



CITY OF SACRAMENTO

14

CITY PLANNING DEPARTMENT

927 TENTH STREET
SUITE 300

SACRAMENTO, CA 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

June 12, 1985

City Council
Sacramento, California

Honorable Members in Session:

- SUBJECT:
1. Negative Declaration
 2. Appeal of Planning Commission's Denial of various requests for property located at the southeast corner of Greenhaven Drive and South Land Park Drive
 - a. Amendment of General Plan from Agricultural to Residential
 - b. Amendment of South Pocket Community Plan from Interim Agriculture and Low Density Residential designations to Low Density Multiple Family
 - c. Rezone 18.6+ acres with portion of site in EA-3 from Single Family (R-1), and Agricultural (A), to Garden Apartment (R-2A) zone.
 - d. Lot Line Adjustment to merge three lots into one parcel totaling 18.6+ acres
 - e. Plan Review for 279 unit apartment complex (P85-047)

LOCATION: Southeast corner of future Greenhaven Drive and South Land Park Drive extensions

SUMMARY

On May 28, 1985, the City Council heard the above entitlements for the proposed 279 unit apartment complex known as Fountain Oaks. The Council indicated an intent to approve the development subject to revised plans indicating two-family units along the south property line adjacent to the Park Place South halfplex development. The overall number of units would remain the same. Staff recommends approval of the revised site plan with conditions.

BACKGROUND INFORMATION

The Council directed the applicant to redesign the site plan to indicate two-family units along the south property line of the site. The two-family units were to:

1. have enclosed backyards with side fences;
2. be similar in design to the Park Place South units; and
3. include enclosed garages.

The applicant has submitted a site plan indicating 10 two-family structures (20 units total) along the southern property line (Exhibit I). Fence locations provide private yard areas with imaginary lot patterns similar to the adjacent Park Place South halfplex units. A 20-foot rear yard setback is provided between the units and the south property line.

Proposed elevations indicate horizontal wood siding with wood shake roofs (Exhibit II). These building materials are similar to the Park Place South units and compatible in design to the proposed apartment units. If further variation is desired, a brick trim could be incorporated into some of the units and different colors used.

Floor plans indicate a one-car enclosed garage and 1,020 square feet of living area including two bedrooms, two baths, living room, dining room and kitchen (Exhibit II). Park Place South units have two-car garages and range in size from 1,293 to 1,700 square feet (Exhibits III-a and III-b). The number of rooms on many of the plans remain the same except that an entry hallway is included at Park Place South. It should be noted that another difference between the two developments is that Park Place South allows for individual ownership of each unit while the proposed two-family would remain rental units and part of the Fountain Oaks Apartment development. To require all of the proposed units to include two-car garages with square footage ranging from 1,293 to 1,700 may create an undue hardship for a rental situation. Staff therefore recommends that four of the proposed structures, (8 out of 20 units), including the structure adjacent to Greenhaven Drive, be expanded to include a two-car garage and a minimum of 1,200 square feet of living area.

The proposed two-family units have been reviewed by the Park Place South Homeowner's Association. They have indicated the following concerns:

1. the size of the proposed units are not comparable to the square footage of the Park Place South units and should be enlarged;
2. the two-family units should be built to halfplex standards; and
3. the apartment units should be built to the City's Condominium standards.

The applicant has no objection to constructing the two-family units to halfplex standards, however does object to building the apartment units to condominium standards. The Council did not direct staff, however, to include these building standards as a condition of approval.

June 12, 1985

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The Council also directed staff to investigate the feasibility of the builder retaining current financing in light of the site plan modifications. Staff contacted the Redevelopment Agency and learned that the builder has lost the original loan commitment from a lender. The project, therefore, will have to go back to the Redevelopment Commission for approval before any bonds can be issued.

RECOMMENDATION

Staff recommends the City Council:

1. Ratify the Negative Declaration;
2. Approve the Appeal subject to additional site plan review modifications and conditions and based upon Findings of Fact which are attached;
3. Adopt the attached Resolution amending the General Plan and Pocket Community Plan.
4. Adopt the attached Ordinance rezoning the site to the R-2A-R zone.
5. Adopt the attached Resolution approving the Lot Line Adjustment.
6. Approve the Plan Review for a 279 unit apartment complex.

Respectfully submitted,

ART GEETOR

Marty Van Duyn
Planning Director

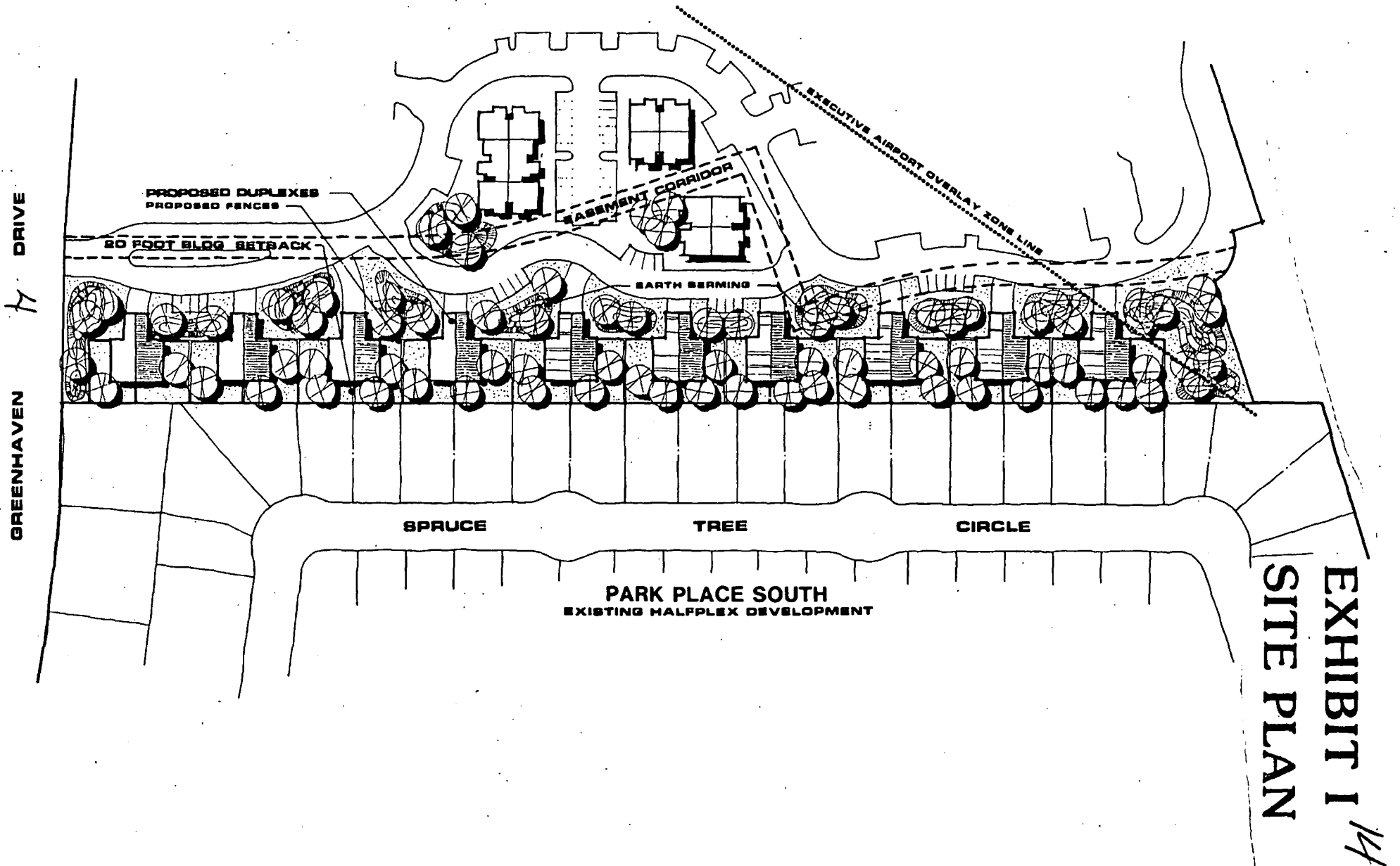
FOR CITY COUNCIL INFORMATION

WALTER J. SLIPE
CITY MANAGER

JP:lao
attachments
P85-047

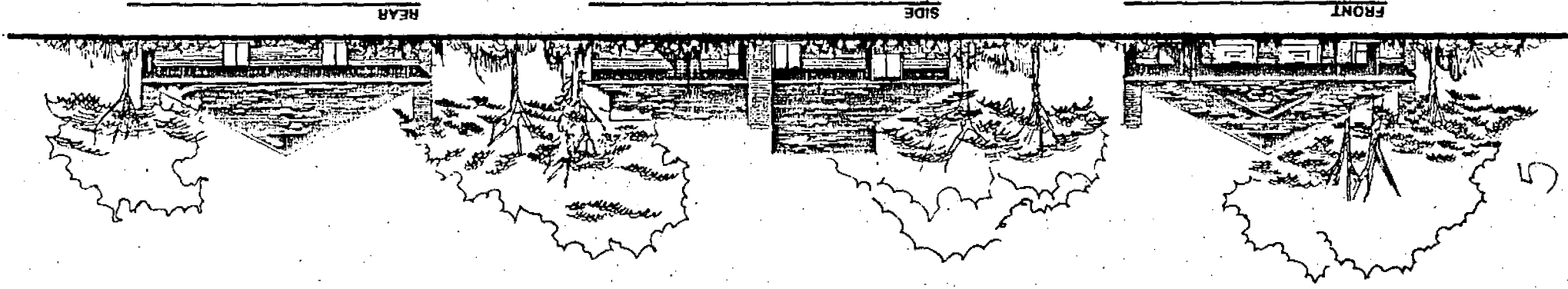
June 18, 1985
District No. 8

FOUNTAIN OAKS APARTMENTS
CONCEPT "B": DUPLEX UNITS
ALONG PROPERTY LINE

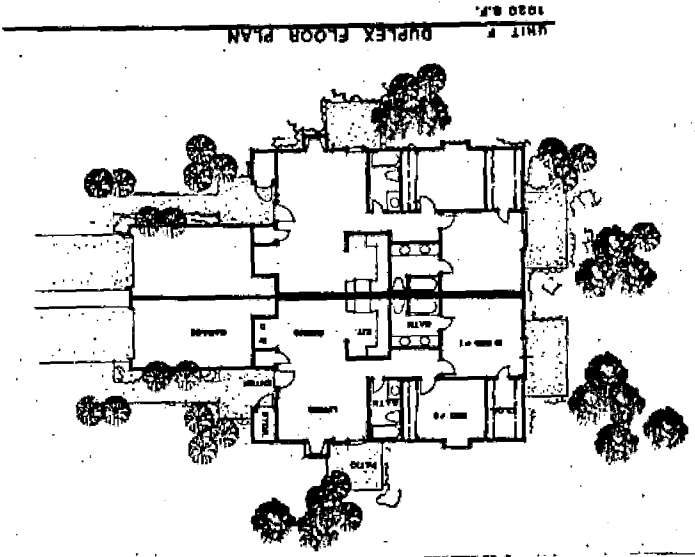


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EXHIBIT II ELEVATIONS FLOOR PLAN

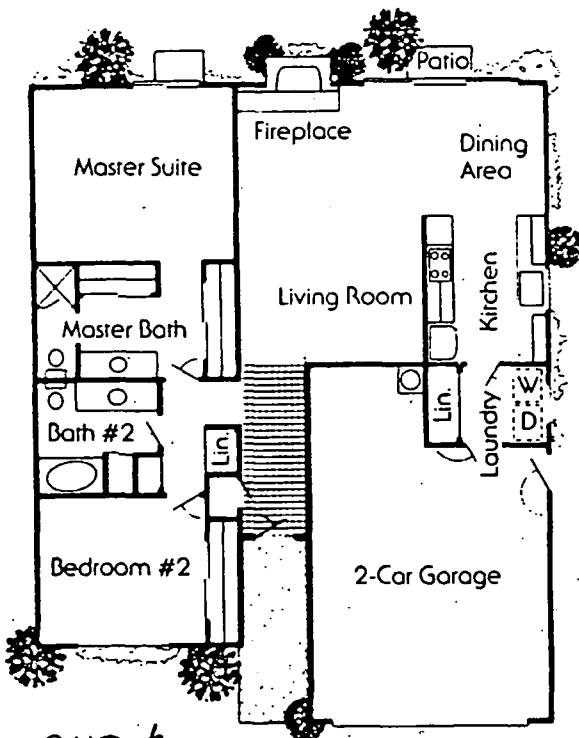


TYPICAL DUPLEX ELEVATIONS



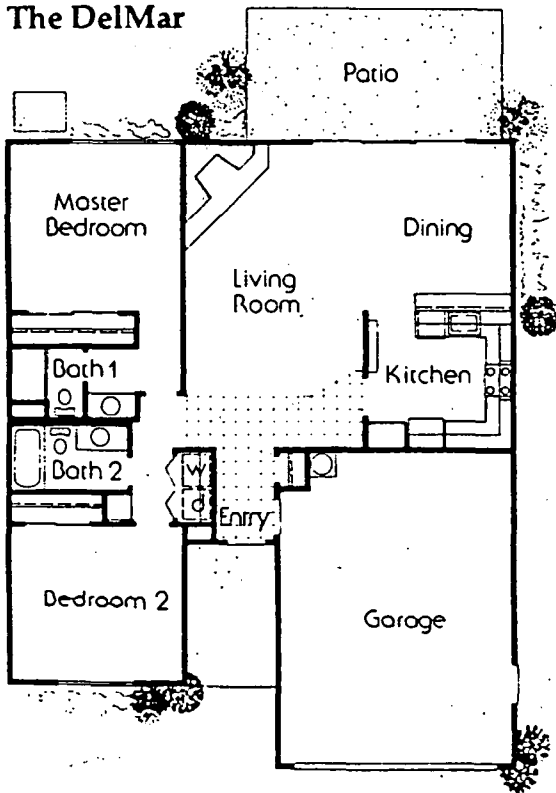
Park Place South Information & 2 Floor plans

The Santa Cruz



1340 #

The DelMar



Just two examples of the seven custom units available.

PARK PLACE SOUTH, a new concept in affordable luxury living. Homeownership without the drudgery of maintenance.

PARK PLACE SOUTH

... a distinctive custom community in the Greenhaven/Pocket area of California, affords its residents the advantage of living in a custom community with unlimited variations in design, architecture and landscaping, while also enjoying the leisure afforded by exterior home and front yard maintenance provided by the Homeowner's Association. Traffic is slowed and safety increased by the use of planter areas and trees in the beautiful, meandering streets.

CAREFREE LIVING

Park Place South is similar to a condominium development. However, there is the added advantage of owning the land under your home. Each homeowner owns a proportionate share of the Homeowner's Association. Painting of all exterior walls of homes, repairs and replacement of roofs, plus the mowing and edging of front lawns are all provided by the Homeowner's Association.

BEST FINANCING!

Buyers are free to arrange their own financing. F.H.A., G.I. or Conventional loans are available.

TENNIS ANYONE!

The Homeowner's Association maintains two tennis courts, provided exclusively for the use of residents and their guests.

Own The Land You Live On in Condo Style.



FEATURES

Each Park Place South home, built by Lee Bosford, offers an outstanding list of standard features, such as: Thermo-pane Windows ⊙ 2 Car Garage with Automatic Door Opener ⊙ Patios ⊙ Electric Heat Pumps ⊙ Instant 180° Water in Kitchen ⊙ Security System ⊙ Decorator Wallpaper ⊙ Fireplace ⊙ Interior Laundries ⊙ Tile Entries ⊙ Tile Kitchen Counters ⊙ All Electric Designers Kitchen with color-coordinated sink, disposer, dishwasher and microwave/self-cleaning oven ⊙ Ceramic Tile Baths with Cultured Marble Vanities ⊙ Decorator Lighting and Plumbing Fixtures ⊙ Plush Carpeting ⊙ Quality vinyl flooring ⊙ Mirror-door Wardrobes ⊙ Ash Cabinetry ⊙ Ample Fenced Rear Yard and plenty of storage.

Move up to Park Place South, where you can enjoy the home of your dreams today, and own a sound investment for many tomorrows.

Ask our Sales Manager about alternative interior design choices available to you.

Park Place South is a master-planned community of luxurious patio homes that offer you **land ownership** and privacy plus all the benefits and leisure time associated with condominium living.

The concept and design of LEE E. BASFORD, a prominent developer and builder of fine homes in Sacramento since 1959. Park Place South offers a variety of 2 and 3 bedroom, 2 bath floor plans ranging from 1340 to 1594 square feet.

At Park Place South, located in the prestigious Pocket area, you'll enjoy the California lifestyle at its best. The fully maintained exteriors and front-yard landscaping leaves you free to enjoy the abundant recreational facilities available. Park Place South offers two private tennis courts, and within minutes of your doorstep you'll enjoy boating, skiing, fishing and swimming in the Sacramento River. Jogging, bicycling and equestrian trails meander thru the Pocket area and, best of all, this peaceful, quiet atmosphere exists only 8 minutes from Downtown Sacramento. Additionally, ample shopping and services are conveniently located within the Pocket area.

Park Place South

*Due to the fact that these are individual custom homes, builder reserves the right to change, without notice, exteriors and materials.



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CITY PLANNING DIVISION

May 31, 1985

JUN 3 1985

RECEIVED

**Sacramento Area
Council of Governments**

Site 300, 800 "H" Street
Sacramento, California 95814
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Sacramento, California 95804

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Mr. Art Gee, Principal Planner
Planning Department
City of Sacramento
927 10th Street, Suite 300
Sacramento, CA 95814

RE: FOUNTAIN OAKS APARTMENTS REZONE, GENERAL PLAN AMENDMENT AND
COMMUNITY PLAN AMENDMENT

Dear Mr. Gee:

I was in attendance at the city council meeting on May 28, 1985 when the council considered an appeal of the planning commission's denial of the application for rezoning, general plan and community plan amendments referenced above. It appears that the council may approve the application and development proposal which we, as Airport Land Use Commission (ALUC) staff, have found to be inconsistent with the Executive Airport Comprehensive Land Use Plan (CLUP).

Consequently, I wish to remind you that such an action requires the city council to override the ALUC's finding of inconsistency. The pertinent sections of the California Public Utilities Code are as follows:

§21676(b). "Prior to the amendment of a general plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the airport land use commission pursuant to Section 21675, the local agency shall first refer the proposed action to the commission. If the commission determines that the proposed action is inconsistent with the commission's plan, the referring agency shall be notified. The local agency may, after a public hearing, overrule the commission by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670." and,

§21670(a)(2). "It is the purpose of this article to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses."

Please call me if you have any questions or if I can be of further assistance.

Sincerely,

Gary Keill

GARY KEILL
Planner II, ALUC Staff

GK:bb

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EXHIBIT K

MULTIFAMILY RESIDENTIAL DESIGN CRITERIA P85-047

A. GENERAL BUILDING DESIGN AND ORIENTATION

1. Large multi-family projects (exceeding 100 units) shall incorporate design variation within the project to create a sense of uniqueness and individuality. Large complexes using the same building design, materials, and colors should be avoided.

Design elements which achieve these objectives include: separate clustering of building groups with extensive open-space and landscape buffering between projects; variation in building elevations and configurations between projects; variation in building heights; use of different building materials or combination of different materials; contrasting color schemes between projects.

2. All mechanical equipment (including public utility boxes and particularly exterior wall mounted air conditioning units) shall be attractively screened.
3. Accessory structures shall be compatible in design and materials with main building.
4. Solar heating and cooling of units shall be achieved to the maximum extent possible.
5. Roofing materials shall be medium wood shake or shingle, or equivalent aluminum, concrete, tile, or other imitation shakes, subject to Planning Director approval.
6. A minimum building setback of 50 feet shall be utilized on multiple family projects from interior and rear property lines abutting existing or future low density residential developments where two story structures are proposed. A minimum setback of 25 feet shall be required where single story structures in multiple family projects abut existing or future low density development.

B. OFF STREET PARKING DESIGN CRITERIA

1. Off-street parking shall be provided at a ratio that adequately serves the needs of tenants and guests. The minimum ratio shall be 1.5 to 1 (this ratio may be reduced for projects designed strictly for the elderly) of which a minimum 1:1 shall be covered parking. Six foot decorative masonry walls are required on interior property lines between parking lot areas and existing or proposed residential development. The design and materials used for covered parking structures shall be compatible to the main building structures.
2. For the convenience of tenants and guests, and to encourage the use of off-street rather than curbside parking and parking along

private drives, parking spaces shall be located as close as possible to the unit or communal facility it is intended to serve.

3. To discourage parking on the street and along private on-site drives, physical barriers such as landscaping, berming, or wall segments shall be incorporated into the project design.
4. Off-street parking shall be screened from the street by undulating landscaped berming with a minimum four foot height (as measured from either the parking surface or street sidewalk, whichever is higher).
5. Surface parking areas and carport roofing shall be screened from second story units by trees or lattice and trellis work.
6. The project shall comply with the 50% shading of surfaced areas requirement of the Zoning Ordinance.
7. Evergreen trees shall be used for screening purposes along the perimeter of the parking areas.
8. Particularly within large open lots, deciduous trees should be utilized to provide summer shading and winter sun.
9. There shall be a ratio of at least one tree for every five parking spaces planted throughout or adjacent to open and covered parking areas. Rows of parking stalls, either open or covered, shall be broken up by a tree planting approximately every 10 spaces.
10. The parking stall depth shall be reduced by two feet.
 - a. The two feet gained shall be incorporated into adjacent landscaping or walkways.
 - b. For angled parking the triangular space at the head of each stall shall be landscaped (as a planter when abutting a sidewalk or incorporated into adjacent landscaped strips).

C. ON-SITE CIRCULATION

1. Minimum pedestrian/vehicle conflict should be sought in driveway/walkway system design.
2. A display and unit location map shall be installed at each major driveway entrance and any major walkway entrance to the project as an aid to emergency personnel and a convenience to visitors. An auto turnout lane shall be provided adjacent to directory map to eliminate blocking of driveway entrance.
3. Walkway location shall assure convenient access between parking and dwelling units.
4. Central pedestrian/bikepaths shall provide convenient access to bus stops, green belts and public facilities.

5. Pedestrian crossings shall be provided at appropriate locations along main drives and shall be accentuated by a change in surface textures.
6. Walkway connections between buildings and street sidewalks are discouraged if they encourage on-street parking by residents.

D. BICYCLE STORAGE

1. One bicycle parking facility is required for every ten (10) off-street parking spaces required, excluding developments which provide individual enclosed garages.
2. Fifty percent (50%) of the required bicycle parking facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.
3. Bicycle racks and lockers shall be provided throughout the development.

E. LANDSCAPING AND OPEN SPACE

1. Landscape materials selected shall be:
 - a. Compatible with one another and with existing material on the adjacent site.
 - b. Complimentary to building design and architectural theme.
 - c. Varied in size (one and five gallon shrubs, five and 15 gallon, and 24 inch box trees).
2. Landscape treatment shall include:
 - a. The major treatment for all setback areas shall be lawn and trees. At least 75% of the ground cover treatment within landscaped areas within the entire project shall be lawn. Lawn areas shall be established by sodding or hydromulching when conditions such as excessive gradient, anticipated seasonal rain, etc., may result in erosion or other problems.
 - b. Larger specimens of shrubs and trees along the site periphery, particularly along setback areas adjacent to public streets.
 - c. Greater intensity of landscaping at the end of buildings when those elevations lack window and door openings or other details that provide adequate visual interest. This is especially significant at the street frontage and interior side and rear property lines and for two story structures.
 - d. Consistency with energy conservation efforts.

- e. Trees located so as to screen parking areas and private first floor areas and windows from second story units.
- f. Undulating landscaped berms located along street frontage and achieving a minimum height of four feet measured off of the street sidewalk or the adjacent building pad or parking lot, whichever is higher.
- g. Deciduous trees shall be utilized along the south and west facing building walls to allow solar access during the winter.
- h. For crime deterrent reasons, shrubs planted below first floor windows should be of a variety which has thorns and/or prickly leaves.
- i. Large growing street trees (preferably deciduous) shall be planted within the landscape setback areas adjacent to all public streets as a means of reducing outdoor surface temperatures during summer months and to provide a visual buffer between the units and public street.

3. Landscaping of parking areas is discussed in Section B.

F. TRASH ENCLOSURES

- 1. The walls of the trash enclosure structure shall be constructed of solid masonry material with decorative exterior surface finish compatible to the main residential structures. Split face concrete block finish is recommended. Brick or tile veneer exterior finish should be avoided.
- 2. The trash enclosure structure shall have decorative heavy gauge metal gates and be designed with cane bolts on the doors to secure the gates when in the open position.
- 3. The trash enclosure facility shall be designed to allow walk-in access by tenants without having to open the main enclosure gates.
- 4. The walls shall be a minimum six feet in height, more if necessary for adequate screening.
- 5. The perimeter of the trash enclosure structure shall be planted with landscaping, including a combination of shrubs and/or climbing evergreen vines.
- 6. A concrete apron shall be constructed either in front of the trash enclosure facility or at point of dumpster pickup by the waste removal truck. The location, size and orientation of the concrete apron shall depend on the design capacity of the trash enclosure facility (number of trash dumpsters provided) and the direction of the waste removal truck at point of dumpster pickup.

The minimum demensions of the concrete apron for a single, two cubic yard dumpster shall be: width 10' or width of enclosure facility; length 20'. Larger trash enclosure facilities shall require a larger concrete apron, subject to the approval of the City Building Inspections Division Building Technicians (Plan Checker).

Paving material shall consist of 5" aggregate base rock and 6" portland cement paving.

7. The enclosures shall be adequate in capacity, number, and distribution.

G. SIGNAGE

A project identification sign is permitted at each major entrance into the complex. The sign shall be a monument type located outside the required setback or incorporated into a low profile decorative entry wall(s) or planter. The height of the monument sign shall not exceed six feet.

The primary material of the monument base or wall shall be decorative masonry such as brick, split face concrete block, stucco or similar material which complements the design of the main buildings.

Individual letters and project logo are permitted. The signage program shall comply with the City Sign Ordinance be subject to the review and approval of the Planning Director.

H. PERSONAL SAFETY DESIGN CRITERIA

Ordinance No. 84-056 relating to personal safety building code requirements has been adopted by the City Council on June 19, 1984. This ordinance applies to all residential building project including apartments and condominiums.

The building code requirements relate to: minimum outdoor lighting standards, addressing and project identification, door locking standards, etc.

A copy of this ordinance may be obtained from the City Building Inspections Division.

14
RESOLUTION No. 85-453

Adopted by The Sacramento City Council on date of

RESOLUTION AMENDING THE SOUTH POCKET COMMUNITY PLAN
FROM INTERIM AGRICULTURE AND LOW DENSITY RESIDENTIAL TO
LOW DENSITY MULTIPLE FAMILY RESIDENTIAL; AND THE 1974
GENERAL PLAN FROM AGRICULTURAL TO RESIDENTIAL FOR THE
AREA DESCRIBED AS PARCEL B AND PORTION OF PARCEL A
59 PM 7 ON THE ATTACHED EXHIBIT A
(P85-047) (APN: 031-070-60,61,62)

WHEREAS, the City Council conducted a public hearing on June 18, 1985,
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 residential 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 as described on the attached Exhibit A in the City of Sacramento
is hereby designated on the Pocket Community Plan as Low Density Multiple
Family Residential.

MAYOR

ATTEST:

CITY CLERK

P85-047

APPROVED
BY THE CITY COUNCIL

JUN 18 1985

OFFICE OF THE
CITY CLERK

14

DATE: 10-19-84 F.B. PG. SCALE: 1"=100' DRAWN BY: JF CHECKED BY:	TITLE: 101 MERGER, 100 ABANDONING, & REVENUES FOUNTAIN CREEK ANTS, PORTION OF PROJECTED SECTIONS 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820
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P85-047

5-7-85 34

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ORDINANCE NO. 85-062

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 SOUTHEAST CORNER OF GREENHAVEN
AND SOUTH LAND PARK DRIVES FROM THE SINGLE
FAMILY, R-1 AND AGRICULTURAL, A ZONE(S) AND
PLACING SAME IN THE GARDEN APARTMENT - REVIEW,
R-2A-R ZONE(S)
(FILE NO. P 85-047) (APN: 031-070-60,61,62)

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 Single Family, R-1 and Agricultural, A zone(s), established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the Garden Apartment - Review, R-2A-R 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. The area to be rezoned R-2A-R shall contain a maximum of 279 units including 10 two-family structures (20 units) and shall be developed as shown on plans submitted with the application and as revised by the plan submitted at the June 18, 1985 City Council meeting.

c. The applicant shall pay the required parkland dedication fees to the satisfaction of the Community Services and City Real Estate Departments prior to issuance of building permits.

