



# CITY OF SACRAMENTO

**APPROVED**  
BY THE CITY COUNCIL

**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
1231 "I" Street Sacramento, Ca. 95814

**AUG 26 1986**

**OFFICE OF THE  
CITY CLERK**

**Administration**  
Room 300 449-5571  
**Building Inspections**  
Room 200 449-5716  
**Planning**  
Room 200 449-5604

August 20, 1986

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT:** Post Subdivision Modification to create a landlocked parcel. (P85-164)

**LOCATION:** Southwest corner of Pocket Road and Greenhaven Drive

**SUMMARY**

This is a request to create a landlocked parcel on a tentative map known as Dutra Ranch. Staff recommends approval of the request.

**BACKGROUND INFORMATION**

On June 11, 1985, the City Council approved the necessary entitlements to subdivide 43± acres into 138 single family lots to be known as Dutra Ranch. The southwest corner of the site was known to contain a prehistoric site. The map was, therefore, conditioned that an archaeological assessment of the site be completed and mitigation measures to prevent disturbance of the site be fulfilled. The site has been found to be a Native American burial ground.

In order to restrict access to the site, the applicant proposes to create the burial ground as a landlocked parcel. Access, should it be necessary, will be from the Sacramento River Parkway. The homeowner's association for the overall L.P.P.T. project will assume all obligations for the site. The applicant will enclose the site with cyclone fencing, and cover it with two feet of dirt and grass. These arrangements are acceptable to the Native American Heritage Commission and the Miwok People.

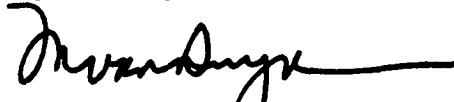
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**RECOMMENDATION**

The Map Advisory Agency (Planning and Public Works Directors) recommend:

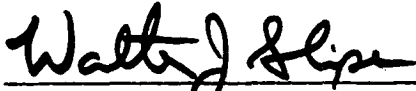
Adopting the attached Resolution adopting Findings of Fact approving the post subdivision modification to create a landlocked parcel for Dutra Ranch.

