



# CITY OF SACRAMENTO

27

CITY PLANNING DEPARTMENT  
927 TENTH STREET  
SUITE 300

SACRAMENTO, CA 95814  
TELEPHONE (916) 449-5804

MARTY VAN DUYN  
PLANNING DIRECTOR

November 18, 1981

City Council  
Sacramento, California

Honorable Members in Session:

SUBJECT: 1. Environmental Determination  
2. Rezoning from R-1 to R-1A  
3. Subdivision Modification to waive water and sewer service connections  
4. Tentative Map (P-9529)

LOCATION: Southwest corner of Delta Oaks Way and Pocket Road

## SUMMARY

This is a request for entitlements necessary to develop a corner lot with two halfplex units. The staff and Planning Commission recommend approval of the project subject to conditions. The Planning Commission also approved a special permit to allow the halfplex units.

## BACKGROUND INFORMATION

The subject site is located within a single family subdivision. The proposed halfplex units do not represent a more intensive land use than is currently permitted. Duplexes are allowed on corner lots in the R-1 zone.

The proposed halfplex units are compatible with surrounding land uses and consistent with the South Pocket Specific Plan.

In reference to the Subdivision Modification to waive service connections, this request will merely defer installation of water and sewer connections until building permits are obtained.

## VOTE OF PLANNING COMMISSION

On October 22, 1981 the Planning Commission, by a vote of nine ayes, recommended approval of the project subject to conditions.

Page 1

APPROVED  
BY THE CITY COUNCIL

NOV 24 1981

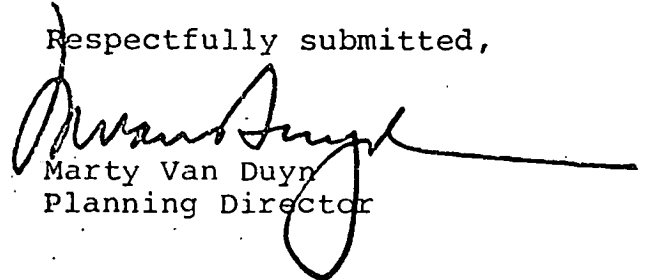
OFFICE OF THE  
CITY CLERK

RECOMMENDATION

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

1. Ratifying the Negative Declaration;
2. Adopting the attached Rezoning Ordinance; and
3. Adopting the attached Resolution adopting Findings of Fact, approving the Tentative Map and Subdivision Modification with conditions.

Respectfully submitted,



Marty Van Duyn  
Planning Director

FOR CITY COUNCIL INFORMATION  
WALTER J. SLIPE  
CITY MANAGER

MVD:HY:bw  
Attachments  
P-9529

November 24, 1981  
District No. 8

27

# ORDINANCE NO. 81-105

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

November 24, 1981

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT SOUTHWEST CORNER OF DELTA OAKS WAY AND POCKET RD. FROM THE R-1, SINGLE FAMILY ZONE AND PLACING SAME IN THE R-1-A, TOWNHOUSE ZONE (FILE NO. P- 9529 ) (APN: 031-290-01)

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 R-1, Single Family zone(s), established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone(s) and placed in the R-1-A, Townhouse zone(s).

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

P-9529

**APPROVED**  
BY THE CITY COUNCIL

NOV 24 1981

3

OFFICE OF THE  
CITY CLERK

LEGAL DESCRIPTION

APN: 031-290-01

LOT NO. 1, AS SHOWN ON THE "AMENDED PLAT OF  
DELTA OAKS", RECORDED IN BOOK 126 OF MAPS,  
MAP NO. 16, RECORDS OF SACRAMENTO COUNTY.

P-9529

27

# RESOLUTION No. 81-876

Adopted by The Sacramento City Council on date of

NOVEMBER 24, 1981

A RESOLUTION ADOPTING FINDINGS OF FACT,  
APPROVING A REQUEST FOR SUBDIVISION  
MODIFICATION AND TENTATIVE MAP FOR  
PROPERTY LOCATED AT SOUTHWEST CORNER  
OF DELTA OAKS WAY AND POCKET ROAD  
(APN: 031-290-01) (P-9529)

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations concerning the request for Subdivision Modification and Tentative Map for property located at southwest corner of Delta Oaks Way and Pocket Road (hereinafter referred to as the proposed subdivision).