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.

APPROVED
BY THE CITY COUNCIL

JUN 18 1985

OFFICE OF THE
CITY CLERK

14

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

P85-047

18

14

LEGAL DESCRIPTION

PARCEL B AND PORTION OF PARCEL A 59 PM 7

19

14

RESOLUTION No. 85-454

Adopted by The Sacramento City Council on date of

APPROVING A LOT LINE MERGER FOR PARCEL B AND
PORTION OF PARCEL A 59 PM 7
(P85-047) (APN: 031-070-60,61,62)

WHEREAS, the Planning Director has submitted to the City Council a report and recommendation concerning the lot line merger for property located at the southeast corner of Greenhaven Drive and South Land Park Drive extensions; and

WHEREAS, the lot line merger has been given a Negative Declaration by the Environmental Coordinator; and

WHEREAS, the lot line merger is consistent with the 1974 City General Plan and the 1976 South Pocket Community Plan;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento that the lot line merger for property located at the southeast corner of Greenhaven Drive and South Land Park Drive extensions, City of Sacramento, be approved as shown and described in Exhibits A and B attached hereto, subject to the following conditions:

1. Pay off existing assessments
2. Provide new legal description
3. Monument lot lines

MAYOR

ATTEST:

CITY CLERK


P85-047

APPROVED
BY THE CITY COUNCIL

JUN 10 1985

OFFICE OF THE
CITY CLERK

21

JCS NO. 2881-911	TITLE: LOT MERGER, T.O.D. ABANDONING, & REVENING FOUNTAIN OAKS, APTS. PORTION OF PROJECTED SECTIONS 1 & 3, SD #A 7	 SPINK ENGINEERING COMPANY ENGINEERS PLANNERS SURVEYORS BERKELEY, CALIFORNIA
DATE: 12-19-64		
F.B. PG.		
SCALE: 1" = 100'	CLIENT: I.R.I.	
DRAWN BY: JT		
CHECKED BY:		
		COUL. 12-19-64 ON. MO. 1-19-65

LEGAL DESCRIPTION

PARCEL B AND PORTION OF PARCEL A 59 PM 7



CITY OF SACRAMENTO

~~11-28~~
14

CITY PLANNING DEPARTMENT

927 TENTH STREET
SUITE 300

SACRAMENTO, CA 95814
TELEPHONE (916) 449-5804

MARTY VAN DUYN
PLANNING DIRECTOR

May 23, 1985

City Council
Sacramento, California

Honorable Members in Session:

- SUBJECT:
1. Negative Declaration
 2. Appeal of Planning Commission's Denial of various requests for property located at the southeast corner of Greenhaven Drive and South Land Park Drive
 - a. Amendent of General Plan from Agricultural to Residential
 - b. Amendment of South Pocket Community Plan from Interim Agriculture and Low Density Residential designations to Low Density Multiple Family
 - c. Rezone 18.6+ acres with portion of site in EA-3 from Single Family (R-1), and Agricultural (A), to Garden Apartment (R-2A) zone.
 - d. Lot Line Adjustment to merge three lots into one parcel totaling 18.6+ acres
 - e. Plan Review for 279 unit apartment complex (P85-047)

LOCATION: Southeast corner of future Greenhaven Drive and South Land Park Drive extensions

SUMMARY

The application is for entitlements to develop a 279 unit apartment complex on 18.6+ acres in the South Pocket Community Plan area at an overall density of 15 units per acre. The Commission voted three ayes and three naves to recommend approval of the project subject to conditions. The necessary five affirmative votes for the motion to carry, however, were lacking and the project was denied. The applicant is appealing the Commission's action to the City Council.

x 23

#28
14BACKGROUND INFORMATION

The subject site comprises 18.6+ net acres located in the Single Family (R-1) and Agricultural (A) zone. The northeast 9.1+ acre portion of the site is also located in the Executive Airport EA-3 overlay zone. The applicant's original site plan spread the proposed 15 dwelling units per acre density evenly throughout the entire project. The Planning Director however, requested that the applicant reduce the density of the portion of the site in the overlay zone. The applicant complied, reducing the density to ten du/acre in the EA-3 zone and 19.8 du/acre outside of the zone. The Director determined this to comply with Section B.3 of the Executive Airport overlay zone for situations where a site is split by two zones. The staff of the Airport Land Use Commission reviewed the revised application and found it inconsistent with the land use compatibility guidelines of the Executive Airport CLUP (Exhibit 1).

The City Council heard an appeal of the Environmental Coordinator's determination of a Negative Declaration with mitigation measures for the proposal on April 16, 1985. The appeal was denied; however, the Council requested a traffic study of the potential impacts of the project on the South Pocket area and an examination of different residential land use alternatives for the subject site be made.

The traffic study, prepared by an outside traffic consultant, concluded that while the proposal would add to future traffic levels in the area, the incremental increase to intersections in the area would be insignificant.

Planning staff found that approximately 132.5 acres have been developed or are designated in the South Pocket Community Plan area for multiple family development. The applicant's proposed project would exceed the 140 multiple family acres recommended in the 1976 South Pocket Community Plan by approximately 11 acres. The proposed build out of multiple family units including the proposal, would be approximately 2,940 units, 76 units more than what was recommended in the 1976 Plan. This small number is due to the fact that some of the multi-family projects came in below the allowed community plan density. Comparable numbers with other community plan areas is found in Exhibit 2.

Staff also considered four land use alternatives for the subject site and found that a halfplex development or the applicant's proposal are potential appropriate land uses for the site. Staff found that the proposed apartment development would be compatible with existing and proposed land uses in the adjacent neighborhood and recommended approval of the project.

At the May 7, 1985 Planning Commission meeting, residents of the Park Place South Homeowner's Association presented a letter outlining their opposition to the proposed project and requested that it be denied (Exhibit 3). A motion was made to remove several of the units on the southern portion of the site adjacent to the Park Place South halfplex development and relocate the units to the northern portion of the site. The Commission's vote, however, was split three ayes and three nays, and the project was denied. The applicant has appealed the Commission's decision.

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Subsequent to the Planning Commission's decision the applicant has met with the Park Place Homeowner's Association to discuss two alternative site plans. Attached is an alternative plan transmitted from the applicant (Exhibit 4). The plan has not been reviewed by the Planning Commission. Staff does not know at this time whether or not a consensus has been reached between the applicant and the Homeowner's Association.

VOTE OF THE PLANNING COMMISSION

On May 7, 1985, the Planning commission voted three ayes, three nays and three absent to approve the project. Lacking five affirmative votes, the project was denied.

RECOMMENDATION

1. Should the City Council concur with the Planning Commission's action, the appropriate action would be to adopt a motion of intent to deny the appeal subject to staff returning with Findings of Fact on June 11, 1985;
2. Should the City Council concur with staff's recommendation, the appropriate action would be to adopt a motion of intent to approve the appeal subject to staff returning with Findings and necessary documentations on June 11, 1985.

Respectfully submitted,

Art Gue

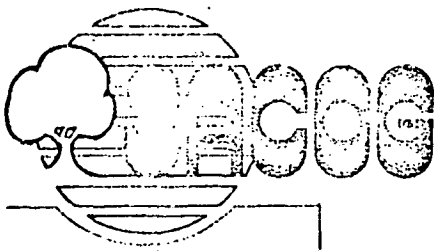
Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

AG:pkb
attachments
P85-047

May 28, 1985
District No. 8

325



~~#28~~
Exhibit 1
H

May 21, 1985

**Sacramento Area
Council of Governments**

Suite 300, 800 "H" Street
Sacramento, California 95814
(916) 441-5930

Mailing Address:
P.O. Box 808
Sacramento, California 95804

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(Chairman)
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Marysville

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City of Wheatland

Ms. Joy Patterson
Planning Department
City of Sacramento
927 10th Street, Suite 300
Sacramento, CA 95814

RE: FOUNTAIN OAKS APARTMENTS REZONE (REVISED)

Dear Ms. Patterson:

Per your request, I have reviewed the revised schematic plan (2/85) for the project referenced above. The revised plan changes density in the portion of the project within Approach Zone #3 (APZ #3) from approximately 15 dwelling units (du's) per acre to approximately 10 du's per acre.

In the opinion of ALUC staff, the reduction in density does not bring the proposed project into compliance with the Comprehensive Land Use Plan (CLUP) for Executive Airport. The airport land use compatibility guidelines of the Executive Airport CLUP (p. 18) exclude multi-family residential development within APZ #3. The fact that approximately 50 percent of the project is outside of the airport area of influence does not alter this prohibition in our opinion.

The land use compatibility guidelines section of the Executive Airport CLUP (p. 17) state that:

"In the case of a zone line splitting a parcel, consistency with the land use policies will be determined on the basis of the use existing or proposed within the particular zone, mitigation measures to be taken with regard to site planning, and building design and placement."

Our interpretation of this section of the Executive Airport CLUP is that it provides a means to remedy undue hardship to property owners with a lot or parcel which, because of some unusual conditions, could not be developed in a way consistent with the CLUP. The mitigation measures of site planning, and building design and placement are a means to minimize the impacts or dangers associated with allowing what is essentially a variance to the required consistency with the land use compatibility guidelines. In our opinion, no unusual conditions exist at this site, and the proposed multi-family development at 10 du's per acre as opposed to 15 du's per acre does not mitigate the fact that multi-family development (or single family/two family development in excess of 4 du's per acre) is not compatible with the land use compatibility guidelines of the Executive Airport CLUP.

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Ms. Joy Patterson

-2-

May 21, 1985

Consequently, it is our finding, after reviewing the revised schematic plan (2/85) for the Fountain Oaks Apartments Rezone, that multi-family dwellings of the type and density proposed by this rezone request are inconsistent with the land use compatibility guidelines of the Executive Airport CLUP.

Please call me if you have any questions or if I can be of further assistance.

Sincerely,

Gary Keill

GARY KEILL
Planner II, ALUC Staff

GK:bb

527

COMMUNITY PLAN RESIDENTIAL DEVELOPMENT COMPARISONS

South Pocket

	Estimated Units	Estimated Percent
<u>1976 Plan</u>		
Single Family	7,092	71%
Multiple Family ¹	<u>2,864</u>	<u>29%</u>
TOTAL Proposed Unit Buildout	9,956	100%

1976 Plan Amended Through May 1985

Single Family ²	7,447	74%
Multiple Family ³	<u>2,661</u>	<u>26%</u>
TOTAL Proposed Unit Buildout	10,108	100%

Amended Plan Including Applicants Proposal

Single Family ⁴	7,363	71%
Multiple Family	<u>2,940</u>	<u>29%</u>
TOTAL Proposed Unit Buildout	10,303	100%

SOUTH NATOMAS

1978 Community Plan as Amended through May 1985

Single Family	12,360	54%
Multiple Family ⁵	<u>10,533</u>	<u>46%</u>
TOTAL Proposed Unit Buildout	22,893	100%

NORTH SACRAMENTO

1984 Community Plan Proposed Buildout

Single Family	14,360	52%
Multiple Family	<u>13,500</u>	<u>48%</u>
TOTAL Proposed Unit Buildout	28,130	100%

FOOTNOTES:

¹Includes cluster and townhouse developments

²5% added to 1976 plan estimate to account for increased density through approved zero lot line and halfplex development

³Parcels designated on Community Plan as Multiple Family but without approved site plan calculated at 19 du/acre. Site developed with elderly housing not included.

⁴Decrease of Single Family at 4.5 du/ac x 18.6 ac (84 units)

⁵December 1983 figures plus two multiple family projects approved in 1984-85

James Harnish
ATTORNEY AT LAW
1210 G STREET, SUITE #2
SACRAMENTO, CALIFORNIA 95814

(916) 441-3247

~~125~~ 14
Exhibit 3

May 7, 1985

Mr. Larry Augusta, Chairperson
City of Sacramento Planning Commission
927 10th Street
Sacramento, CA 95814

RE: Fountain Oaks Apartment Rezone
and Plan Amendment (P85-047)

Dear Mr. Augusta;

On behalf of the Park Place South Homeowners Association, I want to express strong opposition to the proposed Fountain Oaks apartment project at the southeast corner of Greenhaven and South Land Park Drives. I have prepared a hastily assembled analysis outlining such opposition. However, we have had very little time, inasmuch as the staff report was available only late last Friday. Furthermore, I have only recently been retained in this matter and am, in fact, unable to attend your May 7, 1985 hearing to represent my clients in this matter. Some of the questions raised in my analysis may very well be resolved through some further study. In any event, I respectfully request that the Commission continue this matter for thirty days, to June 6, 1985. This will provide sufficient time for me to prepare our comments for you, as well as to provide staff sufficient time to clarify certain questions raised.

If a continuance is not granted, please consider the following comments in your deliberations regarding the Fountain Oaks project. If a continuance is granted, I intend to refine these comments in advance of your next scheduled hearing.

The opposition to Fountain Oaks is based upon three basic concerns: inconsistency with the General and Community Plans; incompatibility with existing residential development; and inconsistency with the Executive Airport CLUP and Overlay Zoning Ordinance. There are also several points in the project staff report upon which I would like to comment.

INCONSISTENCY WITH GENERAL AND COMMUNITY PLANS

It is acknowledged that the proposed project is inconsistent with the City General Plan and South Pocket Community Plan inasmuch as the project application includes requested amendments

to each. The proposal includes no basis for such amendments other than the desire of the proponent to maximize intensity and economic return. Even with an amendment to the Community Plan Map, the project will remain inconsistent with the existing policies of the Plan. The "floating" 35 acres of apartment development referred to on Page 12 of the Plan are clearly intended as a mitigation for noise from the freeway. However, this project proposes lower density adjacent to the freeway and higher density away from the freeway.

The proposed project also illustrates how a community plan can be incrementally dismantled through a project-by-project level analysis. It is suggested both in the staff report and Negative Declaration that traffic, noise and community plan change impacts will be minor. Taken as a single, isolated project, such analysis may be accurate. However, if placed against the backdrop of the recent series of land use changes in this area, this proposal represents a serious and significant departure from the adopted community plan. As originally proposed, the entire area south of the commercial and office complex at Florin Road and Greenhaven Drive down to the commercial area at South Pocket Road was conceived as low density residential. Today amendments extending office development all the way south to South Land Park Drive and apartment units at the southwest corner of South Land Park and Greenhaven Drives have been approved. These community plan amendments are now being cited as the justification for a further amendment for this project. All this has occurred while homeowners in Park Place South have purchased their homes in reliance on a community plan which designates most of the area west of I-5 between Florin and South Pocket Roads as low density residential. Each of the amendments to the Plan on an isolated basis may not be significant to the total community, but taken as a whole, they demonstrate a substantial deviation from the original concept of the Community Plan. Such incremental decisions do a great disservice to the conscientious individual homeowner who relies on a Community Plan to determine where to make a well conceived and thought out investment in the community.

COMPATIBILITY WITH SURROUNDING DEVELOPMENT

The major underlying opposition to this project is its incompatibility with adjacent land uses. The Community Plan calls for low density residential. Exceptions to that policy have been made for the northeast and southwest corners of Greenhaven and South Land Park Drives. Adjacent development to the south, southwest and east of this project are all low density, owner-occupied single-family or halfplex developments. The density, the traffic and the scale of the proposed project are all inconsistent with the neighboring uses to the south. Anyone who has purchased a home recognizes the implications, not only to the expectation of a quiet neighborhood environment, but to the reduced investment value of such properties. The

Commission must be aware of the frustration felt by homeowners in Park Place South, many of whom are first time home buyers, who find themselves not in a basically single-family neighborhood as depicted in the South Pocket Community Plan, but an island of medium density homeowners sandwiched between hundreds of high density apartments.

EXECUTIVE AIRPORT CLUP AND OVERLAY ZONE

The third general area of concern over the proposed project is the inconsistency with the Executive Airport Comprehensive Land Use Plan (CLUP) and Overlay Zoning Ordinance. The CLUP, at Page 18, specifically states that any residential use other than single-family (at four units per acre) is not compatible with CLUP policies. The Overlay Zoning Ordinance at Section 30(c)(1) reflects that prohibition. The proposed use, however, includes apartments at 10 units per acre, two and one half times the maximum allowable density in the Zoning Ordinance.

The CLUP and Zoning Ordinance do make provision for situations where an overlay zone line splits a parcel. The intent of those provisions is to provide some common sense flexibility to the City where unusual circumstances exist. The CLUP states that:

"In the case of a zone line splitting a parcel, consistency with the land use policies will be determined on the basis of the use existing or proposed within a particular zone, mitigation measures to be taken with regard to site planning and building design and placement." (Page 17)

Furthermore, the Overlay Zoning Ordinance at Section 30(b)(3) says:

"3. In the event that an EA overlay zone line splits a vacant parcel, the restrictions of each particular EA overlay zone shall apply to the portion of the parcel within that zone; provided, however, that when a parcel is fifty percent (50%) or more in the less restrictive zone, the owner of such parcel may submit an application to the Planning Director, requesting permission to render applicable to the entire parcel the less restrictive overlay zone. The Planning Director's decision to approve or conditionally approve the application shall be based upon mitigation measures to be taken by the applicant with regard to site planning, building placement and design."

The language of the CLUP clearly indicates the expectation that any modification of land uses will be in view of compatibility with the CLUP policies. In the present case, there is nothing approaching compatibility with the density limitations

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in the CLUP. In fact, just the opposite would occur. Density would increase two and one half times within the EA-3 Zone.

The language of the Overlay Zoning Ordinance indicates an intent to moderate land use policies between EA Zones only. There is no discussion of moderating between an EA Zone and a zone outside the auspices of the Overlay Zoning Ordinance. However, assuming that such may have been the intent, it is hard to imagine that such a provision was intended to justify an increase in density not only over the EA Zone limitation, but also over contemplated normal community plan densities.

It should be pointed out here that the original ALUC Policy Plan recommended residential densities of two units per acre within this approach zone. The subsequent Executive Airport CLUP established a maximum of four units per acre. The current proposal is to raise that by 250% to ten units per acre. Furthermore, in an effort to maintain an even higher 15 units per acre average, density on the immediately adjacent part of the project is increased to 19.8 units per acre.

This proposal compromises the Executive Airport CLUP and Overlay Zoning Ordinance. The compromise does not occur simply because the density is different. The compromise is more basic. An opportunity for balancing and fairness has been turned into a rationale for avoidance of any regulation at all. The reality of the Executive Airport Plan is that the only major, undeveloped, low density residential land within any of the EA Zones 2 and 3 lies west of I-5 in the South Pocket area. The bulk of that area has already been converted to office buildings; the last remaining area is proposed for ten dwelling units per acre.

Specific Comments

The staff report on the proposed project contains an extensive discussion of the proposal. I would like to comment on several of the points in that report.

1. Page 2: BACKGROUND INFORMATION, ¶1

The provision relating to the circumstance where 50% or more of the project is in a less restrictive overlay zone may be erroneously cited on several points. First, it appears that the designation of the overly zone on the Project Map may be inaccurate. Based upon review of the official ALUC Map and the adopted CLUP Map, the line appears to be located further to the southwest. If such is the case, more than 50% of the property in question would be within the EA-3 Zone and therefore not subject to the modification provisions cited. In that case, the entire parcel should be limited to four dwelling units per acre, not fifteen.

Second, assuming that the 50% rule does apply, it does not, if read carefully, permit the Planning Director to "allow higher densities." It simply permits the Planning Director to apply less restrictive standards of another Overlay Zone based upon proposed mitigation measures. Neither of those conditions exist here. There is no less restrictive Overlay Zone; there is only the existing zoning and Community Plan. There are also no mitigation measures proposed within the EA-3 Zone portion of the project. Mention is made of increased open space and building placement, but that is relative to the original proposal, not to existing EA-3 standards. The proposed ten units per acre is substantially more dense and less compatible than the EA-3 maximum four units per acre or even traditional single-family development of five to six units per acre. The only mitigation measure proposed is that the project isn't quite as dense as originally proposed.

2. Page 3, A: Land Use and Zoning, ¶1 & 2

The staff report points out that the fact that the apartment "floating" acres exceed the original maximum of 140 acres by 11 acres (8%). This raises several concerns. First, what was the original basis for the 140 acre maximum? If it was contemplated as a community maximum, why is an 8% excess acceptable? If it is not a maximum but only a target, what will the maximum be? Might this excess simply be a signal to increase densities in the South Pocket in general?

A further concern is that the actual policy basis for the floating 140 acres is to provide a "buffer" for I-5 freeway noise. The rationale according to the Plan is that two-story buildings adjacent to the freeway will act as sound barriers. However, this project proposes, because of other significant land use concerns regarding Executive Airport, lower density adjacent to the freeway. In fact, the site design proposes buildings perpendicular rather than parallel to the freeway. The Community Plan objective for increased densities in noise zones is simply not implemented in this project. Further, because of the Executive Airport Overlay Zones, it is neither practical nor possible to implement such a policy at this site. It is clear that the remaining 7.5 acres of "floating" zones should be applied at more practical and effective locations.

3. Page 3: 1. Single Family (land use alternative)

There are several comments to be made on this alternative:

- a) This is the only alternative which is consistent with the Executive Airport CLUP and Overlay Zone and with the South Pocket Community Plan. Those two facts alone should cause this alternative to be a viable one. Otherwise, the implication is that neither of the

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plans were ever rational to begin with. More detailed analysis and consideration of this alternative should be given.

- b) The only reason the subject site is not contiguous to more single-family residential is that so many amendments to the Community Plan have already occurred. The site is contiguous, however, to owner-occupied, lower density homes on the entire southern border. Such contiguous land use should be discussed.
- c) Emphasis is placed on the elevated portion of South Land Park Drive and its undesirable impact on adjacent lots. However, the east end of the South Land Park Drive overcrossing is surrounded by low density, single-family homes. The undesirability is simply a quality which may or may not reflect on selling price of homes; it does not necessarily relate to land use compatibility. It is recommended that this issue be dropped or its discussion broadened.

4. Page 3: 2. Halfplex (land use alternative)

- a) This alternative contains no discussion of the Executive Airport CLUP and Overlay Zone.
- b) The discussion of the elevated portion of South Land Park Drive generates the same comment as under the single-family alternative.
- c) The report might elaborate on the staff opinion that the alternative is a "possible, appropriate land use."

5. Page 3: Combination of Single-Family/Halfplex and Multiple Family (land use alternative)

While this alternative has some potential, it is quickly rejected. Concern is expressed over the conflict between the EA-3 Zone low densities and the noise impact area adjacent to the freeway. It would seem, however, that most aspects of this alternative are shared by at least one of the other alternatives. It is suggested that this alternative be more seriously considered to determine potential advantages over the proposed project. Questions addressed in other alternatives regarding compatibility with existing plans, adjacent densities and traffic generation should be discussed here.

6. Page 4: Multiple-Family (land use alternative)

This alternative does not consider several relevant concerns:

- ~~12/28/14~~
- a) It is incompatible with the South Pocket Community Plan (even if the land use map is modified);
 - b) It is incompatible with the Executive Airport CLUP;
 - c) It is incompatible with the EA-3 Overlay Zone;
 - d) It includes no discussion of compatibility with the halfplexes to the south; and
 - e) It does not discuss why this alternative would provide a more compatible design solution to the overpass elevation issue.

7. Page 4: B. Traffic Consultants Study

The "study" attached to the report is confusing and unclear. Given the limited period of time to review the document, I am unable to ascertain its accuracy. However, I am concerned about the casual approach taken to this matter by the traffic consultant. The question of future traffic volumes in this neighborhood, particularly in light of the substantial increases in density approved in the recent past, is quite a serious one. I would suggest a clearer, more thorough analysis of this subject.

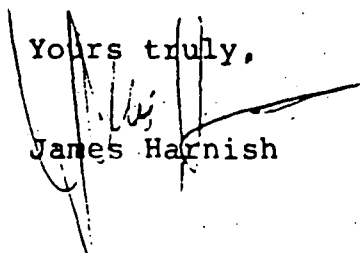
CONCLUSION

On the basis of the several points made above, I respectfully recommend that the Commission take one of the following actions, in preferred order of priority:

1. Deny the requested General and Community Plan amendments, and deny the requested rezoning;
2. Continue the matter for at least 30 days to resolve the questions raised in this letter regarding the accuracy of the EA-3 zone line, further details on the alternatives and a thorough traffic analysis; or
3. Approve in concept a revised project consistent with the single-family or halfplex land use alternates discussed in the staff report at a density and scale similar to existing adjacent land uses.

Thank you for your time and consideration in this matter.

Yours truly,


James Harnish

JH/np

cc: Ann Snyder, Secretary
Park Place South Homeowners Association

~~11/28/14~~

LAW OFFICES OF
HEFNER, STARK & MAROIS

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555 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814
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KIRK S. LOUIE
LISA A. WIBLE
JOHN D. SCHWARZ, JR.

HUGH B. BRADFORD (1876-1955)
S. W. CROSS (1881-1956)

EL DORADO COUNTY OFFICE
3330 CAMERON PARK DRIVE
CAMERON PARK, CALIFORNIA 95682
(916) 677-0245

☐ PLEASE REPLY TO EL DORADO
OFFICE IF THIS BOX IS CHECKED

May 7, 1985

TO: Planning Commissioners

FROM: Christy Savage, representing the applicant

RE: Continuance requested by Park Place South Home Owners
Association ("HOA") for the Fountain Oaks Apartment
application (Agenda Item #4 - P85-047)

A CONTINUANCE IS NOT APPROPRIATE BECAUSE:

1. No new issues are raised in the letter submitted today by HOA attorney Jim Harnish. There are already three lengthy staff reports addressing the same issues raised by Harnish.
2. There has been no lack of notice. HOA has been fully aware of the details of this project for 2½ months.
3. The HOA has already been granted two prior continuances. (Hearings scheduled for 3/14 and 4/2).
4. A continuance will not facilitate compromise. The HOA has steadily maintained the position that no compromises are possible short of a 6-8 du/A project.
5. Assuming a favorable CPC action, there will be another 3-4 weeks until the Council hears the application.

CHRONOLOGY

1/11/85	Application filed
1/30/85	Project revised to current form

4436

Planning Commissioners
May 6, 1985
Page Two

2/85 Application submitted to Airport
Land Use Commission for comment

2/25/85 Applicant met with 40-50 members
of HOA

3/1/85 HOA and 300' radius property
owners received formal notice of
3-14-85 CPC hearing

3/4/85 City filed expanded negative
declaration which addresses in
detail why the proposed project
is (1) consistent with surrounding
uses, the CLUP, and the Executive
Airport ordinance; and (2) will
not significantly impact traffic.

3/13/85 HOA filed an appeal of the nega-
tive declaration

3/14/85 Originally scheduled CPC hearing
(continued due to HOA appeal of
negative declaration).

3/28/85 Lengthy and detailed staff report
issued addressing traffic impacts,
compatibility with surrounding
land uses, CLUP and Executive
Airport Ordinance.

4/2/85 Originally scheduled CC hearing
on negative declaration appeal
(continued at request of HOA).

4/16/85 CC denied appeal of negative
declaration; CC requested addi-
tional traffic study, and more
staff analysis relative to the
consistency of the project with
the Community Plan.

4/25/85 Second scheduled CPC hearing (con-
tinued because traffic study was
incomplete).

Planning Commissioners
May 6, 1985
Page Three

5/3/85

Third lengthy and detailed staff report issued which addresses in further depth traffic, Community Plan and CLUP compatibility.

5/3/85

HOA retains attorney Jim Harnish.

5/7/85

Third scheduled CPC hearing. Jim Harnish requests 30-day continuance to further study issues already addressed in expanded declaration, the staff report to Council on the negative declaration appeal, and the recent staff report to the CPC.

