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CITY OF SACRAMENTO

AUG 25 10 28 PM '88

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

BUILDING INSPECTIONS
916-449-5716

PLANNING
916-449-5604

APPROVED
BY THE CITY COUNCIL
AUG 30 1988
OFFICE OF THE
CITY CLERK

F.88. amended

August 24, 1988

City Council
Sacramento, California

Honorable Members in Session:

Subject: Appeal of the Planning Commission's Approval of the following entitlements:

1. Special Permit to develop a church facility on 3.4 vacant acres zoned R-1 Single Family.

2. Variance to increase the height limit from 35 feet to 50 feet in order to construct a free standing church tower. **(P88-230)**

Location: Southeast corner of 56th Avenue and Havenhurst Way

SUMMARY

The application is for a Special Permit to construct a church facility containing 15,000 square feet on 3.4± acres (vacant) in the R-1, Single Family zone. This request was approved by the Planning Commission subject to conditions.

The Special Permit was appealed by a property owner in the surrounding neighborhood. After several meetings between the appellant and neighbors and the applicant, it was mutually agreed that the proposed church was an appropriate land use subject to amended conditions. Staff therefore, recommends denial of the appeal.

BACKGROUND

On June 23, 1988, the Planning Commission approved a Special Permit to develop a church facility containing 15,000 square feet and a Variance to increase the height limit from 35 feet to 50 feet to construct a free-standing church tower

This church facility consists of a 278 seat chapel, a recreation hall, classrooms, and offices. A total of 160 parking spaces are proposed to accommodate the facility. Driveway access to the parking area will be on Havenhurst Drive and on Reichmuth Way. Exterior building materials consist of brick with a tile roof.

Residents from the neighborhood were present at the Commission hearing. They misunderstood the "consent calendar" terminology and therefore did not have the opportunity to speak. The Commission approved this Special Permit and Variance as a consent item.

Subsequently, a property owner in the neighborhood, Mr. Henry Toniguchi, appealed the Commission's actions citing the following grounds for appeal (In addition, a petition with 200+ signatures of property owners opposing the project was submitted):

1. The proposed church is not compatible with adjacent residential development.

2. Churches should be located on main roads.

3. The proposed church will increase traffic and parking congestion in the neighborhood.

4. The movement of traffic in and out of the parking lot will create hazardous conditions.

5. The people and vehicles using the church facility will increase the noise and light pollution in the neighborhood.

Additional reasons for the appeal are provided in the attached appeal form.

Councilmember Lynn Robie, conducted a meeting in the neighborhood with property owners, the applicant and staff to discuss the neighbors concerns, the staff report and the Commission action and possible alternatives for the property. Two additional meetings were held with the appellant and neighbors and staff to further discuss the traffic impact and alternative land uses for the church property.

The City Traffic Engineering staff was present at these meetings and provided data relative to traffic impacts in the neighborhood and trip generation rates. Traffic Engineering has analyzed the trip ends generated from the church as well as from alternative land uses such as single family subdivision and condominiums. In addition, a one-week vehicle traffic volume count was done on the surrounding streets. Traffic Engineering concluded that the traffic generated by the church would increase the street use volume by 10 to 15 percent which will not significantly impact existing traffic volumes on these streets.

Other residential land use alternatives discussed with the residents were single family and condominiums. Because of the irregular shape of the property it would be difficult to design standard sized lots similar to surrounding properties. The condominium use would create a higher density and more traffic.

The other major concern the residents had at these meetings was future expansion of the church. The church will be constructed with a 278 seat chapel. The residents wanted to be assured that the church will not expand its seating capacity or expand the church building for other functions such as bingo, child day care facility, or other fund raising activities. The applicant should be aware that the Special Permit request is only for a 278 seat chapel with a recreation hall, classrooms and offices for the church use. No bingo, child care facility or fund raising activity is permitted. Any increase in seating capacity or building expansion will require a public hearing before the Planning Commission to modify the Special Permit.

Other concerns of the residents included: a) delete driveway access on Reichmuth Way; b) increase the height of the berm; c) landscape the freeway right-of-way behind the church property; d) provide more evergreen trees; e) ability to review the landscape plan.

The following are additional conditions to address the concerns of the appellant and residents of the neighborhood. The appellant and church representatives have agreed on these new conditions.

Added Conditions:

1. The applicant shall delete the driveway access on Reichmuth Way and provide a new driveway access on 56th Avenue. The driveway access on Havenhurst Drive shall remain as indicated in the site plan.

2. The applicant shall install four foot high undulating berms (height is measured from sidewalk or parking lot, whichever is higher) between the street frontage and parking areas. The low or valley areas of the berm shall be planted with shrubs to screen the vehicles.

3. The applicant shall enter into an agreement with the City of Sacramento and CalTrans under terms of conditions satisfactory to them to landscape and irrigate the freeway right-of-way behind the church property.

4. The church chapel area shall contain a maximum of 278 seats per the submitted plans. Any expansion of seating or building shall require review and approval by the Planning Commission.

5. The proposed detached storage building shall be designed with materials and colors that are compatible with the church building. Final design shall be submitted to the Planning Director for review and approval.

6. The Planning Director shall inspect the subject project to determine compliance with all conditions of the Special Permit prior to approval of the final building inspection by the City Building Division.

In conclusion, the church representative and appellant have mutually agreed on the new conditions and have indicated they will work together to be "good neighbors". The attached Findings and Conditions also include the original conditions approved by the Planning Commission.

VOTE OF THE PLANNING COMMISSION

On June 23, 1988, the Commission voted 5 ayes, 4 absent to approve the request subject to conditions.

RECOMMENDATION

The Planning Commission and staff recommend denial of the appeal, based on the attached Findings of Fact and amended conditions.

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

Respectfully submitted,

Michael M. Davis
Director of Planning and Development

MMD:WW:jg
Attachments
P88-230

District No. 8
August 30, 1988

Appeal of Henry Toniguchi vs. City of Sacramento Planning Commissions Approval of a Special Permit to Develop a Church Facility at the Southeast Corner of 56th Avenue and Havenhurst Drive (P88-230)	)	**AMENDED** NOTICE OF DECISION AND FINDINGS OF FACT

At its regular meeting of August 30, 1988, the City Council heard and considered evidence in the above-entitled matter. Based on verbal and documentary evidence at said hearing, the Council denied the appeal based on the following findings and amended conditions:

Findings of Fact:

1. The proposed project, as conditioned, is based on sound principles of land use, in that the proposed church is compatible with adjacent residential development.

2. The proposed project, as conditioned, will not be injurious to the public health, safety or welfare nor to surrounding properties in that adequate on-site parking, landscaping and architectural design are provided.

3. The subject property is designated for low density residential uses by the General Plan and the 1976 Pocket Community Plan. Churches are allowed in any zone with Special Permit approval.

Conditions:

1. The landscape plan shall be revised to include:

   a. additional finger planters as shown in Exhibit D;

   b. removal of the most southerly parking space as indicated in Exhibit D;

   c. re-design planters to accommodate a two-foot vehicle overhang adjacent to parking stalls; and

   d. the shrubs at the intersection of Havenhurst Way and Reichmuth Way shall be less than three-fee in height. (The Building Inspection Division should be contacted to include any additional tree shading requirements which may be added to the revised landscape plan).

2. Revised parking and landscape plans shall be reviewed and approved by the Planning Director prior to issuance of a building permit. Parking and landscape plans are also subject to the review and approval of the Building and Traffic Engineering Divisions.

3. Concrete curbing along planter areas shall be poured concrete not extruded curbing.

4. All on-site lighting shall be screened and/or not directed off-site onto adjacent residential properties.

5. A sign plan shall be submitted to and approved by the Planning Director prior to issuance of a sign permit. Sign illumination shall be kept to a minimum (e.g., small flood lights located in planters).

6. Trash enclosures shall meet the requirements of the City Zoning Ordinance.

7. Any satellite dish shall be subject to review and approval of the Planning Director prior to its placement on the property. Any satellite dish shall be screened with materials similar to the main structures and/or landscaping and shall not be visible from adjacent residential properties or public streets.

8. The project shall be constructed per the submitted plans, as amended.

9. A six-foot decorative masonry wall shall be provided along the south property line.

10. The applicant shall delete the driveway access on Reichmuth Way and provide a new driveway access on 56th Avenue. The driveway access on Havenhurst Drive shall remain as indicated in the site plan.

11. The applicant shall install four foot high undulating berms (height is measured from sidewalk or parking lot, whichever is higher) between the street frontage and parking areas. The low or valley areas of the berm shall be planted with shrubs to screen the vehicles.

12. The applicant shall enter into an agreement with the City of Sacramento and CalTrans under terms of conditions satisfactory to all parties to landscape and irrigate the freeway right-of-way behind the church property.

13. The church chapel area shall contain a maximum of 278 seats per the submitted plans. Any expansion of seating or building shall require review and approval by the Planning Commission.

