



CITY OF SACRAMENTO

29

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

MARTY VAN DUYN
PLANNING DIRECTOR

February 7, 1983

APPROVED
BY THE CITY COUNCIL

FEB 22 1983

OFFICE OF THE
CITY CLERK

City Council
Sacramento, California

Honorable Members in Session:

- SUBJECT:
1. Environmental Determination;
 2. General Plan Amendment from Residential to Commercial Office;
 3. Community Plan Amendment from Multiple Family to General Commercial;
 4. Rezoning from Medium Density Multiple Family (R-4) to General Commercial (C-2) (P82-297)(APN: 009-244-02,03,04)

LOCATION: Northeast corner of 10th Street and Broadway

SUMMARY

The applicant is requesting the necessary entitlements to develop a building to accommodate 7,600+ sq. ft. of retail sales space on the first floor and a residence on the second floor. The Planning Commission and staff recommend approval of the requests subject to conditions. The Planning Commission also approved a Special Permit for the residential use and a Lot Line Adjustment to merge the two parcels.

BACKGROUND INFORMATION

The subject site consists of two vacant parcels containing 20,000 sq. ft. (.4 acres). The property has frontage on Broadway, 10th Street and Yale Street. A majority of the site is zoned C-2, General Commercial (Broadway & 10th Street frontages) and the balance is zoned R-4, Medium Density Multiple Family zone. The proposed rezoning will designate the entire site for C-2 zone. The staff and Planning Commission believe that the additional commercial zoning is a logical extension of the zoning boundary. Also, the buildings are oriented along the two major streets and away from the residential uses. The project is compatible with adjacent residential uses.

There are four existing on-site trees of appreciable height. Three of these are proposed to be retained. Also, certain design consideration will be required to buffer the adjacent residential uses to the east and north.

The Environmental Coordinator has determined that the proposed project will not have a significant adverse effect on the environment and has filed a Negative Declaration.

VOTE OF PLANNING COMMISSION

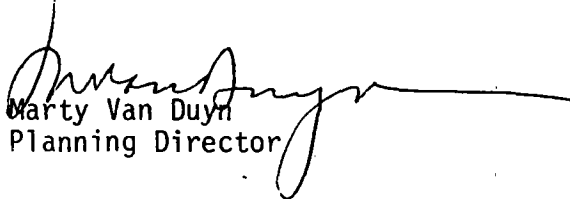
On January 13, 1983 the Planning Commission, by a vote of 8 ayes and 1 abstention, recommended approval subject to conditions.

RECOMMENDATION

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

1. Ratifying the Negative Declaration;
2. Adopting the attached General Plan and Community Plan Amendment resolution; and
3. Adopting the attached Rezoning ordinance.

Respectfully submitted,



Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:TM:cp
Attachments
P82-297

February 22, 1983
District No. 1

RESOLUTION No. 83-141

Adopted by The Sacramento City Council on date of

RESOLUTION AMENDING THE CENTRAL CITY COMMUNITY PLAN FROM MULTIPLE FAMILY TO GENERAL COMMERCIAL; AND THE 1974 GENERAL PLAN FROM RESIDENTIAL TO COMMERCIAL-OFFICE FOR THE AREA DESCRIBED ON THE ATTACHED EXHIBIT B (APN: 009-244-02,03,04)(P82-297)

WHEREAS, the City Council conducted a public hearing on February 22, 1983, concerning the above plan amendment and based on documentary and oral evidence submitted at the public hearing, the Council hereby finds:

1. The proposed plan amendment is compatible with the surrounding uses;
2. The subject site is suitable for commercial and residential development; and
3. The proposal is consistent with the policies of the 1974 General Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento that the area as described on the attached Exhibit B in the City of Sacramento is hereby designated on the Central City Community Plan as General Commercial and the 1974 General Plan as Commercial and Office.