FOUNTAIN OAKS APARTMENTS

CONCEPT "A": DUPLEX & FOUR-PLEX UNITS
WITH BARTH DORMING AND
SPECIMEN TREES ALONG
PROPERTY LINE

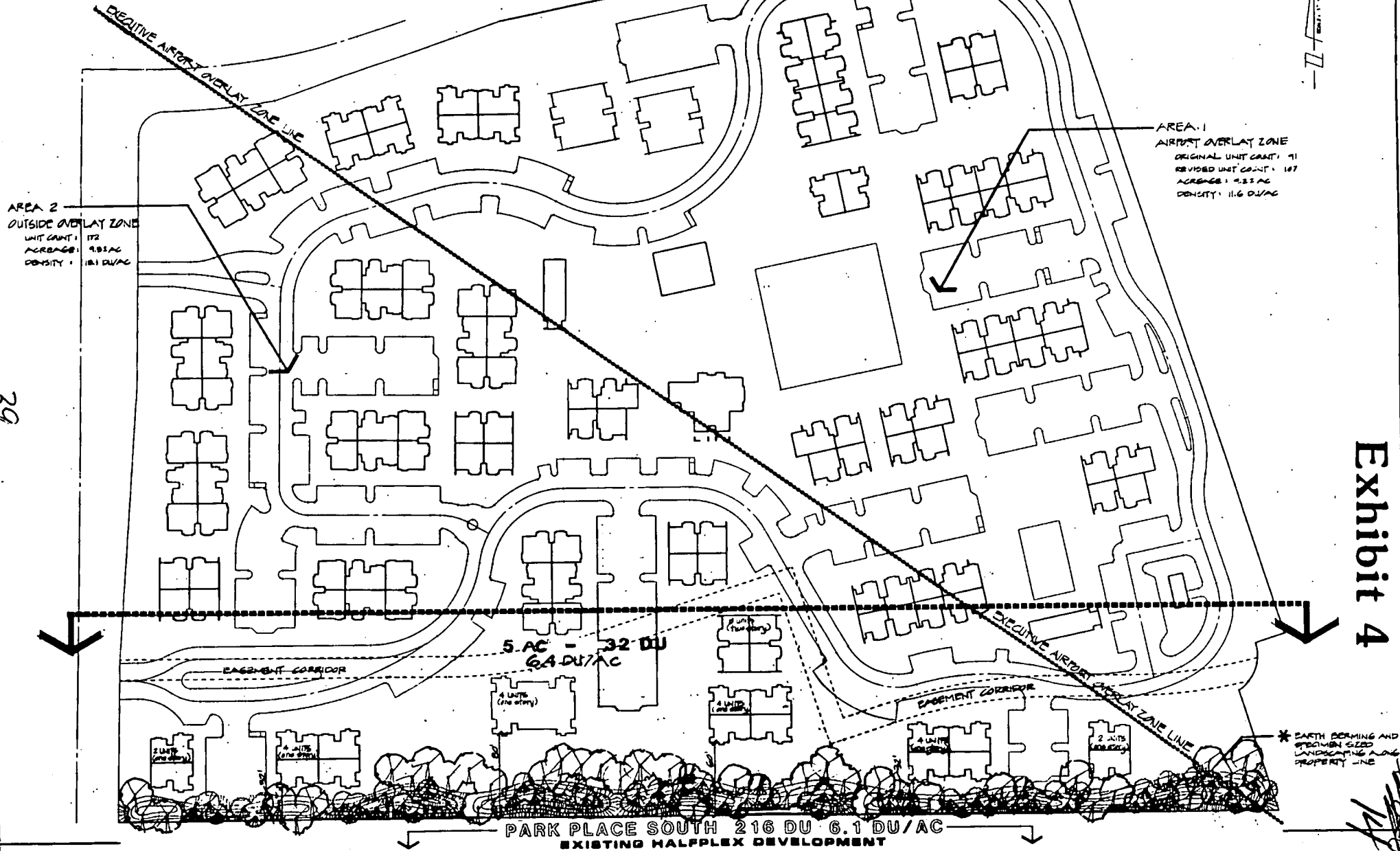


Exhibit 4

39

SACRAMENTO CITY PLANNING COMMISSION

14

MEETING DATE May 7, 1985
 ITEM NO. 49 FILE # 85-047
 M. _____
 GENERAL PLAN AMENDMENT ☒ TENTATIVE MAP ☐
 COMMUNITY PLAN AMENDMENT ☒ SUBDIVISION MODIFICATION ☐
 REZONING ☒ LOT LINE ADJUSTMENT ☒
 SPECIAL PERMIT ☐ ENVIRONMENTAL DET. ☐
 VARIANCE ☐ OTHER Plan Revision

Location: Southeast corner of Greenhaven Avenue & Smith Land Park Drive

Recommendation:
☒ Favorable
☐ Unfavorable
☐ Petition ☒ Correspondence

PROPOSERS	
NAME	ADDRESS

OPPOSERS	
NAME	ADDRESS

MOTION NO. 3 of 5

	YES	NO	MOTION	SECOND
erris	<u>absent</u>			
ong	<u>absent</u>			
oodin				
olloway			<input checked="" type="checkbox"/>	
unter				
shmael				
amirez				
impson				<input checked="" type="checkbox"/>

MOTION
☐ TO APPROVE
☐ TO DENY
☒ TO APPROVE SUBJECT TO ^{amended}COND. & ~~BASED ON FINDINGS OF FACT~~ IN STAFF REPORT
☐ TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
☐ INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE
☐ TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
☐ TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
☐ TO RATIFY NEGATIVE DECLARATION
☐ TO CONTINUE TO _____ MEETING
☐ OTHER motion withdrawn

2040

NOTICE OF APPEAL OF THE DECISION OF THE
SACRAMENTO CITY PLANNING COMMISSION

~~11/3/85~~
14

DATE: May 8, 1985

TO THE PLANNING DIRECTOR:

I do hereby make application to appeal the decision of the City
Planning Commission of May 7, 1985 when:
(Date)

X Rezoning Application Variance Application
 Special Permit Application Community Plan Amend., Gen. Plan
Amend., Plan Review & Lot Line Adj.
was: Granted X Denied by the Commission

GROUND FOR APPEAL: (Explain in detail)

Applicant believes the most logical use of the subject property
is for low density (15 du/A average) multiple family as proposed
in the application.

PROPERTY LOCATION: Greenhaven Drive and South Land Park Drive

PROPERTY DESCRIPTION:

ASSESSOR'S PARCEL NO. 031 - 070 - 60, 61, 62

PROPERTY OWNER: Louis Pappas & Wymore Realty, c/o Spink Corporation

ADDRESS: P. O. Box 2511, Sacramento, CA 95811

APPLICANT: Spink Corporation

ADDRESS: P. O. Box 2511, Sacramento, CA 95811

APPELLANT: (Christina J. Savage) (Christina J. Savage)
(SIGNATURE) PRINT NAME

ADDRESS: 555 Capitol Mall, Suite 1425, Sacramento, CA 95814

FILING FEE:

☒ by Applicant: \$105.00 RECEIPT NO.

☐ by 3rd party: 60.00

FORWARDED TO CITY CLERK ON DATE OF:

P- 85-047

5/82

DISTRIBUTE TO -
(4 COPIES REQUIRED): MVD
HY
WW
LO ✓
SG - (Original)

41

CITY PLANNING COMMISSION

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

APPLICANT Spink Corporation, P.O. Box 2511, Sacramento, CA 95811
 OWNER Louis Pappas & Wymore Realty, c/o Spink Corp., P.O. Box 2511, Sacto., CA 95811
 PLANS BY Spink Corporation, P.O. Box 2511, Sacramento, CA 95811
 FILING DATE 1-11-85 50 DAY CPC ACTION DATE _____ REPORT BY: JP:jl
 NEGATIVE DEC. 3-4-85 EIR _____ ASSESSOR'S PCL NO. 031-070-60,61,62

APPLICATION: A. Negative Declaration

B. Amend 1974 General Plan from Agricultural to Residential

C. Amend 1976 South Pocket Community Plan from Interim Agriculture and Low Density Residential designations to Low Density Multiple Family

D. Rezone 18.6+ vacant acre from R-1 and A to R-2A

E. Plan Review for 279 unit apartment complex

F. Lot Line Adjustment to merge three lots into one parcel

LOCATION: Southeast corner of future Greenhaven Drive and South Land Park Drive Extensions

PROPOSAL: The applicant is requesting the necessary entitlements to develop a 279 unit apartment complex.

PROJECT INFORMATION:

1974 General Plan Designation: Residential/Agricultural

1976 South Pocket Community

Plan Designation: Low Density Residential/Interim Agricultural

Existing Zoning of Site: R-1 and A

Existing Land Use of Site: Vacant Building

Surrounding Land Use and Zoning: Setbacks: Required Provided

North: Vacant; A Front: 25' 25'

South: Halfplex residential; R-1A Side(St): 25' 25'

East: Interstate I-5; TC Rear: 15' 70'

West: Vacant; R-2B Side(Int): 5' 35'

Parking Required: 279 spaces

Parking Provided: Covered 280

Open 140

Total 420

Parking Ratio: 1.5:1

Property Dimensions: Irregular

Property Area: 18.6+ acres

Density of Development: 15 d.u. per acre

Square Footage of Units: 640-875 square feet

Significant Features of Site: Portion of site in Executive Airport EA-3 zone

Topography: Flat

Street Improvements: To be improved

Utilities: Available

Exterior Building Colors: Pastels

Exterior Building Materials: Wood and stucco

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BACKGROUND INFORMATION: In January of 1985 the application for the proposed 279 unit apartment complex was submitted for the subject site (Exhibit C). The proposed density of 15 dwelling units per acre was spread evenly throughout the site. At that time it was determined that the northeast 9.1+ acres of the site was located in the Executive Airport EA-3 zone, which does not allow densities over four dwelling units per acre. The Planning Director, however, has the authority to allow higher densities in an EA-3 zone if over 50% of the subject site is in a less restrictive overlay zone or not in an overlay zone. The subject parcel fell into this category and the Planning Director requested that the applicant revise the site plan to take into account the restrictions of the EA-3 zone. The applicant revised the site plan reducing the density of the northeast 9.1+ acres to 10 dwelling units per acre, increasing the density of the southwest 9.5+ acres to 19.8 dwelling units per acre and providing additional recreational facilities for the complex and landscaped areas along the southern property line (Exhibit D). The overall density of the project remains at 15 dwelling units per acre.

On March 13, 1985 an appeal of the Environmental Coordinator's determination of a negative declaration with mitigation measures was filed. The City Council heard this appeal at their April 16, 1985 meeting. The Council denied the appeal; however the Council requested that a traffic study of the potential impacts of the project on the South Pocket area and an examination of different residential land use alternatives for the subject site be made.

STAFF EVALUATION: Staff has the following comments regarding this proposal:

- A. Land Use and Zoning: The subject site consists of three vacant parcels totaling 18.6+ acres in the Agriculture (A) and Single Family (R-1) zones. Surrounding land uses include a halfplex development to the south (Park Place South), a single family development to the southwest (Heritage Place), and Interstate 5 freeway to the east. The properties to the north and west are currently vacant; however the property to the north has an approved schematic plan for office development (Greenhaven Executive Park) and a 252 unit apartment complex has been approved (Locke Ranch) for the site to the west. The General Plan and 1976 South Pocket Community Plan currently designate the portion of the site in the EA-3 zone as agricultural. This designation was originally devised when work on the comprehensive land use plan for Executive Airport was underway and a temporary designation was needed until the appropriate land designation was created. In 1982 the Executive Airport CLUP designated residential development as an appropriate use for the site. The remainder of the site is currently designated in the general and community plan as residential and low density residential, respectively.

The applicant proposes to construct a 279 unit apartment complex on the subject site to be known as Fountain Oaks. Ninety-one (91) units are proposed for the northeast portion of the site and 188 units for the southwest portion, for an overall density of 15 dwelling units per acre. The proposed multiple family use would require a community plan amendment to low density multiple family for the site.

The 1976 South Pocket Community Plan designated 140 acres for multiple family development, or 5.6% of the acreage in the community plan area. One hundred five (105) acres were intentionally clustered in specific areas on the plan map while 35 acres were provided for outside the designated multiple family areas but within 400 feet of the westerly freeway boundary line.

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Staff's calculations conclude that approximately 132.5 acres in the South Pocket area have either: 1) been developed with a low density multiple family use; 2) are still designated for low density multiple family on the community plan but are as yet undeveloped; or 3) have received rezoning or site plan approval for low density multiple family but are as yet undeveloped. (Calculations exclude the Hellenic Senior Citizen Housing.)

The most substantial deviation from the recommendations found in the plan was the approval of R-2B zoning for a 544 unit apartment complex on 26.7 acres adjacent to Garcia Bend Park. According to these calculations, approximately 7.5+ "floating" acres of multiple family acreage remains in the South Pocket area. The proposed project exceeds the recommended 140 acres by approximately 11 acres.

Staff considered four alternative land uses for the subject parcel. They are:

1. Single Family 84 units, 4.5 d.u./acre. Staff does not find single family appropriate because:
 - a. the site is adjacent to and segregated by two major streets, making standard single family development difficult and undesirable;
 - b. adjacent land uses include proposed office development to the north, proposed apartments to the west and halfplexes to the south. The site is non-contiguous to a single family residential neighborhood; and
 - c. the northern portion of the site is adjacent to the elevated portion of South Land Park Drive, creating an undesirable situation for lots adjacent to this elevated road.
2. Halfplex 130 units, 7 d.u./acre. Staff finds a halfplex development to be a possible appropriate land use because:
 - a. the site is adjacent to an existing halfplex development to the south with a compatible density; and
 - b. the land use is consistent with the existing low density residential community plan designation, while still allowing a higher density than single family residential.

A potential drawback, however, could be that design and privacy problems would still exist for proposed lots abutting the elevated portion of South Land Park Drive.

3. Combination of Single Family/Halfplex and Multiple Family: Staff found this to be an inappropriate solution as the site does not lend itself to a combination of land uses. Ideally, the lower density uses should be located adjacent to the existing residential uses and the higher density residential adjacent to the approved multiple family and office uses. However, due to the location of the EA-3 zone, the higher densities would be located next to the existing residential, while the single

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family or halfplex units would be located in the northeast portion of the site. Furthermore, the constraints of the site would make site plan design difficult.

4. Multiple Family 279 units, 15 d.u./acres (applicant's proposal). Staff finds that the proposed multiple family development could also be an appropriate land use for the site as:

- a. the site is located adjacent to two major streets;
- b. the proposed use is compatible with the approved office uses to the north and multiple family use to the west;
- c. a more compatible design solution with the elevated portion of South Land Park Drive can be achieved;
- d. the proposed use completes the recommended designation of 140 acres of multiple family development within the South Pocket and to have a portion of that development within the area 400 feet west of the freeway.

While the proposed project would increase the amount of multiple family acreage in the South Pocket Community Plan area to 151+ acres, staff does not find the increase to be significant as not all the approved apartment projects in the plan area met the maximum density allowed of 21 units per acre. This includes the two projects to the south of the subject site designated on the plan for multiple family at the southwest corner of Greenhaven and Rush River Drives (5.27 acres, 10.8 d.u./acre) and the east side of Greenhaven Drive, north of Pocket Road (18 acres, 14.6 d.u./acre).

B. Traffic Consultant's Study: The traffic assessment for the proposed multiple family development on the subject site, prepared by Omni-Means Ltd., concluded that "while the proposed project will add to future traffic levels, the incremental increase to area intersections will be relatively insignificant." A summary of the traffic consultant's study is found under Exhibit I.

C. Site Plan Design: The submitted site plan indicates a minimum 25 foot landscape setback along Greenhaven and South Land Park Drives. These landscaped area should be bermed and planted with a variety of evergreen trees and shrubs with walkways between the streets and apartment units prohibited. In addition, the South Land Park Drive slope easement should be landscaped and maintained as part of the project. A revocable permit will be required to landscape and maintain this easement. Staff finds the proposed 25 foot setback adequate.

Along the south property line a minimum 25 foot landscaped setback and building setbacks ranging from 25 feet to 100 feet are proposed. In addition, all buildings along the southern property line are proposed to be one story in height. To further insure the privacy of the adjacent halfplex units, staff recommends that evergreen trees and a six foot high solid masonry wall be located along the southern property line.

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The site plan shows two entrances to the proposed project, one off of Greenhaven Drive and the second off of South Land Park Drive. The Traffic Engineering Division has indicated that the proposed South Land Park Drive entrance is unacceptable in its present location and will either have to be deleted or relocated to their satisfaction. The Traffic Engineering and Fire Departments also recommend that the driveway entrances be redesigned to allow for emergency vehicle and moving van access.

Several types of recreational facilities are included on the subject site including a swimming pool, tennis court, volleyball courts, half basketball court, recreation centers and tot lots. Staff recommends that the tot lot adjacent to South Land Park Drive be relocated to the interior of the site as a safety measure and that the volleyball court adjacent to the south property line be relocated to the interior of the site so as not to impact the adjacent residential development.

The submitted site plan does not indicate the location of trash enclosure facilities, bicycle storage facilities or signs for the proposed complex. Plans and elevations for these items shall be submitted for staff review and approval prior to issuance of building permits.

- D. Building Elevations: The submitted elevations indicate two different material types: a horizontal wood siding; and a stucco and wood siding combination. (Exhibits E-) These two elevations should provide sufficient variation in design and materials throughout the 279 unit complex. The roofing and carport materials and proposed colors have not as yet been specified. These materials shall be reviewed and approved by the Planning Director prior to issuance of building permits.
- E. Lot Line Adjustment: The proposed lot line adjustment to merge the three parcels was reviewed by the City Planning, Engineering, Water and Sewer, and Real Estate Divisions. There were no objections to the proposed merger. The following comments were received:

Real Estate - Pay off existing assessments. Provide new legal description.

Engineering - Monument lot lines.

Engineering also recommends that, as a condition of rezoning, the applicant pays parkland dedication fees to the satisfaction of the Community Services and the City Real Estate Departments prior to issuance of building permits.

- F. Neighborhood Opposition: Residents of the residential neighborhoods to the south of the subject site have sent 237 postcards and 8 letters to staff indicating their opposition to the proposed project. The residents' major concerns appear to be the increase in density and its impacts on traffic and city services. (See Exhibit J.)

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G. Staff finds that the proposed land use is appropriate for the site and compatible with existing and approved land uses in the adjacent neighborhood. The potential impact of any traffic generated by the proposed project has been found to be relatively insignificant. The applicant has provided a variety of recreational facilities on the site and variety in building design and materials. The revised site plan will provide adequate landscaping, traffic circulation and a noise and visual buffer between the existing residences and proposed use. Staff, therefore, recommends approval of the applicant's request.

H. Environmental Determination: The Environmental Coordinator has reviewed the proposed project and has filed a negative declaration, based upon compliance with the following mitigation measures:

- The applicant will provide a County approved noise study for the site assessing the proposed project for consistency with the 1974 City General Plan Noise Element prior to issuance of the building permit. The applicant will adhere to recommendations made in the study, with implementation required prior to issuance of occupancy permits.
- If unusual amounts of bone, shell, or artifacts are uncovered during development, work within 50 meters of the area will cease immediately and a qualified archaeologist will be consulted to develop, if necessary, further mitigation measures before construction continues.

STAFF RECOMMENDATION: Staff recommends the following actions:

- A. Ratification of the Negative Declaration;
- B. Recommend approval of the 1974 General Plan Amendment from Agricultural to Residential;
- C. Recommend approval of the 1976 South Pocket Community Plan Amendment from Interim Agriculture and Low Density Residential to Low Density Multiple Family;
- D. Recommend approval of Rezone of 18.6+ acres from R-1 and A to R-2A, subject to conditions;
- E. Approval of the Plan Review for a 279 unit apartment complex, subject to modifications;
- F. Approval of the Lot Line Adjustment to merge three parcels by adopting the attached resolution;

Rezoning Condition

The applicant shall pay required parkland dedication fees to the satisfaction of the Community Services and the City Real Estate Departments prior to issuance of building permits.

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Site Plan Modifications

1. Revised elevations indicating proposed building colors shall be submitted for staff review and approval prior to issuance of building permits.
2. Carport roofs shall have wood trim and similar colors to the residential units.
3. A six foot high solid decorative masonry wall shall be provided along the south property line and a sound wall along the eastern property line as required by the Environmental Coordinator. Plans for the walls shall be submitted for review and approval of the Planning Director prior to issuance of building permits.
4. Plans and elevations for trash enclosure and bicycle storage facilities and their locations shall be submitted for staff review and approval prior to issuance of building permits. The facilities shall conform to the attached Residential Design Criteria (Exhibit K).
5. Landscape, shading and irrigation plans shall be submitted for staff review and approval prior to issuance of building permits. Plans shall include a landscape plan for the slope easement along South Land Park Drive and a revocable permit shall be obtained. These plans shall conform to the landscape criteria of Exhibit K.
6. A sign program for the complex, including the project identification sign(s) and interior directional signs and maps, shall be submitted for staff review and approval prior to issuance of sign permits. The sign program shall conform to the attached Residential Design Criteria.
7. The future recreational complex will be similar in design and materials to the proposed residential units.
8. The applicant shall utilize the attached Residential Design Criteria for the proposed development. (Exhibit K)
9. The applicant shall comply with the requirements of the Environmental Coordinator, as outlined in Section H of the staff report.
10. The applicant shall submit a revised site plan indicating relocation of interior driveway, northern tot lot and southern volley ball court to the Planning Director for review and approval. (staff added)

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RESOLUTION NO.

Adopted by the Sacramento City Planning Commission
on date of

APPROVING A LOT LINE MERGER FOR PARCEL B
AND PORTION OF PARCEL A 59 PM 7

(P85-047)

WHEREAS, the Planning Director has submitted to the Planning Commission a report and recommendation concerning the lot line merger for property located at the southeast corner of Greenhaven Drive and South Land Park Drive extensions; and

WHEREAS, the lot line merger has been given a Negative Declaration by the Environmental Coordinator; and

WHEREAS, the lot line merger is consistent with the 1974 City General Plan and the 1976 South Pocket Community Plan;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Sacramento:

that the lot line merger for property located at the southeast corner of Greenhaven Drive and South Land Park Drive extension, City of Sacramento, be approved as shown and described in Exhibits A and B attached hereto, subject to the following conditions:

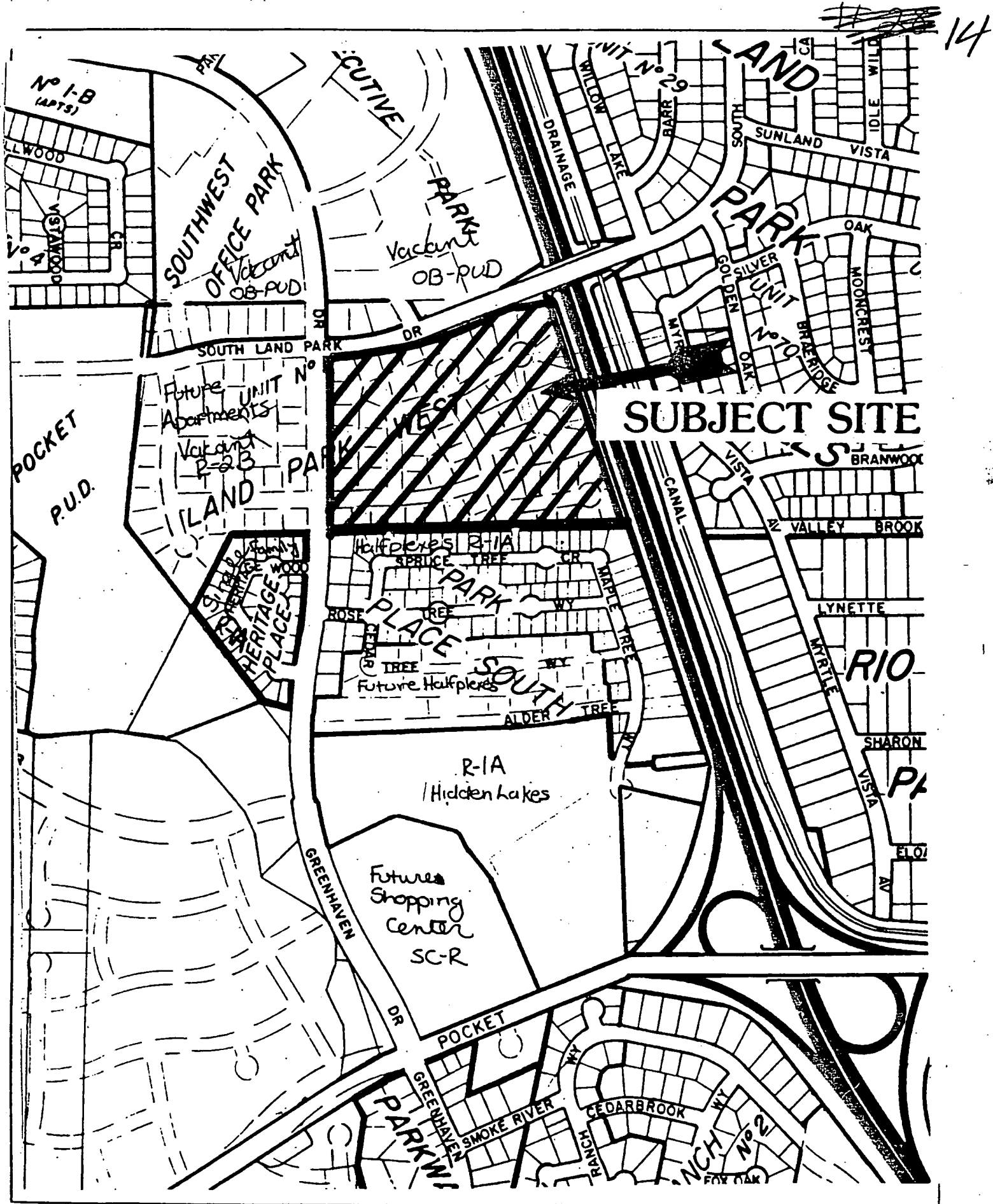
1. Pay off existing assessments
2. Provide new legal description
3. Monument lot lines

CHAIR

ATTEST;

SECRETARY TO CITY PLANNING COMMISSION

2649

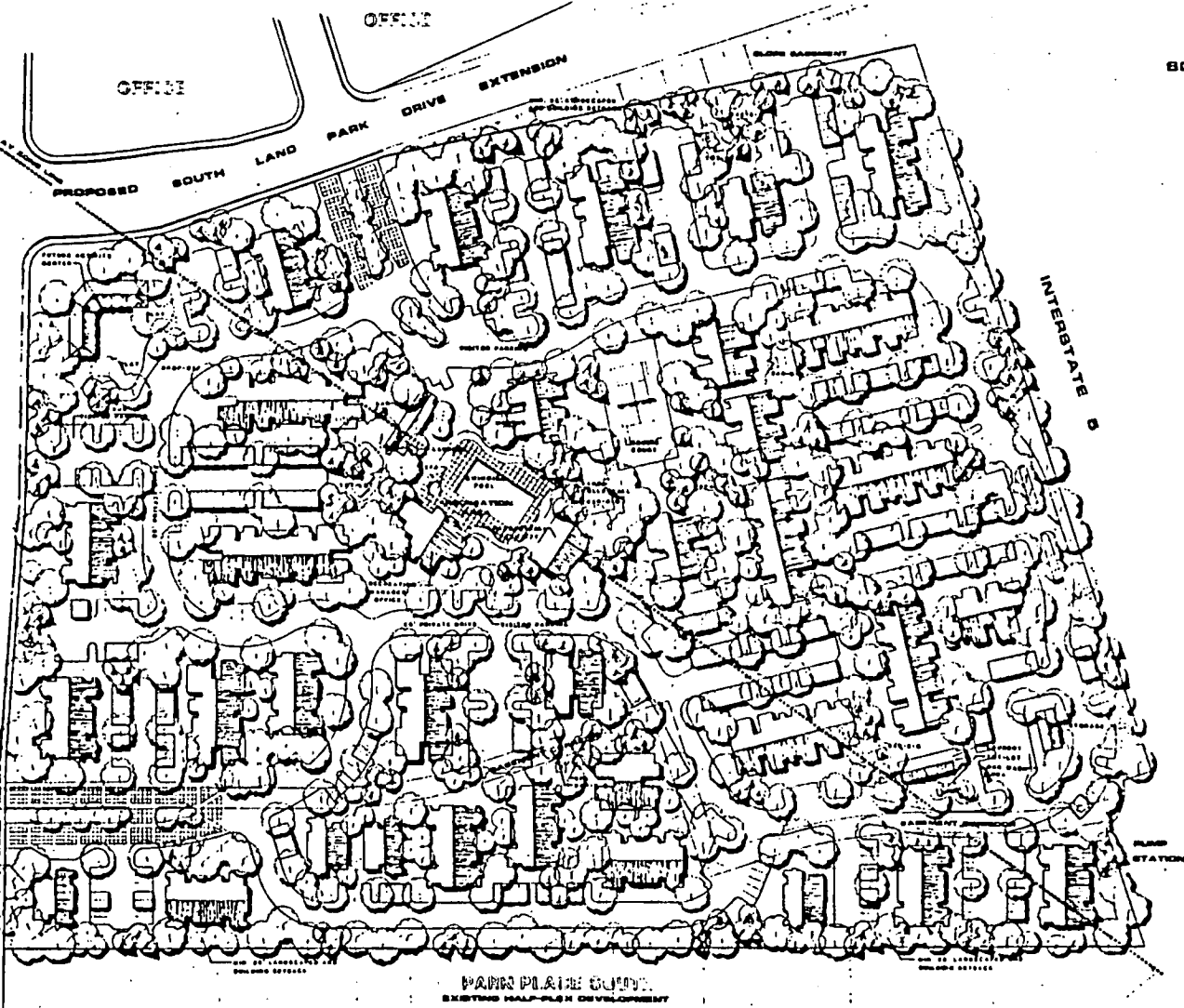


LAND USE & ZONING MAP

P85-047

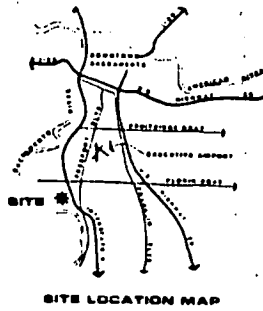
5-7-85 31

#4



SCHEMATIC PLAN SUMMARY

GROSS ACRES	19.8
NET ACRES	15.8
DWELLING UNITS	878
NET DENSITY	18 DU/AC
DWELLING UNIT SUMMARY	
1-BD-1 BATH	80
2-BD-1 BATH	82
2-BD-2 BATH	117
REQUIRED PARKING	420
NO. OF CARPORT STALLS	280
NO. OF OPEN STALLS	140
A.P.N. 31-070-80,81 & 82	
PROPOSED RECREATIONAL AMENITIES	
SWIMMING POOL	
SPAS	
TENNIS COURTS	
RACQUETBALL FACILITY	
BAND VOLLEYBALL COURT	
BARBAGUE FACILITIES	
EXERCISE / WEIGHT ROOM	
TOT-LOTS	
RECREATION BUILDING	



