



CITY OF SACRAMENTO

CITY PLANNING DEPARTMENT
927 TENTH STREET SACRAMENTO, CA 95814
SUITE 300 TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

April 22, 1982

APPROVED
BY THE CITY COUNCIL

APR 27 1982

OFFICE OF THE
CITY CLERK

*Rec. 2
adopted*

City Council
Sacramento, California

Honorable Members in Session: '

SUBJECT: Request to extend appeal period for a lot line adjustment to allow development of two commercial structures in a shopping center complex (P9657)

LOCATION: Southwest corner of West El Camino Avenue and Northgate Blvd.

SUMMARY:

This is a request to extend the 10-day appeal period for an action taken by the City Planning Commission. The staff recommends against the request.

BACKGROUND INFORMATION:

The subject request involves a proposal to adjust several common property lines in order to accommodate two proposed commercial structures. On February 11, 1982, the Planning Commission approved the lot line adjustment subject to a condition that requires the placement of a wall adjacent to single family residences. The applicant does not agree with the condition and failed to appeal the Commission's decision within the required 10-day appeal period.

Section 18-K-2 of the Zoning Ordinance permits the City Council to extend time within which an appeal may be filed. The applicant is requesting that the Council extend the time limit.

Staff does not support the request because the Zoning Ordinance clearly specifies the 10-day appeal period. Also, the applicant was aware of the appeal procedure.

RECOMMENDATION:

Staff recommends that the request for extension of the appeal period be denied. If

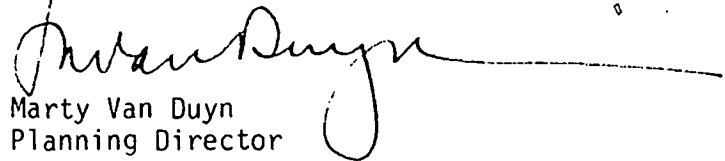
City Council

-2-

April 21, 1982

the Council votes to approve the request, they should direct the City Clerk to set a hearing date for the appeal.

Respectfully submitted,



Marty Van Duyn
 Planning Director

FOR CITY COUNCIL INFORMATION
 WALTER J. SLIPE
 CITY MANAGER

MVD:HY:cp
 Attachments
 P-9657

April 27, 1982
 District No. 1

Peter P.
Bollinger
INVESTMENT CO.

March 26, 1982

CITY PLANNING COMMISSION
MAR 29 1982
RECEIVED

City Planning Commission
City of Sacramento
917 10th Street
Sacramento, California 95834

Re: Application No. P-2657

Dear Commission Members:

Please accept this letter as our request to extend the appeal period after the Planning Commission took action upon the above application. Our reason for not appealing within the prescribed 10-day period is that we were unable to make contact with the Planning Department within the 10-day period to discuss the matter and plan our appeal, if necessary. At the time, our representative was under the impression that a normal appeal would not be necessary, but that a change per our request would be made at a staff level.

We cite the contents of the attached letter from FORREY WILLIAMS Architects as the reason for our appealing the Commission's action. As can be ascertained from the attached letter, placing of the retaining wall over the utility lines would be highly impractical.

Your review of this entire matter and extending said 10-day appeal period would be sincerely appreciated.

Yours truly,

PETER P. BOLLINGER INVESTMENT CO.

Peter P. Bollinger

PPB:jlm

Enc.