14. The proposed detached storage building shall be designed with materials and colors that are compatible with the church building. Final design shall be submitted to the Planning Director for review and approval.

15. The Planning Director shall inspect the subject project to determine compliance with all conditions of the Special Permit prior to approval of the final building inspection by the City Building Division.

16. The deciduous trees proposed along the berm area shall be replaced with evergreen trees to provide additional screening of the parking areas.

MAYOR

ATTEST:

CITY CLERK

P88-230

Appeal of Henry Toniguchi vs. City of Sacramento Planning Commissions Approval of a Special Permit to Develop a Church Facility at the Southeast Corner of 56th Avenue and Havenhurst Drive (P88-230)	)	NOTICE OF DECISION AND FINDINGS OF FACT

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2. The proposed project, as conditioned, will not be injurious to the public health, safety or welfare nor to surrounding properties in that adequate on-site parking, landscaping and architectural design are provided.

3. The subject property is designated for low density residential uses by the General Plan and the 1976 Pocket Community Plan. Churches are allowed in any zone with Special Permit approval.

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13. The church chapel area shall contain a maximum of 278 seats per the submitted plans. Any expansion of seating or building shall require review and approval by the Planning Commission.

14. The proposed detached storage building shall be designed with materials and colors that are compatible with the church building. Final design shall be submitted to the Planning Director for review and approval.

15. The Planning Director shall inspect the subject project to determine compliance with all conditions of the Special Permit prior to approval of the final building inspection by the City Building Division.

MAYOR

ATTEST:

CITY CLERK
P88-230

P88-235

24

NEW DRIVEWAY

Additional finger planters

Area to be Landscaped

Additional finger planters

Parking space to be removed and replaced with landscaping

Add low shrubs to top of berm

Add low shrubs to valley of berm

Shrubs/plantings in this area to be 3 feet or less in height. Add note to reflect this in revised landscape plan

25'

25'

HAVENHURST WAY

HAVENHURST

DELETE DRIVEWAY

LANDSCAPE LEGEND

PRELIMINARY SHADE CALCULATIONS

SPRINKLER IRRIGATION DESIGN CRITERIA

EXHIBIT D

THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

First & Second Wards

56th & Havenhurst Dr.

Sacramento, Calif.

LANDSCAPE PLAN

L-1

P88-230

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

Neg Dec attached for info only. Neg Dec not appealable at this stage

24

DATE: July 1, 1988

TO THE PLANNING DIRECTOR:

I do hereby make application to appeal the decision of the City Planning Commission of 6/26/88 (Date) when:

____ Rezoning Application XX Variance Application

XX Special Permit Application ____ P88-230

was: XX Granted ____ Denied by the Commission

CITY PLANNING COMMISSION

GROUNDS FOR APPEAL: (Explain in detail)

~~Please refer to attachment.~~

PROPERTY LOCATION: Corner of 56th Avenue & Havenhurst Drive

PROPERTY DESCRIPTION: Undeveloped/vacant lot, approx 3.4 Acre

ASSESSOR'S PARCEL NO. 029 - 0384 - 007-0000

PROPERTY OWNER: The Church of Jesus Christ of Latter Day Saints

ADDRESS: 61 East North Temple Street

APPLICANT: Mau, Haidet, Hyde, Schroeder, Inc.

ADDRESS: 1718 3rd Street #201, Sacramento, Ca.

APPELLANT: (Henry Tamiguchi) (SIGNATURE) (Henry Tamiguchi) PRINT NAME

ADDRESS: 6919 Gallery Way, Sacramento CA 95831
Ph. No. (916) 393-9813

FILING FEE:
___ by Applicant: $105.00 RECEIPT NO. ____
XXX by 3rd party: 60.00
FORWARDED TO CITY CLERK ON DATE OF: ____

P- 88-230

5/82

DISTRIBUTE TO -
(4 COPIES REQUIRED): MVD
AG
WW
RT
SG - (Original)

To The Planning Director

We hereby request that the decision of the City Planning Commission to approve construction of a church at the corner of 56th Avenue and Havenhurst be reversed.

We attended the Planning Commission meeting on June 22, 1988 to provide input. Unfortunately, due to our lack of knowledge on the Consent Calendar process, and the absence of any clear, concise instruction from the commission members, we sat there silently without uttering a comment. We mistakenly believed that by not objecting, the item would remain on the Consent Calendar in order to be discussed. We liken it to an agenda for a meeting. If you want it to stay on the agenda for discussion you say nothing. If you want to defer it for later discussion you ask to have it removed from the meeting agenda. Unfortunately, the opposite is true of the Consent calendar process. We should have said we want it off the consent calendar. Instead it remained on the consent calendar and was automatically approved.

Due to our naivety, we are now required to proceed with this protest.

We have also filed a protest with the City Council. We feel that the arguments that apply to the Special Permit are also applicable in regards to the Negative Declaration. Consequently, we have incorporated the following into our protest addressed to both the Planning Director as well as to the members of the City Council.

We object to this project for the following reasons.

We disagree with the Findings of Fact that the proposed church is compatible with adjacent residential development.

1. Our neighborhood is an established(20 years)area consisting of only single family residence: no mix use in the immediate area of the proposed church construction. We do not have multiple unit family dwelling, such as apartments or other such deviations, as small shops, in the immediate area.

   All the construction that will ever take place has been done. In other words we don't have any vacant land(other then the church site) that will cause further <u>growth</u> or <u>changes</u> in our neighborhood "life style".

   The very purpose(groups of people meeting at a location) and functions(weddings, funerals) of the church will disrupt the

peace, tranquility and stability of our long established neighborhood.

A church is not compatible clustered into a long established single family residential area.

We disagree with the Findings of Fact that this project will not be detrimental to the public health, safety or welfare nor result in the creation of a nuisance.

Please note:

The numbers I am using are based on the maximum use planned for by the church. The planning document stated parking for up to 160 vehicles and seating for up to 278 person. Again we feel that in a few years the max will be reached. Otherwise, why are they building a new church with this kind of seating capacity if not for the reason that they will have an ever increasing need in the near future.

2. Shouldn't churches be located on "main roads'?

Locating heavy use facilities on main arteries will result in the least amount of adverse impact to the residents and the neighborhood.

We are aware that churches are located on other then main roads, but we feel that given a choice we should not build these types of facilities in strictly residential areas. In our particular case we have the opportunity to make this decision before its too late.

Lets perpetuate the precedents to situate churches so that they will front at least one major road.

3. Max use of the streets by the church members will occur during the same days that the residents typically use the same streets the most.

The increase use of the streets by the church members will occur during the exact times that we are using these streets. Typically, churches use streets that have less traffic on Sundays because people are not using them to commute to work & etc. But in our case, these street are used most on weekends by residents traveling from one side of the freeway to the other to attend to their shopping and other business because we have shopping areas located on both sides of the freeway. Most people try to avoid traveling on Florin road to reach the other side of the freeway because of the long traffic lights. So in this case the church will be competing for the use of the street at the same time that the residents will be using them the most.

4. Potential danger of onstreet parking.

They have allocated parking for 160 vehicles. But we can see where onstreet parking will still occur. For example, allot of people do not like to park their cars in lots because of other people opening their door and "dinging" the side of the car.

Another example is when they have special events such as weddings and etc. The parking space capacity could very well be exceed.

Our concern with any onstreet parking is that it will decrease the amount of "width" available on a relatively narrow road as Havenhurst. This decrease will effect the safe passage of traffic down this well used road.

The traffic control office has stated that Havenhurst meets the min. width to handle onstreet parking. Our contention is that it will meet the minimum but without the church we have an extra margin of safety(width). Why should we be subjected to the lost of this extra safety margin?

5. Ingress/egress from parking lot.

The movement or traffic in and out of the parking lot has potential for creating a hazardous conditions.

For one reason because of the decreased width of the road due to potential onstreet parking and the curve in the road we will have decreased visibility. In other words, your view will be somewhat restricted with a bend in the road and having that bend constricted because of onstreet parking makes a potentially dangerous situation much more dangerous. This dangerous conditions will impact those driving on the road and those individuals leaving or entering the parking lot of the church.

Even without the problem of onstreet parking, individuals pulling out of the parking lot will not be able to readily see vehicles traveling on the street towards them because of the bend. Also the bend in the road. Individuals traveling on the street won't readily be able to see the individuals pulling out of the parking lot because of the bend in the road.

Finally, the idea of 160 vehicles leaving the parking lot at one time brings to mind all kinds of potential problems. Residents will not be able to pull out of their driveway. Residents will be stuck at intersections waiting for a chance to merge into traffic or to be able to cross an intersection.

This additional traffic will create a problem that does not currently exist. We feel that the creation of this additional problem is not warranted.

6. Noise pollution from vehicles and people.

When you bring 270 plus individuals and their vehicles into a 3.4 acre area you will have increased noise. This noise due to the backdrop of the freeway wall will bounce and focus onto the homes directly facing the church. Can you imagine what it will sound like to hear 160 vehicles start their engines at the same time. And what about the noise from several hundred people(children included) walking, talking and playing as they head for their cars.