ORIGINAL SITE PLAN EXHIBIT C

SCHEMATIC
SITE PLAN


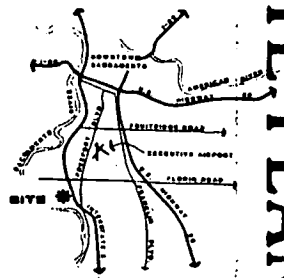
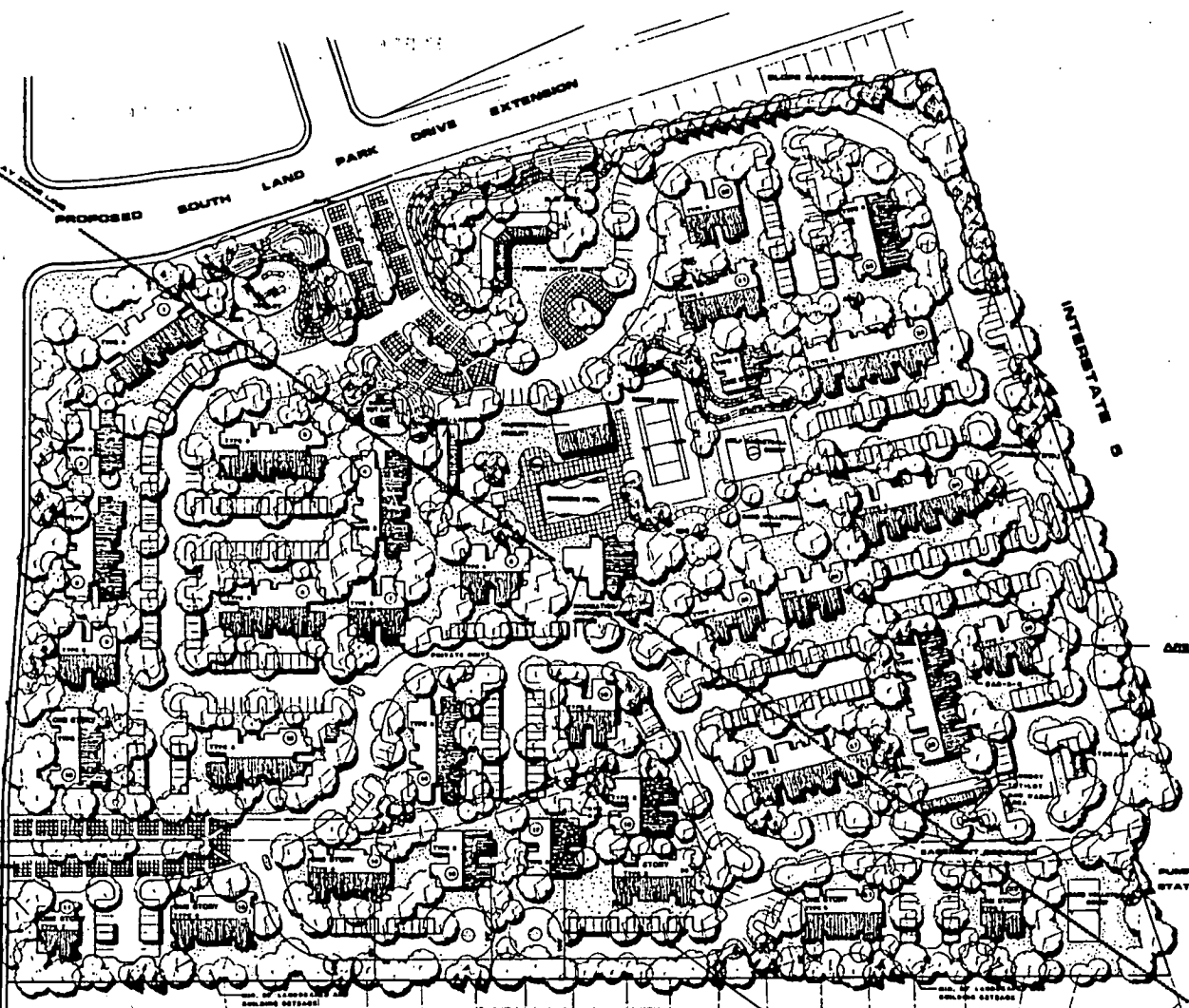
FOUNTAIN OAKS
APARTMENTS



JAN 85
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#4



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P85-047

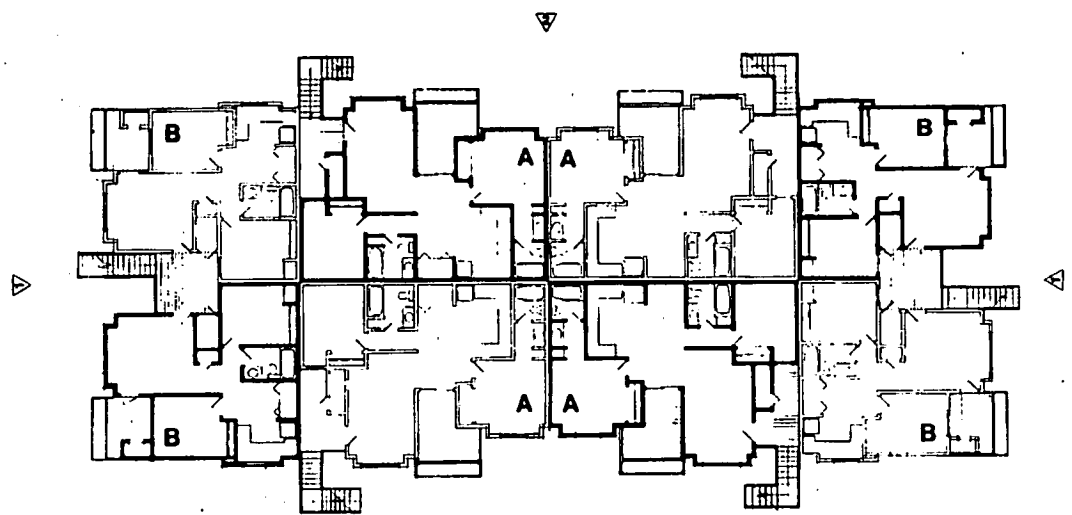
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BLDG. 2,
16-PLEX

FOUNTAIN OAKS
APARTMENTS
CITY OF SACRAMENTO
CALIFORNIA



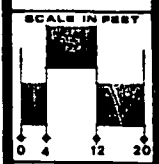
BUILDING 2 2nd Story Shown
SCALE: 1/8" = 1'-0" 1st Story Similar



ELEVATION 1

ELEVATION 2

EXHIBIT E



JAN
85
4



14

38
14

LAW OFFICES OF
HEFNER, STARK & MAROIS
FOURTEENTH FLOOR-PLAZA TOWERS
555 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814
(916) 444-6620

ARCHIE HEFNER, INC.*
ROBERT N. STARK
THEODORE M. MAROIS, JR.
JAMES M. WOODSIDE
JOHN D. BESSEY
ROBERT W. BELL
KENNETH R. STONE
TIMOTHY D. TARON
JUDY R. CAMPOS
WILLIAM M. GALLAGHER
ROBERT S. WILLETT
TODD A. MURRAY
TIMOTHY M. CRONAN

RAY C. THOMPSON
JOEL S. LEVY
ROBERT A. LAURIE
CHRISTINA SAVAGE
PEGGY J. CHATER
ROBERT P. BIEGLER
JAMES M. DAVIS
RONALD H. SARGIS
MARTIN B. STEINER
KIRK S. LOUIE
LISA A. WIBLE
JOHN D. SCHWARZ, JR.

HUGH B. BRADFORD (1876-1958)
S. W. CROSS (1881-1956)

EL DORADO COUNTY OFFICE
3330 CAMERON PARK DRIVE
CAMERON PARK, CALIFORNIA 95602
(916) 677-0245

☐ PLEASE REPLY TO EL DORADO
OFFICE IF THIS BOX IS CHECKED

*A PROFESSIONAL CORPORATION

May 28, 1985

To: City Councilpersons

From: Christy Savage, on Behalf of the Applicant

Subject: Recommended Motion
Fountain Oaks Apartment Project - Agenda Item #28

Approve the staff recommendation on pages 29-30 of the staff report with the following additional conditions:

1) The site plan shall be consistent with Exhibit 4, page 17 of the staff report; provided, however, the buildings adjacent to Greenhaven Drive and South Land Park Drive shall be rotated with varied setbacks.

2) The existing six foot high fence shall be retained along the south property line; a new masonry wall shall be constructed only along the eastern property line adjacent to the freeway.

3) Landscaping along the south, west and north property lines shall include:

- a) A minimum depth of 25 feet;
- b) Undulating 4 foot high earth berms; and
- c) Specimen-sized (minimum 24 inch box) trees spaced to provide for the touching of outermost branches at maturity. At least 25 trees shall be field-grown specimens 15-25 feet in height when planted. Landscaping shall also comply with the standards set forth in Exhibit K of the staff report.

4) A private security guard shall patrol the project during all non-daylight hours.

CJS:mw



CITY OF SACRAMENTO

#28
Clerk's Office

CITY PLANNING DEPARTMENT

927 TENTH STREET
SUITE 300

SACRAMENTO, CA 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

May 23, 1985

APPROVED
BY THE CITY COUNCIL

MAY 28 1985

OFFICE OF THE
CITY CLERK

*intent to approve and
referred to staff to work out
mitigation measures; hearing
left open; cont to 6-18-85*

City Council
Sacramento, California

Honorable Members in Session:

- SUBJECT:
1. Negative Declaration
 2. Appeal of Planning Commission's Denial of various requests for property located at the southeast corner of Greenhaven Drive and South Land Park Drive
 - a. Amendent of General Plan from Agricultural to Residential
 - b. Amendment of South Pocket Community Plan from Interim Agriculture and Low Density Residential designations to Low Density Multiple Family
 - c. Rezone 18.6+ acres with portion of site in EA-3 from Single Family (R-1), and Agricultural (A), to Garden Apartment (R-2A) zone.
 - d. Lot Line Adjustment to merge three lots into one parcel totaling 18.6+ acres
 - e. Plan Review for 279 unit apartment complex (P85-047)

LOCATION: Southeast corner of future Greenhaven Drive and South Land Park Drive extensions

SUMMARY

The application is for entitlements to develop a 279 unit apartment complex on 18.6+ acres in the South Pocket Community Plan area at an overall density of 15 units per acre. The Commission voted three ayes and three naves to recommend approval of the project subject to conditions. The necessary five affirmative votes for the motion to carry, however, were lacking and the project was denied. The applicant is appealing the Commission's action to the City Council.

BACKGROUND INFORMATION

The subject site comprises 18.6+ net acres located in the Single Family (R-1) and Agricultural (A) zone. The northeast 9.1+ acre portion of the site is also located in the Executive Airport EA-3 overlay zone. The applicant's original site plan spread the proposed 15 dwelling units per acre density evenly throughout the entire project. The Planning Director however, requested that the applicant reduce the density of the portion of the site in the overlay zone. The applicant complied, reducing the density to ten du/acre in the EA-3 zone and 19.8 du/acre outside of the zone. The Director determined this to comply with Section B.3 of the Executive Airport overlay zone for situations where a site is split by two zones. The staff of the Airport Land Use Commission reviewed the revised application and found it inconsistent with the land use compatibility guidelines of the Executive Airport CLUP (Exhibit 1).

The City Council heard an appeal of the Environmental Coordinator's determination of a Negative Declaration with mitigation measures for the proposal on April 16, 1985. The appeal was denied; however, the Council requested a traffic study of the potential impacts of the project on the South Pocket area and an examination of different residential land use alternatives for the subject site be made.

The traffic study, prepared by an outside traffic consultant, concluded that while the proposal would add to future traffic levels in the area, the incremental increase to intersections in the area would be insignificant.

Planning staff found that approximately 132.5 acres have been developed or are designated in the South Pocket Community Plan area for multiple family development. The applicant's proposed project would exceed the 140 multiple family acres recommended in the 1976 South Pocket Community Plan by approximately 11 acres. The proposed build out of multiple family units including the proposal, would be approximately 2,940 units, 76 units more than what was recommended in the 1976 Plan. This small number is due to the fact that some of the multi-family projects came in below the allowed community plan density. Comparable numbers with other community plan areas is found in Exhibit 2.

Staff also considered four land use alternatives for the subject site and found that a halfplex development or the applicant's proposal are potential appropriate land uses for the site. Staff found that the proposed apartment development would be compatible with existing and proposed land uses in the adjacent neighborhood and recommended approval of the project.

At the May 7, 1985 Planning Commission meeting, residents of the Park Place South Homeowner's Association presented a letter outlining their opposition to the proposed project and requested that it be denied (Exhibit 3). A motion was made to remove several of the units on the southern portion of the site adjacent to the Park Place South halfplex development and relocate the units to the northern portion of the site. The Commission's vote, however, was split three ayes and three nays, and the project was denied. The applicant has appealed the Commission's decision.

Subsequent to the Planning Commission's decision the applicant has met with the Park Place Homeowner's Association to discuss two alternative site plans. Attached is an alternative plan transmitted from the applicant (Exhibit 4). The plan has not been reviewed by the Planning Commission. Staff does not know at this time whether or not a consensus has been reached between the applicant and the Homeowner's Association.

VOTE OF THE PLANNING COMMISSION

On May 7, 1985, the Planning commission voted three ayes, three nays and three absent to approve the project. Lacking five affirmative votes, the project was denied.

RECOMMENDATION

1. Should the City Council concur with the Planning Commission's action, the appropriate action would be to adopt a motion of intent to deny the appeal subject to staff returning with Findings of Fact on June 11, 1985;
2. Should the City Council concur with staff's recommendation, the appropriate action would be to adopt a motion of intent to approve the appeal subject to staff returning with Findings and necessary documentations on June 11, 1985.

Respectfully submitted,

Art Gue

Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

AG:pkb
attachments
P85-047

May 28, 1985
District No. 8

May 21, 1985

**Sacramento Area
Council of Governments**

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Ms. Joy Patterson
Planning Department
City of Sacramento
927 10th Street, Suite 300
Sacramento, CA 95814

RE: FOUNTAIN OAKS APARTMENTS REZONE (REVISED)

Dear Ms. Patterson:

Per your request, I have reviewed the revised schematic plan (2/85) for the project referenced above. The revised plan changes density in the portion of the project within Approach Zone #3 (APZ #3) from approximately 15 dwelling units (du's) per acre to approximately 10 du's per acre.

In the opinion of ALUC staff, the reduction in density does not bring the proposed project into compliance with the Comprehensive Land Use Plan (CLUP) for Executive Airport. The airport land use compatibility guidelines of the Executive Airport CLUP (p. 18) exclude multi-family residential development within APZ #3. The fact that approximately 50 percent of the project is outside of the airport area of influence does not alter this prohibition in our opinion.

The land use compatibility guidelines section of the Executive Airport CLUP (p. 17) state that:

"In the case of a zone line splitting a parcel, consistency with the land use policies will be determined on the basis of the use existing or proposed within the particular zone, mitigation measures to be taken with regard to site planning, and building design and placement."

Our interpretation of this section of the Executive Airport CLUP is that it provides a means to remedy undue hardship to property owners with a lot or parcel which, because of some unusual conditions, could not be developed in a way consistent with the CLUP. The mitigation measures of site planning, and building design and placement are a means to minimize the impacts or dangers associated with allowing what is essentially a variance to the required consistency with the land use compatibility guidelines. In our opinion, no unusual conditions exist at this site, and the proposed multi-family development at 10 du's per acre as opposed to 15 du's per acre does not mitigate the fact that multi-family development (or single family/two family development in excess of 4 du's per acre) is not compatible with the land use compatibility guidelines of the Executive Airport CLUP.

Ms. Joy Patterson

-2-

May 21, 1985

Consequently, it is our finding, after reviewing the revised schematic plan (2/85) for the Fountain Oaks Apartments Rezone, that multi-family dwellings of the type and density proposed by this rezone request are inconsistent with the land use compatibility guidelines of the Executive Airport CLUP.

Please call me if you have any questions or if I can be of further assistance.

Sincerely,

Gary Keill

GARY KEILL
Planner II, ALUC Staff

GK:bb

COMMUNITY PLAN RESIDENTIAL DEVELOPMENT COMPARISONS

South Pocket

	Estimated Units	Estimated Percent
<u>1976 Plan</u>		
Single Family	7,092	71%
Multiple Family ¹	<u>2,864</u>	<u>29%</u>
TOTAL Proposed Unit Buildout	9,956	100%
<u>1976 Plan Amended Through May 1985</u>		
Single Family ²	7,447	74%
Multiple Family ³	<u>2,661</u>	<u>26%</u>
TOTAL Proposed Unit Buildout	10,108	100%
<u>Amended Plan Including Applicants Proposal</u>		
Single Family ⁴	7,363	71%
Multiple Family	<u>2,940</u>	<u>29%</u>
TOTAL Proposed Unit Buildout	10,303	100%

SOUTH NATOMAS

1978 Community Plan as Amended through May 1985

Single Family	12,360	54%
Multiple Family ⁵	<u>10,533</u>	<u>46%</u>
TOTAL Proposed Unit Buildout	22,893	100%

NORTH SACRAMENTO

1984 Community Plan Proposed Buildout

Single Family	14,360	52%
Multiple Family	<u>13,500</u>	<u>48%</u>
TOTAL Proposed Unit Buildout	28,130	100%

FOOTNOTES:

¹Includes cluster and townhouse developments

²5% added to 1976 plan estimate to account for increased density through approved zero lot line and halfplex development

³Parcels designated on Community Plan as Multiple Family but without approved site plan calculated at 19 du/acre. Site developed with elderly housing not included.

⁴Decrease of Single Family at 4.5 du/ac x 18.6 ac (84 units)

⁵December 1983 figures plus two multiple family projects approved in 1984-85

(916) 441-3247

May 7, 1985

Mr. Larry Augusta, Chairperson
City of Sacramento Planning Commission
927 10th Street
Sacramento, CA 95814

RE: Fountain Oaks Apartment Rezone
and Plan Amendment (P85-047)

Dear Mr. Augusta;

On behalf of the Park Place South Homeowners Association, I want to express strong opposition to the proposed Fountain Oaks apartment project at the southeast corner of Greenhaven and South Land Park Drives. I have prepared a hastily assembled analysis outlining such opposition. However, we have had very little time, inasmuch as the staff report was available only late last Friday. Furthermore, I have only recently been retained in this matter and am, in fact, unable to attend your May 7, 1985 hearing to represent my clients in this matter. Some of the questions raised in my analysis may very well be resolved through some further study. In any event, I respectfully request that the Commission continue this matter for thirty days, to June 6, 1985. This will provide sufficient time for me to prepare our comments for you, as well as to provide staff sufficient time to clarify certain questions raised.

If a continuance is not granted, please consider the following comments in your deliberations regarding the Fountain Oaks project. If a continuance is granted, I intend to refine these comments in advance of your next scheduled hearing.

The opposition to Fountain Oaks is based upon three basic concerns: inconsistency with the General and Community Plans; incompatibility with existing residential development; and inconsistency with the Executive Airport CLUP and Overlay Zoning Ordinance. There are also several points in the project staff report upon which I would like to comment.

INCONSISTENCY WITH GENERAL AND COMMUNITY PLANS

It is acknowledged that the proposed project is inconsistent with the City General Plan and South Pocket Community Plan inasmuch as the project application includes requested amendments

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to each. The proposal includes no basis for such amendments other than the desire of the proponent to maximize intensity and economic return. Even with an amendment to the Community Plan Map, the project will remain inconsistent with the existing policies of the Plan. The "floating" 35 acres of apartment development referred to on Page 12 of the Plan are clearly intended as a mitigation for noise from the freeway. However, this project proposes lower density adjacent to the freeway and higher density away from the freeway.

The proposed project also illustrates how a community plan can be incrementally dismantled through a project-by-project level analysis. It is suggested both in the staff report and Negative Declaration that traffic, noise and community plan change impacts will be minor. Taken as a single, isolated project, such analysis may be accurate. However, if placed against the backdrop of the recent series of land use changes in this area, this proposal represents a serious and significant departure from the adopted community plan. As originally proposed, the entire area south of the commercial and office complex at Florin Road and Greenhaven Drive down to the commercial area at South Pocket Road was conceived as low density residential. Today amendments extending office development all the way south to South Land Park Drive and apartment units at the southwest corner of South Land Park and Greenhaven Drives have been approved. These community plan amendments are now being cited as the justification for a further amendment for this project. All this has occurred while homeowners in Park Place South have purchased their homes in reliance on a community plan which designates most of the area west of I-5 between Florin and South Pocket Roads as low density residential. Each of the amendments to the Plan on an isolated basis may not be significant to the total community, but taken as a whole, they demonstrate a substantial deviation from the original concept of the Community Plan. Such incremental decisions do a great disservice to the conscientious individual homeowner who relies on a Community Plan to determine where to make a well conceived and thought out investment in the community.

COMPATIBILITY WITH SURROUNDING DEVELOPMENT

The major underlying opposition to this project is its incompatibility with adjacent land uses. The Community Plan calls for low density residential. Exceptions to that policy have been made for the northeast and southwest corners of Greenhaven and South Land Park Drives. Adjacent development to the south, southwest and east of this project are all low density, owner-occupied single-family or halfplex developments. The density, the traffic and the scale of the proposed project are all inconsistent with the neighboring uses to the south. Anyone who has purchased a home recognizes the implications, not only to the expectation of a quiet neighborhood environment, but to the reduced investment value of such properties. The

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Commission must be aware of the frustration felt by homeowners in Park Place South, many of whom are first time home buyers, who find themselves not in a basically single-family neighborhood as depicted in the South Pocket Community Plan, but an island of medium density homeowners sandwiched between hundreds of high density apartments.

EXECUTIVE AIRPORT CLUP AND OVERLAY ZONE

The third general area of concern over the proposed project is the inconsistency with the Executive Airport Comprehensive Land Use Plan (CLUP) and Overlay Zoning Ordinance. The CLUP, at Page 18, specifically states that any residential use other than single-family (at four units per acre) is not compatible with CLUP policies. The Overlay Zoning Ordinance at Section 30(c)(1) reflects that prohibition. The proposed use, however, includes apartments at 10 units per acre, two and one half times the maximum allowable density in the Zoning Ordinance.

The CLUP and Zoning Ordinance do make provision for situations where an overlay zone line splits a parcel. The intent of those provisions is to provide some common sense flexibility to the City where unusual circumstances exist. The CLUP states that:

"In the case of a zone line splitting a parcel, consistency with the land use policies will be determined on the basis of the use existing or proposed within a particular zone, mitigation measures to be taken with regard to site planning and building design and placement." (Page 17)

Furthermore, the Overlay Zoning Ordinance at Section 30(b)(3) says:

"3. In the event that an EA overlay zone line splits a vacant parcel, the restrictions of each particular EA overlay zone shall apply to the portion of the parcel within that zone; provided, however, that when a parcel is fifty percent (50%) or more in the less restrictive zone, the owner of such parcel may submit an application to the Planning Director, requesting permission to render applicable to the entire parcel the less restrictive overlay zone. The Planning Director's decision to approve or conditionally approve the application shall be based upon mitigation measures to be taken by the applicant with regard to site planning, building placement and design."

The language of the CLUP clearly indicates the expectation that any modification of land uses will be in view of compatibility with the CLUP policies. In the present case, there is nothing approaching compatibility with the density limitations

in the CLUP. In fact, just the opposite would occur. Density would increase two and one half times within the EA-3 Zone.

The language of the Overlay Zoning Ordinance indicates an intent to moderate land use policies between EA Zones only. There is no discussion of moderating between an EA Zone and a zone outside the auspices of the Overlay Zoning Ordinance. However, assuming that such may have been the intent, it is hard to imagine that such a provision was intended to justify an increase in density not only over the EA Zone limitation, but also over contemplated normal community plan densities.

It should be pointed out here that the original ALUC Policy Plan recommended residential densities of two units per acre within this approach zone. The subsequent Executive Airport CLUP established a maximum of four units per acre. The current proposal is to raise that by 250% to ten units per acre. Furthermore, in an effort to maintain an even higher 15 units per acre average, density on the immediately adjacent part of the project is increased to 19.8 units per acre.

This proposal compromises the Executive Airport CLUP and Overlay Zoning Ordinance. The compromise does not occur simply because the density is different. The compromise is more basic. An opportunity for balancing and fairness has been turned into a rationale for avoidance of any regulation at all. The reality of the Executive Airport Plan is that the only major, undeveloped, low density residential land within any of the EA Zones 2 and 3 lies west of I-5 in the South Pocket area. The bulk of that area has already been converted to office buildings; the last remaining area is proposed for ten dwelling units per acre.

Specific Comments

The staff report on the proposed project contains an extensive discussion of the proposal. I would like to comment on several of the points in that report.

1. Page 2: BACKGROUND INFORMATION, ¶1

The provision relating to the circumstance where 50% or more of the project is in a less restrictive overlay zone may be erroneously cited on several points. First, it appears that the designation of the overlay zone on the Project Map may be inaccurate. Based upon review of the official ALUC Map and the adopted CLUP Map, the line appears to be located further to the southwest. If such is the case, more than 50% of the property in question would be within the EA-3 Zone and therefore not subject to the modification provisions cited. In that case, the entire parcel should be limited to four dwelling units per acre, not fifteen.

Second, assuming that the 50% rule does apply, it does not, if read carefully, permit the Planning Director to "allow higher densities." It simply permits the Planning Director to apply less restrictive standards of another Overlay Zone based upon proposed mitigation measures. Neither of those conditions exist here. There is no less restrictive Overlay Zone; there is only the existing zoning and Community Plan. There are also no mitigation measures proposed within the EA-3 Zone portion of the project. Mention is made of increased open space and building placement, but that is relative to the original proposal, not to existing EA-3 standards. The proposed ten units per acre is substantially more dense and less compatible than the EA-3 maximum four units per acre or even traditional single-family development of five to six units per acre. The only mitigation measure proposed is that the project isn't quite as dense as originally proposed.

2. Page 3, A: Land Use and Zoning, ¶1 & 2

The staff report points out that the fact that the apartment "floating" acres exceed the original maximum of 140 acres by 11 acres (8%). This raises several concerns. First, what was the original basis for the 140 acre maximum? If it was contemplated as a community maximum, why is an 8% excess acceptable? If it is not a maximum but only a target, what will the maximum be? Might this excess simply be a signal to increase densities in the South Pocket in general?