WHEREAS, the Council of the City of Sacramento, based on testimony submitted at public hearing(s) conducted on November 24, 1981 hereby finds and determines as follows:

- A. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan and the South Pocket Community Plan in that both plans designate the subject site for residential uses. Also, any required improvements are to be designed and constructed within the provisions of the Subdivision Regulations which, by Section 40.102 of said regulations, is designated as a Specific Plan of the City of Sacramento.
- B. The site is physically suitable for the type and proposed density of development in that the subject site is flat with no significant erosional, soil expansion or other similar problems.
- C. The design of the subdivision or proposed improvements are not likely to cause substantial environmental damage, and will not substantially and avoidably injure fish or wildlife or their habitat. The proposed project has been reviewed and assessed by the Environmental Coordinator who has filed a Negative Declaration with the City Clerk. By virtue of the Negative Declaration, the proposed project will not cause individual or cumulative adverse effects on the natural and social-physical environment nor substantially and avoidably injure fish, wildlife, or their habitat.
- D. The design of the subdivision or the type of improvements are not likely to cause serious public health problems in that community water and sewer systems exist at the site. The site is not within an established floodplain or over a known seismic fault.

**APPROVED**  
BY THE CITY COUNCIL

5

NOV 24 1981

OFFICE OF THE  
CITY CLERK

- E. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public for access through, or use of, the property within the proposed subdivision in that there are no access easements for use by the public at large on the subject site.
- F. The discharge of waste from the proposed subdivision into the community sewer system servicing the proposed subdivision will not result in or add to a violation of the waste discharge requirements applicable to said sewer system which were prescribed by the California Regional Water Quality Control Board, Central Valley Region, in that the existing City of Sacramento treatment plants have a design capacity of 75 mgd and that actual treated discharge averages 56 mgd. The discharge from the proposed project will not create a condition exceeding the design capacity.
- G. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the proposed subdivision, taking into consideration the local climate, the contour and configuration of the parcel to be divided, and such other design and improvement requirements applicable to the proposed subdivision.
- H. In the matter of the requested Subdivision Modification, the Council determines as follows:
  - a. That the property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impracticable or undesirable in the particular case to conform to the strict application of these regulations.

**Fact:** The granting of the Subdivision Modification is merely deferring the installation of service connections until building permits are obtained.

- b. That cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification.

**Fact:** It is not practical to install service connections until building permits are obtained in order to determine adequate sizing of lines.

27

- c. That the modification will not be detrimental to the public health, safety, or welfare, or be injurious to other properties in the vicinity.

Fact: The granting of the Subdivision Modification will not change the characteristics of the area because sewer and water connections will be required when development of the site occurs.

- d. That granting the modification is in accord with the intent and purpose of these regulations and is consistent with the General Plan and with all other applicable Specific Plans of the City.

Fact: The site is designated for residential uses.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sacramento as follows:

- A. The Negative Declaration be ratified;
- B. The Tentative Map and Subdivision Modification be approved subject to the following conditions:
  - 1. The applicant shall file the necessary segregation requests and fees to segregate existing assessments prior to filing the final map;
  - 2. The subdivider shall submit to the City an appraisal pursuant to Section 40.1034 of the subdivision ordinance (Parkland Dedication) within 90 days of filing the final map. Any required in-lieu fees shall be paid prior to filing the final map; and

7

3. The applicant shall place the following note on the final map: Water and sewer service connections do not exist between the main lines and Parcel 1A. These services must be paid for and installed at the time of obtaining building permits.