What about noise pollution from other outdoor related functions. For example, after a wedding as the bride and groom leave the church the noise will definitely be loud. And we have to consider that at functions like this there can and will be more then the normal number of persons who attend regular church services.

Finally, what about noise from groups of children and young adults playing on the church grounds. We aren't sure if they will have a basketball court or other outdoor sports facilities now or in the future that will add to our noise pollution problem.

7. Light pollution.

Accommodations(some) are made to minimize car headlights shining on the homes in the area. Noticed I said "some". The reason is that with the planned design(shrubs) you will get headlight "pollution": it can't be totally eliminated because shrubs are not a solid object.

Lets consider another aspect of this light pollution. When the cars are leaving the church how will you prevent 320(160 cars with two headlights per car) lights from shining on homes as the vehicles "drop" from a higher elevation(the parking lot) to a lower elevation(the gutter) and then up to a higher elevation(the surface street)?

No matter what is done to minimize this problem it won't be totally eliminated. We feel that it is not equitable to subject us to this situation when it is(the construction of the church) not totally necessary for the well being of the neighborhood.

8. What about special vehicle use?

Will the church be bring in groups at various times from other Wards and etc by bus? Will they use buses to transport members from the church to other areas? If the answer is yes, then we have another potential problem with large vehicles traversing our relatively narrow residential streets.

Lets not forget about the additional noise pollution from these large vehicles.

9. Future increase in use.

The information contained in the planning document states that approximately 120 persons will be attending service. Yet the facility has capacity for seating over 270 person. So what will this mean next year or the year after? The answer is that it will mean that establishing a church now will ensure that church related traffic and accompanying noise pollution and other adversely related factors will <u>increase in the years to come</u>.

Our immediate area is already developed. No new construction of any magnitude will occur in our neighborhood. So our traffic patterns and volumes would basically stay the same if the church were not constructed. Buy adding a structure with the potential of seating 278 individuals just for regular church services and not considering <u>special uses</u> will mean that the volume of traffic will continue to increase in the years to come.

Assuming that the average family consist of 4 members. By allowing the church to build its facility will be like building an additional 70 homes in this area. Imagine 70 more new homes and what that means to the use of the area.

We have a situation where the use will <u>only increase</u> in the years to come and only result in the degradation of our neighborhood and life style and quality of our lives.

10. Change in use of church.

On the planning document they included the current uses, but what about the future. Will they decide, due to increase in members to use the facility more then shown on their document and for additional or different uses?.

What about different uses? Will they use it in the future for things such as child care?

Will these change result in more or less disruption? I think we can surmise that more and different uses will occur and that will mean more traffic and noise and commotion rather then less.

11. I love to hear bells, but.

    The church is planning to install a steeple. Does this mean we will have "bells" ringing in the morning and etc. The freeway retaining wall will help magnify the sounds directly onto those homes facing the front of the church and beyond. We don't have anything again "bells" but we don't feel its appropriate to have them in a neighborhood surrounding.

12. Negative impact on property values.

    Many of us agree that if we had known about the intended use of this land before we purchased our home we wouldn't have bought.

    We feel that it is not appropriate to change an established area after all these years(20 years) in such a manner that it will detrimentally impact value as well as the saleability of our homes.

    We feel that we are being made to bear the brunt of "negative fallout" from this project without realizing any positive benefits. In other words why should several hundred plus people be placed in this adverse situation to accommodate church members who the majority of don't live immediately in the area impacted the most.

The alternative we propose is that the church expand their current facilities to meet the increase need in their membership. In other words, they are already established in an area where the neighbors have "accepted" them. Why move into a new area and disrupt the life style and property values of the new neighborhood.

The church can sell the land to get the "cash" needed to assist them in updating their current facilities. The land can then be used to construct single family residences.

In summary, we hereby respectfully request that the Planning Office disallow the request to build a church in an already well established, stable neighborhood. The inclusion of this church will only have negative impact on the neighborhood and will detrimentally impact the life style and the quality of life of the residents.

Parking: 160

15 SHEETS

24

Use: Sunday 8AM-8PM, Occasional Tue, Wed, Fri, Sat

Total Signitures: 224

Questions: Weddings?, "Holidays", Funerals?

Councilmember: Lynn Robie: 449-5058

We the undersigned protest the building of a church in our neighborhood because of the negative impact it will have on the traffic situation and the incompatible use of "residential land" for construction of something other then family residents.

NAME	ADDRESS	PHONE NO.
Janis C. Rose	6932 13th ST	424-8609
[illegible]	6940-13 ST	393-[illegible]
[illegible]	6972 13th ST	392-6075
[illegible]	7010-13th St	392-5220
Janet J. Hen	7015 13th St	392-2846
Ben T. Smith	7018 13TH St.	428-1049
Bill Meaber	7018 13th St	428-1049
Ann C. J. Wiseman	7014-13th St	428-9346
Gary Wang	7028-13th	428-15[illegible]
Linda Wang	7028-13th St.	424-1569
Linda Alcaraz	7036-13th St	422-9207
Edward Fong	7005-13th ST	424-2492
Susan Fong	7005-13th St	424-2492
Eldon Crow	7037-13TH ST	392-1182
Sandra McEndley	7031-13th St	392-3453
Peggy S. Moe	7017 13th St	395-6218
Rebecca Wang	6925 13th ST	395-1190
Edna Lorie	6915 13th St.	424-1697
Frank Lorie	6915-13th St	424-1697
[illegible]	6915-13th St	424-1697

Sacramento City Planning Commission
VOTING RECORD

24

MEETING DATE: June 23, 1988
ITEM NUMBER: 23B
PERMIT NUMBER: P88-230

ENTITLEMENTS

- [ ] GENERAL PLAN AMENDMENT
- [ ] COMMUNITY PLAN AMENDMENT
- [ ] REZONING
- [x] SPECIAL PERMIT
- [ ] VARIANCE
- [ ] TENTATIVE MAP
- [ ] SUBDIVISION MODIFICATION
- [ ] LOT LINE ADJUSTMENT
- [ ] ENVIRONMENTAL DET.
- [ ] OTHER _____

STAFF RECOMENDATION
- [x] Favorable [ ] Unfavorable
- [ ] Correspondence
- [ ] Petition

LOCATION: Southeast corner of 56th Avenue & Havenhurst Drive

PROPONENTS

NAME	ADDRESS

OPPONENTS

NAME	ADDRESS

MOTION #

	Yes	No	Motion	Second
GASTON	✓			
HOLLICK	absent			
HOLLOWAY	absent			
ISHMAEL	✓			✓
NOTESTINE	✓			
OTTO	✓		✓	
RAMIREZ	absent			
WALTON	absent			
CHINN	✓			

MOTION

- [ ] TO APPROVE
- [ ] TO DENY
- [x] 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 _____

PLANNING AND DEVELOPMENT

Sacramento City Planning Commission
VOTING RECORD

24

MEETING DATE: June 23, 1988

ITEM NUMBER: 23 C

PERMIT NUMBER: P 88-230

ENTITLEMENTS

- [ ] GENERAL PLAN AMENDMENT
- [ ] COMMUNITY PLAN AMENDMENT
- [ ] REZONING
- [ ] SPECIAL PERMIT
- [x] VARIANCE
- [ ] TENTATIVE MAP
- [ ] SUBDIVISION MODIFICATION
- [ ] LOT LINE ADJUSTMENT
- [ ] ENVIRONMENTAL DET.
- [ ] OTHER _____

STAFF RECOMENDATION: [x] Favorable [ ] Unfavorable

[ ] Correspondence

[ ] Petition

LOCATION: Southeast corner of 56th Avenue & Havenhurst Drive

PROPONENTS

NAME	ADDRESS

OPPONENTS

NAME	ADDRESS

MOTION # _____

	Yes	No	Motion	Second
GASTON	✓			
HOLLICK	absent			
HOLLOWAY	absent			
ISHMAEL	✓			✓
NOTESTINE	✓			
OTTO	✓		✓	
RAMIREZ	absent			
WALTON	absent			
CHINN	✓			

MOTION

- [ ] TO APPROVE
- [ ] TO DENY
- [ ] TO APPROVE SUBJECT TO COND & BASED ON FINDINGS OF FACT IN STAFF REPORT
- [x] 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 _____

PLANNING AND DEVELOPMENT

24

APPLICANT Mau, Haidet, Hyde, Schroeder, Inc. 1718 3rd Street #201, Sac., CA 95814
OWNER Church of Jesus Christ of Latter Day Saints, 61 East North Temple St., SLC, UT 84
PLANS BY Mau , Haidet, et al.
FILING DATE 5/19/88 ENVIR. DET. Neg. Dec. 5/27/88 REPORT BY DCS:vf
ASSESSOR'S PCL. NO. 029-0384-007

APPLICATION: A. Negative Declaration

B. Special Permit to develop a 15,000± sq. ft. church facility and a 280± sq. ft. storage building on 3.4± vacant acres in the Standard Single Family-Executive Airport Overlay (R-1, EA-4) zone.