A further concern is that the actual policy basis for the floating 140 acres is to provide a "buffer" for I-5 freeway noise. The rationale according to the Plan is that two-story buildings adjacent to the freeway will act as sound barriers. However, this project proposes, because of other significant land use concerns regarding Executive Airport, lower density adjacent to the freeway. In fact, the site design proposes buildings perpendicular rather than parallel to the freeway. The Community Plan objective for increased densities in noise zones is simply not implemented in this project. Further, because of the Executive Airport Overlay Zones, it is neither practical nor possible to implement such a policy at this site. It is clear that the remaining 7.5 acres of "floating" zones should be applied at more practical and effective locations.

3. Page 3: 1. Single Family (land use alternative)

There are several comments to be made on this alternative:

- a) This is the only alternative which is consistent with the Executive Airport CLUP and Overlay Zone and with the South Pocket Community Plan. Those two facts alone should cause this alternative to be a viable one. Otherwise, the implication is that neither of the

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plans were ever rational to begin with. More detailed analysis and consideration of this alternative should be given.

- b) The only reason the subject site is not contiguous to more single-family residential is that so many amendments to the Community Plan have already occurred. The site is contiguous, however, to owner-occupied, lower density homes on the entire southern border. Such contiguous land use should be discussed.
- c) Emphasis is placed on the elevated portion of South Land Park Drive and its undesirable impact on adjacent lots. However, the east end of the South Land Park Drive overcrossing is surrounded by low density, single-family homes. The undesirability is simply a quality which may or may not reflect on selling price of homes; it does not necessarily relate to land use compatibility. It is recommended that this issue be dropped or its discussion broadened.

4. Page 3: 2. Halfplex (land use alternative)

- a) This alternative contains no discussion of the Executive Airport CLUP and Overlay Zone.
- b) The discussion of the elevated portion of South Land Park Drive generates the same comment as under the single-family alternative.
- c) The report might elaborate on the staff opinion that the alternative is a "possible, appropriate land use."

5. Page 3: Combination of Single-Family/Halfplex and Multiple Family (land use alternative)

While this alternative has some potential, it is quickly rejected. Concern is expressed over the conflict between the EA-3 Zone low densities and the noise impact area adjacent to the freeway. It would seem, however, that most aspects of this alternative are shared by at least one of the other alternatives. It is suggested that this alternative be more seriously considered to determine potential advantages over the proposed project. Questions addressed in other alternatives regarding compatibility with existing plans, adjacent densities and traffic generation should be discussed here.

6. Page 4: Multiple-Family (land use alternative)

This alternative does not consider several relevant concerns:

- H 26
- a) It is incompatible with the South Pocket Community Plan (even if the land use map is modified);
 - b) It is incompatible with the Executive Airport CLUP;
 - c) It is incompatible with the EA-3 Overlay Zone;
 - d) It includes no discussion of compatibility with the halfplexes to the south; and
 - e) It does not discuss why this alternative would provide a more compatible design solution to the overpass elevation issue.

7. Page 4: B. Traffic Consultants Study

The "study" attached to the report is confusing and unclear. Given the limited period of time to review the document, I am unable to ascertain its accuracy. However, I am concerned about the casual approach taken to this matter by the traffic consultant. The question of future traffic volumes in this neighborhood, particularly in light of the substantial increases in density approved in the recent past, is quite a serious one. I would suggest a clearer, more thorough analysis of this subject.

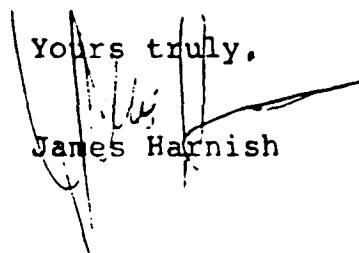
CONCLUSION

On the basis of the several points made above, I respectfully recommend that the Commission take one of the following actions, in preferred order of priority:

1. Deny the requested General and Community Plan amendments, and deny the requested rezoning;
2. Continue the matter for at least 30 days to resolve the questions raised in this letter regarding the accuracy of the EA-3 zone line, further details on the alternatives and a thorough traffic analysis; or
3. Approve in concept a revised project consistent with the single-family or halfplex land use alternates discussed in the staff report at a density and scale similar to existing adjacent land uses.

Thank you for your time and consideration in this matter.

Yours truly,


James Harnish

JH/np

cc: Ann Snyder, Secretary
Park Place South Homeowners Association

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HEFNER, STARK & MAROIS

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CAMERON PARK, CALIFORNIA 95682
(916) 677-0245

☐ PLEASE REPLY TO EL DORADO
OFFICE IF THIS BOX IS CHECKED

*A PROFESSIONAL CORPORATION

May 7, 1985

TO: Planning Commissioners

FROM: Christy Savage, representing the applicant

RE: Continuance requested by Park Place South Home Owners Association ("HOA") for the Fountain Oaks Apartment application (Agenda Item #4 - P85-047)

A CONTINUANCE IS NOT APPROPRIATE BECAUSE:

1. No new issues are raised in the letter submitted today by HOA attorney Jim Harnish. There are already three lengthy staff reports addressing the same issues raised by Harnish.
2. There has been no lack of notice. HOA has been fully aware of the details of this project for 2½ months.
3. The HOA has already been granted two prior continuances. (Hearings scheduled for 3/14 and 4/2).
4. A continuance will not facilitate compromise. The HOA has steadily maintained the position that no compromises are possible short of a 6-8 du/A project.
5. Assuming a favorable CPC action, there will be another 3-4 weeks until the Council hears the application.

CHRONOLOGY

1/11/85	Application filed
1/30/85	Project revised to current form

Planning Commissioners
May 6, 1985
Page Two

2/85	Application submitted to Airport Land Use Commission for comment
2/25/85	Applicant met with 40-50 members of HOA
3/1/85	HOA and 300' radius property owners received formal notice of 3-14-85 CPC hearing
3/4/85	City filed expanded negative declaration which addresses in detail why the proposed project is (1) <u>consistent with surrounding uses, the CLUP, and the Executive Airport ordinance</u> ; and (2) <u>will not significantly impact traffic</u> .
3/13/85	HOA filed an appeal of the negative declaration
3/14/85	Originally scheduled CPC hearing (continued due to HOA appeal of negative declaration).
3/28/85	Lengthy and detailed staff report issued addressing <u>traffic impacts, compatibility with surrounding land uses, CLUP and Executive Airport Ordinance</u> .
4/2/85	Originally scheduled CC hearing on negative declaration appeal (continued at request of HOA).
4/16/85	CC denied appeal of negative declaration; CC requested additional traffic study, and more staff analysis relative to the consistency of the project with the Community Plan.
4/25/85	Second scheduled CPC hearing (continued because traffic study was incomplete).

Planning Commissioners
May 6, 1985
Page Three

5/3/85

#20
Third lengthy and detailed staff report issued which addresses in further depth traffic, Community Plan and CLUP compatibility.

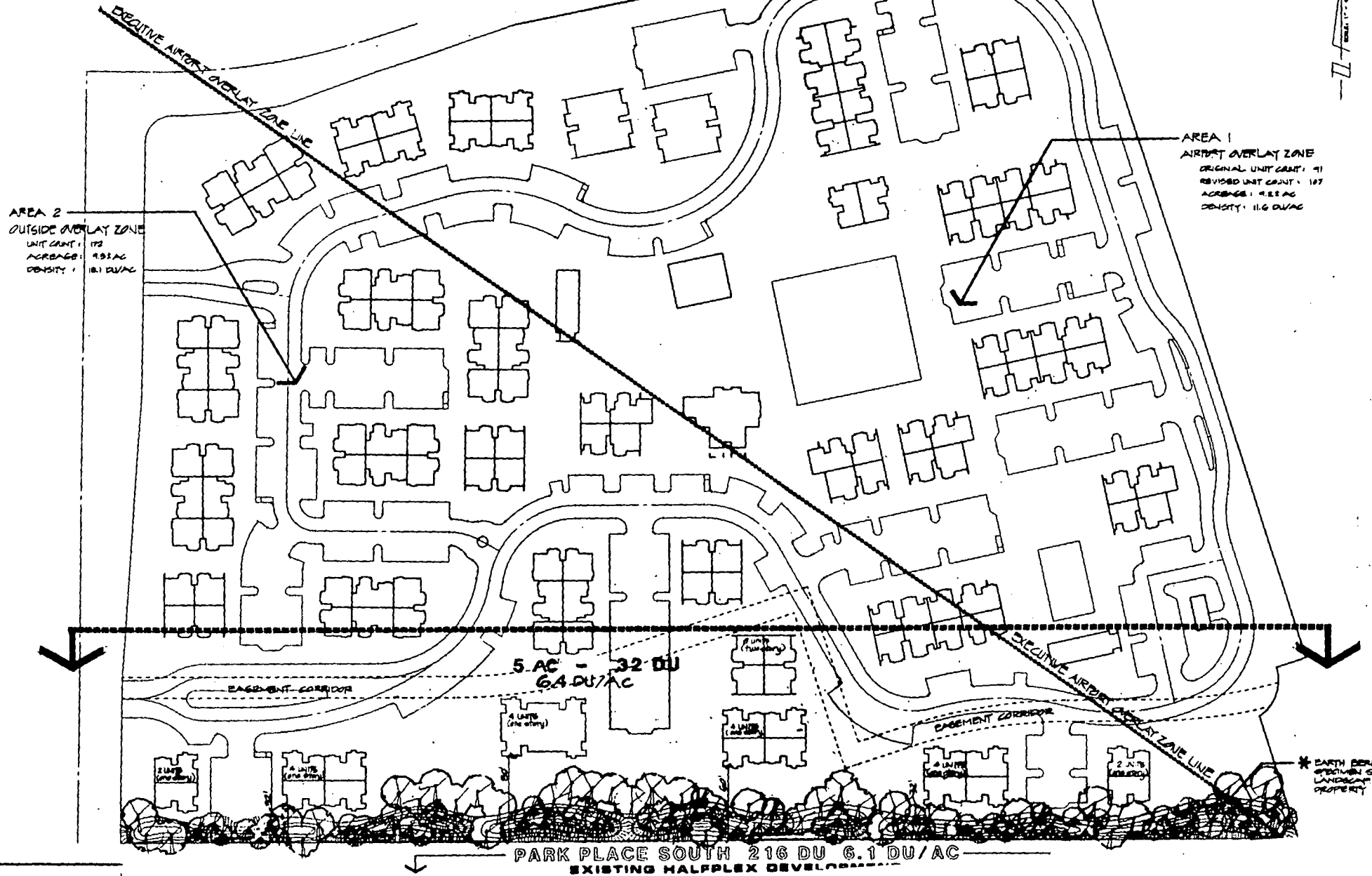
5/3/85

HOA retains attorney Jim Harnish.

5/7/85

Third scheduled CPC hearing. Jim Harnish requests 30-day continuance to further study issues already addressed in expanded declaration, the staff report to Council on the negative declaration appeal, and the recent staff report to the CPC.

FOUNTAIN OAKS APARTMENTS CONCEPT "A": DUPLEX & FOUR-PLEX UNITS WITH BARTH DORMING AND SPECIMEN TREES ALONG PROPERTY LINE



MEETING DATE May 7, 1985ITEM NO. 47 FILE # 85-047

M _____

GENERAL PLAN AMENDMENT ☐COMMUNITY PLAN AMENDMENT ☐REZONING ☐SPECIAL PERMIT ☐VARIANCE ☐TENTATIVE MAP ☐SUBDIVISION MODIFICATION ☐LOT LINE ADJUSTMENT ☐ENVIRONMENTAL DET. ☐

OTHER _____

Location: Northeast corner of Greenham Drive & South Lind Park Drive

Recommendation:

☒ Favorable w/conditions☐ Unfavorable☐ Petition☒ CorrespondencePROPOSERSNAMEADDRESSChristy Searge - 555 Capitol Mall, Sacramento 95814OPPOSERSNAMEADDRESSAnne Snyder - 1167 Spruce Tree Circle, Sacramento 95831O. E. Van Tassel - 1227 Spruce Tree Circle, Sacramento 95831Ray Mrotek - 1226 Cedar Tree Way, Sacramento 95831Jim Taylor - 7494 Greenham Drive, Sacramento 95831Steve Pugh - 1172 Spruce Tree Circle, Sacramento 95831MOTION NO. 5 of 5

	YES	NO	MOTION	SECOND
Ferris	absent			
Fong	absent			
Goodin	absent			
Holloway	✓			✓
Hunter		✓		
Ishmael	✓		✓	
Ramirez		✓		
Simpson	✓			
Augusta		✓		

MOTION☐ TO APPROVE☒ TO DENY☐ TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT☐ TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT☐ INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE☐ TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL☐ TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL☐ TO RATIFY NEGATIVE DECLARATION☐ TO CONTINUE TO _____ MEETING☐ OTHER _____

2420

GENERAL PLAN AMENDMENT	<input type="checkbox"/>	TENTATIVE MAP	<input type="checkbox"/>
COMMUNITY PLAN AMENDMENT	<input type="checkbox"/>	SUBDIVISION MODIFICATION	<input type="checkbox"/>
REZONING	<input type="checkbox"/>	LOT LINE ADJUSTMENT	<input type="checkbox"/>
SPECIAL PERMIT	<input type="checkbox"/>	ENVIRONMENTAL DET.	<input type="checkbox"/>
VARIANCE	<input type="checkbox"/>	OTHER	

☐ Favorable ☐ Petition ☐ Correspondence
☐ Unfavorable

[illegible]

MOTION NO. 4 of 5

	YES	NO	MOTION	SECOND
Ferris				
Fong				
Goodin				
Holloway				
Hunter			✓	
Ishmael				
Ramirez				
Simpson				
Augusta				

MOTION

- ☐ TO APPROVE
☐ TO DENY
☐ TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
☐ TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
☐ INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE _____
☐ TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
☐ TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
☐ TO RATIFY NEGATIVE DECLARATION
☒ TO CONTINUE TO May 16, 1985 MEETING
☐ OTHER motion died for lack of second

28

GENERAL PLAN AMENDMENT	<input checked="" type="checkbox"/>	TENTATIVE MAP	<input type="checkbox"/>
COMMUNITY PLAN AMENDMENT	<input checked="" type="checkbox"/>	SUBDIVISION MODIFICATION	<input type="checkbox"/>
REZONING	<input checked="" type="checkbox"/>	LOT LINE ADJUSTMENT	<input checked="" type="checkbox"/>
SPECIAL PERMIT	<input type="checkbox"/>	ENVIRONMENTAL DET.	<input type="checkbox"/>
VARIANCE	<input type="checkbox"/>	OTHER <u>Plan Bennett</u>	

Recommendation:

[illegible]

	YES	NO	MOTION	SECOND
Ferris	<i>absent</i>			
Fong	<i>absent</i>			
Goodin				
Holloway			✓	
Hunter				
Ishmael				
Ramirez				
Simpson				✓
Augusta				

☐ TO APPROVE

☐ TO DENY

☒ TO APPROVE SUBJECT TO ^{amended} COND. & ~~BASED ON~~
~~FINDINGS OF FACT~~ IN STAFF REPORT

☐ TO APPROVE/DENY BASED ON FINDINGS OF
FACT IN STAFF REPORT

☐ INTENT TO APPROVE/DENY SUBJECT TO COND.
& BASED ON FIND. OF FACT DUE _____

☐ TO RECOMMEND APPROVAL & FORWARD TO CITY
COUNCIL

☐ TO RECOMMEND APPROVAL SUBJECT TO COND. &
FORWARD TO CITY COUNCIL

☐ TO RATIFY NEGATIVE DECLARATION

☐ TO CONTINUE TO _____ MEETING

☐ OTHER motion withdrawn

MEETING DATE May 7, 1985ITEM NO. 4A FILE # 85-047-4FM GENERAL PLAN AMENDMENT ☒COMMUNITY PLAN AMENDMENT ☒REZONING ☒SPECIAL PERMIT ☐VARIANCE ☐TENTATIVE MAP ☐SUBDIVISION MODIFICATION ☐LOT LINE ADJUSTMENT ☒ENVIRONMENTAL DET. ☒OTHER Plan Repeal ☒Location: Southeast corner of Greenharem Drive
9 South Land Park Drive

Recommendation:

☐ Favorable☐ Unfavorable☐ Petition☒ CorrespondencePROPOSERSNAMEADDRESSChristy Savage - 555 Capitol Mall, Sacramento 95814
Harold HearsOPPOSERSNAMEADDRESSAnne Snyder - 1167 Spruce Tree Circle, Sacramento 95831
O.E. Van Vassen - 1227 Spruce Tree Circle, Sacramento 95831
Ray Mrotek - 1226 Cedar Tree Way, Sacramento 95831
Jim Taylor - 7494 Greenharem Drive, Sacramento 95831
Steve Perry - 1172 Spruce Tree Circle, Sacramento 95831MOTION NO. 24.5

	YES	NO	MOTION	SECOND
Ferris	<u>absent</u>			
Fong	<u>absent</u>			
Goodin				
Holloway				
Hunter			<input checked="" type="checkbox"/>	
Ishmael				
Ramirez				
Simpson				
Augusta				

MOTION☐ TO APPROVE☐ TO DENY☐ TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT☐ TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT☐ INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE☐ TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL☐ TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL☐ TO RATIFY NEGATIVE DECLARATION☒ TO CONTINUE TO May 16, 1985 MEETING☐ OTHER redesign & reduce densityto 10 du/ac
motion died for lack of second

SACRAMENTO CITY PLANNING COMMISSION

28

MEETING DATE May 7, 1985
ITEM NO. 4A FILE # 85-047
-4F M

GENERAL PLAN AMENDMENT ☐ TENTATIVE MAP ☐
COMMUNITY PLAN AMENDMENT ☐ SUBDIVISION MODIFICATION ☐
REZONING ☐ LOT LINE ADJUSTMENT ☐
SPECIAL PERMIT ☐ ENVIRONMENTAL DET. ☐
VARIANCE ☐ OTHER

Location: SE corner of Greenhaven Dr. & Land Park Dr

Recommendation:

☐ Favorable ☐ Unfavorable ☐ Petition ☐ Correspondence

PROPOSERS OF CONTINUANCE

NAME

ADDRESS

~~Christy Savage~~
Anne Synder - Spruce Tree Circle, Sacramento
- 1227 Spruce
Randy - 1226 Cedar Tree Way, Sacramento

OPPOSERS TO CONTINUANCE

NAME

ADDRESS

Christy Savage - 555 Capitol Mall, Sacramento 95814

MOTION NO. 1 of 5

	YES	NO	MOTION	SECOND
Ferris	<u>absent</u>			
Fong	<u>✓</u>			<u>✓</u>
Goodin	<u>absent</u>			
Holloway	<u>✓</u>			
Hunter	<u>✓</u>			
Ishmael	<u>✓</u>		<u>✓</u>	
Ramirez	<u>✓</u>			
Simpson	<u>✓</u>			
Augusta		<u>✓</u>		

MOTION

- ☐ TO APPROVE
☐ TO DENY
☐ TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
☐ TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
☐ INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE
☐ TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
☐ TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
☐ TO RATIFY NEGATIVE DECLARATION
☐ TO CONTINUE TO
☒ OTHER to hear on 5-7-85 instead of continuing to 5-16-85

H20

NOTICE OF APPEAL OF THE DECISION OF THE
SACRAMENTO CITY PLANNING COMMISSION

DATE: May 8, 1985

TO THE PLANNING DIRECTOR:

I do hereby make application to appeal the decision of the City
Planning Commission of May 7, 1985 when:
(Date)

☒ Rezoning Application ☐ Variance Application
☐ Special Permit Application Community Plan Amend., Gen. Plan
Amend., Plan Review & Lot Line Adj.
was: ☐ Granted ☒ Denied by the Commission

GROUND FOR APPEAL: (Explain in detail)

Applicant believes the most logical use of the subject property
is for low density (15 du/A average) multiple family as proposed
in the application.

PROPERTY LOCATION: Greenhaven Drive and South Land Park Drive

PROPERTY DESCRIPTION: _____

ASSESSOR'S PARCEL NO. 031 - 070 - 60, 61, 62

PROPERTY OWNER: Louis Pappas & Wymore Realty, c/o Spink Corporation

ADDRESS: P. O. Box 2511, Sacramento, CA 95811

APPLICANT: Spink Corporation

ADDRESS: P. O. Box 2511, Sacramento, CA 95811

APPELLANT: (Christina J. Savage) (Christina J. Savage)
(SIGNATURE) PRINT NAME

ADDRESS: 555 Capitol Mall, Suite 1425, Sacramento, CA 95814

FILING FEE:

☒ by Applicant: \$105.00 RECEIPT NO. _____

☐ by 3rd party: 60.00

FORWARDED TO CITY CLERK ON DATE OF: _____

P- 85-047

5/82

DISTRIBUTE TO -

(4 COPIES REQUIRED): MVD

HY

WW

LO

SG - (Original)

CITY PLANNING COMMISSION

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

#28

APPLICANT	Spink Corporation, P.O. Box 2511, Sacramento, CA 95811		
OWNER	Louis Pappas & Wymore Realty, c/o Spink Corp., P.O. Box 2511, Sacto., CA 95811		
PLANS BY	Spink Corporation, P.O. Box 2511, Sacramento, CA 95811		
FILING DATE	1-11-85	50 DAY CPC ACTION DATE	REPORT BY:JP:jl
NEGATIVE DEC	3-4-85	EIR	ASSESSOR'S PCL NO 031-070-60,61,62

APPLICATION: A. Negative Declaration

B. Amend 1974 General Plan from Agricultural to Residential

C. Amend 1976 South Pocket Community Plan from Interim Agriculture and Low Density Residential designations to Low Density Multiple Family

D. Rezone 18.6+ vacant acre from R-1 and A to R-2A

E. Plan Review for 279 unit apartment complex

F. Lot Line Adjustment to merge three lots into one parcel

LOCATION: Southeast corner of future Greenhaven Drive and South Land Park Drive Extensions

PROPOSAL: The applicant is requesting the necessary entitlements to develop a 279 unit apartment complex.

PROJECT INFORMATION:

1974 General Plan Designation: Residential/Agricultural

1976 South Pocket Community

Plan Designation: Low Density Residential/Interim Agricultural

Existing Zoning of Site: R-1 and A

Existing Land Use of Site: Vacant Building

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
----------------------------------	-----------	----------	----------

North: Vacant; A	Front:	25'	25'
South: Halfplex residential; R-1A	Side(St):	25'	25'
East: Interstate I-5; TC	Rear:	15'	70'
West: Vacant; R-2B	Side(Int):	5'	35'

Parking Required: 279 spaces

Parking Provided: Covered 280

Open 140

Total 420

Parking Ratio: 1.5:1

Property Dimensions: Irregular

Property Area: 18.6+ acres

Density of Development: 15 d.u. per acre

Square Footage of Units: 640-875 square feet

Significant Features of Site: Portion of site in Executive Airport EA-3 zone

Topography: Flat

Street Improvements: To be improved

Utilities: Available

Exterior Building Colors: Pastels

Exterior Building Materials: Wood and stucco

APPLC. NO. P85-047

MEETING DATE May 7, 1985

CPC ITEM NO. 4

241

BACKGROUND INFORMATION: In January of 1985 the application for the proposed 279 unit apartment complex was submitted for the subject site (Exhibit C). The proposed density of 15 dwelling units per acre was spread evenly throughout the site. At that time it was determined that the northeast 9.1+ acres of the site was located in the Executive Airport EA-3 zone, which does not allow densities over four dwelling units per acre. The Planning Director, however, has the authority to allow higher densities in an EA-3 zone if over 50% of the subject site is in a less restrictive overlay zone or not in an overlay zone. The subject parcel fell into this category and the Planning Director requested that the applicant revise the site plan to take into account the restrictions of the EA-3 zone. The applicant revised the site plan reducing the density of the northeast 9.1+ acres to 10 dwelling units per acre, increasing the density of the southwest 9.5+ acres to 19.8 dwelling units per acre and providing additional recreational facilities for the complex and landscaped areas along the southern property line (Exhibit D). The overall density of the project remains at 15 dwelling units per acre.

On March 13, 1985 an appeal of the Environmental Coordinator's determination of a negative declaration with mitigation measures was filed. The City Council heard this appeal at their April 16, 1985 meeting. The Council denied the appeal; however the Council requested that a traffic study of the potential impacts of the project on the South Pocket area and an examination of different residential land use alternatives for the subject site be made.

STAFF EVALUATION: Staff has the following comments regarding this proposal:

- A. Land Use and Zoning: The subject site consists of three vacant parcels totaling 18.6+ acres in the Agriculture (A) and Single Family (R-1) zones. Surrounding land uses include a halfplex development to the south (Park Place South), a single family development to the southwest (Heritage Place), and Interstate 5 freeway to the east. The properties to the north and west are currently vacant; however the property to the north has an approved schematic plan for office development (Greenhaven Executive Park) and a 252 unit apartment complex has been approved (Locke Ranch) for the site to the west. The General Plan and 1976 South Pocket Community Plan currently designate the portion of the site in the EA-3 zone as agricultural. This designation was originally devised when work on the comprehensive land use plan for Executive Airport was underway and a temporary designation was needed until the appropriate land designation was created. In 1982 the Executive Airport CLUP designated residential development as an appropriate use for the site. The remainder of the site is currently designated in the general and community plan as residential and low density residential, respectively.

The applicant proposes to construct a 279 unit apartment complex on the subject site to be known as Fountain Oaks. Ninety-one (91) units are proposed for the northeast portion of the site and 188 units for the southwest portion, for an overall density of 15 dwelling units per acre. The proposed multiple family use would require a community plan amendment to low density multiple family for the site.

The 1976 South Pocket Community Plan designated 140 acres for multiple family development, or 5.6% of the acreage in the community plan area. One hundred five (105) acres were intentionally clustered in specific areas on the plan map while 35 acres were provided for outside the designated multiple family areas but within 400 feet of the westerly freeway boundary line.

Staff's calculations conclude that approximately 132.5 acres in the South Pocket area have either: 1) been developed with a low density multiple family use; 2) are still designated for low density multiple family on the community plan but are as yet undeveloped; or 3) have received rezoning or site plan approval for low density multiple family but are as yet undeveloped. (Calculations exclude the Hellenic Senior Citizen Housing.)

The most substantial deviation from the recommendations found in the plan was the approval of R-2B zoning for a 544 unit apartment complex on 26.7 acres adjacent to Garcia Bend Park. According to these calculations, approximately 7.5+ "floating" acres of multiple family acreage remains in the South Pocket area. The proposed project exceeds the recommended 140 acres by approximately 11 acres.

Staff considered four alternative land uses for the subject parcel. They are:

1. Single Family 84 units, 4.5 d.u./acre. Staff does not find single family appropriate because:
 - a. the site is adjacent to and segregated by two major streets, making standard single family development difficult and undesirable;
 - b. adjacent land uses include proposed office development to the north, proposed apartments to the west and halfplexes to the south. The site is non-contiguous to a single family residential neighborhood; and
 - c. the northern portion of the site is adjacent to the elevated portion of South Land Park Drive, creating an undesirable situation for lots adjacent to this elevated road.
2. Halfplex 130 units, 7 d.u./acre. Staff finds a halfplex development to be a possible appropriate land use because:
 - a. the site is adjacent to an existing halfplex development to the south with a compatible density; and
 - b. the land use is consistent with the existing low density residential community plan designation, while still allowing a higher density than single family residential.

A potential drawback, however, could be that design and privacy problems would still exist for proposed lots abutting the elevated portion of South Land Park Drive.

3. Combination of Single Family/Halfplex and Multiple Family: Staff found this to be an inappropriate solution as the site does not lend itself to a combination of land uses. Ideally, the lower density uses should be located adjacent to the existing residential uses and the higher density residential adjacent to the approved multiple family and office uses. However, due to the location of the EA-3 zone, the higher densities would be located next to the existing residential, while the single

family or halfplex units would be located in the northeast portion of the site. Furthermore, the constraints of the site would make site plan design difficult.

4. Multiple Family 279 units, 15 d.u./acres (applicant's proposal). Staff finds that the proposed multiple family development could also be an appropriate land use for the site as:

- a. the site is located adjacent to two major streets;
- b. the proposed use is compatible with the approved office uses to the north and multiple family use to the west;
- c. a more compatible design solution with the elevated portion of South Land Park Drive can be achieved;
- d. the proposed use completes the recommended designation of 140 acres of multiple family development within the South Pocket and to have a portion of that development within the area 400 feet west of the freeway.

While the proposed project would increase the amount of multiple family acreage in the South Pocket Community Plan area to 151+ acres, staff does not find the increase to be significant as not all the approved apartment projects in the plan area met the maximum density allowed of 21 units per acre. This includes the two projects to the south of the subject site designated on the plan for multiple family at the southwest corner of Greenhaven and Rush River Drives (5.27 acres, 10.8 d.u./acre) and the east side of Greenhaven Drive, north of Pocket Road (18 acres, 14.6 d.u./acre).