.....  
\_\_\_\_\_  
MAYOR

ATTEST:

.....  
\_\_\_\_\_  
CITY CLERK

P-9528

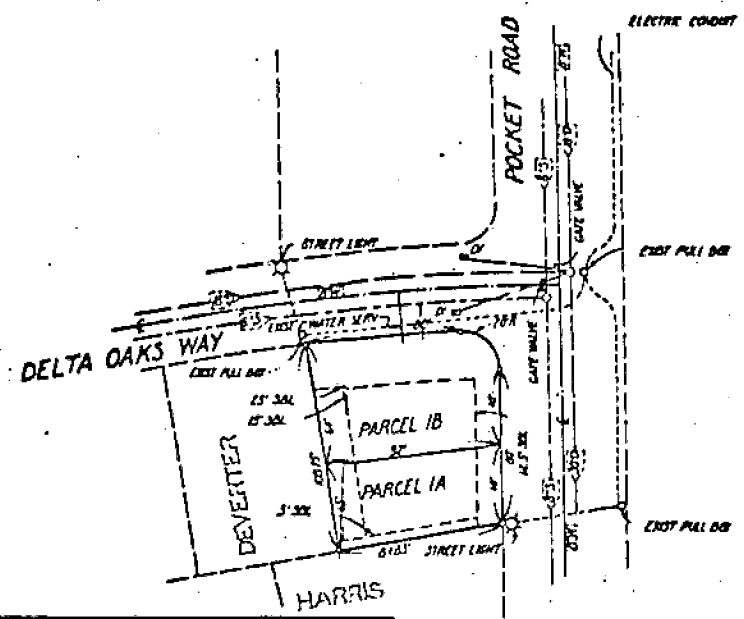


29509

2204 87

6

# TENTATIVE PARCEL MAP



### OWNER/DEVELOPER

RICHARD Z. BERENWITS  
 470 555 CAPITOL HALL, SUITE 605  
 SACRAMENTO, CA 95814  
 (916) 448-1201

### APPLICANT

GARY R. BRICKER  
 555 CAPITOL HALL, SUITE 605  
 SACRAMENTO, CA 95814  
 (916) 448-5701

### ENGINEER

JTS ENGINEERING CONSULTANTS, INC.  
 811 1/2 STREET  
 SACRAMENTO, CA 95814  
 (916) 441-5705

### APN

031-190-01

### ACREAGE AND SQ. FT. OF PARCEL

2 PARCELS: PARCEL 1-A, 307 SF, 0.000 AC  
 PARCEL 1-B, 5248 SF, 0.120 AC

### PRESENT AND PROPOSED USE

PRESENT USE: VACANT  
 PROPOSED USE: 2 HALF PLEAS TO BE BUILT ON EACH PARCEL.

### ZONING

R-1 EXISTING R-1A PROPOSED

### UTILITIES

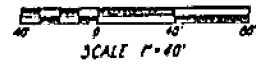
- POWER - SH&D
- GAS - P & E
- TELEPHONE - PACIFIC TELEPHONE
- WATER - CITY OF SACRAMENTO
- SEWER - SACRAMENTO CITY
- FIRE - SACRAMENTO CITY
- SCHOOL - SACRAMENTO CITY UNIFIED
- DRAINAGE - SACRAMENTO CITY

### LEGAL DESCRIPTION

LOT NO. 1, AS SHOWN ON THE "AMENDED PLAT OF DELTA OAKS," RECORDED IN BOOK 178 OF MAPS, MAP NO. 18, RECORDS OF SACRAMENTO COUNTY.

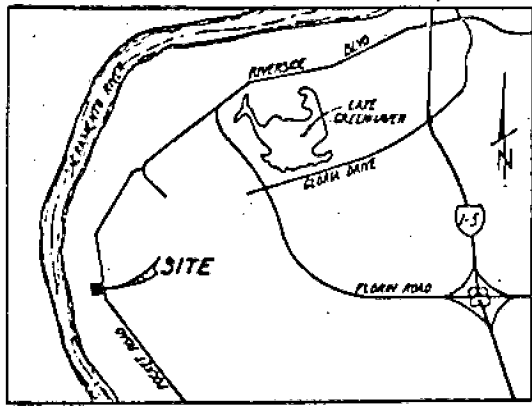
### PROPOSED IMPROVEMENTS

ALL IMPROVEMENTS WERE CONSTRUCTED AS A PART OF DELTA OAKS. INFORMATION REGARDING EXISTING IMPROVEMENTS ARE SHOWN HEREON BY REFERRING TO IMPROVEMENT PLANS FOR THIS PROJECT ENTITLED "PLANS FOR THE CONSTRUCTION OF DELTA OAKS," SHEETS 1 THROUGH 3, PREPARED BY THE SPINE CORPORATION AND APPROVED BY THE CITY OF SACRAMENTO. NO IMPROVEMENTS ARE PROPOSED EXCEPT SEPARATE WATER, SEWER, ELECTRICAL, AND OTHER SERVICES AS WILL BE REQUIRED FOR EACH HALF PLEAS.