C. Variance to exceed the 35' height limit by 15 feet.

LOCATION: Southeast corner of 56th Avenue and Havenhurst Way.

PROPOSAL: The applicant is requesting the necessary entitlements to construct a 15,000 sq. ft. church facility.

PROJECT INFORMATION:

General Plan Designation:	Low Density Residential
1976 Pocket Community Plan Designation:	Low Density Residential
Existing Zoning of Site:	R-1 (EA-4)
Existing Land Use of Site:	Vacant

Surrounding Land Use and Zoning:

North: Single Family Residence; R1-EA4
South: Single Family Residence; R-1
East : Interstate 5
West : Single Family Residence; R-1

Setbacks:	Required	Provided
Front:	25'	35'
Side(St):	12.5'	35'
Rear:	15'	

Parking Required:	47 spaces
Parking Provided:	160 spaces
Property Dimensions:	Irregular
Property Area:	3.4± acres
Square Footage of Building:	15,280 sq. ft.
Height of Building:	29' (to highest point of roof-tower 50')
Topography:	Flat
Street Improvements:	Existing
Utilites:	Existing
Exterior Building Materials:	Brick
Roof Material:	Tile

APPLC. NO. P88-230 MEETING DATE June 23, 1988 ITEM NO. 23

24

PROJECT EVALUATION:

A. Land Use and Zoning:

The subject site consists of a 3.4 acre vacant parcel which is located in the Standard Single Family (R-1) zone. The property is surrounded by three streets and Interstate 5. Surrounding land uses to the north, west and south are single family residences. To the east is Interstate 5.

The Executive Airport 4(EA-4) overlay zone has been placed on the easterly portion of the property. The Executive Airport 4 overlay zone is the least restrictive of 4 airport overlay zones. A church is permitted in the zone upon approval of a special permit. Because of the EA-4, a 30 foot height limit is placed on the site. In addition, the site is designated Low Density Residential by both the General Plan and 1976 Pocket Community Plan. The proposed use would be consistent with these plans.

B. Applicant's Proposal:

A Special Permit is requested to construct a 15,000 sq. ft., 278 seat church facility and a 280 sq. ft. storage building. One hundred sixty parking spaces are proposed to accommodate the facility. The applicant is also requesting a variance to exceed the 35 ft. height limit permitted in the R-1 zone by 15 feet. The variance is for a 50± foot high tower which is located next to the building, the tower is only in the R-1 zone which has a 35 foot height limit. The EA-4 zone, with a 30 ft. height limit only covers a portion of the subject site.

C. Site Plan/Design:

The primary issues related to this project are: building height/variance, landscaping, lighting, signs, trash enclosures and satellite dishes.

1. Building height/variance

The subject site is within the Standard Single Family (R-1), Executive Airport 4 (EA-4) overlay zone. A height limit of 35 feet is permitted in the R-1 zone. The Executive Airport 4 overlay zone,however, has a 30' height limit. At its peak, the building is 29 feet high which conforms to the EA-4 overlay zone. A 50 foot tower is proposed adjacent to the church. The tower is outside the Executive Airport 4 overlay zone. Therefore, the R-1 zone height limit of 35 feet

applies to the tower. The applicant requests approval of a variance to exceed the 35 foot height limit. Staff can support this request for several reasons. One reason is that the subject site is adjacent to Interstate 5 which is elevated 20 ft. to 25 ft. above the proposed church site. There are also a 8 ft. to 10 ft. high sound wall, a 20 ft. high off ramp sign and highway light stanchions which staff estimate to extend another 30± ft. above the highway elevation. The proposed building a tower would not extend into the air any higher than the existing highway related structures. A second reason is that flag poles and similar spires have been approved in other areas of the City. Finally, landscaping on the site include large trees which will reach a height between 40 ft. to 70 ft. at maturity. The tower will, therefore, not be that noticeable as the trees reach their ultimate heights.

2. Landscaping:

A landscape plan was submitted and reviewed by Planning and Building Division staff. The following comments are provided:

- additional finger planters shall be added as shown in Exhibit D
- one parking space on the southerly side of the parking area shall be removed and landscaping provided instead, see Exhibit D.
- rather than using wheel stops, parking shall be designed to overhang planters by two feet.
- low shrubs shall be incorporated into 25 ft. bermed areas to help reduce headlight glare on surrounding residential properties.
- shrubs at the corner of Havenhurst Way and Reichmuth Way shall be maintained at a height of three ft. or lower to allow clear visibility at that intersection.
- concrete curbing along planter areas shall be poured concrete not extruded.

3. Lighting:

Since the church is surrounded by residential uses, lighting shall be shielded and/or directed away from the surrounding residences.

4. Signs:

Sign plans shall be submitted to and approved by the Planning Director prior to issuance of a sign permit sign illumination shall be kept to a minimum (e. g. lighting may be provided by small floodlights located in planters).

5. Trash Enclosure:

The trash enclosure shall meet the requirement of the City Zoning Ordinance.

6. Satellite Dishes:

Should a satellite dish be desired for the site, plans shall be submitted and approved by the Planning Director prior to its locating on the property. Appropriate landscaping and/or fencing may be required.

Agency Comments:

The proposed project has been reviewed by the City Engineer, Traffic Engineer, and other agencies. The following comments are provided by the City Traffic Engineer:

- The dividers at driveway entrances, as shown, are unacceptable.
- Repair or replace any substandard improvements.
- Remove or relocate planters which align with driveway and exits.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the proposal will not have a significant impact on the environment and has filed a Negative Declaration.

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RECOMMENDATION: Staff recommends the following actions:

A. Ratify the Negative Declaration.

B. Approve the Special Permit subject to conditions and based upon the findings of fact which follow:

C. Approve the variance based upon findings of fact which follow:

Conditions:

1. The landscape plan shall be revised to include:

   a. additional finger planters as shown in Exhibit D;

   b. removal of the most southerly parking space as indicated in Exhibit D;

   c. redesign planters to accommodate a two foot vehicle overhang adjacent to parking stalls;

   d. incorporate low shrubs upon the berms adjacent to Havenhurst Way and Reichmuth Way as indicated in Exhibit D.

   e. a note indicating that the shrubs at the intersection of Havenhurst Way and Reichmuth Way shall be less than three feet in height. (The Building Inspection Division should be contacted to include any additional tree shading requirements which may be added to the revised landscape plan);

2. Revised parking and landscape plans shall be reviewed and approved by the Planning Director prior to issuance of a building permit. Parking and landscape plans shall be reviewed and approved by the Planning Director prior to issuance of a building permit. Parking and landscape plans are also subject to the review and approval of the Building and Traffic Engineering Divisions.

3. Concrete curbing along planter areas shall be poured concrete not extruded curbing.

4. All on-site lighting shall be screened and/or not directed off-site onto adjacent residential properties.

5. A sign plan shall be submitted to and approved by the Planning Director prior to issuance of a sign permit. Sign illumination shall be kept to a minimum (e. g. small flood lights located in planters).

6. Trash enclosures shall meet the requirements of the City Zoning Ordinance.

7. Any satellite dish shall be subject to review and approval of the Planning Director prior to its placement on the property. Any satellite dish shall be screened with materials similar to the main structures and/or landscaping and shall not be visible from adjacent residential properties or public streets.

8. The project shall be constructed per the submitted plans, as amended.

9. A six foot masonry wall shall be provided along the south property line.

Findings of Fact - Special Permit:

1. The proposed project, as conditioned, is based upon sound principles of land use in that the proposed church is compatible with adjacent residential development.

2. The proposed project, as conditioned, will not be detrimental to the public health, safety or welfare nor result in the creation of a nuisance in that adequate parking, landscaping and architectural design are provided.

3. The land use proposed by the special permit is consistent with the City's General Plan and the 1976 Pocket Community Plan.

Findings of Fact - Variance:

1. The variance, as conditioned, does not constitute a special privilege extended to one individual property owner in that similar towers have been approved by the Planning Commission for other churches in the City.