- B. Traffic Consultant's Study: The traffic assessment for the proposed multiple family development on the subject site, prepared by Omni-Means Ltd., concluded that "while the proposed project will add to future traffic levels, the incremental increase to area intersections will be relatively insignificant." A summary of the traffic consultant's study is found under Exhibit I.
- C. Site Plan Design: The submitted site plan indicates a minimum 25 foot landscape setback along Greenhaven and South Land Park Drives. These landscaped area should be bermed and planted with a variety of evergreen trees and shrubs with walkways between the streets and apartment units prohibited. In addition, the South Land Park Drive slope easement should be landscaped and maintained as part of the project. A revocable permit will be required to landscape and maintain this easement. Staff finds the proposed 25 foot setback adequate.

Along the south property line a minimum 25 foot landscaped setback and building setbacks ranging from 25 feet to 100 feet are proposed. In addition, all buildings along the southern property line are proposed to be one story in height. To further insure the privacy of the adjacent halfplex units, staff recommends that evergreen trees and a six foot high solid masonry wall be located along the southern property line.

The site plan shows two entrances to the proposed project, one off of Greenhaven Drive and the second off of South Land Park Drive. The Traffic Engineering Division has indicated that the proposed South Land Park Drive entrance is unacceptable in its present location and will either have to be deleted or relocated to their satisfaction. The Traffic Engineering and Fire Departments also recommend that the driveway entrances be redesigned to allow for emergency vehicle and moving van access.

Several types of recreational facilities are included on the subject site including a swimming pool, tennis court, volleyball courts, half basketball court, recreation centers and tot lots. Staff recommends that the tot lot adjacent to South Land Park Drive be relocated to the interior of the site as a safety measure and that the volleyball court adjacent to the south property line be relocated to the interior of the site so as not to impact the adjacent residential development.

The submitted site plan does not indicate the location of trash enclosure facilities, bicycle storage facilities or signs for the proposed complex. Plans and elevations for these items shall be submitted for staff review and approval prior to issuance of building permits.

D. Building Elevations: The submitted elevations indicate two different material types: a horizontal wood siding; and a stucco and wood siding combination. (Exhibits E-) These two elevations should provide sufficient variation in design and materials throughout the 279 unit complex. The roofing and carport materials and proposed colors have not as yet been specified. These materials shall be reviewed and approved by the Planning Director prior to issuance of building permits.

E. Lot Line Adjustment: The proposed lot line adjustment to merge the three parcels was reviewed by the City Planning, Engineering, Water and Sewer, and Real Estate Divisions. There were no objections to the proposed merger. The following comments were received:

Real Estate - Pay off existing assessments. Provide new legal description.

Engineering - Monument lot lines.

Engineering also recommends that, as a condition of rezoning, the applicant pays parkland dedication fees to the satisfaction of the Community Services and the City Real Estate Departments prior to issuance of building permits.

F. Neighborhood Oposition: Residents of the residential neighborhoods to the south of the subject site have sent 237 postcards and 8 letters to staff indicating their opposition to the proposed project. The residents' major concerns appear to be the increase in density and its impacts on traffic and city services. (See Exhibit J.)

- G. Staff finds that the proposed land use is appropriate for the site and compatible with existing and approved land uses in the adjacent neighborhood. The potential impact of any traffic generated by the proposed project has been found to be relatively insignificant. The applicant has provided a variety of recreational facilities on the site and variety in building design and materials. The revised site plan will provide adequate landscaping, traffic circulation and a noise and visual buffer between the existing residences and proposed use. Staff, therefore, recommends approval of the applicant's request.
- H. Environmental Determination: The Environmental Coordinator has reviewed the proposed project and has filed a negative declaration, based upon compliance with the following mitigation measures:
- The applicant will provide a County approved noise study for the site assessing the proposed project for consistency with the 1974 City General Plan Noise Element prior to issuance of the building permit. The applicant will adhere to recommendations made in the study, with implementation required prior to issuance of occupancy permits.
 - If unusual amounts of bone, shell, or artifacts are uncovered during development, work within 50 meters of the area will cease immediately and a qualified archaeologist will be consulted to develop, if necessary, further mitigation measures before construction continues.

STAFF RECOMMENDATION: Staff recommends the following actions:

- A. Ratification of the Negative Declaration;
- B. Recommend approval of the 1974 General Plan Amendment from Agricultural to Residential;
- C. Recommend approval of the 1976 South Pocket Community Plan Amendment from Interim Agriculture and Low Density Residential to Low Density Multiple Family;
- D. Recommend approval of Rezone of 18.6+ acres from R-1 and A to R-2A, subject to conditions;
- E. Approval of the Plan Review for a 279 unit apartment complex, subject to modifications;
- F. Approval of the Lot Line Adjustment to merge three parcels by adopting the attached resolution;

Rezoning Condition

The applicant shall pay required parkland dedication fees to the satisfaction of the Community Services and the City Real Estate Departments prior to issuance of building permits.

Site Plan Modifications

1. Revised elevations indicating proposed building colors shall be submitted for staff review and approval prior to issuance of building permits.
2. Carport roofs shall have wood trim and similar colors to the residential units.
3. A six foot high solid decorative masonry wall shall be provided along the south property line and a sound wall along the eastern property line as required by the Environmental Coordinator. Plans for the walls shall be submitted for review and approval of the Planning Director prior to issuance of building permits.
4. Plans and elevations for trash enclosure and bicycle storage facilities and their locations shall be submitted for staff review and approval prior to issuance of building permits. The facilities shall conform to the attached Residential Design Criteria (Exhibit K).
5. Landscape, shading and irrigation plans shall be submitted for staff review and approval prior to issuance of building permits. Plans shall include a landscape plan for the slope easement along South Land Park Drive and a revocable permit shall be obtained. These plans shall conform to the landscape criteria of Exhibit K.
6. A sign program for the complex, including the project identification sign(s) and interior directional signs and maps, shall be submitted for staff review and approval prior to issuance of sign permits. The sign program shall conform to the attached Residential Design Criteria.
7. The future recreational complex will be similar in design and materials to the proposed residential units.
8. The applicant shall utilize the attached Residential Design Criteria for the proposed development. (Exhibit K)
9. The applicant shall comply with the requirements of the Environmental Coordinator, as outlined in Section H of the staff report.
10. *The applicant shall submit a revised site plan indicating relocation of interior driveway, northern tot lot and southern volley ball court to the Planning Director for review and approval. (staff added)*

RESOLUTION NO.

Adopted by the Sacramento City Planning Commission
on date of

APPROVING A LOT LINE MERGER FOR PARCEL B
AND PORTION OF PARCEL A 59 PM 7

(P85-047)

WHEREAS, the Planning Director has submitted to the Planning Commission a report and recommendation concerning the lot line merger for property located at the southeast corner of Greenhaven Drive and South Land Park Drive extensions; and

WHEREAS, the lot line merger has been given a Negative Declaration by the Environmental Coordinator; and

WHEREAS, the lot line merger is consistent with the 1974 City General Plan and the 1976 South Pocket Community Plan;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Sacramento:

that the lot line merger for property located at the southeast corner of Greenhaven Drive and South Land Park Drive extension, City of Sacramento, be approved as shown and described in Exhibits A and B attached hereto, subject to the following conditions:

1. Pay off existing assessments
2. Provide new legal description
3. Monument lot lines

CHAIR

ATTEST;

SECRETARY TO CITY PLANNING COMMISSION

LEGEND

- MEDIUM RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- LOW DENSITY MULTIPLE FAMILY
- COMMERCIAL - SHOPPING CENTER
- BUSINESS AND PROFESSIONAL OFFICES
- HIGHWAY COMMERCIAL
- PARK - OPEN SPACE
- MAJOR PARKWAY RECREATION NODE
- INTERMEDIATE PARKWAY RECREATION NODE
- SCHOOL
- ELEMENTARY SCHOOL
- JUNIOR HIGH SCHOOL
- SENIOR HIGH SCHOOL
- FIRE STATION
- LIBRARY
- MAJOR STREET
- COLLECTOR STREET
- ON-STREET BIKEWAYS
- OFF-STREET BIKEWAYS
- STUDY AREA BOUNDARY
- FREEWAY NOISE IMPACTED AREA

DATE: 11/11/84
DRAWN BY: J. L. BROWN
SACRAMENTO CITY PLANNING DEPARTMENT
APPROVED BY: THE SACRAMENTO CITY COUNCIL
RESOLUTION NO. 78142 ON MARCH 23, 1985

SOUTH POCKET SPECIFIC PLAN

JCB NO. 3881-011		DATE: 12-18-84		F.B. NO.		SCALE: 1"=100'		DRAWN BY: J.T.		CHECKED BY:	
TITLE: LOT 107, AIRBORNE, AND ADJACENT, POSITION OF PROPOSED											
FOUNTAIN OAKS APES, POSITION OF PROPOSED											
SECTIONS 4, 5, 6, 7											
CLIENT: J.P.I.											
ENGINEERING PLANNERS ASSOCIATES											
BRINK ENGINEERING COMPANY											
DR. NO. 1-1-1-1											

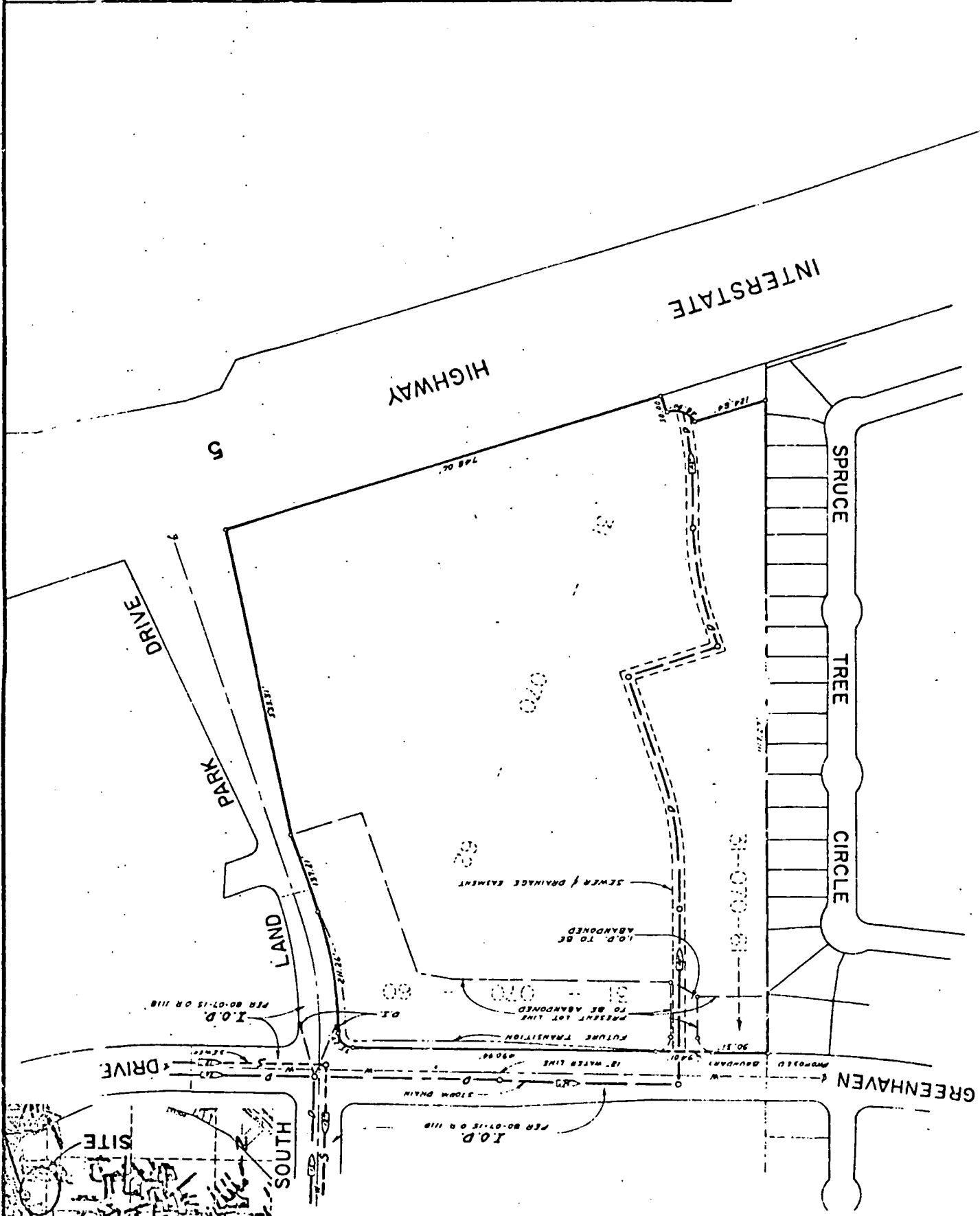
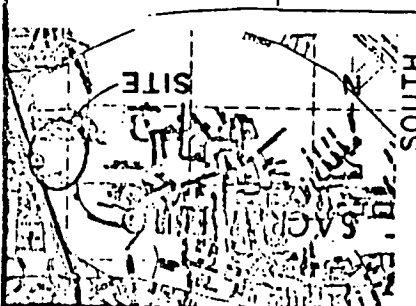


EXHIBIT A



²⁰
EXHIBIT B

LEGAL DESCRIPTION

PARCEL B AND PORTION OF PARCEL A 59 PM 7

P85-047

5-7-85

35

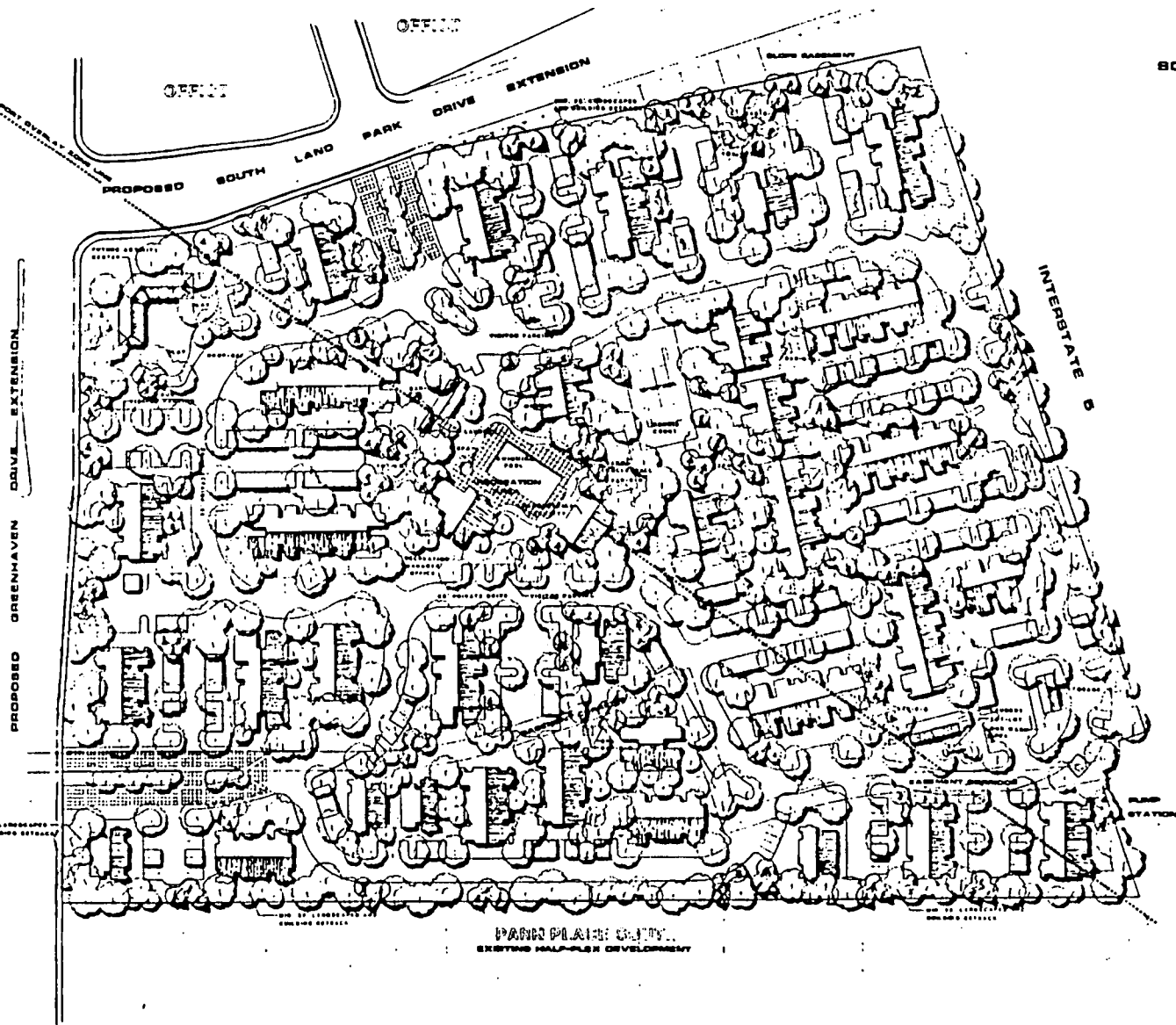
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P85-047

5-7-85

#4

36



SCHEMATIC PLAN SUMMARY

GROSS ACRES	19.6
NET ACRES	18.6
DWELLING UNITS	878
NET DENSITY	18 DU/AC

DWELLING UNIT SUMMARY

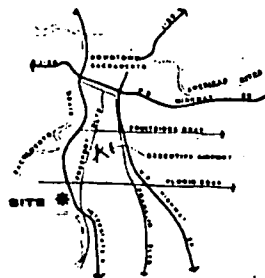
1-BD-1 BATH	60
2-BD-1 BATH	82
2-BD-2 BATH	117

REQUIRED PARKING	420
NO. OF CARPORT STALLS	280
NO. OF OPEN STALLS	140

A.P.N. 31-070-60,61 & 62

PROPOSED RECREATIONAL AMENITIES

- SWIMMING POOL
- SPAS
- TENNIS COURTS
- RACQUETBALL FACILITY
- SAND VOLLEYBALL COURT
- BARBECUE FACILITIES
- EXERCISE / WEIGHT ROOM
- TOT-LOTS
- RECREATION BUILDING



SITE LOCATION MAP

ORIGINAL SITE PLAN EXHIBIT C

SCHEMATIC SITE PLAN

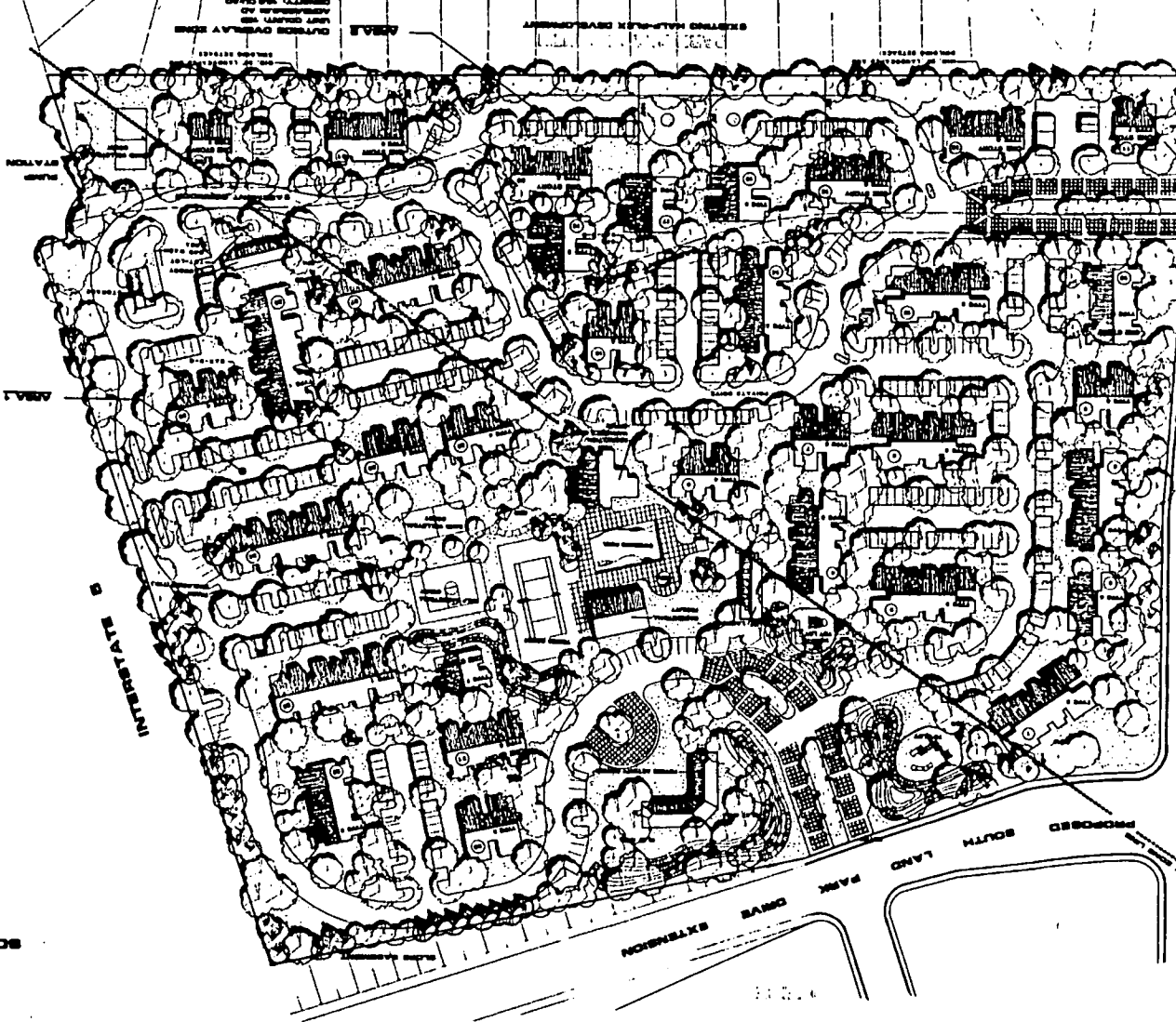
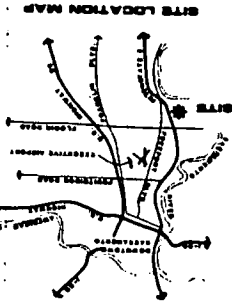
FOUNTAIN OAKS APARTMENTS



JAN 85
1

28

DWELLING UNIT SUMMARY	
15.6	CROSS ACRES
15.6	NET ACRES
15.6	DWELLING UNITS
2.75	NET DENSITY
15 DU/AC	
4.0	1-SD-1 BATH
5.7	2-SD-1 BATH
1.8	2-SD-2 BATH
8.7	REQUIRED PARKING
4.0	NO. OF CARPORT STALLS
2.0	NO. OF OPEN STALLS



PROPOSED
DISEMPOWER
ENEMY EXTENSION

NEW TRUCKS AVAILABLE

P85-047

5-7-85

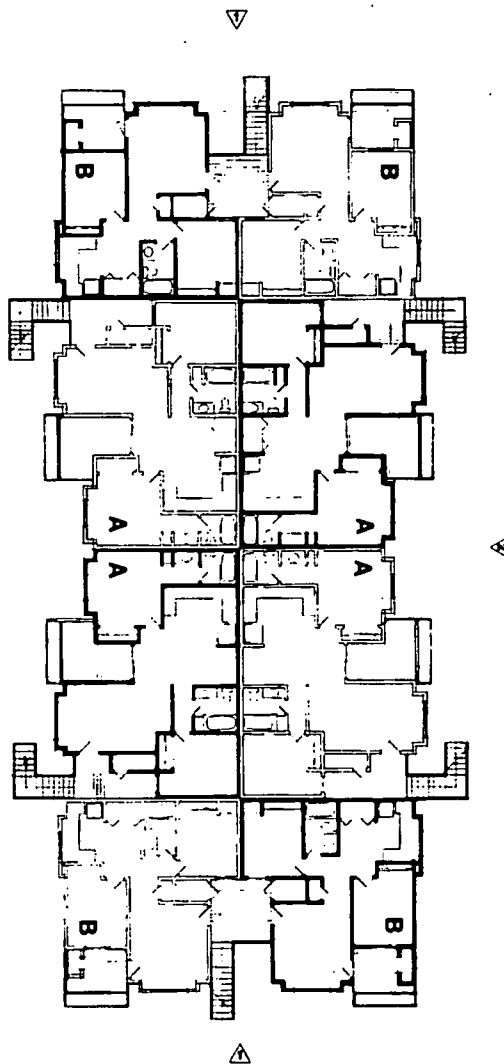
37

P85-047

5-7-85

38

#4



BUILDING 2 2nd Story Shown
SCALE: 1/8" = 1'-0"
1st Story Similar

ELEVATION 1

ELEVATION 2

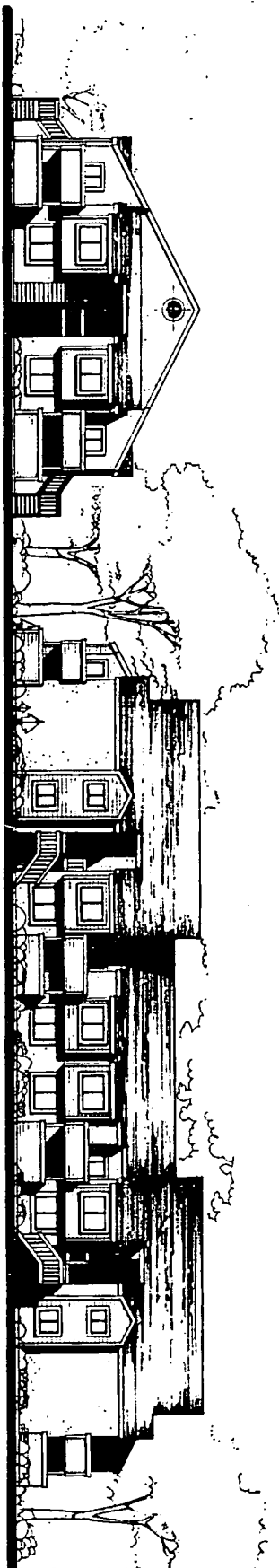


EXHIBIT E

BLDG. 2
16-PLEX

FOUNTAIN OAKS
APARTMENTS
CITY OF SACRAMENTO CALIFORNIA

SCALE 1/8" = 1'-0"



JAN 85

4

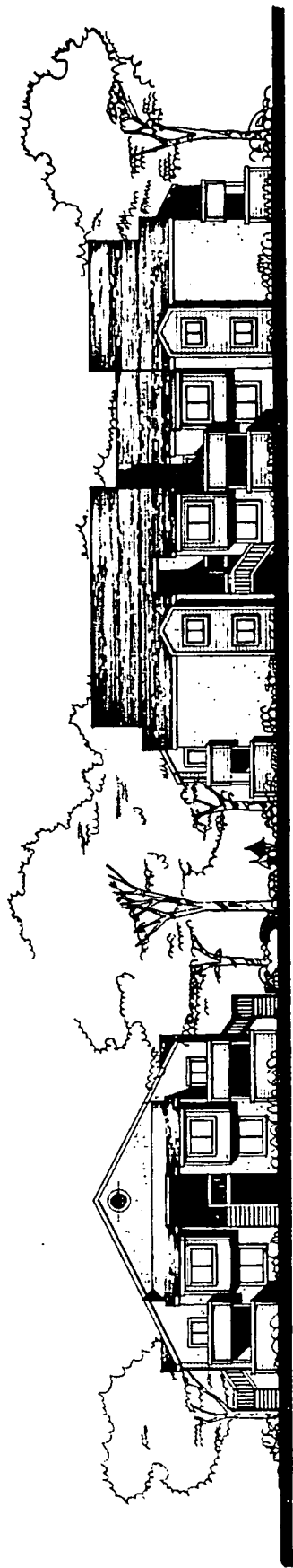
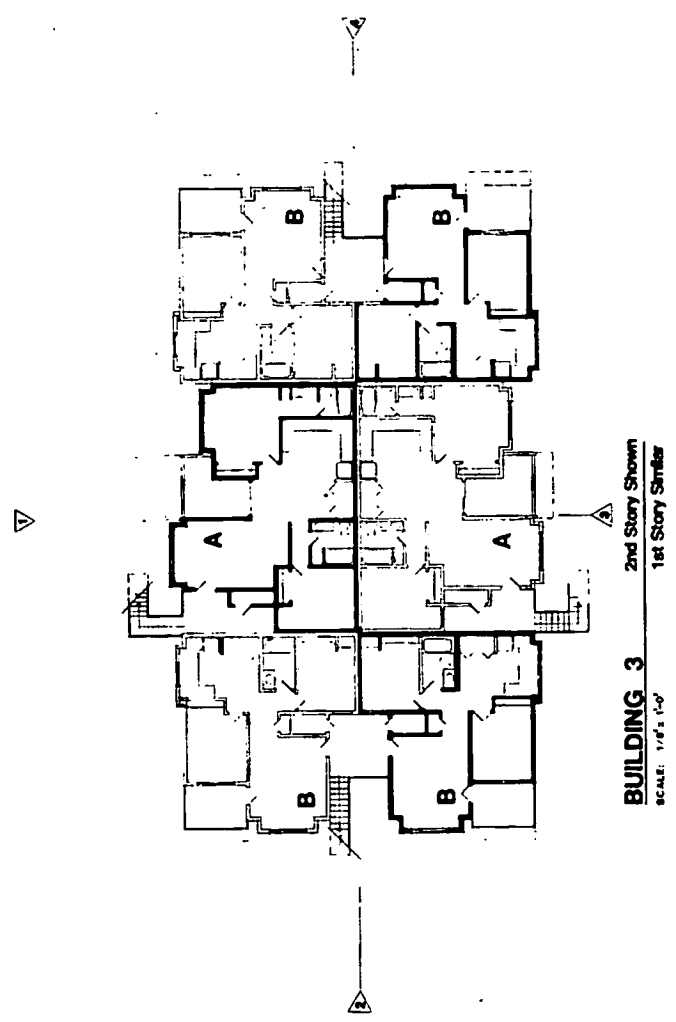
BLDG. 3
12-PLEX