## LEGEND

- EXIST ELECTRIC PULL BOX
- EXIST STREET LIGHT
- EXIST DRAIN INLET (DI)
- EXIST GATE VALVE
- EXIST WATER MAIN
- EXIST DRAINAGE LINE
- EXIST SEWER LINE
- EXIST ELECTRIC CONDUIT
- SET BACK LINE



VICINITY MAP  
 NO SCALE

DWT

22

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE October 22, 1981  
 ITEM NO. 1002 FILE NO. P-9539  
 M-

- GENERAL PLAN AMENDMENT  TENTATIVE MAP   
 COMMUNITY PLAN AMENDMENT  SUBDIVISION MODIFICATION   
 REZONING  ENVIRONMENTAL DET.   
 SPECIAL PERMIT  OTHER \_\_\_\_\_  
 VARIANCE  \_\_\_\_\_

Recommendation:  
 Favorable  
 Unfavorable

LOCATION: SW corner of Delta Park Way & Locket Road.

Petition  Correspondence

<u>PROPCONENTS</u>		
<u>NAME</u>	<u>ADDRESS</u>	

<u>OPPONENTS</u>		
<u>NAME</u>	<u>ADDRESS</u>	

MOTION NO. \_\_\_\_\_

MOTION:

	YES	NO	MOTION	2ND
Augusta	✓			✓
Fong	✓			
Goodin	✓			
Holloway	✓		✓	
Hunter	✓			
Larson	✓			
Muraki	✓			
Silva	✓			
Simpson	✓			

- TO APPROVE  
 TO DENY  
 TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT  
 INTENT TO APPROVE SUBJ. TO COND. & BASED ON FINDINGS OF FACT DUE \_\_\_\_\_  
 TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL  
 TO RATIFY NEGATIVE DECLARATION  
 TO CONTINUE TO \_\_\_\_\_ MEETING  
 OTHER \_\_\_\_\_

# CITY PLANNING COMMISSION

~~915 SIX STREET~~ - SACRAMENTO, CALIFORNIA 95814  
927-10th Street

27

APPLICANT	Gary Bricker, 555 Capitol Mall, #845, Sacramento, CA 95814		
OWNER	R. J. Benvenuti, 555 Capitol Mall, #845, Sacramento, CA 95814		
PLANS BY	JTS Engineering, 811 "J" Street, Sacramento, CA 95814		
FILING DATE	8-27-81	50 DAY CPC ACTION DATE	REPORT BY: PB:bw
NEGATIVE DEC.	9-28-81	EIR	ASSESSOR'S PCL. NO. 031-290-01

- APPLICATION:
1. Environmental Determination
  2. Rezone 0.2+ vacant acre from R-1 to R-1A
  3. Tentative Map to divide 0.2+ acre into two halfplex lots
  4. Special Permit to develop two halfplex units
  5. Subdivision Modification to waive water and sewer services

LOCATION: Southwest corner Delta Oaks Way and Pocket Road

PROPOSAL: The applicant is requesting necessary entitlements to develop an existing corner lot with two halfplex units.

PROJECT INFORMATION:

1974 General Plan Designation: Residential  
1976 South Pocket Community  
Plan Designation: Low Density Residential  
Existing Zoning of Site: R-1 (single family)  
Existing Land Use of Site: Vacant

Surrounding Land Use and Zoning:

North: Residential; R-1  
South: Residential; R-1  
East: Residential; R-1  
West: Residential; R-1

Parking Required:	2 spaces	Parking Provided:	2 spaces
Parking Ratio:			1:1 dwelling unit
Property Dimensions:			92' x 95' (approximately)
Property Area:	0.2 acre		
Density of Development:	20 du/acre		
Square Footage of Building:	3,200		
Topography:	Flat		
Street Improvements:	Existing		
Utilities:	To be provided		

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On September 23, 1981, by a vote of five ayes, two absent and two abstentions, the Subdivision Review Committee recommended approval of the tentative map subject to the following conditions:

1. The applicant shall place the following note on the final map:  
Water and sewer service connections do not exist between the main lines and Parcel 1A. These services must be paid for and installed at the time of obtaining building permits.