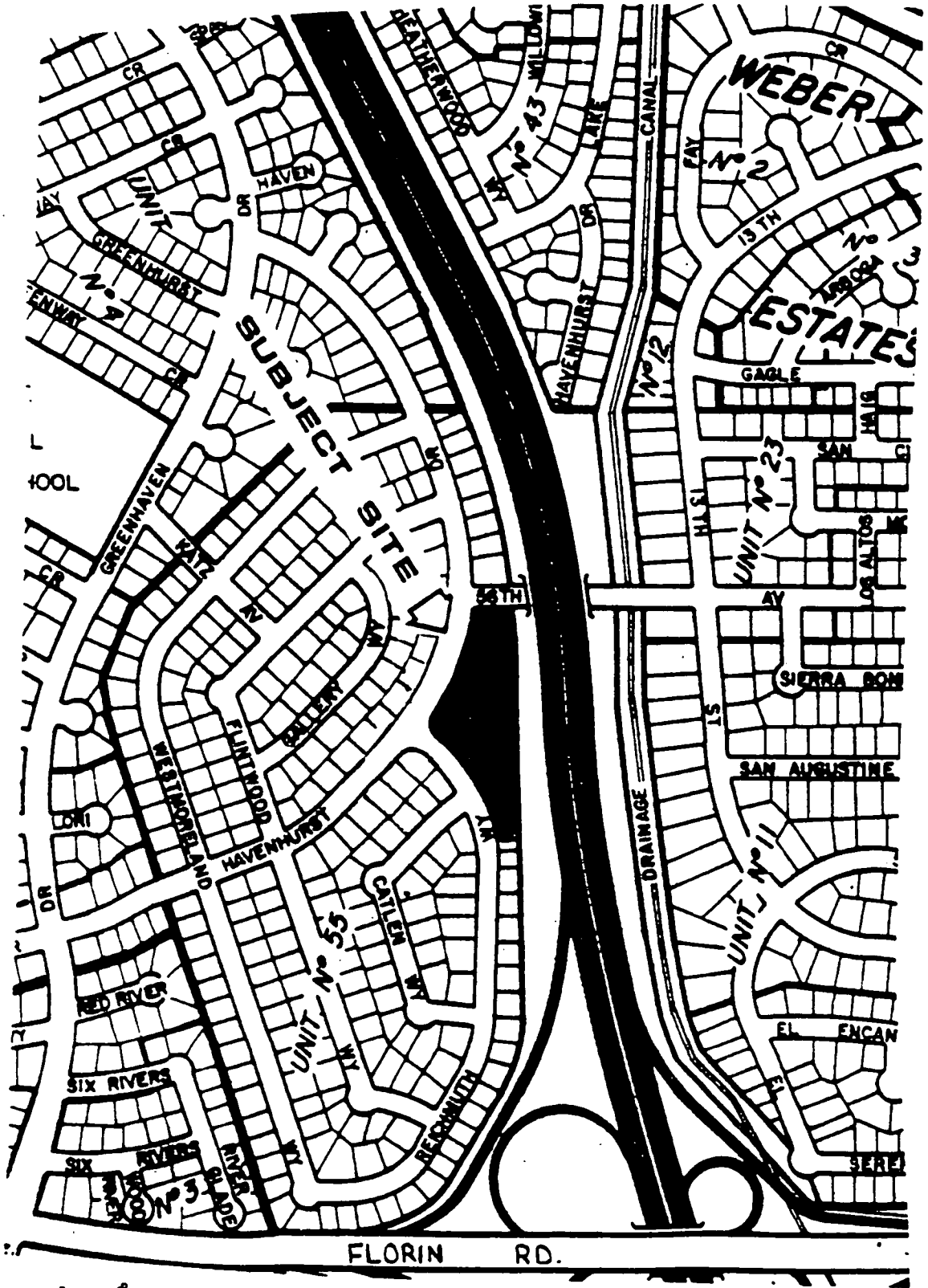
2. The variance, as conditioned, will not be injurious to the general public nor surrounding properties in that:

a. the tower is at a height similar to the adjacent freeway signs and light standards located on Interstate 5; and

b. the proposed structure and landscaping will screen the tower from surrounding residential properties.

3. The project is consistent with the policies contained in the City General Plan and the 1976 Pocket Community Plans.

24



1 Issue:
- Traffic impact

EXHIBIT A

-25-

P88-230

VICINITY MAP

P88-230 6-25-88

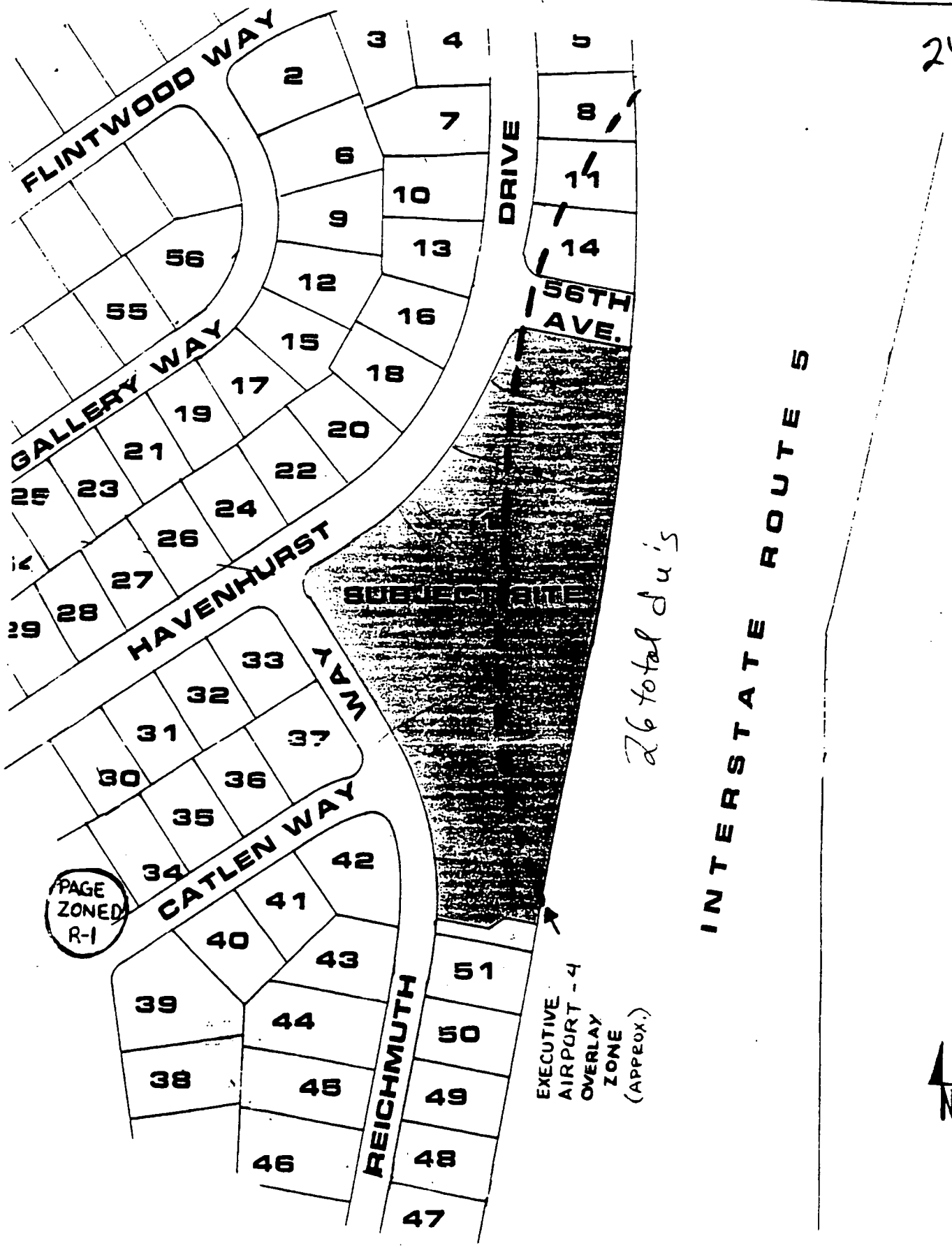
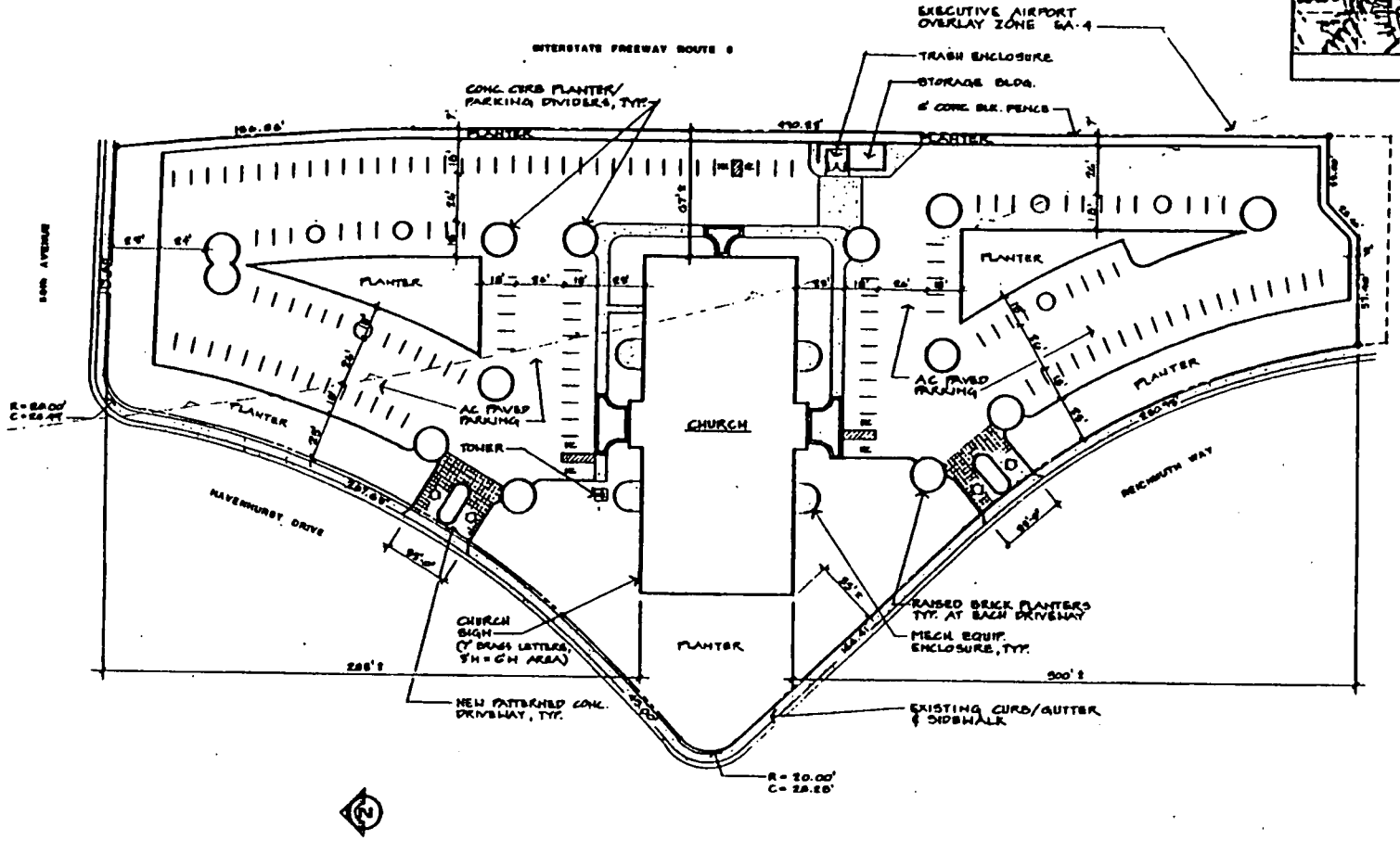