MAYOR

ATTEST:

CITY CLERK

P82-297

APPROVED
BY THE CITY COUNCIL

FEB 22 1983

OFFICE OF THE
CITY CLERK

29
Exhibit B

LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1

THE SOUTH 80 FEET OF THE NORTH 110 FEET OF THE WEST 20 FEET OF LOT 7, ALSO THE SOUTH 80 FEET OF THE NORTH 110 FEET OF LOT 8 IN THE BLOCK BOUNDED BY "X" AND "Y" (NOW KNOWN AS BROADWAY), 10TH AND 11TH (NOW KNOWN AS RIVERSIDE AVENUE) STREETS ACCORDING TO THE OFFICIAL PLAT OF THE CITY OF SACRAMENTO. And

PARCEL 2

LOTS 78 AND 79, AS SAID LOTS ARE SHOWN ON THE MAP ENTITLED "PLAT OF HOWELL CLARK TRACT", RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY, STATE OF CALIFORNIA, IN BOOK 13 OF MAPS, MAP NO. 51..

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN COMPILED FROM A SURVEY ACTUALLY MADE ON THE GROUND UNDER MY SUPERVISION ON OCTOBER 25, 1982; THAT IT IS CORRECT AND COMPLIES WITH THE REQUIREMENTS PROVIDED BY THE PURCHASER.

DATE: _____

26-82

GARY

Gary Timothy Wong
TIMOTHY WONG

L.S. 5035

ORDINANCE NO. 83-028

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT NORTHEAST CORNER OF 10TH STREET AND BROADWAY FROM THE MEDIUM DENSITY MULTIPLE FAMILY (R-4) ZONE(S) AND PLACING SAME IN THE GENERAL COMMERCIAL (C-2) ZONE(S) (FILE NO. P-82-297)(APN: 009-244-02,03,04)

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 Medium Density Multiple Family (R-4) zone(s), established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the General Commercial (C-2) zone(s).

This action rezoning the property described in the attached exhibit(s) is adopted subject to the following conditions and stipulations:

- a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.
b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission January 13, 1983, on file in the office of the Planning Department, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Director shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

SECTION 2.

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this ordinance.