//

2. The applicant shall file the necessary segregation requests and fees to segregate existing assessments prior to filing the final map.
3. Pursuant to City Code Section 40.1302 (Parkland Dedication), the applicant shall submit to the City an appraisal of the property to be subdivided and pay the required parkland dedication in-lieu fees. The appraisal shall be dated not more than 90 days prior to the filing of the final map.

STAFF EVALUATION: The applicant is requesting the necessary entitlements to develop one existing vacant duplex lot into two halfplex units. The proposed halfplexes therefore do not represent a more intensive land use than currently exists. The density of halfplex units is compatible with adjacent single family units. The halfplexes provide an alternate housing type and ownership opportunity.

The Planning and Community Services Department will calculate what amount of land is required for parkland dedication purposes, and if fees are to be charged in lieu of the required parkland. The subdivider shall submit to the City an appraisal of the land to be subdivided. Said appraisal shall be submitted and dated within 90 days of the filing of the final map with the City Council.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the project will not have a significant environmental impact and has filed a negative declaration.

STAFF RECOMMENDATION: Staff recommends the following:

1. Ratification of the negative declaration;
2. Approval of the rezoning to R-1A;
3. Approval of the tentative map to create two halfplex lots subject to conditions listed below;
4. Approval of the special permit to allow two halfplex units based on findings of fact which follow;
5. Approval of the subdivision modification to waive sewer and water services.

Conditions - Tentative Map

- a. The applicant shall file the necessary segregation requests and fees to segregate existing assessments prior to filing the final map;
- b. The subdivider shall submit to the City an appraisal pursuant to Section 40.1034 of the subdivision ordinance (Parkland Dedication) within 90 days of filing the final map. Any required in-lieu fees shall be paid prior to filing the final map;
- c. The applicant shall place the following note on the final map: Water and sewer service connections do not exist between the main lines and Parcel 1A. These services must be paid for and installed at the time of obtaining building permits.