EXHIBIT B

LAND USE & ZONING MAP



VICINITY MAP

PRELIMINARY SITE PLAN

SCALE: 1" 30'-0"

PARKING DATA

REQ'D. SPACES: 279 SEATS ÷ 6 = 47

PROVIDED: 9' × 18' —— 189

HANDICAP SPACES: 14' × 18' —— 6

EXHIBIT C

THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

First & Second Wards
58th & Havenhurst Dr.
Sacramento, Calif.

SITE PLAN

A-0

P88230

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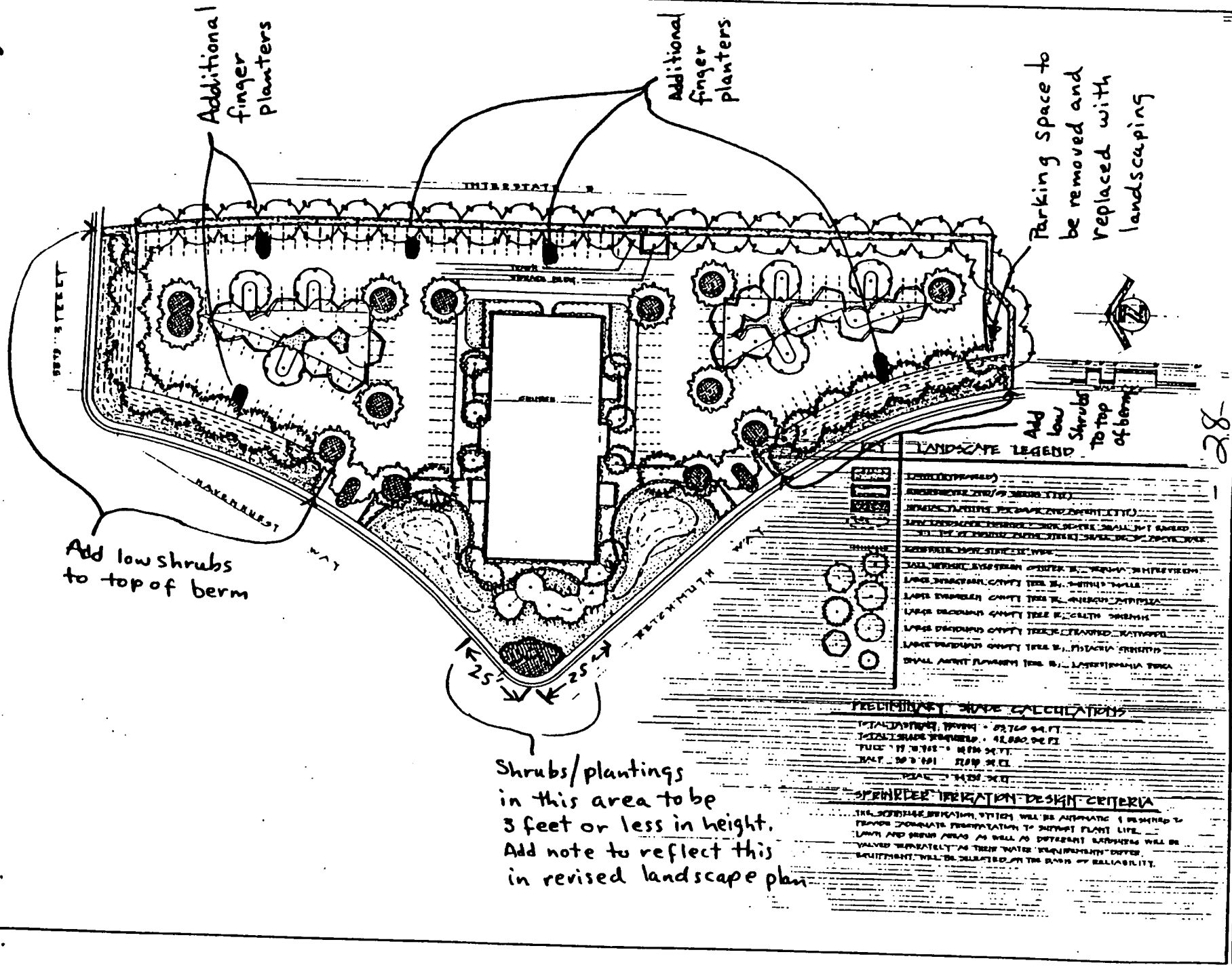
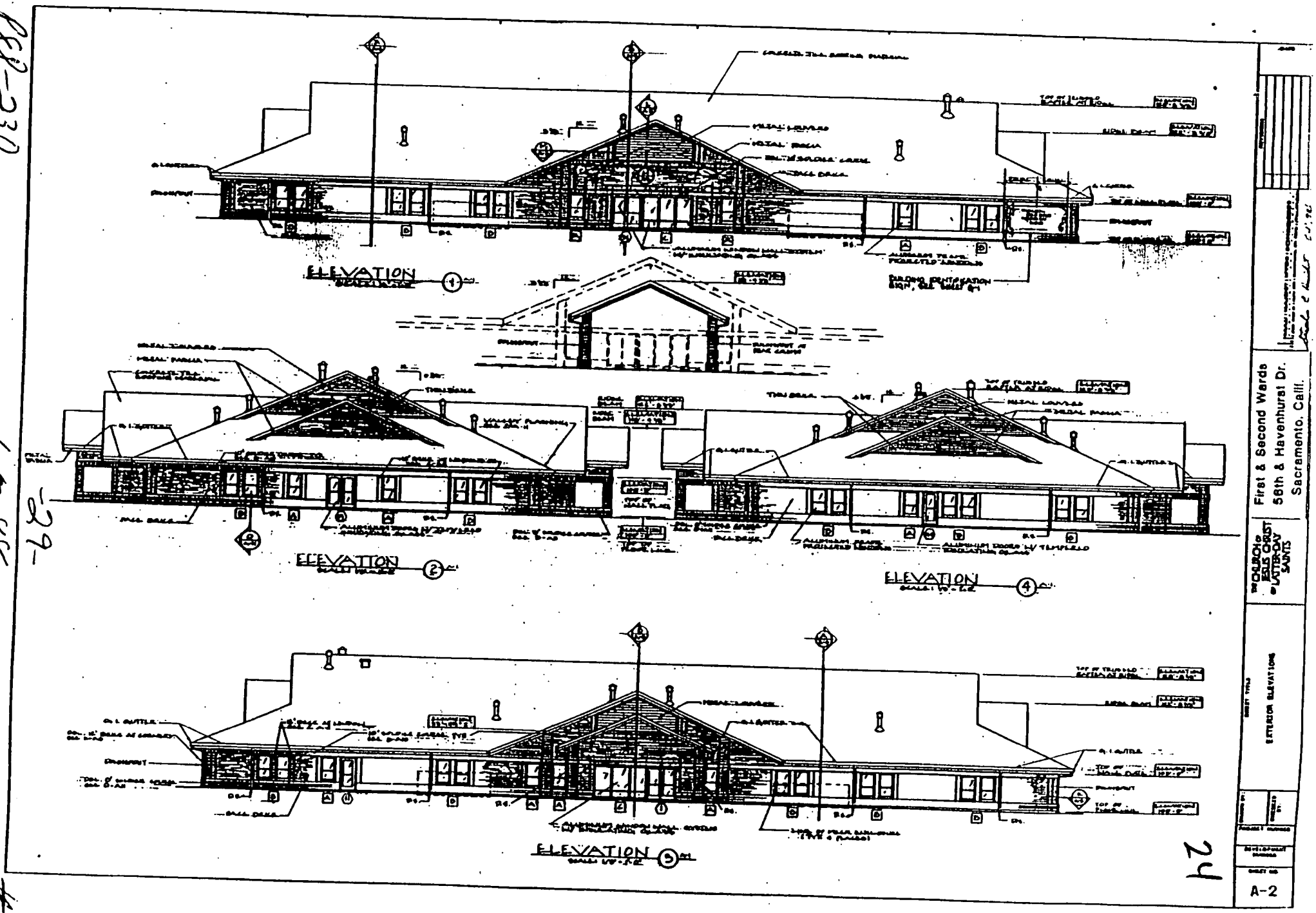