City Planning Commission

March 26, 1982

Page 2

cc: Mr. Carl Best
Mr. Hilton Williams

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RECEIVED

MAR 23 1982

FORRAR
WILLIAMS
ARCHITECTS

TWENTY TWENTY V STREET, SACRAMENTO, CALIFORNIA 95818 . PHONE (916) 454-2016

March 15, 1982

Mr. Peter P. Bollinger
Peter P. Bollinger Investment Co.
117 Jay Street, Suite 301
Sacramento, CA 95814

RE: NORTHGATE SHOPPING CENTER - MASONRY WALL

Dear Peter:

The following is a chronology of events that took place regarding the concrete masonry fence problem at Northgate Shopping Center:

1. On January 15th, 1980, Sacramento City adopted Resolution #80040 which approved the tentative map for Northgate Shopping Center (a site plan prepared by Forrar Williams Architects was used as an exhibit at the hearings). Please note Item E of the conditions of approval state "The design of the subdivision or the type of improvements will not conflict with easements required by the public for access through, or the use of the property, within the proposed subdivision. Item 2F requires a 6' high decorative masonry wall along the westerly and northerly property lines where residentially zoned property abuts the site. After much investigation it has been determined that if Item 2F was complied with, the provisions of Item E would cause a conflict. The reason for this conflict is due to the horizontal and vertical location of the water and gas utilities paralleling our westerly property line. This conflict would result due to the foundations and footings for the proposed fence, thus potentially causing damage to the utilities. If the fence was moved in an easterly direction in order to miss the utility lines, the already restricted access would be reduced to a width that is in conflict with the provision of the existing easements as well as the City Zoning Ordinance.

cont'd .. 2

Mr. Peter P. Bollinger
Peter P. Bollinger Investment Co.
March 15, 1982
Page 2


- ... Please note that the residentially zoned property that abuts the westerly property line is approximately 175' in length. Approximately one fourth of the total westerly property line.
- 2. Approximately June, 1980, it was brought to the attention of this office that our proposed concrete masonry fence would be in conflict with the water and gas utilities which parallel the westerly property line. Upon receipt of this information, investigation began as to what problems did in fact exist.
- 3. Approximately mid July 1980 our office had requested that Harbison, Mahony, and Higgins have the P.G.&E. locator service determine the exact location of the utilities. The results of the investigation revealed that the horizontal and vertical alignment would create conflicts with the required fencing. After evaluation of the conflicts we contacted Mr. Ernie Altamirano of P.G.&E. to discuss alternative solutions. It was at that point in time that Mr. Altamirano reminded us that any liability that resulted from damage to the utility lines would be borne by the Developer and his agents (The Architect, Contractor, etc.). Upon reviewing the consequences of assuming this liability, it was determined by our client, the City Building Department and Forrar Williams Architects that an alternative solution would have to be found. This alternative solution was to provide a 6' high chain link fence with redwood slats in lieu of the precast concrete fence.

Upon presenting this to the Building Department, we were authorized to proceed with its installation.

This problem again surfaced at the time final inspection was called for for the construction of Phase I site and shops. Again, after careful review of the past events that took place, the Building Department conducted its final inspection, issued the required occupancy permits and the problem was thought to have been resolved.