APPROVED BY THE CITY COUNCIL

FEB 22 1983

OFFICE OF THE CITY CLERK

6

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

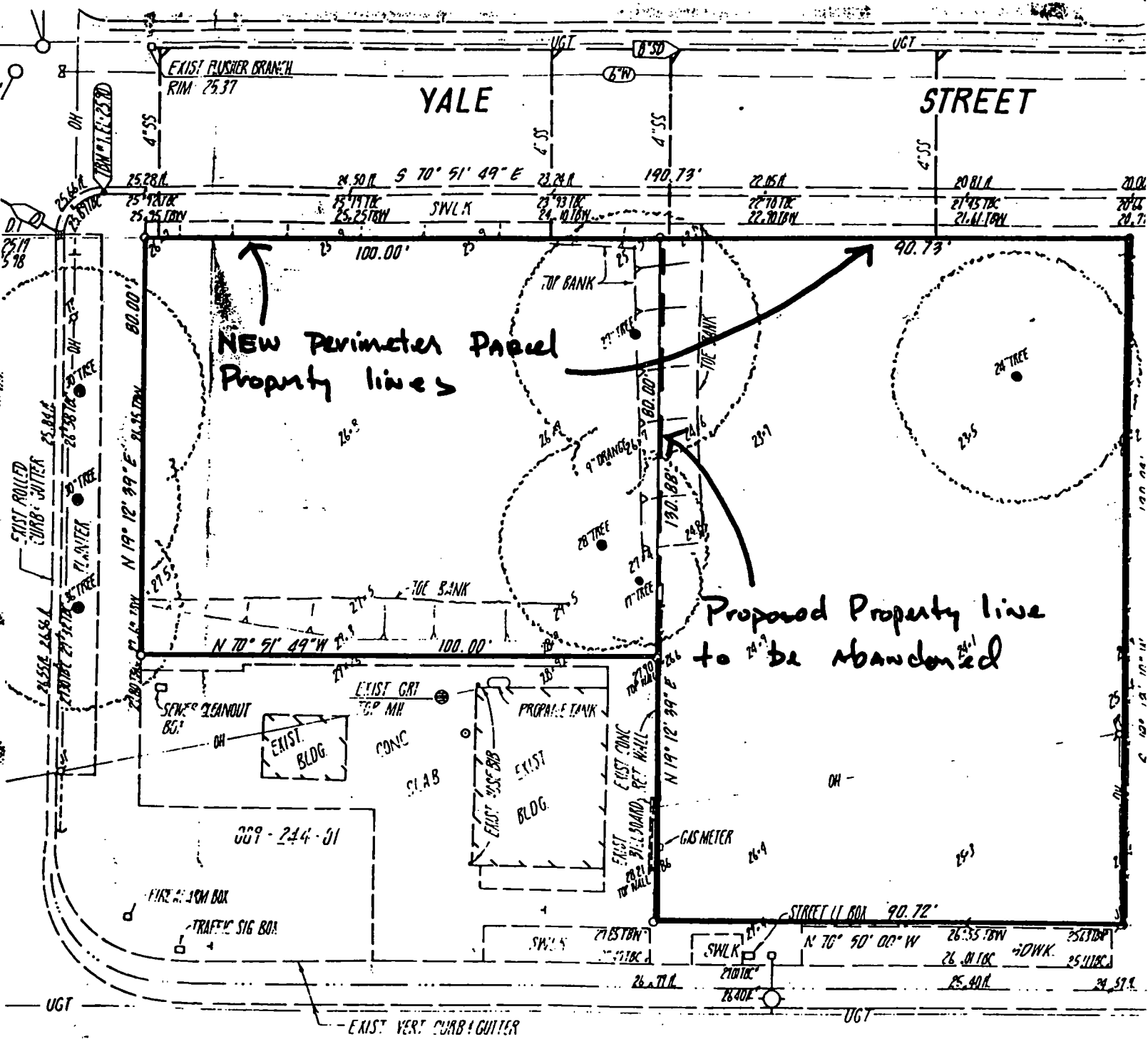
ATTEST:

CITY CLERK

P82-297

Exhibit "A"

29



BROADWAY

8

8

29

CITY PLANNING COMMISSION

927-10th Street, Suite, 300 - SACRAMENTO, CALIFORNIA 95814

APPLICANT	E. M. Kado Associates, AIA, Inc., 1819-16th Street, Sacramento, CA 95814		
OWNER	K & A. Nakatani & Seiki & Mari Okabayashi, Osaka-ya, 2230-10th St., Sacto., CA		
PLANS BY	E. M. Kado Associates, AIA, Inc., 1819-16th Street, Sacramento, CA 95814		
FILING DATE	12-10-82	50 DAY CPC ACTION DATE	REPORT BY:IM:bw
NEGATIVE DEC.	1-3-83	EIR	ASSESSOR'S PCL. NO. 009-244-02,03,04

- APPLICATION:
1. Negative Declaration
 2. General Plan Amendment from Residential to Commercial and Offices
 3. Community Plan Amendment from Multiple Family to General Commercial
 4. Rezone from Medium Density Multiple Family (R-4) to General Commercial (C-2)
 5. Special Permit to establish a residential use in the General Commercial (C-2) zone
 6. Lot Line Adjustment to merge two parcels

LOCATION: Northeast corner of 10th Street and Broadway

PROPOSAL: The applicant is requesting the necessary entitlements to develop a building to accommodate 7,600± square feet of retail sales space on the first floor and a residence on the second floor.