Respectfully submitted,



Marty Van Duyn  
Planning Director

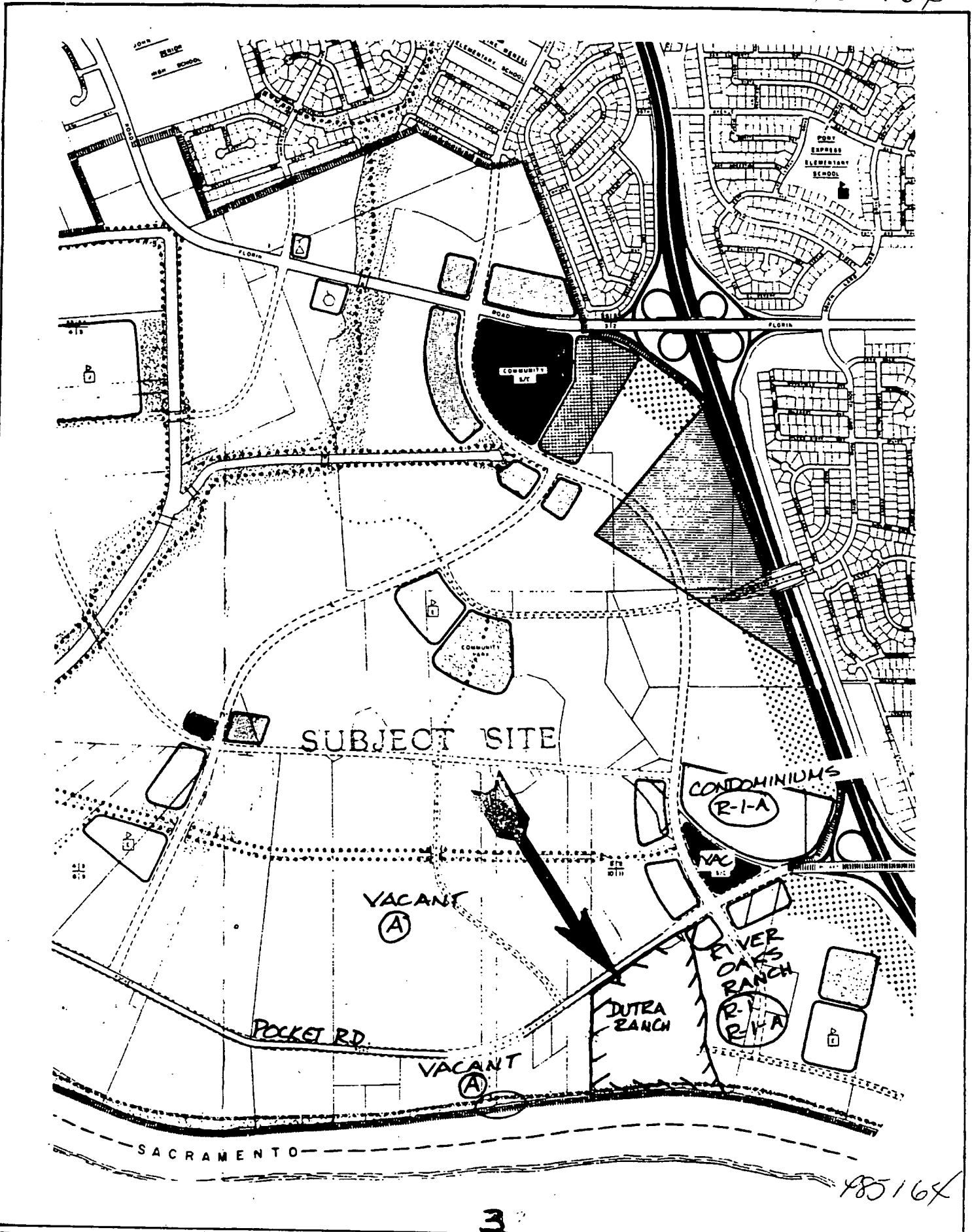
**RECOMMENDATION APPROVED:**



Walter J. Slupe, City Manager

MVD:SD:jg  
Attachments  
P85-164

August 26, 1986  
District No. 8



# VICINITY - LAND USE - ZONING

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# RESOLUTION No. 86-663

Adopted by The Sacramento City Council on date of

**APPROVED**  
BY THE CITY COUNCIL

AUG 26 1986

OFFICE OF THE  
CITY CLERK

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A POST SUBDIVISION MODIFICATION FOR A TENTATIVE MAP FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF GREENHAVEN DRIVE AND POCKET ROAD. (P85-164) (APN: 031-112-06,08,11)

WHEREAS, the City Council, on August 26, 1986, held a public hearing on the request for approval of a post subdivision modification for a tentative map for property located at the southwest corner of Greenhaven Drive and Pocket Road;

WHEREAS, all governmental and utility agencies affected by the development of the proposed subdivision have been notified and given the opportunity to respond;

WHEREAS, the City Environmental Coordinator has determined that the proposed project will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration;

WHEREAS, the Map Advisory Agency has submitted to the City Council its recommendations on the proposed subdivision;

WHEREAS, the City Council has considered the design of the proposed subdivision in relation to feasible future passive or natural heating and cooling opportunities; and

WHEREAS, the City Council has considered the effects that approval of the proposed subdivision would have on the housing needs of the Sacramento Metropolitan area and balances these needs against the public service needs of City residents and available fiscal and environmental resources.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

1. In the matter of the hereby approved requested post subdivision modification to create a landlocked parcel:
  - a. that it is impossible, impracticable and undesirable in this particular case to conform to the strict application of City Code Chapter 40 in that the existing Native American burial ground should have as little access as possible.