FOUNTAIN OAKS
APARTMENTS
CITY OF SACRAMENTO
CALIFORNIA



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EXHIBIT F



ELEVATION 3

ELEVATION 2

P85-047

5-7-85

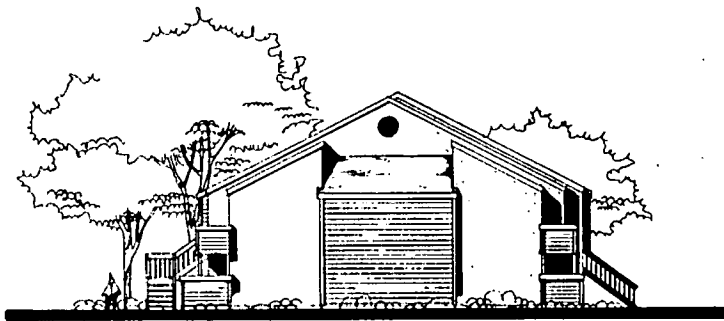
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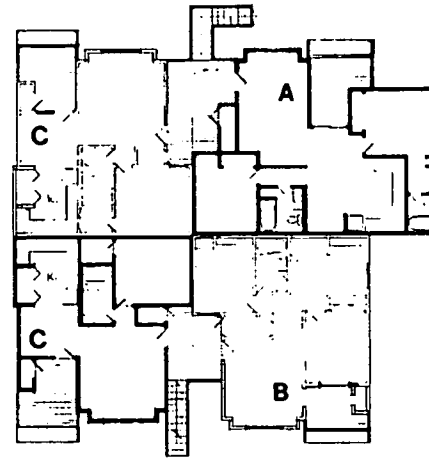
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#4



ELEVATION 1



BUILDING 4 2nd Story Shown
SCALE: 1/8" = 1'-0" 1st Story Similar



ELEVATION 2

ELEVATION 3

ELEVATION 4

BLDG. 4
8-PLEX

FOUNTAIN OAKS
APARTMENTS
CLAYTON, CALIFORNIA

SCALE IN FEET



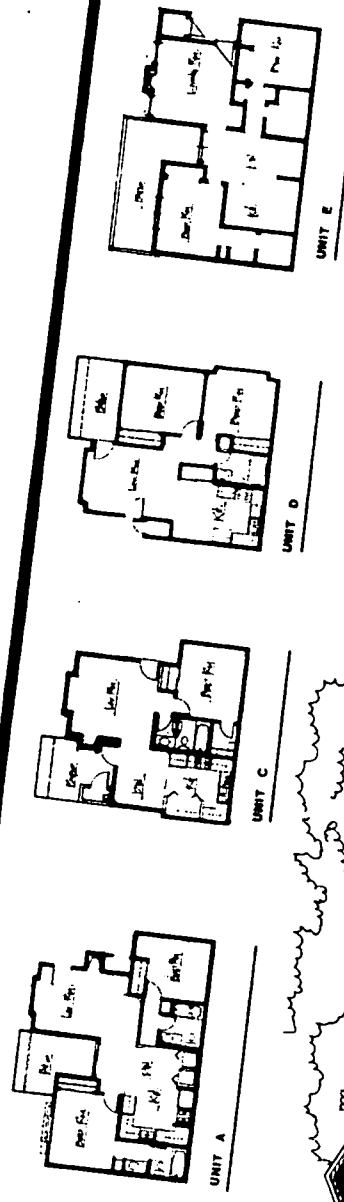
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EXHIBIT G



EXH



P85-047

5-7-85

41

#4

#28

OMNI-MEANS, Ltd.

Engineers & Planners

7509 Madison Avenue, Suite 120
Citrus Heights, California 95610
Telephone: (916) 962-2900

EXHIBIT I

May 1, 1985

Mr. Clif Carstens, Senior Planner
City of Sacramento Planning Department
927 Tenth Street, Suite 300
Sacramento, CA 95814

RE: TRAFFIC ASSESSMENT FOR FOUNTAIN OAKS APARTMENTS

Dear Mr. Carstens,

At the request of Wymore Realty, OMNI-MEANS, Ltd. has completed an assessment of the relative traffic impacts of the Fountain Oaks Apartment Development Proposal. As a part of this assessment, OMNI-MEANS, Ltd. has also prepared a preliminary update of the South Pocket Area trip generation originally developed as a part of the transportation element of the Greenhaven Executive Park E.I.R.. The text which follows summarizes our analysis and conclusions.

TRIP GENERATION. The proposed 279 Unit Apartment Development is expected to generate 1700 daily trips based on the Institute of Transportation Engineers (I.T.E.) rate of 6.1 daily trips per apartment unit. 10% of that total or 170 trips will occur during the evening peak hour (4:30-5:30). Peak hour trips will be split 66% inbound/34% outbound.

As a point of comparison, development of this property as 68 single family residential lots had been assumed in the Greenhaven E.I.R.. This single family development was expected to generate 680 daily trips. Thus the proposed development could result in an increase in site trip generation of 1020 daily trips.

Utilizing the trip distribution and assignment assumptions presented in the E.I.R., we estimate that proposed project traffic will utilize Greenhaven Drive (300 daily trips north of South Land Park Drive and 170 daily trips south of South Land Park Drive) as well as South Land Park Drive (1200 daily trips).

Reno, NV

Citrus Heights, CA

Lafayette, CA

P85-047

5-7-85 42

#4

Mr. Clif Carstens

Page Two

May 1, 1985

TRAFFIC IMPACTS. The trips generated by the proposed project should be measured against future traffic conditions. To assess future background traffic conditions, OMNI-MEANS, Ltd. reviewed approved and proposed developments in the South Pocket area and superimposed the traffic generated by those projects onto the existing base traffic presented in the Greenhaven E.I.R.. Two peak hour conditions, "existing traffic plus approved projects" and "existing traffic plus approved and proposed projects" are presented in the Attachment 1 along with estimated daily traffic volumes and trips associated with the proposed project.

For comparison, peak hour traffic predicted for buildout of the South Pocket area in the Greenhaven E.I.R. are shown in attachment 2. Comparison of these projections reveals that the development currently proposed for the area will result in greater traffic volumes than projected in the Green Haven E.I.R.

Peak hour Levels-of-Service have been estimated for five intersections in the study area under the "existing plus approved and proposed projects" condition, as shown below:

Florin Road/Greenhaven Drive	LOS "F"*
Florin Road/South Land Park Drive	LOS "D"*
Greenhaven Drive/Windbridge	LOS "C"
Greenhaven Drive/South Land Park Drive	LOS "C"
Greenhaven Drive/South Pocket Road	LOS "C"

* Assuming implementation of mitigations proposed in Greenhaven E.I.R.

Mr. Clif Carstens

Page Three

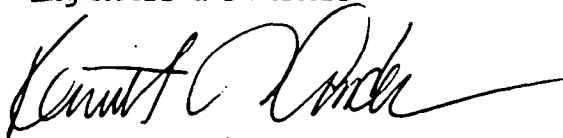
May 1, 1985

Projected Levels-of-Service remain unchanged when trips generated by the proposed project are superimposed onto the background traffic condition. Thus it appears that while the proposed project will add to future traffic levels, the incremental increase increase to area intersections will be relatively insignificant.

Please feel free to contact me if you have any questions or need further information.

Sincerely,

OMNI-MEANS, Ltd.
Engineers & Planners



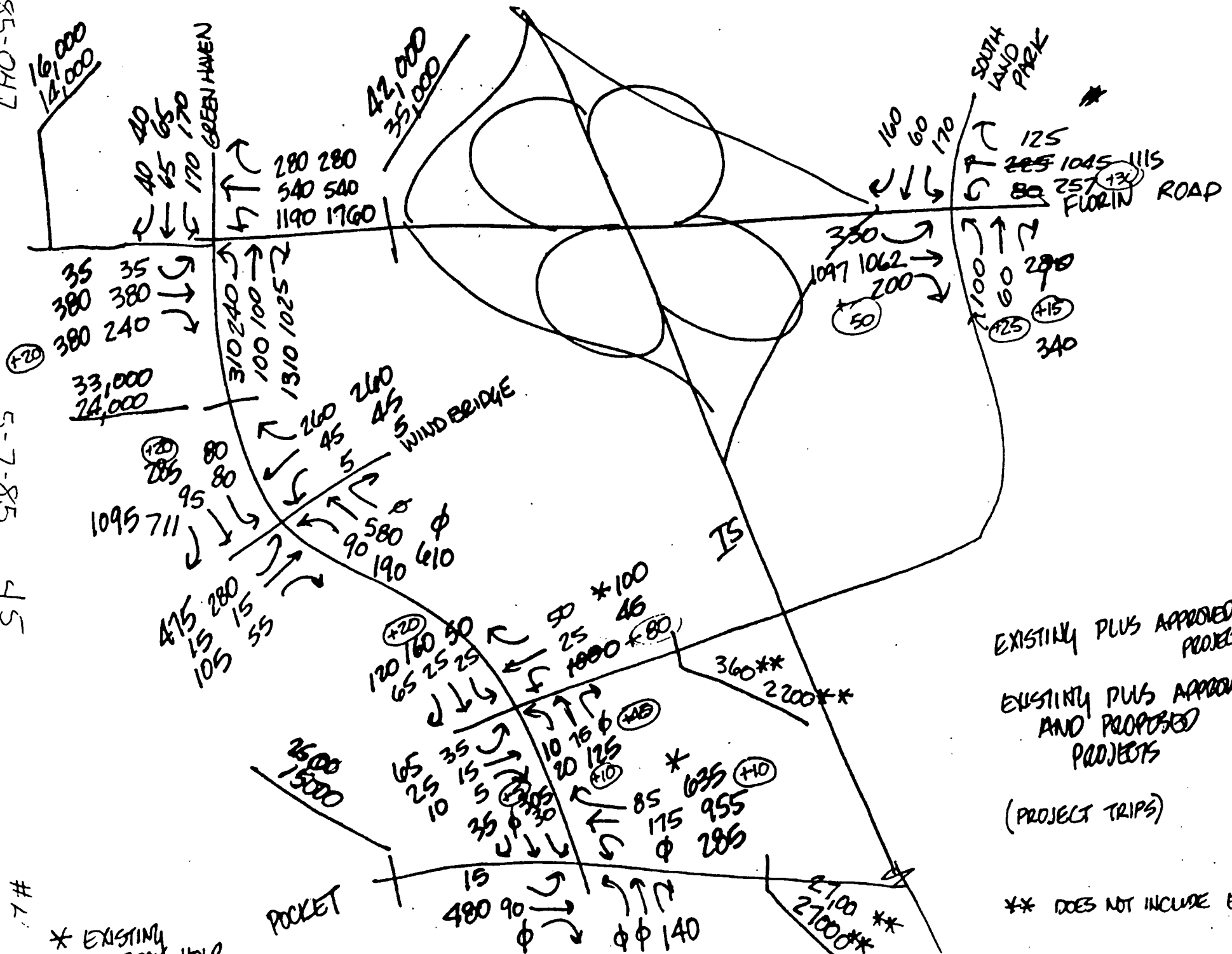
Kenneth D. Anderson
Associate

KDA:god

cc: Ed Goodwin, Wymore Realty

5-7-85 15

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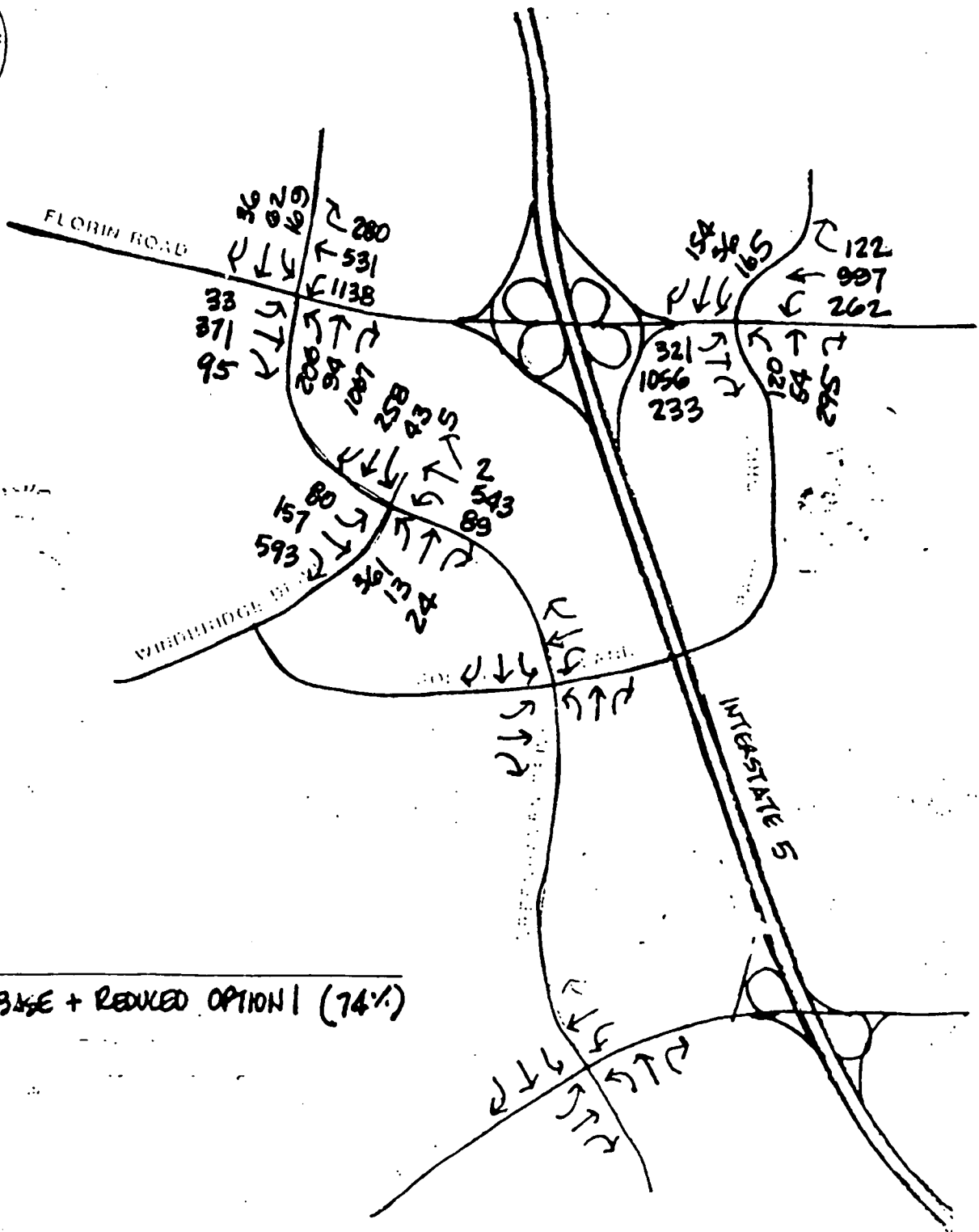
EXISTING PLUS APPROVED PROJECTS

EXISTING PLUS APPROVED
AND PROPOSED
PROJECTS

(PROJECT TRIPS)

** DOES NOT INCLUDE EXISTING

#28



KEY

1982 FUTURE BASE + REDUCED OPTION 1 (74%)

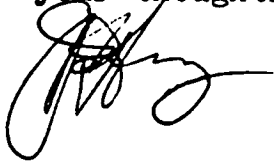
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#28
EXHIBIT J

Gentlemen:

~~Gentlemen:~~

As a resident of the South Pocket area, I strongly oppose the P85-047 rezoning amendment which you are reviewing and urge you to oppose it as well. Recent rezoning has greatly increased the population density of this area and will certainly have an adverse effect on traffic, city services, etc. To add to the problem is not in the best interest of this community. Please give the residents' concerns your thoughtful consideration.



JOHN + JUDY CAFFEY

7652 ROMAN OAK WAY

Sacramento, CA 95831

Staff has received 237 postcards (see above) and 8 letters
(see attached) in opposition to the proposed project.

March 6, 1985

Dear Councilmembers -

This is in regards to the
Greenhaven/Pocket Area - South
Park Place Re-zoning.

I have lived in the
Southland Park / Greenhaven
area for 34 yrs & decided
to purchase a home in
Park Place South last yr.
Lee Basford's office assured
me no apartments would
be built behind me.
I know he could care
less about us & so could
you, but this is the 1st
piece of real property
I've ever purchased &
now my neighborhood is
going to change for the
worse. I've tried to sell,
& the people who have
looked want to know what



is going to be built over
the fence. How can I live
like everyone else & live
with myself. No one wants
to live w/ so many apart-
ments around them.

Enough is enough. This is
not the way it was supposed
to be when I bought her.
I'm very upset. CURRENT PUPS Nicole
Current, Inc. Contarini
COLORADO SPRINGS COLORADO

Re: P-85 #28 JMS

CITY PLANNING DEPARTMENT

MAR 7 1985

RECEIVED

City of Sacramento Planning Dept.
927 - 10th Street
Suite 300
Sacramento, Ca. 95814

March 6, 1985

Re: Greenhaven/Pocket Area

Dear Councilmembers:

I purchased my home in the Greenhaven/Pocket area in October 1984 (Lee Basford subdivision - South Park Place).

We were told by the realtor that there would be single family homes built behind us in the future or possibly offices (not stores).

Needless to say, we have felt cheated and lied too. If we had known that so many apartments were going to be built around us we would never have bought where we did. We are extremely frustrated and bitter about the rezoning and impending apartment construction. This has definitely decreased our home/area value.

Have you ever been to the Greenhaven/Pocket area? We feel very protected and secure. (Or maybe I should say, have felt so in the past). What does our future hold now?

Please, at least, come and take a look at our area/neighborhood. I get home at 5:30 pm and am home on weekends. You have my personal invitation to stop by my home at any of the above times and I will be more than happy to talk with you and/or give you a personal tour of the neighborhood. I would even be willing to take off work to accomodate you.

I realize our problems are not your problems, but please won't you help us keep our neighborhood in the condition in which we were guaranteed it would stay when we purchased it?

Patrick G. Neill
Patrick Neill
1201 Spurge Tree Circle
Sacramento, Ca. 95831
916-427-5721

P85-047

5-7-85

50

#4

P85-047

March 7-1985

Planning Commission -

I would like you to truly consider and understand my (and all neighbors) intense opposition regarding the proposed development, Fountain Oaks P-85047.

5-7-85 51

Just that it remains a single story development due to the traffic and circulation problems it would incur.

Second the low density as a requirement by the City. Do consider our intense opposition and concern!

Sincerely -
Julie Schauer
1137 Spruce Tree Circle
Sacramento, Calif 95831
P.O. Box 1000

#4

Do see that this and any message like it reach - before the March 14th hearing!
Larry Acquisti (Chairman),
William Samuel, Chris Hunter,
Judy Simpson, Brian Hocking,
Jack Ramer, James Long,
Lila Lario and Marty Van
Dyke - Planning Director.

CITY PLANNING DEPARTMENT
MAR 11 1985
RECEIVED

#28

March 7, 1985

Attention: City Planning Commission.

Special Attention: Marty Van Duyn, Planning Director.

Re: Proposed amendment 1978 South Pocket Community Plan
Project: P 84-425

From Edythe and Ronald Shewfelt, 1211 Spruce Tree Circle,
Sacramento, Ca. 95831. Tel. 392-2737.

Our property is one inch from the proposed Fountain Oaks
apartment development.

We are seventy years of age and retired. We purchased this home
in May 1984. We were assured that the vacant area behind our
home was zoned for single family, one-story homes and that a
plan for an area similar to Park Place South would be the
logical development. We learned that such a plan in fact had
already been presented to the Commission. We are now presented
with an entirely different plan and the request for re-zoning.

We believe that a development like Park Place South is an
asset to Sacramento housing programs and that this type of
community should be encouraged.

If the proposed change is adopted, we will be surrounded by
apartments, which tend to decrease the stability of the neigh-
borhood. It will definitely increase the human population
density of the area leading to traffic changes, increased City
service usage and an increase in exposure of people to potent-
ial health hazards through the noise impact from I-5 and the
increased danger from the fly-over of planes to Executive
Airport. (From observation the fly-over pattern shown on the
proposed plan appears to be incorrect in the patterned line
of flight.)

The original plan for single family homes, controlled by a
home-owners association, would in the long-term, prove a
distinct advantage for the future in the housing of this
area.

We ask your support in defeating this amendment when it is
presented to you for vote.

Thank you.

CITY PLANNING DIVISION
MAR 12 1985
RECEIVED

signed

Ronald Shewfelt
Edythe L. Shewfelt

P85-047

5-7-85

52

#1

#28

Date: March 10, 1985

To: Mr. Marty Van Duyn
c/o City Planning Commission
927 10th St. Suite 300
Sacramento, Ca. 95814

CITY PLANNING DEPARTMENT

MAR 13 1985

RECEIVED

From: Stephen and Judy Prey
1172 Spruce Tree Circle
Sacramento, Ca. 95831

Dear Mr. Van Duyn:

We are writing you in regards to your up and coming hearing on the Fountain Oaks (P-85047) Project, scheduled for March 14, 1985. We would like to give you our input to that proposed project from a private citizens point of view.

When my wife and I were looking to buy a house in the Sacramento area we carefully reviewed all community plans within the city and county boundaries. We were looking for a community plan that reflected well thought out concepts of community design. Highway access, shopping centers, public services, and a wise mix of housing (ranging from large single family homes to multi-family two-story structures). We feel that a well balanced neighborhood satisfies all housing needs in for the citizens of Sacramento.

We picked the South Pocket area for that very reason. All Planning maps showed a mix of housing that did not load any one area with an abnormal balance of multi-family structures in any of the new developments, under construction in 1982.

Lately, however, we have seen a major shift away from the plan throughout the South Pocket. It seems that the local developers who see a quick way to make a dollar, at the expense of the citizens who have made a commitment to build a community, are selling their land to out of town builders (with no interest in Sacramento Civic Planning). These builders are then requesting changes be made in the Plan so they can build high density housing "for the good of the community" and their pockets.

Our concern would not be so great if this were the only multi family housing complex to be proposed for this area. However, in looking at the existing plans of builders already approved for this area and those unofficial plans of other developers (if Fountain Oaks is approved) will turn this section of Greenhaven into apartment row. Thus, surrounding the existing Single Family Homes in a sea of high density housing. By stopping this development now and not allowing the area to be developed beyond 10 to 13 units per acre you will send a signal to all developers that the South Pocket Plan is still a valid plan.

P85-047

5-7-85

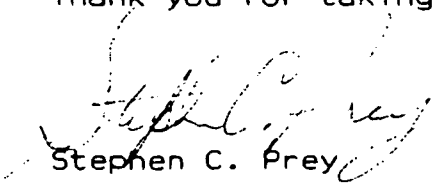
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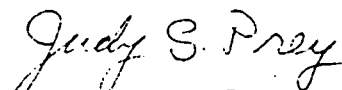
If you approve the project, every contractor and developer will know that the Pocket Plan (for single family homes) is no longer valid and it will be open season on variations to the Plan, with no concern for the protection of the citizens who already live in the area. We do not want this area to become another area like 43rd and Riverside.

Please vote no on the Fountain Oaks Project when it comes up for its hearing.

Thank you for taking the time to read this letter:



Stephen C. Prey



Judy S. Prey

CITY PLANNING DEPARTMENT
MAR 13 1985
RECEIVED

#28

March 11th, 1985
Sacramento, Calif.

Ref. Proposed Development
Fountain Oaks - P85047

Dear Mr. Van Duyn:

We would appreciate your consideration and not approve the above mentioned proposed plan of single and two-story apartments, because of the high density in this area, traffic and circulation problems it would create.

We live ON Spruce Tree Circle and we were told when we purchased our home the above property directly in back of us was to be developed for single family homes. This is one of the reasons we decided to buy in this area (Park Place South.)

Our hope is that you as a Planning Commissioner Member will give this considerable thought and favor us in your decision.

Thanking you, we are

Sincerely,

George L. Mitchell
Mrs. George L. Mitchell

1163 Spruce Tree Circle
Sacramento, Calif. 95831

P85-047

5-7-85

55

#4

VIRGINIA LOEBER HOTCHKIN
Licensed Real Estate Broker
1168 Rose Tree Way
Sacramento, CA 95831

March 11, 1985

Planning Commission Member
927 - 10th Street, Suite 300
Sacramento, CA 95814

Dear Member of the Sacramento City Planning Commission:

Very recently I moved here from the bay area and purchased a home for retirement at 1168 Rose Tree Way, Park Place South, Sacramento, 95831. This area, called the "Pocket Area" is ideal for single family residences, or other low density uses, however, being surrounded by the Sacramento River on one side and Interstate 5 Freeway on the other makes Sacramento's "Pocket Area" unsuited for high density development.

In my opinion, and that of my neighbors, with whom I've discussed the proposed development plan #P85047, entitled, Fountain Oaks'; approval of the plan would be a tragic mistake! Please, Planning Commissioner, do not consider making this mistake!

Please, not for any reason, not for low interest bonds or assessments available to builders, not because of pressures from developers, or, any other short term apparent benefit to the City.

Let us plan ahead for the benefit of the entire City of Sacramento. Think parks! Create a green belt along the river, enlarge Garcia Park by purchase.

Let us welcome people of all ages and economic position, let children be welcome here. Please plan for them.

Make bike paths, single story living units. Have low density a city requirement. Think family! Avoid creating circulation and traffic problems in this green belt alongside the Sacramento River.

You may contact me at 395-2396.

Very truly,

Virginia Loeber Hotchkin

Virginia Loeber Hotchkin
Real Estate Broker (#0042138)
Subdivider of 175 acres in
Fairfax, Marin County

cc: Mr. Larry Augusta, Chair Mr. William Ishmael Ms. Chris Hunter
 Mr. Brian Holloway Mr. Frank Ramirez Ms. Sandy Simpson
 Ms. Lila Farris Mr. James Fong
 ✓ Mr. Marty Van Duyn, Planning Director

P85-047

5-7-85

56

#4

MAR 12 1985

RECEIVED

7519 Maple Tree Way
Sacramento, CA 95831

Dear Members of the Planning Committee

This is to oppose the proposed development, Foundation Oaks P-85047 that is planned for the Pocket Road and I-5 area.

We purchased our home in Feb. 1984 because of the aesthetic of the area, i.e., all the home were similar and of one story construction. They then built two story home to the south. (There were already two story homes to the northwest.)

Now with the proposed Foundation Oaks, there would be two story homes to the northeast. And with the existing freeway wall to the east, we will be surrounded by tall structures - completely blocking any view.

Sensible planning should insure buildings of similar design in an area - not with pockets of low structures. Many cities now require zoning for air space also.

Add to this the increased density and the exit from Greenhaven Drive to Pocket Road will become impossible.