PROJECT INFORMATION:

1974 General Plan Designation:	Residential, Commercial and Offices.
1980 Central City Community Plan Designation:	General Commercial and Multiple Family
Existing Zoning of Site:	R-4 and C-2
Existing Land Use of Site:	Vacant

Surrounding Land Use and Zoning:

North:	Residential; R-4
South:	Cemetery; C-2
East:	Vacant and Residential; R-4 and C-2
West:	Offices; C-2

Parking Required:	20 spaces
Parking Provided:	21 spaces
Parking Ratio:	1 space per dwelling unit and 1 space per 400 sq. ft. for retail use

Property Dimensions:	'L' shaped
Property Area:	20,000± square feet
Square Footage of Building:	7,600± square feet
Significant Features of Site:	Existing Trees
Exterior Building Colors:	Stucco earth tones/wood trim/tinted glass
Exterior Building Materials:	Stucco/wood/tinted glass

STAFF EVALUATION: The subject site consists of two vacant parcels located adjacent to the northeast corner of Broadway and 10th Street. One of these parcels, which fronts on both Yale Avenue and Broadway, is zoned General Commercial on the southern side (Broadway) and Medium Density Multiple Family on the northern side (Yale Avenue). The second parcel, which has frontage on both 10th Street and Yale Avenue, is zoned General Commercial.

Staff has the following comments relative to the applicant's requests:

- 1. The existing plan designations and zonings permit both a commercial and residential use on parcel one of the subject application. However, this parcel, which is 90' x 130', is not of sufficient size to warrant multiple uses.

A rezoning and designation to strictly residential would not be preferred because of the frontage on Broadway, which is a major commercial street. Staff therefore supports the request for rezoning and the necessary plan amendments to allow a commercial use on the entire property.

- 2. Among the requested entitlements is a special permit to allow a residential use on the second floor of the structure facing 10th Street. Staff does not oppose this request because there are residential uses to the north across Yale Avenue. Also, one parking space will be provided for the residential unit.
- 3. The proposed project was routed to the various City Departments for review and comment. The City Traffic Engineer has indicated that the proposed driveway onto Broadway must be constructed to a minimum width of 24 feet, not 12 feet as indicated on the site plan.
- 4. There four existing on-site trees of appreciable height. These are proposed to be retained; however, the most desirable tree, a Pine, will be placed within a planter of approximately four feet. Staff recommends that this planter width be increased to the necessary width to insure the vitality of this tree. This may necessitate a revision of the parking lot design.
- 5. The site plan indicates a substantial 20-foot landscaped setback adjacent to Yale Avenue. Staff recommends that this landscaping include berming and/or a low wall to reduce the visibility of the parking lot from the neighborhood to the north across Yale Avenue.
- 6. The proposed lot line adjustment was transmitted to the City Engineer, Water and Sewer Division, Building Department and Traffic Engineering. The City Traffic Engineer requested that:
 - a. The abandoned driveway at the north end of Parcel One be removed; and
 - b. Frontage improvements be required (these improvements are typically required at time of approval of the building permit.
- 7. The proposed building design must be reviewed by the Design Review/Preservation Board prior to development. Staff therefore defers design review comments except for those concerns mentioned in Items 4 and 5, to the Design Review/Preservation Board.

STAFF RECOMMENDATION: The staff recommends the following actions:

- 1. Ratification of the Negative Declaration;
- 2. Approval of the General Plan Amendment from Residential to Commercial and Offices;
- 3. Approval of the Community Plan Amendment from Multiple Family to General Commercial;

- 4. Approval of the Rezoning from Medium Density Multiple Family (R-4) to General Commercial (C-2), subject to conditions which follow;
- 5. Approval of the Special Permit to establish a residential use in the General Commercial zone, based upon Findings of Fact which follow;
- 6. Approval of the Lot Line Adjustment to merge three parcels by adoption of the attached resolution.

Rezoning Condition

The existing trees as shown on Exhibit 'A' shall be retained and the planter width increased to insure their continued viability. These trees shall not be removed unless prior approval is obtained from the Planning Director after consultation with the City Arborist.

Findings of Fact - Special Permit

- a. The special permit for the residential unit in the General Commercial zone is based upon sound principles of land use in that the second story location will not conflict with the first floor retail uses. Also, the residential use is compatible with the residential uses located north of the subject site.
- b. The special permit will not be detrimental to the public health, safety or welfare in that off-street parking is provided.
- c. The special permit is consistent with the goal of the General Plan to:
 - "Protect and promote viable, self-containing residential and commercial neighborhoods"
 in that the mixed commercial and residential uses provide a transition between the existing neighborhood and the commercial uses along Broadway.