- b. the cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification in that there is a prehistoric deposit on the site which must remain undisturbed.
  - c. the modification will not be detrimental to the public health, safety, or welfare, or be injurious to other properties in the vicinity in that the site requires no access since it is not a building site.
  - d. that granting the modification is in accord with the City's Discretionary Interim Land Use Policy in that the site is designated for residential use in the 1976 South Pocket Plan and the proposed residential subdivision conforms with the plan designation.
7. The post subdivision modification is hereby approved, subject to the previously approved conditions and to the following condition which must be satisfied prior to the filing of the final map unless a different time for compliance is specifically noted:

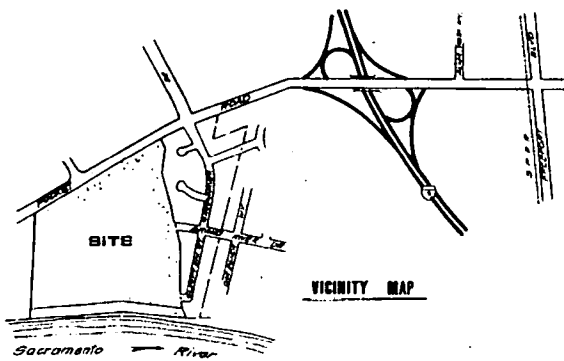
The applicant shall comply with the terms of the agreement between the applicant, the State and the Miwok People.

\_\_\_\_\_  
MAYOR

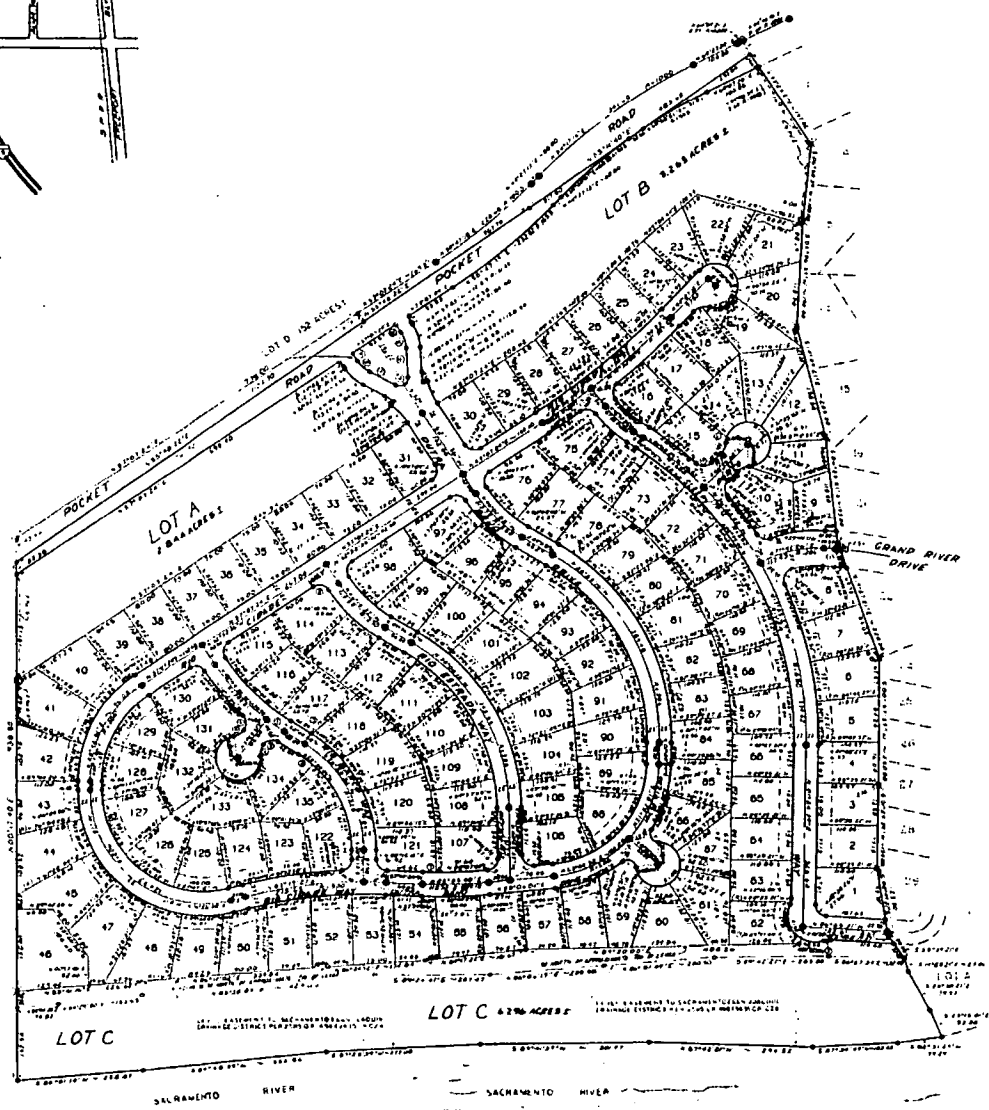
ATTEST:

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

P85-164



**DUTRA BEND AT RIVERLAKE**  
 (ALSO KNOWN AS DUTRA RANCH)



**THE SPRINK CORPORATION**  
 780 F STREET  
 SACRAMENTO, CA. 95814  
 (916) 444-8170

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AGREEMENT CONCERNING BURIAL SITE

L & P - PACIFIC/TEICHERT, a California general partnership, hereinafter called "LPPT," the NATIVE AMERICAN HERITAGE COMMISSION, an agency of the State of California, hereinafter called "the Commission," and the MIWOK PEOPLE agree as follows with respect to the parcel of land in the City and County of Sacramento, California, described in Exhibit A attached hereto, which parcel is hereinafter called "the site."

ARTICLE 1. BACKGROUND.

1.01. Dutra Ranch. LPPT has received approval by the City of Sacramento City Council of a tentative subdivision map, contemplating the division into residential lots of approximately 42 acres, which includes the site. The subdivision is known as the Dutra Ranch.

1.02. The Site. In connection with the environmental investigation made in connection with the subdivision of the Dutra Ranch, it was discovered that the site is a native american burial ground.

1.03. The Owners Association. In connection with the development of the Dutra Ranch, LPPT will create a corporate owners association with the power to levy assessments, and enforce the same by means of liens against lots and parcels to which membership in the owners association is appurtenant.

1.04. Purpose. The purpose of this agreement is to make arrangements concerning the site satisfactory to the Commission and the MIWOK PEOPLE. It is anticipated that the burial ground may extend even more substantially into property not owned by LPPT which is adjacent to and West of the site.

CITY PLANNING DEPARTMENT

AUG 1 1986

RECEIVED

ARTICLE 2. AGREEMENTS.

2.01. Assumption By Owners Association. In connection with the conveyance of the site to the abovementioned owners association, LPPT shall cause the owners association to assume all of the obligations imposed upon LPPT by this Agreement.

2.02. Interim Protective Measures. Pending development of the property referred to in Section 1.04 which is adjacent to and West of the site, LPPT shall cause the site to be covered with cyclone fencing material, dirt to an approximate depth of two feet (2') and grasses.

2.03. Final Protective Measures. If the adjacent property is not developed within five (5) years after the date of this Agreement, LPPT or the owners association shall cause the site to be overgrown with blackberries or other similarly impenetrable ground cover. If the adjacent property is developed within such five years, then LPPT or the owners association shall take such protective measures (approved by the Commission) on the site as the developer of such adjacent property takes with respect to the burial ground on such adjacent property, or such other protective measures as LPPT or the association on the one hand and the Commission or the MIWOK PEOPLE on the other may agree. Neither LPPT nor the owners association shall be required pursuant to this Section 2.03 to take measures substantially more costly than causing the site to be overgrown with blackberries.

2.04. Use. Neither LPPT nor the owners association shall use the site for any purpose not expressly approved by the Commission and the MIWOK PEOPLE.

2.05. Willingness to Convey. LPPT and successive owners of the site, including the owners association, shall remain at all times willing to convey the site for no




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consideration to a public agency or a native american group  
or other entity approved by the Commission.

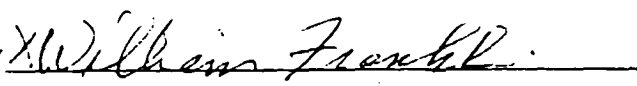
DATED: 8/20/85.

L & P - Pacific/Teichert,  
a California general partnership

By: L & P Land and Development, Inc.,  
a California corporation

By   
William R. Parker, President

MIWOK PEOPLE  
WILLIAM FRANKLIN

By 

NATIVE AMERICAN HERITAGE COMMISSION  
An Agency of the State of California

By 