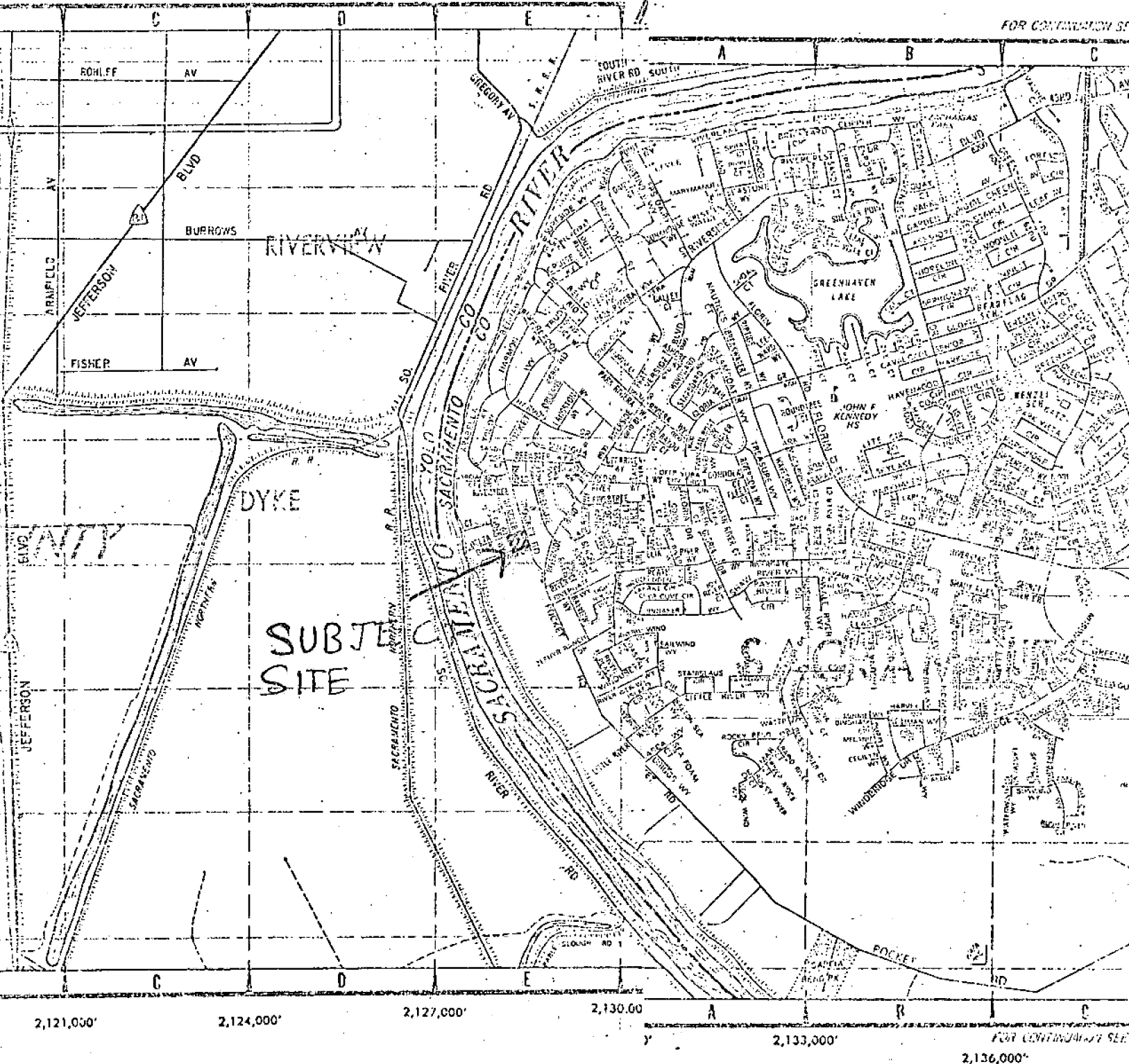
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Findings of Fact - Special Permit

- a. The project is based on sound principles of land use in that the proposed halfplex units are compatible with the surrounding single-family dwellings;
- b. The special permit will not be injurious to surrounding properties in that the proposal will not significantly alter the characteristics of the area;
- c. The proposal is consistent with the General Plan which encourages a variety of housing types;
- d. The proposal is consistent with the 1976 South Pocket Specific Plan which designates the site for residential use.

FOR CONTINUATION SEE MAP 53A

FOR CONTINUATION SEE

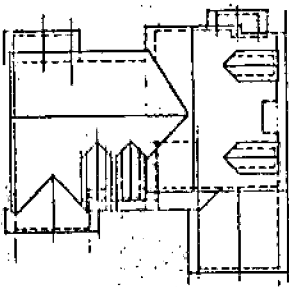


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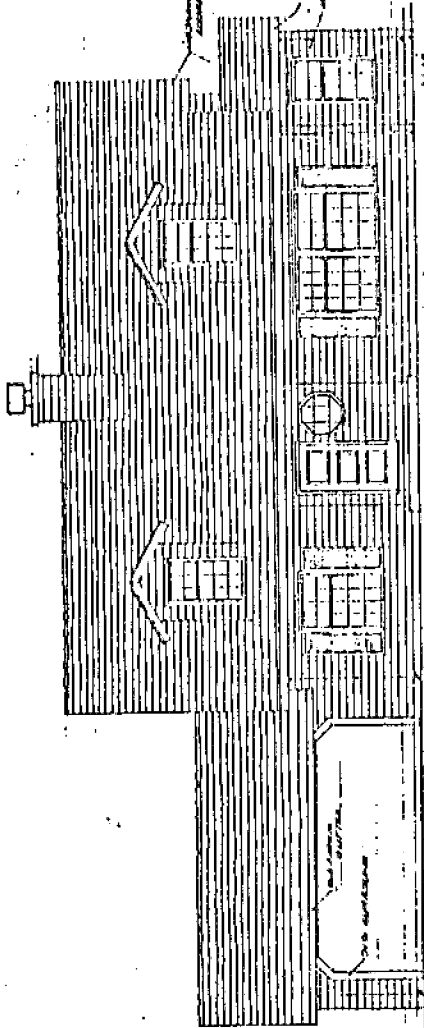
22  
8 Oct 1981