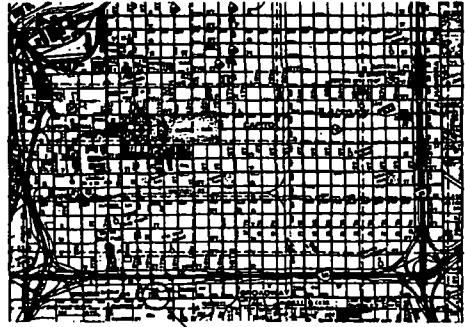
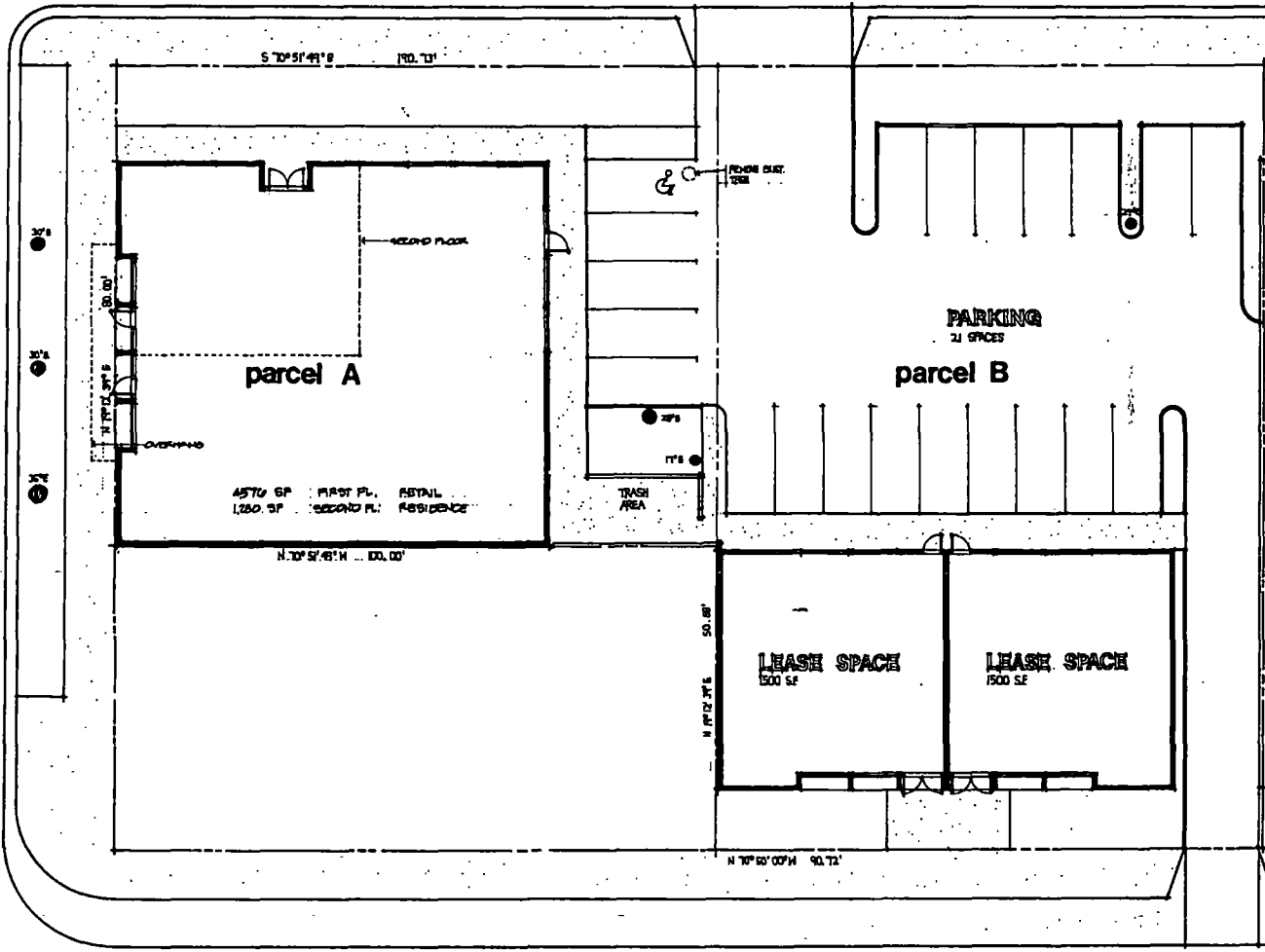
YALE STREET