Sincerely,

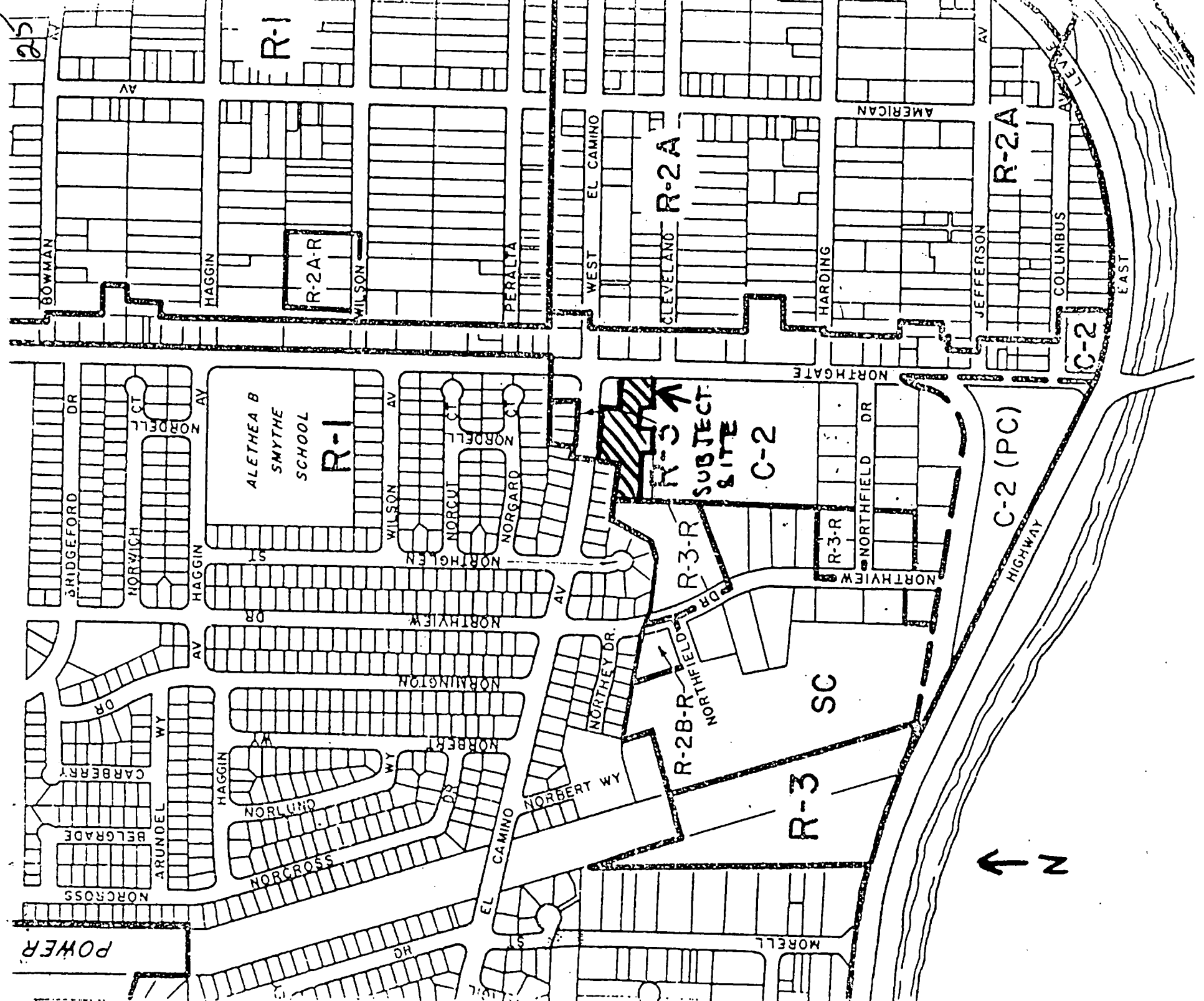
FORRAR WILLIAMS ARCHITECTS



Hilton L. Williams

HLW/me

cc. Mr. Carl Best



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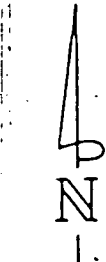
No. 19