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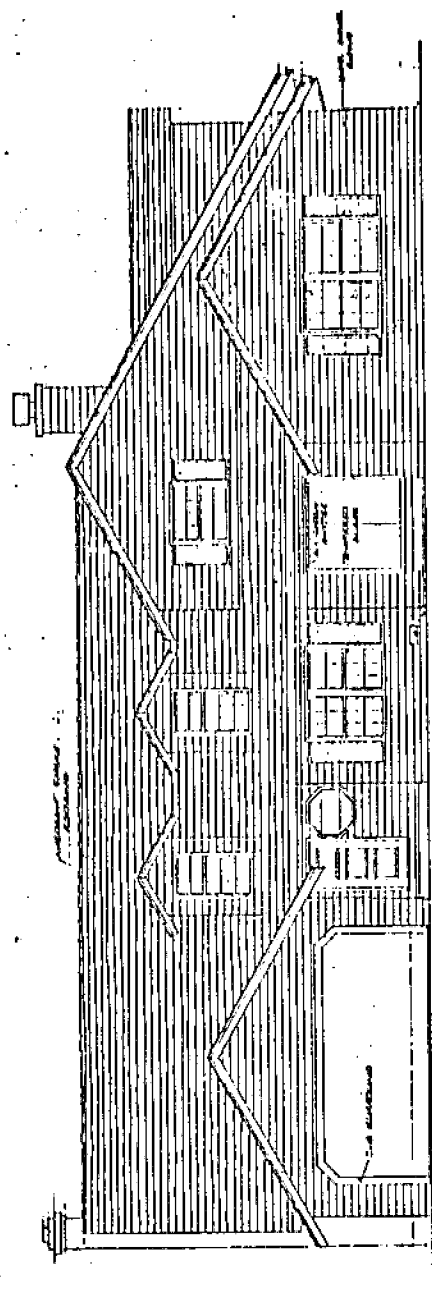
#10



ROOF PLAN  
SCALE 1/8" = 1'-0"



FRONT ELEVATION (SEE GARDEN WAY)



SIDE ELEVATION


27

15

# SACRAMENTO CITY PLANNING DEPARTMENT 27

Application Information

Application taken by/date: \_\_\_\_\_

Project Location SW cor. of Delta Oaks Way & Pocket Road

P No **9529**

Assessor Parcel No. 031-290-01

Owners R. J. Beneniti, 555 Capitol Mall, #845, Sacramento, CA 95814 Phone No. \_\_\_\_\_

Address (see above)

Applicant Larry R. Bricker Phone No. 446-5201

Address 555 Capitol Mall, #845, Sacramento, CA 95814

Signature *Larry R. Bricker* C.P.C. Mtg. Date 10-8; 10-22-81

**REQUESTED ENTITLEMENTS**

**ACTION ON ENTITLEMENTS**

**Filing Fees**

	Commission date	Council date	Res.	Filing Fees
<input checked="" type="checkbox"/> Environ. Determination <u>Neg. Dec.</u>	_____	_____	_____	\$ <u>90.00</u>
<input type="checkbox"/> General Plan Amend _____	_____	_____	_____	\$ _____
<input type="checkbox"/> Community Plan Amend _____	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Rezone <u>Rezone 0.2+ ac. from R-1 to R-1A</u>	<u>RA</u>	<u>10-22-81</u>	_____	\$ <u>545.00</u>
<input checked="" type="checkbox"/> Tentative Map <u>to divide 0.2+ ac. into 2 halfplex lots</u>	<u>RAC</u>	<u>10-22-81</u>	_____	\$ <u>205.00</u>
<input checked="" type="checkbox"/> Special Permit <u>to develop 2 halfplex units</u>	<u>AFF</u>	<u>10-22-81</u>	_____	\$ _____
<input checked="" type="checkbox"/> <del>Variance</del> <u>Subdivision Modification to waive water &amp; sewer services</u>	<u>RA</u>	<u>10-22-81</u>	_____	\$ _____
<input type="checkbox"/> Plan Review _____	_____	_____	_____	\$ _____
<input type="checkbox"/> PUD _____	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Other <u>Posting &amp; Notification</u>	_____	_____	_____	\$ <u>36.00</u>