P 82297

1-13-83

STREETS
MAP

No. 17

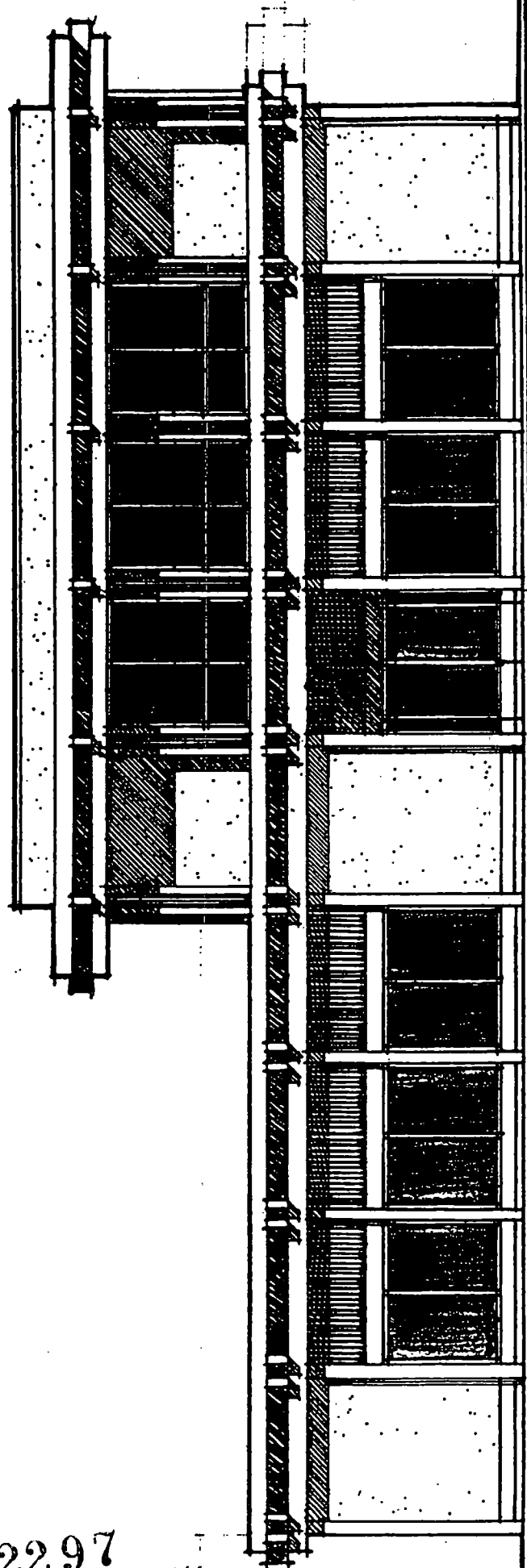


0 10 20
SITE PLAN
1" = 10'-0"