28/11/82

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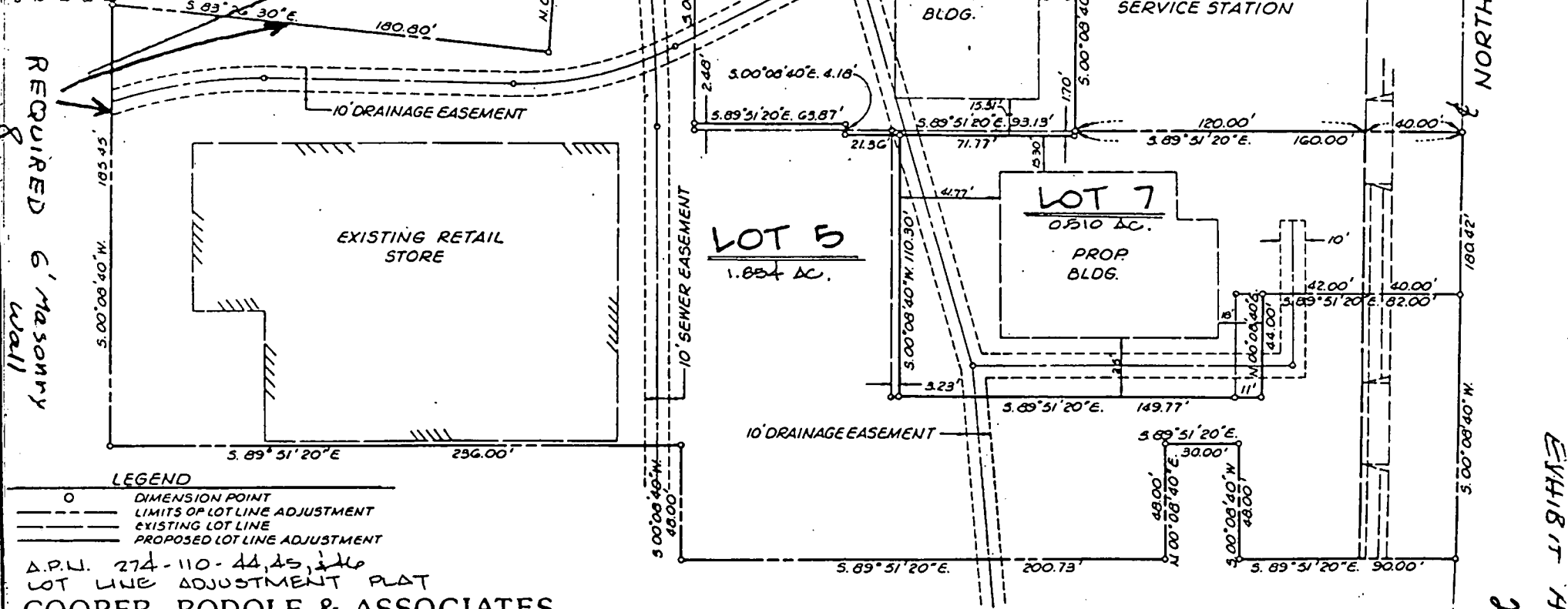
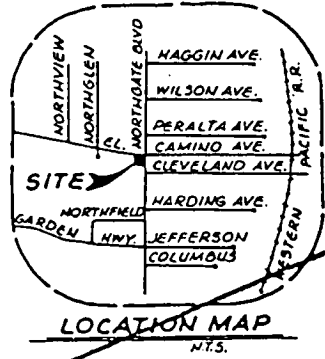
P 9657

2-11-82



SCALE: 1" = 40'

REQUIRED 6' Masonry Wall



- LEGEND**
- DIMENSION POINT
 - LIMITS OF LOT LINE ADJUSTMENT
 - EXISTING LOT LINE
 - PROPOSED LOT LINE ADJUSTMENT

A.P.N. 274-110-44, 45, 46
 LOT LINE ADJUSTMENT PLAT
COOPER, RODOLF & ASSOCIATES
 2011 Arden Way, Suite 10
 Sacramento, CA 95825 916-925-0431