Pocket Road has a curve both East and West of Greenhaven, and it is already dangerous, at times, to enter Pocket Road. Certainly a four way stop sign or traffic signal will soon be needed.

In short, we are strongly opposed to your zoning which will allow Foundation Oaks.

Sincerely,

Alotta Thomas 5-7-85
J. Douglas Thomas

P85-047

MULTIFAMILY RESIDENTIAL DESIGN CRITERIA
P85-047

A. GENERAL BUILDING DESIGN AND ORIENTATION

1. Large multi-family projects (exceeding 100 units) shall incorporate design variation within the project to create a sense of uniqueness and individuality. Large complexes using the same building design, materials, and colors should be avoided.

Design elements which achieve these objectives include: separate clustering of building groups with extensive open-space and landscape buffering between projects; variation in building elevations and configurations between projects; variation in building heights; use of different building materials or combination of different materials; contrasting color schemes between projects.

2. All mechanical equipment (including public utility boxes and particularly exterior wall mounted air conditioning units) shall be attractively screened.
3. Accessory structures shall be compatible in design and materials with main building.
4. Solar heating and cooling of units shall be achieved to the maximum extent possible.
5. Roofing materials shall be medium wood shake or shingle, or equivalent aluminum, concrete, tile, or other imitation shakes, subject to Planning Director approval.
6. A minimum building setback of 50 feet shall be utilized on multiple family projects from interior and rear property lines abutting existing or future low density residential developments where two story structures are proposed. A minimum setback of 25 feet shall be required where single story structures in multiple family projects abut existing or future low density development.

B. OFF STREET PARKING DESIGN CRITERIA

1. Off-street parking shall be provided at a ratio that adequately serves the needs of tenants and guests. The minimum ratio shall be 1.5 to 1 (this ratio may be reduced for projects designed strictly for the elderly) of which a minimum 1:1 shall be covered parking. Six foot decorative masonry walls are required on interior property lines between parking lot areas and existing or proposed residential development. The design and materials used for covered parking structures shall be compatible to the main building structures.
2. For the convenience of tenants and guests, and to encourage the use of off-street rather than curbside parking and parking along

private drives, parking spaces shall be located as close as possible to the unit or communal facility it is intended to serve.

3. To discourage parking on the street and along private on-site drives, physical barriers such as landscaping, berming, or wall segments shall be incorporated into the project design.
4. Off-street parking shall be screened from the street by undulating landscaped berming with a minimum four foot height (as measured from either the parking surface or street sidewalk, whichever is higher).
5. Surface parking areas and carport roofing shall be screened from second story units by trees or lattice and trellis work.
6. The project shall comply with the 50% shading of surfaced areas requirement of the Zoning Ordinance.
7. Evergreen trees shall be used for screening purposes along the perimeter of the parking areas.
8. Particularly within large open lots, deciduous trees should be utilized to provide summer shading and winter sun.
9. There shall be a ratio of at least one tree for every five parking spaces planted throughout or adjacent to open and covered parking areas. Rows of parking stalls, either open or covered, shall be broken up by a tree planting approximately every 10 spaces.
10. The parking stall depth shall be reduced by two feet.
 - a. The two feet gained shall be incorporated into adjacent landscaping or walkways.
 - b. For angled parking the triangular space at the head of each stall shall be landscaped (as a planter when abutting a sidewalk or incorporated into adjacent landscaped strips).

C. ON-SITE CIRCULATION

1. Minimum pedestrian/vehicle conflict should be sought in driveway/walkway system design.
2. A display and unit location map shall be installed at each major driveway entrance and any major walkway entrance to the project as an aid to emergency personnel and a convenience to visitors. An auto turnout lane shall be provided adjacent to directory map to eliminate blocking of driveway entrance.
3. Walkway location shall assure convenient access between parking and dwelling units.
4. Central pedestrian/bikepaths shall provide convenient access to bus stops, green belts and public facilities.

5. Pedestrian crossings shall be provided at appropriate locations along main drives and shall be accentuated by a change in surface textures.
6. Walkway connections between buildings and street sidewalks are discouraged if they encourage on-street parking by residents.

D. BICYCLE STORAGE

1. One bicycle parking facility is required for every ten (10) off-street parking spaces required, excluding developments which provide individual enclosed garages.
2. Fifty percent (50%) of the required bicycle parking facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.
3. Bicycle racks and lockers shall be provided throughout the development.

E. LANDSCAPING AND OPEN SPACE

1. Landscape materials selected shall be:
 - a. Compatible with one another and with existing material on the adjacent site.
 - b. Complimentary to building design and architectural theme.
 - c. Varied in size (one and five gallon shrubs, five and 15 gallon, and 24 inch box trees).
2. Landscape treatment shall include:
 - a. The major treatment for all setback areas shall be lawn and trees. At least 75% of the ground cover treatment within landscaped areas within the entire project shall be lawn. Lawn areas shall be established by sodding or hydromulching when conditions such as excessive gradient, anticipated seasonal rain, etc., may result in erosion or other problems.
 - b. Larger specimens of shrubs and trees along the site periphery, particularly along setback areas adjacent to public streets.
 - c. Greater intensity of landscaping at the end of buildings when those elevations lack window and door openings or other details that provide adequate visual interest. This is especially significant at the street frontage and interior side and rear property lines and for two story structures.
 - d. Consistency with energy conservation efforts.

- e. Trees located so as to screen parking areas and private first floor areas and windows from second story units.
- f. Undulating landscaped berms located along street frontage and achieving a minimum height of four feet measured off of the street sidewalk or the adjacent building pad or parking lot, whichever is higher.
- g. Deciduous trees shall be utilized along the south and west facing building walls to allow solar access during the winter.
- h. For crime deterrent reasons, shrubs planted below first floor windows should be of a variety which has thorns and/or prickly leaves.
- i. Large growing street trees (preferably deciduous) shall be planted within the landscape setback areas adjacent to all public streets as a means of reducing outdoor surface temperatures during summer months and to provide a visual buffer between the units and public street.

3. Landscaping of parking areas is discussed in Section B.

F. TRASH ENCLOSURES

- 1. The walls of the trash enclosure structure shall be constructed of solid masonry material with decorative exterior surface finish compatible to the main residential structures. Split face concrete block finish is recommended. Brick or tile veneer exterior finish should be avoided.
- 2. The trash enclosure structure shall have decorative heavy gauge metal gates and be designed with cane bolts on the doors to secure the gates when in the open position.
- 3. The trash enclosure facility shall be designed to allow walk-in access by tenants without having to open the main enclosure gates.
- 4. The walls shall be a minimum six feet in height, more if necessary for adequate screening.
- 5. The perimeter of the trash enclosure structure shall be planted with landscaping, including a combination of shrubs and/or climbing evergreen vines.
- 6. A concrete apron shall be constructed either in front of the trash enclosure facility or at point of dumpster pickup by the waste removal truck. The location, size and orientation of the concrete apron shall depend on the design capacity of the trash enclosure facility (number of trash dumpsters provided) and the direction of the waste removal truck at point of dumpster pickup.

The minimum demensions of the concrete apron for a single, cubic yard dumpster shall be: width 10' or width of enclo facility; length 20'. Larger trash enclosure facilities sh require a larger concrete apron, subject to the approval of City Building Inspections Division Building Technicians (P Checker).

Paving material shall consist of 5" aggregate base rock and portland cement paving.

7. The enclosures shall be adequate in capacity, number, ar distribution.

G. SIGNAGE

A project identification sign is permitted at each major entrance into complex. The sign shall be a monument type located outside the requir setback or incorporated into a low profile decorative entry wall(s) planter. The height of the monument sign shall not exceed six feet.

The primary material of the monument base or wall shall be decorativ masonry such as brick, split face concrete block, stucco or simila material which complements the design of the main buildings.

Individual letters and project logo are permitted. The signage program shall comply with the City Sign Ordinance be subject to the review and approval of the Planning Director.

H. PERSONAL SAFETY DESIGN CRITERIA

Ordinance No. 84-056 relating to personal safety building code requirements has been adopted by the City Council on June 19, 1984. This ordinance applies to all residential building project including apartments and condominiums.

The building code requirements relate to: minimum outdoor lighting standards, addressing and project identification, door locking standards, etc.

A copy of this ordinance may be obtained from the City Building Inspections Division.



CITY OF SACRAMENTO

RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO

MAY 16 8 43 AM '85

28
(3)

CITY PLANNING DEPARTMENT

927 TENTH STREET
SUITE 300

SACRAMENTO, CA 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

May 14, 1985

City Council
Sacramento, California

APPROVED
BY THE CITY COUNCIL

MAY 21 1985

OFFICE OF THE
CITY CLERK

Honorable Members in Session:

SUBJECT: Rezone from Single Family, R-1 and Agricultural, A to Garden
Apartment, R-2A zone.

LOCATION: Southeast corner of Greenhaven and South Land Park Drives

SUMMARY

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

BACKGROUND INFORMATION

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 May 28, 1985.

Respectfully submitted,

PASSED FOR
PUBLICATION
& CONTINUED
TO 5-28-85

Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION

WALTER J. SLIPE
CITY MANAGER

MVD:lao
attachments
P85-047

PEP DATE:
HEARING DATE:
FINAL COUNCIL ACTION DATE:

May 21, 1985
District No. 8

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 SOUTH-
 EAST CORNER OF GREENHAVEN AND SOUTH LAND PARK DRIVES
 FROM THE SINGLE FAMILY, R-1 AND AGRICULTURAL, A
 _____ ZONE(S)
 AND PLACING SAME IN THE GARDEN APARTMENT,
 R-2A _____ ZONE(S)
 (FILE NO. P-85-047) (APN: 031-070-60,61,62)

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 Single
 Family, R-1 and Agricultural, A _____ zone(s),
 established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed
 from said zone and placed in the Garden Apartment, R-2A
 _____ 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 May 7, 1985, on file in the office of the Planning Depart-
 ment, 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

P85-047

LEGAL DESCRIPTION

PARCEL B AND PORTION OF PARCEL A 59 PM 7

P85-047

Appeal of Christina Savage vs. City)
of Sacramento Planning Commission's)
denial of various requests for the)
property located at southeast corner)
of Greenhaven and South Land Park)
Drives (P85-047))

Notice of Decision
and
Findings of Fact

At its regular meeting of June 18, 1985, the City Council heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Council approved the appeal based on the following Findings and subject to the following Site Plan Review Modifications:

Findings of Fact

1. The project, as conditioned, is based upon sound principles of land use in that the proposed two-family and multiple-family development is compatible with surrounding land uses.
2. The project, as conditioned, will not be detrimental to the public health, safety or welfare, or result in the creation of a nuisance in that adequate building setbacks, parking and landscaping have been provided.
3. The project is consistent with the 1974 General Plan and 1976 South Pocket Community Plan which designate the site for Residential and Low Density Multiple-Family uses, respectively.

Site Plan Review Modifications and Conditions

1. Revised elevations indicating proposed building colors shall be submitted for staff review and approval prior to issuance of building permits.
2. Carports shall have wood trim and similar in color to the residential units.
3. A sound wall shall be provided along the eastern property line as required by the Environmental Coordinator. Plans for the walls shall be submitted for review and approval of the Planning Director prior to issuance of building permits.
4. Plans and elevations for trash enclosure and bicycle storage facilities and their locations shall be submitted for staff review and approval prior to issuance of building permits. The facilities shall conform to the attached Residential Design Criteria (Exhibit K).

5. Landscape, shading and irrigation plans shall be submitted for staff review and approval prior to issuance of building permits. Plans shall include a landscape plan for the slope easement along South Land Park Drive and a revocable permit shall be obtained. These plans shall conform to the landscape criteria of Exhibit K.
6. A sign program for the complex, including the project identification sign(s) and interior directional signs and maps, shall be submitted for staff review and approval prior to issuance of sign permits. The sign program shall conform to the attached Residential Design Criteria.
7. The future recreational complex will be similar in design and materials to the proposed residential units.
8. The applicant shall utilize the attached Residential Design Criteria for the proposed development. (Exhibit K)
9. The applicant shall comply with the requirements of the Environmental Coordinator, as outlined in Section H of the Planning Commission staff report.
10. The ten two-family (20 units) structures shall:
 - a. have enclosed backyard areas with side fences;
 - b. be constructed out of horizontal wood siding with wood shake roofs. A brick trim shall be incorporated into the design of some of the structures;
 - c. utilize a variety of building colors compatible with the adjacent Park Place South development.
 - d. have enclosed garages.
11. Four of the two-family structures (8 units) shall be a minimum of 1200 square feet and include two car garages. This includes the structure closest to Greenhaven Drive.

MAYOR

ATTEST:

CITY CLERK

P85-047

JUN 24 2 34 PM '85

AMENDED 6/18/85

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 - d. have enclosed garages.
 - e. be built to standard for halfplex units
11. Four of the two-family structures (8 units) shall be a minimum of 1200 square feet and include two-car garages. This includes the structure closest to Greenhaven Drive.

MAYOR

ATTEST:

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P85-047

EXHIBIT K

MULTIFAMILY RESIDENTIAL DESIGN CRITERIA P85-047

A. GENERAL BUILDING DESIGN AND ORIENTATION

1. Large multi-family projects (exceeding 100 units) shall incorporate design variation within the project to create a sense of uniqueness and individuality. Large complexes using the same building design, materials, and colors should be avoided.

Design elements which achieve these objectives include: separate clustering of building groups with extensive open-space and landscape buffering between projects; variation in building elevations and configurations between projects; variation in building heights; use of different building materials or combination of different materials; contrasting color schemes between projects.

2. All mechanical equipment (including public utility boxes and particularly exterior wall mounted air conditioning units) shall be attractively screened.
3. Accessory structures shall be compatible in design and materials with main building.
4. Solar heating and cooling of units shall be achieved to the maximum extent possible.
5. Roofing materials shall be medium wood shake or shingle, or equivalent aluminum, concrete, tile, or other imitation shakes, subject to Planning Director approval.
6. A minimum building setback of 50 feet shall be utilized on multiple family projects from interior and rear property lines abutting existing or future low density residential developments where two story structures are proposed. A minimum setback of 25 feet shall be required where single story structures in multiple family projects abut existing or future low density development.

B. OFF STREET PARKING DESIGN CRITERIA

1. Off-street parking shall be provided at a ratio that adequately serves the needs of tenants and guests. The minimum ratio shall be 1.5 to 1 (this ratio may be reduced for projects designed strictly for the elderly) of which a minimum 1:1 shall be covered parking. Six foot decorative masonry walls are required on interior property lines between parking lot areas and existing or proposed residential development. The design and materials used for covered parking structures shall be compatible to the main building structures.
2. For the convenience of tenants and guests, and to encourage the use of off-street rather than curbside parking and parking along

private drives, parking spaces shall be located as close as possible to the unit or communal facility it is intended to serve.

3. To discourage parking on the street and along private on-site drives, physical barriers such as landscaping, berming, or wall segments shall be incorporated into the project design.
4. Off-street parking shall be screened from the street by undulating landscaped berming with a minimum four foot height (as measured from either the parking surface or street sidewalk, whichever is higher).
5. Surface parking areas and carport roofing shall be screened from second story units by trees or lattice and trellis work.
6. The project shall comply with the 50% shading of surfaced areas requirement of the Zoning Ordinance.
7. Evergreen trees shall be used for screening purposes along the perimeter of the parking areas.
8. Particularly within large open lots, deciduous trees should be utilized to provide summer shading and winter sun.
9. There shall be a ratio of at least one tree for every five parking spaces planted throughout or adjacent to open and covered parking areas. Rows of parking stalls, either open or covered, shall be broken up by a tree planting approximately every 10 spaces.
10. The parking stall depth shall be reduced by two feet.
 - a. The two feet gained shall be incorporated into adjacent landscaping or walkways.
 - b. For angled parking the triangular space at the head of each stall shall be landscaped (as a planter when abutting a sidewalk or incorporated into adjacent landscaped strips).

C. ON-SITE CIRCULATION

1. Minimum pedestrian/vehicle conflict should be sought in driveway/walkway system design.
2. A display and unit location map shall be installed at each major driveway entrance and any major walkway entrance to the project as an aid to emergency personnel and a convenience to visitors. An auto turnout lane shall be provided adjacent to directory map to eliminate blocking of driveway entrance.
3. Walkway location shall assure convenient access between parking and dwelling units.
4. Central pedestrian/bikepaths shall provide convenient access to bus stops, green belts and public facilities.

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5. Pedestrian crossings shall be provided at appropriate locations along main drives and shall be accentuated by a change in surface textures.
6. Walkway connections between buildings and street sidewalks are discouraged if they encourage on-street parking by residents.

D. BICYCLE STORAGE

1. One bicycle parking facility is required for every ten (10) off-street parking spaces required, excluding developments which provide individual enclosed garages.
2. Fifty percent (50%) of the required bicycle parking facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.
3. Bicycle racks and lockers shall be provided throughout the development.

E. LANDSCAPING AND OPEN SPACE

1. Landscape materials selected shall be:
 - a. Compatible with one another and with existing material on the adjacent site.
 - b. Complimentary to building design and architectural theme.
 - c. Varied in size (one and five gallon shrubs, five and 15 gallon, and 24 inch box trees).
2. Landscape treatment shall include:
 - a. The major treatment for all setback areas shall be lawn and trees. At least 75% of the ground cover treatment within landscaped areas within the entire project shall be lawn. Lawn areas shall be established by sodding or hydromulching when conditions such as excessive gradient, anticipated seasonal rain, etc., may result in erosion or other problems.
 - b. Larger specimens of shrubs and trees along the site periphery, particularly along setback areas adjacent to public streets.
 - c. Greater intensity of landscaping at the end of buildings when those elevations lack window and door openings or other details that provide adequate visual interest. This is especially significant at the street frontage and interior side and rear property lines and for two story structures.
 - d. Consistency with energy conservation efforts.

600

- e. Trees located so as to screen parking areas and private first floor areas and windows from second story units.
 - f. Undulating landscaped berms located along street frontage and achieving a minimum height of four feet measured off of the street sidewalk or the adjacent building pad or parking lot, whichever is higher.
 - g. Deciduous trees shall be utilized along the south and west facing building walls to allow solar access during the winter.
 - h. For crime deterrent reasons, shrubs planted below first floor windows should be of a variety which has thorns and/or prickly leaves.
 - i. Large growing street trees (preferably deciduous) shall be planted within the landscape setback areas adjacent to all public streets as a means of reducing outdoor surface temperatures during summer months and to provide a visual buffer between the units and public street.
3. Landscaping of parking areas is discussed in Section B.

F. TRASH ENCLOSURES

- 1. The walls of the trash enclosure structure shall be constructed of solid masonry material with decorative exterior surface finish compatible to the main residential structures. Split face concrete block finish is recommended. Brick or tile veneer exterior finish should be avoided.
- 2. The trash enclosure structure shall have decorative heavy gauge metal gates and be designed with cane bolts on the doors to secure the gates when in the open position.
- 3. The trash enclosure facility shall be designed to allow walk-in access by tenants without having to open the main enclosure gates.
- 4. The walls shall be a minimum six feet in height, more if necessary for adequate screening.
- 5. The perimeter of the trash enclosure structure shall be planted with landscaping, including a combination of shrubs and/or climbing evergreen vines.
- 6. A concrete apron shall be constructed either in front of the trash enclosure facility or at point of dumpster pickup by the waste removal truck. The location, size and orientation of the concrete apron shall depend on the design capacity of the trash enclosure facility (number of trash dumpsters provided) and the direction of the waste removal truck at point of dumpster pickup.

The minimum demensions of the concrete apron for a single, two cubic yard dumpster shall be: width 10' or width of enclosure facility; length 20'. Larger trash enclosure facilities shall require a larger concrete apron, subject to the approval of the City Building Inspections Division Building Technicians (Plan Checker).

Paving material shall consist of 5" aggregate base rock and 6" portland cement paving.

7. The enclosures shall be adequate in capacity, number, and distribution.

G. SIGNAGE

A project identification sign is permitted at each major entrance into the complex. The sign shall be a monument type located outside the required setback or incorporated into a low profile decorative entry wall(s) or planter. The height of the monument sign shall not exceed six feet.

The primary material of the monument base or wall shall be decorative masonry such as brick, split face concrete block, stucco or similar material which complements the design of the main buildings.

Individual letters and project logo are permitted. The signage program shall comply with the City Sign Ordinance be subject to the review and approval of the Planning Director.

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Ordinance No. 84-056 relating to personal safety building code requirements has been adopted by the City Council on June 19, 1984. This ordinance applies to all residential building project including apartments and condominiums.

The building code requirements relate to: minimum outdoor lighting standards, addressing and project identification, door locking standards, etc.

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ATTEST:

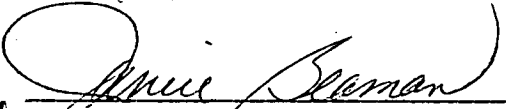

DEPUTY, CITY CLERK

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CITY OF SACRAMENTO

14

DEPARTMENT OF LAW
812 TENTH STREET
SUITE 201
SACRAMENTO CA 95814
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Assistant City Attorney
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LAWRENCE M. LUNARDINI
DIANE B. BALTER
RICHARD F. ANTOINE
Deputy City Attorneys

June 17, 1985

City Council
City Hall
Sacramento, CA 95814

SUBJECT: Fountain Oaks

Honorable Members in Session:

QUESTION

Is the Council legally required to approve the Fountain Oaks project entitlements with a two-thirds vote, including override findings?

ANSWER

We do not believe a two-thirds vote and findings vote are required. However, the applicant has requested such in order to minimize the possibility of litigation. We do not object to this approach and, accordingly, the findings have been prepared.

DISCUSSION

Included in the Council packet is a letter of May 21, 1985, from SACOG Planner Gary Keill stating that the Fountain Oaks project is inconsistent with Executive Airport CLUP. Mr. Keill's letter of May 31, 1985 (also in the packet), observes that the Council must override the inconsistency finding by the Airport Land Use Commission (ALUC) by a two-thirds vote.

There really is one issue: Has there been a finding of inconsistency by the Airport Land Use Commission? Such a finding of inconsistency, if validly made, triggers the need for a two-thirds vote and override findings by the Council. State law concerning this area is Public Utilities Code Section 21676(b), which provides:

"Prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the airport land use commission pursuant to Section 21675,

City Council
Re: Fountain Oaks
June 17, 1985
Page Two

the local agency shall first refer the proposed action to the commission. If the commission determines that the proposed action is inconsistent with the commission's plan, the referring agency shall be notified. The local agency may, after a public hearing, overrule the commission by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670." (emphasis supplied)

Here the Airport Land Use Commission itself has not made a finding of inconsistency. The question involved here is whether ALUC staff (i.e., SACOG staff) can make that finding for the Commission on the facts involved here. The Code section, of course, speaks in terms of the Commission making the finding. ALUC staff apparently relies on a portion of Section 4.8 of the Airport Land Use Commission's rules. That portion reads as follows:

"The Commission delegates to the staff the ability to make uncontested findings of consistency and to make findings of inconsistency when a proposed action is specifically cited in a comprehensive land use plan or the General Policies Plan as an inconsistent use." (emphasis supplied)

In our opinion, the rule does not delegate to staff the power to make inconsistency findings under our facts. Ordinarily, 10 dwelling units per acre is not allowed in the APZ 3 zone. However, here an exception applies. The Fountain Oaks parcel is split by the APZ 3 zone line, with less than 50% of the parcel being located in the APZ 3 zone. The Executive Airport CLUP provides:

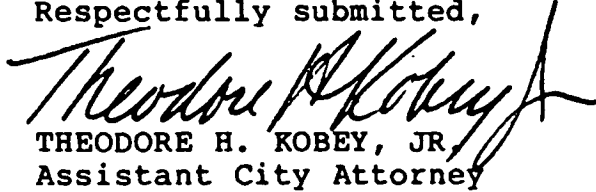
"In the case of a zone line splitting a parcel, consistency with the land use policies will be determined on the basis of the use existing or proposed within the particular zone, mitigation measures to be taken with regard to site planning, and building design and placement." Executive Airport CLUP (page 17).

Where a parcel is split by a zone line, the CLUP appears to allow a broad discretion for the determination of consistency

City Council
June 17, 1985
Page Three

hinging on the existing and proposed uses in the zone, individual mitigation measures which may be provided for, as well as the considerations relating to site planning and building design and placement. The Executive Airport CLUP does not specify what is allowed and what is disallowed in a zone which is in a parcel which is split by the zone line, and hence it seems clear that this is not an area within staff discretion but rather one which should have been determined by the Commission itself.

Respectfully submitted,



THEODORE H. KOBAY, JR.
Assistant City Attorney

THK/jmv

RESOLUTION NO. 85-454A

Adopted by The Sacramento City Council on date of

A RESOLUTION ADOPTING FINDINGS RELATIVE TO
THE CONSISTENCY OF THE FOUNTAIN OAKS APARTMENT
PROJECT WITH THE EXECUTIVE AIRPORT CLUP (P-85-047)

WHEREAS, the City Council at duly noticed public hearings on April 16, May 28, and June 18, 1985, received and considered evidence, both oral and written, on the Fountain Oaks Apartment property (P-85-047) ("the project") and the expanded Initial Study included in the negative declaration for the project; and

WHEREAS, the City Council, based on all the evidence in the record before it, approves the project and hereby makes the following findings in connection with said approval.

NOW, THEREFORE, the City Council of the City of Sacramento hereby finds that the project is consistent with the purposes of State Airport Land Use Law, California Public Utilities Code §21670, in that:

1. The northeast part of the project is located in the EA-3 overlay zone established by the Executive Airport Comprehensive Land Use Plan (CLUP). The majority of the project acreage is not subject to any type of CLUP regulation.
2. The CLUP provides that in the case of a project split by a CLUP zone line, consistency with the CLUP shall be determined on the basis of existing uses, proposed uses, and mitigation measures such as site planning and building placement.
3. Existing adjacent land uses include a freeway, a freeway overpass, the intersection of two major streets, and land zoned for offices and more dense apartments. These existing land uses render the site inappropriate for low density single family detached homes.
4. The site plan for this project places buildings such that the number of apartment units per acre in the EA-3 portion of the project is nearly half the units per acre in the

remaining portion of the project. Hence, the project has been designed to minimize, to the extent feasible in light of site constraints due to existing land uses, the number of residential units located in the EA-3 zone.

5. The project is located one and one-half miles from the airport and is on and beyond the outermost reach of the airport influence area. Planes approaching or departing Runway 2-20 pass over this site at a high altitude with minimal noise intrusion from planes given somewhat higher than normal ambient noise levels due to adjacent freeway noise. Runway 2-20 is used as a calm wind runway and is also the designated instrument runway. Accordingly, both planes and pilots are under relative little stress when over or near this site.
6. The future residents of this project will not be exposed to excessive noise and safety hazards due to the distance of the project from the airport, and the site planning and building placement within the project.

Mayor

ATTEST:

City Clerk

June 24, 1985

Christina J. Savage
555 Capitol Mall, Suite 1425
Sacramento, CA 95814

Dear Ms. Savage:

On June 18, 1985, the Sacramento City Council heard your appeal from the City Planning Commission regarding the denial of various requests for property located at the southeast corner of Greenhaven and South Land Park Drives.

The Council adopted, by motion, Findings of Fact (as amended) granting your appeal.

The Council also adopted a Resolution amending the General Plan from Agricultural to Residential, and the South Pocket Community Plan from Interim Agriculture and Low Density Residential to Low Density Multiple Family; adopted an Ordinance to rezone 18.6± acres with a portion of the site in EA-3 from Single Family and Agricultural to Garden Apartment zone; adopted a Resolution approving the lot line adjustment to merge three lots into one parcel totaling 18.6± acres; approved the Plan Review for a 279 apartment complex.

Sincerely,

Janice Beaman
Deputy City Clerk

JB/dbp/14

cc: Planning Department

Louis Pappas & Wymore Realty
c/o Spink Corp.
P.O. Box 2511
Sacramento, CA 95811

Spink Corp.

July 11, 1985

Christina J. Savage
555 Capitol Mall, Suite 1425
Sacramento, CA 95814

Dear Ms. Savage:

Enclosed are the Findings of Fact and Resolution 85-454A adopted by the Sacramento City Council on June 18, 1985.

These documents were omitted from the letter dated June 24, 1984 regarding your appeal for property located at the southeast corner of Greenhaven and South Land Park Drives.

We apologize and hope this has not caused any inconvenience.

Sincerely,

Janice Beaman
Deputy City Clerk

JB/dbp

cc: Planning Dept.

Louis Pappas & Wymore Realty
c/o Spink Corp.
P.O. Box 2511
Sacramento, CA 95811