LA. STATE ARCHITECTURE BOARD
REGISTERED ARCHITECT
R
PCL

29

PARCEL A



YALE STREET ELEVATION

P 82297

1-13-83

14

P 82297

1-13-83

15

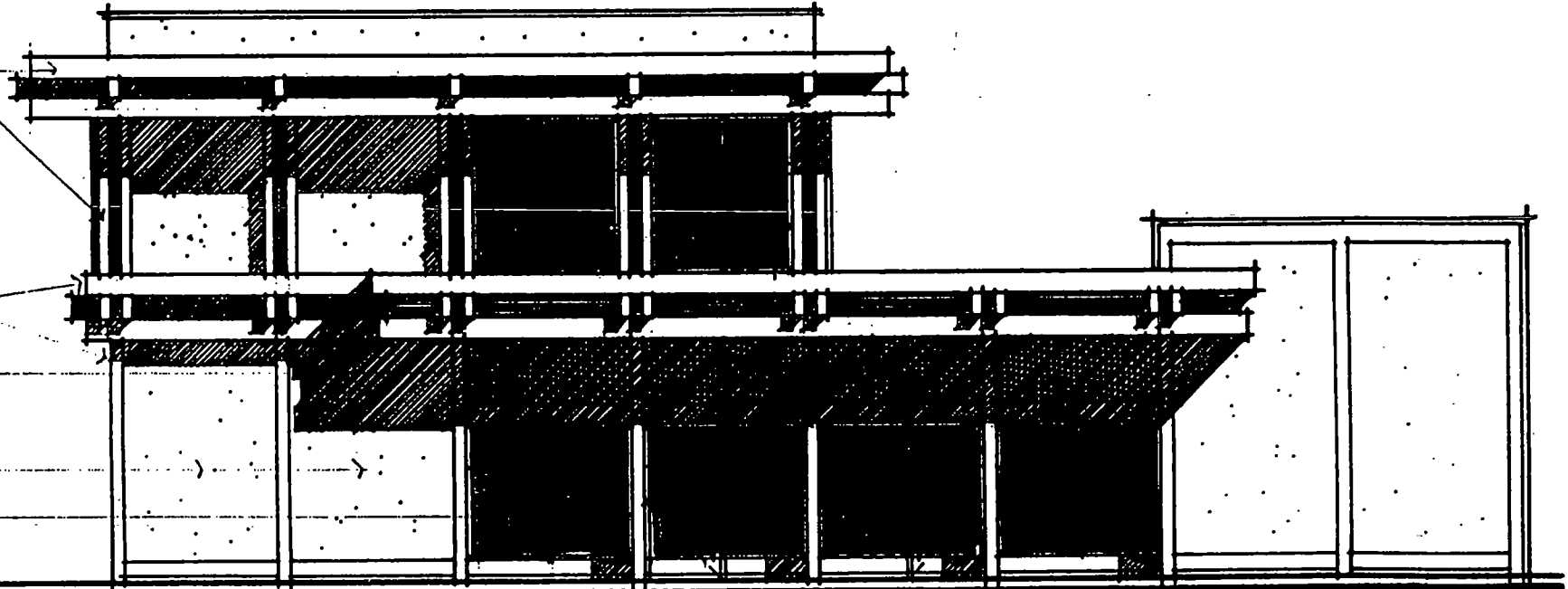
WOOD TRIMS

WOOD TRIMS

WOOD SIDING

CEMENT PLASTER

BRONZE GLAZING



