modification: The Special Permit Major Modification to amend the B. Special Permit condition that requires the Westlake Subdivision vehicular gates to remain open between the hours of 7am to 6pm, and to allow the vehicular gates to remain closed 24 hours a day, in the Westborough PUD is hereby denied based on the following findings of fact:
  - 1. Removal of the Special Permit condition is not based upon sound principles of land use in that it is inconsistent with the guiding principles of the North Natomas Community plan and the Visions and Values Principles;

2. Removal of the Special Permit condition will be detrimental to the public general

welfare.

Exhibit 1A

Westborough PUD Site Plan

Exhibit 1E

Justification Letter

## RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

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

(P04-102)

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

## **NOTICE OF DECISION**

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

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

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

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

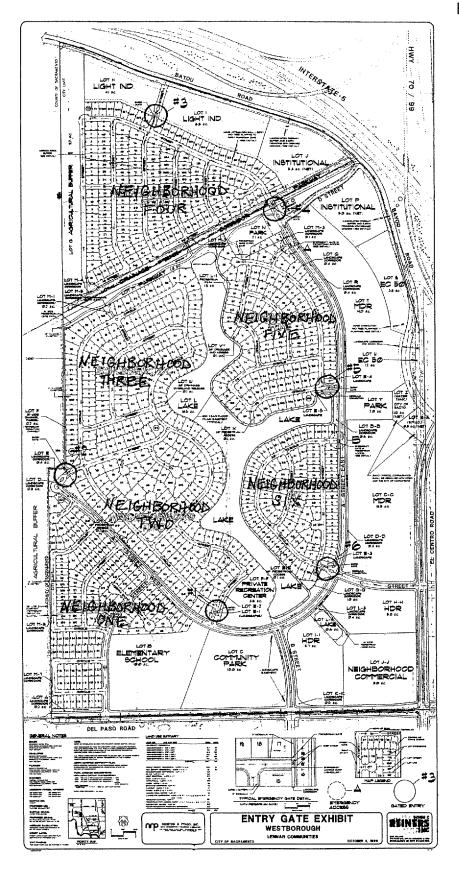
FOR CITY CLERK USE ONLY

RESOLUTION NO.:\_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL O THAT THE NOTICE OF DECISION AND FINDINGS OF FAPPROVED AND ADOPTED.	F THE CITY OF SACRAMENTO FACT AS STATED HEREIN IS
_	MAYOR
ATTEST:	
CITY CLERK	(P04-102)
Exhibit 1 Westborough PUD Site Plan	
FOR CITY CLERK USE ONLY	
	RESOLUTION NO.:

DATE ADOPTED:\_\_\_\_

Exhibit 1- Westborough PUD Site Plan



F04-10Z

FOR CITY CLERK USE ONLY

RESOLUTION NO .: _	
DATE ADOPTED:	