FEE TOTAL \$ 876

RECEIPT NO. 511

By/date M.H.S. 10/14/81

Sent to Applicant: \_\_\_\_\_ Date \_\_\_\_\_

By: \_\_\_\_\_ Sec. to Planning Commission

**Key to Entitlement Actions**

- |                                    |   |  |
|------------------------------------|---|--|
| R - Ratified                       | D - Denied                                    | IAF - Intent to Approve based on Findings of Fact  |
| Cd - Continued                     | RD - Recommend Denial                         | AFF - Approved based on Findings of Fact           |
| A - Approved                       | RA - Recommend Approval                       | RPC - Return to Planning Commission                |
| AC - Approved W/conditions         | RAC - Recommend Approval W/conditions         | CSR - Condition Indicated on attached Staff Report |
| AA - Approved W/amended conditions | RMC - Recommend Approval W/amended conditions |  |

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

P No **9529**

Gold - applicant receipt    White - applicant permit    Green - expiration book    Yellow - department file    Pink - permit book



SACRAMENTO CITY PLANNING COMMISSION

27

MEETING DATE October 22, 1981  
 ITEM NO. 100 FILE NO. P-9529  
 M-

- GENERAL PLAN AMENDMENT
- COMMUNITY PLAN AMENDMENT
- REZONING
- SPECIAL PERMIT
- VARIANCE
- TENTATIVE MAP
- SUBDIVISION MODIFICATION
- ENVIRONMENTAL DET.
- OTHER \_\_\_\_\_

Recommendation:

- Favorable
- Unfavorable
- Petition
- Correspondence

LOCATION: SW corner of Delta Lake Way + Pocket Road

<u>NAME</u>	<u>PROponents</u>	<u>ADDRESS</u>

<u>NAME</u>	<u>OPponents</u>	<u>ADDRESS</u>

MOTION NO. \_\_\_\_\_

	YES	NO	MOTION	2ND
Augusta	✓			✓
Fong	✓			
Goodin	✓			
Holloway	✓		✓	
Hunter	✓			
Larson	✓			
Muraki	✓			
Silva	✓			
Simpson	✓			

MOTION:

- TO APPROVE
- TO DENY
- TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- INTENT TO APPROVE SUBJ. TO COND. & BASED ON FINDINGS OF FACT DUE \_\_\_\_\_
- TO RECOMMEND APPROVAL \_\_\_\_\_ & FORWARD TO CITY COUNCIL
- TO RATIFY NEGATIVE DECLARATION
- TO CONTINUE TO \_\_\_\_\_ MEETING
- OTHER \_\_\_\_\_



CITY OF SACRAMENTO

# 27

OFFICE OF THE CITY CLERK

915 I STREET  
CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814  
TELEPHONE (916) 449-5428

LORRAINE MAGANA  
CITY CLERK

November 25, 1981.

R. J. Beneniti  
555 Capitol Mall, #845  
Sacramento, CA 95814

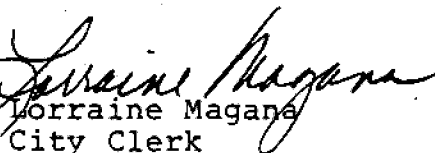
Dear Mr. Beneniti:

On November 24, 1981, the Sacramento City Council took the following action(s) for property located at the southwest corner of Delta Oaks Way and Pocket Road (P-9529) subject to stated conditions:

- A. Adopted an ordinance rezoning 0.2± acre from R-1 to R-1-A
- B. Adopted a resolution adopting Findings of Fact and approving a Tentative Map to divide 0.2± acre into 2 halfplex lots, and a Subdivision Modification to waive water and sewer services.

Enclosed, for your records, are fully certified copies of above referenced documents.

Sincerely,

  
Lorraine Magana  
City Clerk

LM/mm/27  
Enclosure

cc: Planning Department  
Larry R. Bricker