NORTHGATE BOULEVARD

EXHIBIT A
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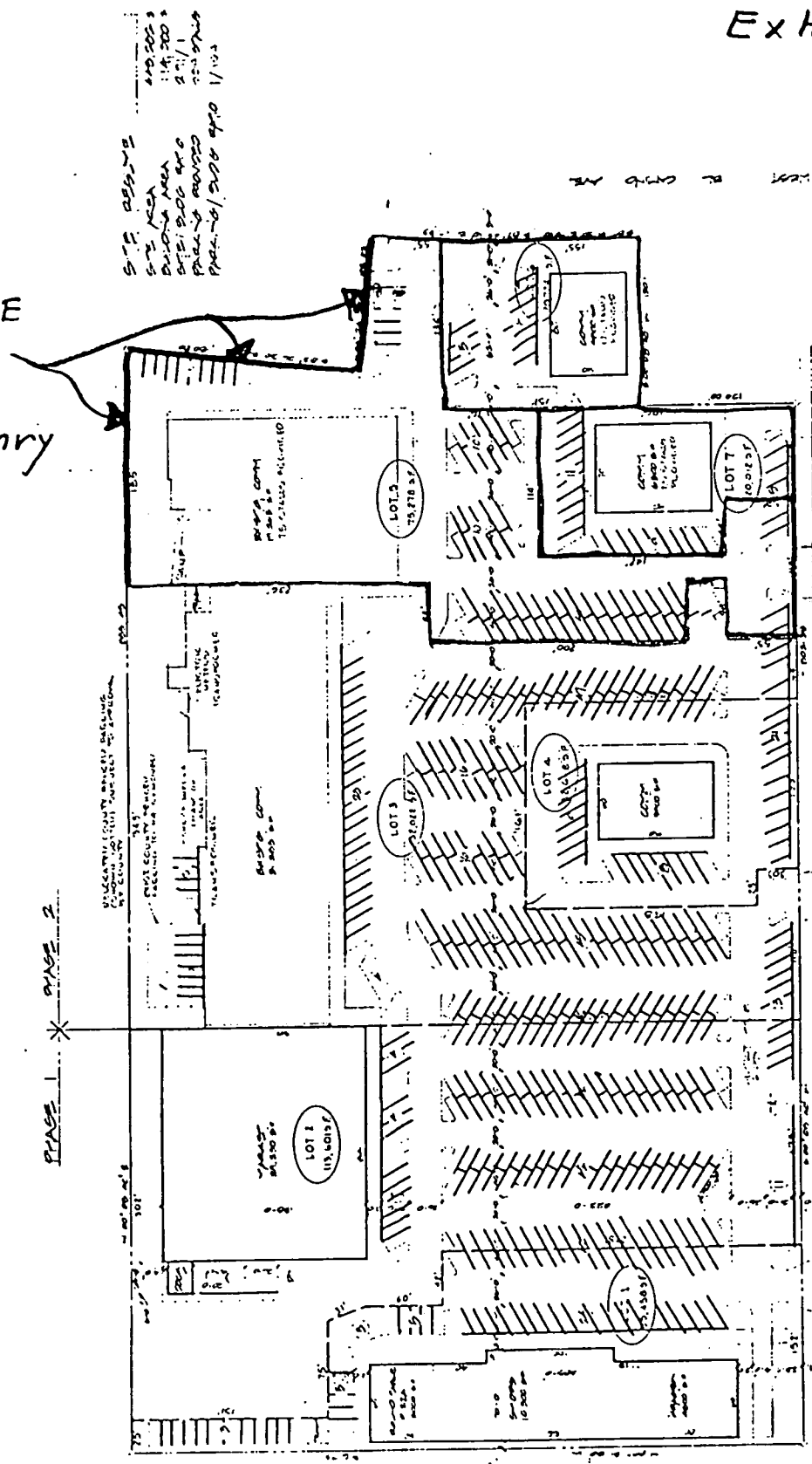
EXHIBIT D

SITE PLAN TO ACCOMPANY TENTATIVE PARCEL MAP NORTHGATE SHOPPING CENTER

FORNIA WILLIAMS ARCHITECTS
 3801 FREEMONT BOULEVARD
 SACRAMENTO, CALIF. 95822
 TELEPHONE: (916) 397-2722

COOPER, RODOLF & ASSOCIATES
 Land Surveying
 2011 North West Street, 10
 Sacramento, CA 95823 916-933-0433

PROVIDE A 6' Masonry wall



RECEIVED

MAR 23 1982

**FORRAR
WILLIAMS
ARCHITECTS**

TWENTY TWENTY V STREET, SACRAMENTO, CALIFORNIA 95818 . PHONE (916) 454-2016

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