Additional finger planters
Additional finger planters
Parking space to be removed and replaced with landscaping
Add low shrubs to top of berm
Add low shrubs to top of berm
Shrubs/plantings in this area to be 3 feet or less in height. Add note to reflect this in revised landscape plan
25'
25'
LANDSCAPE LEGEND
PRELIMINARY SHADE CALCULATIONS
SPRINKLER IRRIGATION DESIGN CRITERIA
EXHIBIT D
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
First & Second Wards
58th & Havenhurst Dr.
Sacramento, Calif.
LANDSCAPE PLAN
L-1



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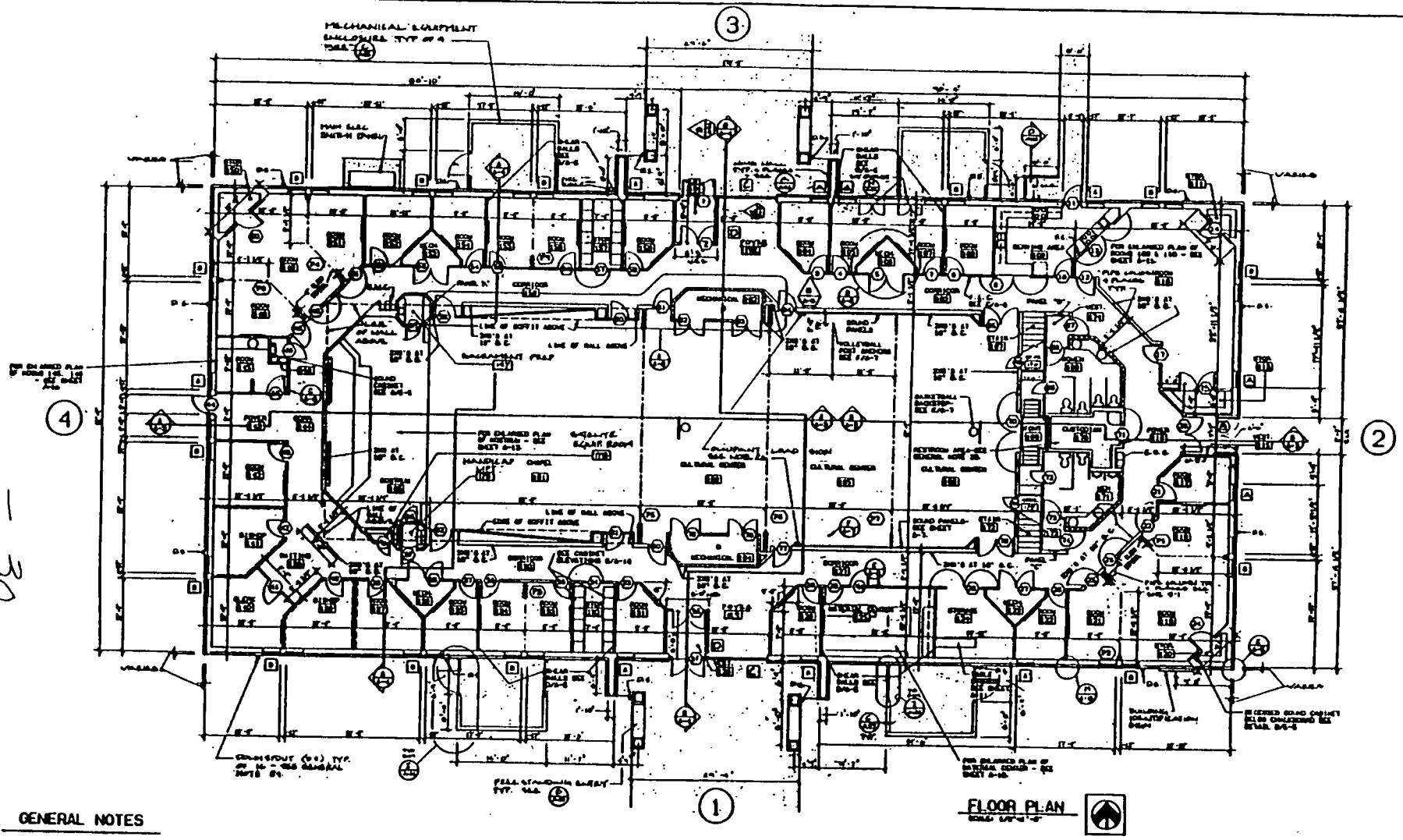

GENERAL NOTES

1. EXTERIOR MASONRY WALLS INCLUDE 1/2" BEYOND THE FOUNDATION WALL LINES.
2. INTERIOR DIMENSIONS ARE FROM FACE OF STUD TO FACE OF STUD.
3. INTERIOR DIMENSIONS ARE FROM CENTER LINE OF STUD TO CENTER LINE OF STUD OR CENTER LINE OF STUD TO FACE OF STUD.
4. ALL INTERIOR WALLS ARE 3¼ STUDS AT 16" O.C. UNLESS NOTED OTHERWISE.
5. INTERIOR 3¼ WALLS (GROUND ROOMS 117, 120 AND 121) EXTEND UP TO THE BOTTOM CHORD OF TRUSSES ABOVE AND SHALL BE GROUND INSULATED, AS INDICATED ON PLAN. ALL THE WAY UP TO C.L. LA. FINISHED ROOF.
6. ROOMS 117, 120 AND 121 TO RECEIVE 1/2" GYPSUM BOARD ON 1¼" GYPSUM BOARD ON 1¼" GYPSUM BOARD ON ROOM SIDE OF INTERIOR 3¼ WALLS UP TO BOTTOM CHORD OF TRUSSES (SEE DETAILS 1 SHEET 2 ON PLAN) AND A SINGLE LAYER OF 5/8" GYPSUM BOARD ALL THE WAY UP ON THE CORRIDOR AND ADJACENT ROOM SIDE.
7. WALLS THAT FORM ROOM 110 EXTEND UP TO BOTTOM CHORD OF TRUSSES. GYPSUM BOARD OF 5/8 TYP TO BE FASTENED TO BOTTOM CHORD.
8. ALL NON-RATED INTERIOR WALLS TERMINATE AT 5/8 AND FASC. SEE F/A-6.
9. WALLS AROUND MECHANICAL ROOMS 108, 123, 118, 119, 122 AND 124 TO BE SOUND INSULATED 3¼" SHALLOW MIN.
10. WALLS AROUND ROOMS 109 AND ROOM 121 TO RECEIVE 1/2" GYPSUM BOARD ON 1/2" GYPSUM BOARD ON ROOM SIDE ONLY (SEE DETAILS 1 SHEET 2) AND BE SOUND INSULATED AS INDICATED ON FLOOR PLAN.
11. FOR BOTTOM AND CHORD, BEAMS, AND BASKETBALL BRACE HARDWARE SEE SHEET F-1.
12. WATER DAMAGED SHALL GYPSUM BOARD SHALL BE GYPSUM BOARD SEE ROOM SECTIONS. PERIMETERS SHALL BE WALLS UP TO BOTTOM CHORD OF TRUSSES (SEE DETAILS 1 SHEET 2) ON PLAN AND A SINGLE LAYER OF 5/8" GYPSUM BOARD ALL THE WAY UP ON THE CORRIDOR AND ADJACENT ROOM SIDE.
13. WALLS THAT FORM ROOM 110 EXTEND UP TO BOTTOM CHORD
14. ALL ELECTRICAL SHALL BE ALL FROM BUILDING & DIAGRAM OF 5/8.
15. FOR ITEMS NOT INCLUDED IN CONTRACT SEE F-1 SHEET.
16. SEE PLANS ON SHEET F-1 FOR FLOOR DRAIN LOCATIONS.
17. FOR LOCATION OF CHALKBOARDS AND TACKBOARDS SEE SHEET F-5.
18. FILL ALL VOIDS AT SOLE PLATE SOLID SCREWS INSTALLATION OF RUBBER SALE.
19. FOR BUILDING STORAGE BUILDING PLAN AND DETAILS SEE SHEET S-1A.
20. ALL 3 & 4 INTERIOR WALLS ON SOUND INSULATED WALLS SHEET S-1 AND S.
21. FOR LOCATION OF MECHANICAL AND ELECTRICAL EQUIPMENT SEE PLANS SEE SHEET SP-1 / M
22. TOWER LOCATION TO BE DETERMINED BY ARCHITECT. SEE DETAILS ON SHEET F-2.
23. FOR ENLARGED PLAN OF KITCHEN AREA SEE SHEET F-1.5. FOR ENLARGED PLANS OF STAGE PLANS ABOVE RECESSES SEE SHEET F-2A.
24. CONCRETE BUILDING DIMENSIONS ARE ENGINEERED. STEEL GRAM SYSTEM. DIMENSIONS TO 24" ON 4'-0" ENGINEERING, SE G.A.
25. FOR MAIN BASEMENT LOAD PLANS PLANNING AS PER ABOVE 9000 (L)

THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

First & Second Wards
58th & Havenhurst Dr.
Sacramento, Calif.

FLOOR PLAN

A-1

P88230

P88-230

6-23-88

-30-

4423

24

Jinji Kobayashi
6864 Flintwood Way
Sacramento, CA 95831

City Clerk
City of Sacramento
915 I Street
Sacramento, CA 95814

Gentlemen:

I challenge the appropriateness of the Planning Commission's approval of property located at the SE corner of 56th Avenue and Havenhurst Drive: (D8) (APN: 029-0384-007-000) as described in the City Clerk's letter dated August 8, 1988.

My position is that the Planning Commission's approval did not appropriately consider the adverse affect on traffic safety and extreme traffic congestion that would be created by the approval.

The above-noted approval would cause traffic congestion at the following stop signs with traffic from over 100 cars both arriving and departing at the site. Traffic congestion and traffic safety hazards would be created by peak hour volumes at the following stop sign controlled intersections:

Location	Congestion	Traffic Safety Hazard
13th St. & 56th Ave.	extremely severe	severe
56th Ave. & Havenhurst	extremely severe	somewhat
13th St. at So. Land Park Drive (Near Bel Air Market)	severe	extremely severe
13th St. at So. Land Park Intersection (near Fordham Way)	severe	extremely severe
Havenhurst at Flintwood Way	extremely severe	severe

Location	Congestion	Traffic Safety Hazard
Havenhurst at Greenhaven (at Greenstar Circle)	extremely severe	extremely severe
Havenhurst at Greenhaven (at Greenhurst)	extremely severe	somewhat

The above is based on common sense observations.

The church proposed for ~~for~~ this site presently has a more suitable site. It is inappropriate to relocate the regional church to a residential land use area and particularly one that does not have ready access to an expressway or arterial. A church such as this should be sited on a main thoroughfare, such as Franklin Blvd., Florin Road, or Fruitridge Road.

Based upon the above I respectfully request the the City Council disapprove the request to locate the church at the SE corner of 56th Avenue and Havenhurst.

Sincerely,

Jinji Kobayashi

cc: City Councilwoman
(Lynn Robie)

Appeal of Henry Toniguchi vs. City of Sacramento Planning Commissions Approval of a Special Permit to Develop a Church Facility at the Southeast Corner of 56th Avenue and Havenhurst Drive (P88-230)	)	NOTICE OF DECISION AND FINDINGS OF FACT

At its regular meeting of August 30, 1988, the City Council heard and considered evidence in the above-entitled matter. Based on verbal and documentary evidence at said hearing, the Council denied the appeal based on the following findings and amended conditions:

Findings of Fact:

1. The proposed project, as conditioned, is based on sound principles of land use, in that the proposed church is compatible with adjacent residential development.

2. The proposed project, as conditioned, will not be injurious to the public health, safety or welfare nor to surrounding properties in that adequate on-site parking, landscaping and architectural design are provided.

3. The subject property is designated for low density residential uses by the General Plan and the 1976 Pocket Community Plan. Churches are allowed in any zone with Special Permit approval.

Conditions:

1. The landscape plan shall be revised to include:

   a. additional finger planters as shown in Exhibit D;

   b. removal of the most southerly parking space as indicated in Exhibit D;

   c. re-design planters to accommodate a two-foot vehicle overhang adjacent to parking stalls; and

   d. the shrubs at the intersection of Havenhurst Way and Reichmuth Way shall be less than three-fee in height. (The Building Inspection Division should be contacted to include any additional tree shading requirements which may be added to the revised landscape plan).

2. Revised parking and landscape plans shall be reviewed and approved by the Planning Director prior to issuance of a building permit. Parking and landscape plans are also subject to the review and approval of the Building and Traffic Engineering Divisions.

3. Concrete curbing along planter areas shall be poured concrete not extruded curbing.

4. All on-site lighting shall be screened and/or not directed off-site onto adjacent residential properties.

5. A sign plan shall be submitted to and approved by the Planning Director prior to issuance of a sign permit. Sign illumination shall be kept to a minimum (e.g., small flood lights located in planters).

6. Trash enclosures shall meet the requirements of the City Zoning Ordinance.

7. Any satellite dish shall be subject to review and approval of the Planning Director prior to its placement on the property. Any satellite dish shall be screened with materials similar to the main structures and/or landscaping and shall not be visible from adjacent residential properties or public streets.

8. The project shall be constructed per the submitted plans, as amended.

9. A six-foot decorative masonry wall shall be provided along the south property line.

10. The applicant shall delete the driveway access on Reichmuth Way and provide a new driveway access on 56th Avenue. The driveway access on Havenhurst Drive shall remain as indicated in the site plan.

11. The applicant shall install four foot high undulating berms (height is measured from sidewalk or parking lot, whichever is higher) between the street frontage and parking areas. The low or valley areas of the berm shall be planted with shrubs to screen the vehicles.

12. The applicant shall enter into an agreement with the City of Sacramento and CalTrans under terms of conditions satisfactory to all parties to landscape and irrigate the freeway right-of-way behind the church property.

13. The church chapel area shall contain a maximum of 278 seats per the submitted plans. Any expansion of seating or building shall require review and approval by the Planning Commission.

14. The proposed detached storage building shall be designed with materials and colors that are compatible with the church building. Final design shall be submitted to the Planning Director for review and approval.

15. The Planning Director shall inspect the subject project to determine compliance with all conditions of the Special Permit prior to approval of the final building inspection by the City Building Division.

16. The deciduous trees proposed along the berm area shall be replaced with evergreen trees to provide additional screening of the parking areas.

17. A detailed landscaping plan of the berm area (including height of berm) shall be reviewed and approved by the Police Department and the Planning Director prior to issuance of building permits.

VICE MAYOR

ATTEST:

Anne J. Mason

ACTING CITY CLERK

P88-230

OFFICE OF THE
CITY CLERK

OPERATION SERVICES

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 304
915 I STREET
SACRAMENTO, CA
95814-2671

916-449-5426

September 2, 1988

Henry Taniguchi
6919 Gallery Way
Sacramento, CA 95831

Dear Mr. Taniguchi:

On August 30, 1988, the Sacramento City Council heard your appeal from the City Planning Commission approval for property located at the southeast corner of 56th Avenue and Havenhurst Drive: (P-88230)

The Council adopted, by motion, denied your appeal based on Findings of Fact, as amended regarding:

A. Special Permit to develop a 15,000± square foot church and 280+ square foot storage building on 3.4± vacant acres in the Standard Single Family - Executive Airport Overlay 4 (R-1-EA-4) zone.
B. Variance to exceed the 35' height limit by 15' on 3.4± vacant acres in the Standard Single Family - Executive Airport Overlay 4 (R-1-EA-4) zone.

Sincerely,

Anne Mason

Anne Mason
Acting City Clerk

AM/rr/#24

cc: Art Gee, Planning Department
Church of Jesus Christ of Latter Day Saints, 61 East North Temple Street, Salt Lake City, UT 84150
Mau, Haidet, Hyde, Schroeder, Inc., 1718 3rd St. #210, Sac., CA 95814
Roger M. Miller, 6355 Riverside Boulevard, Sacramento, CA 95831