10th STREET ELEVATION

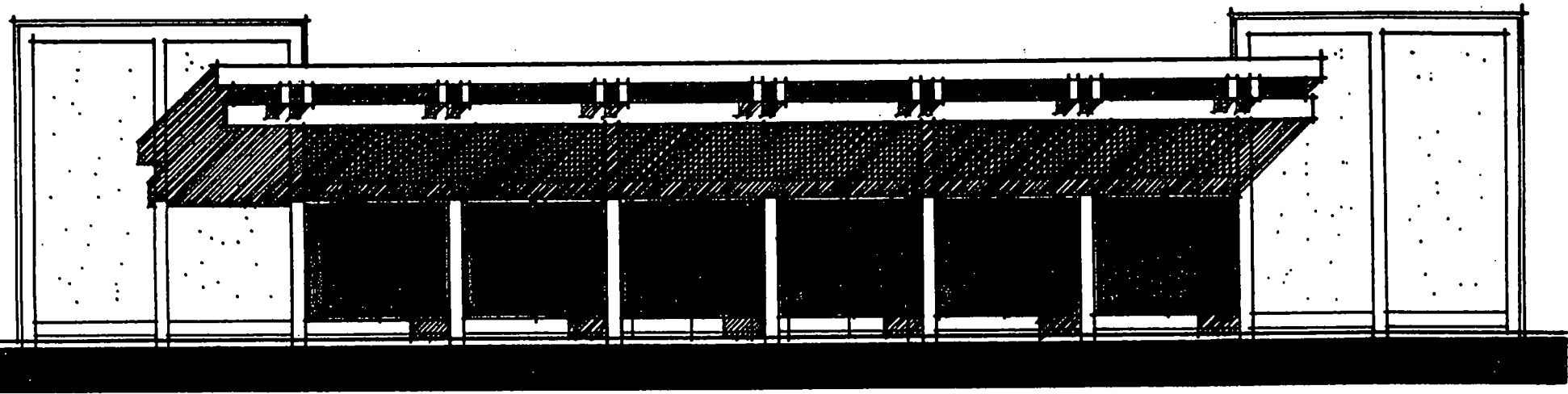
PARCEL A

29

No. 17

P 82297
1-13-83

16



BROADWAY ELEVATION

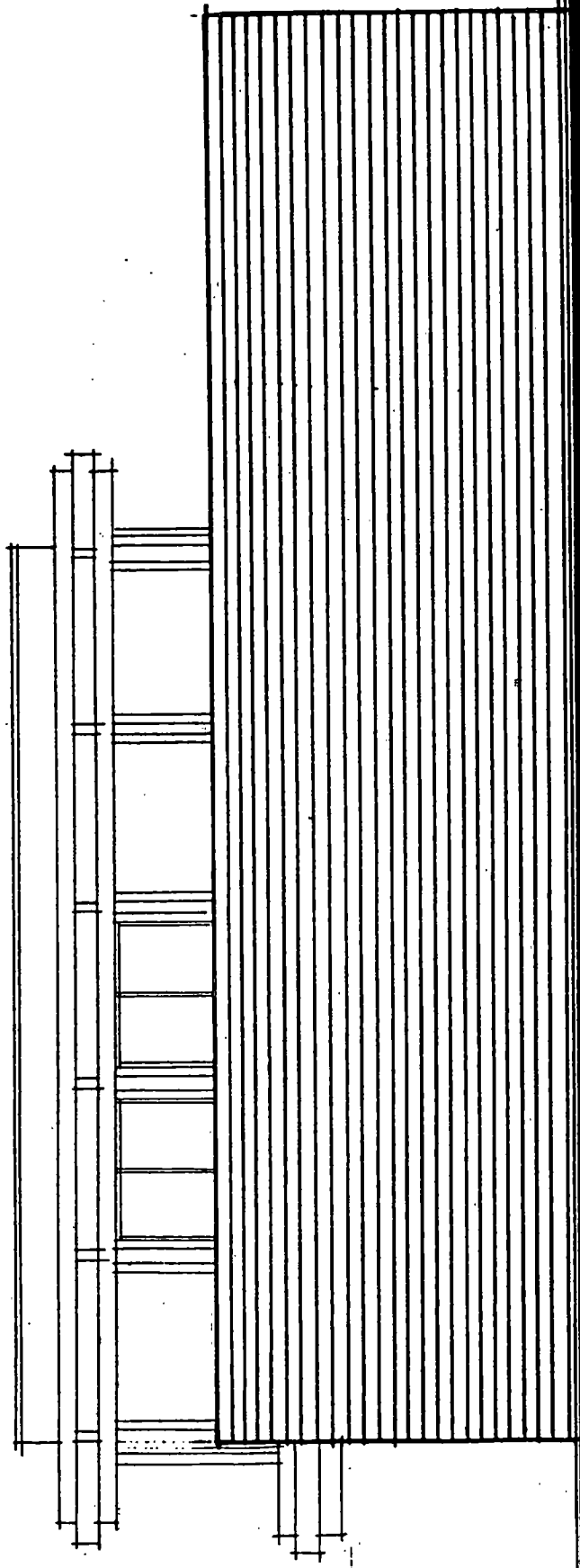
PARCEL B

No. 17

29

29

PARCEL A



SOUTH ELEVATION

P 82297 17

1-13-83

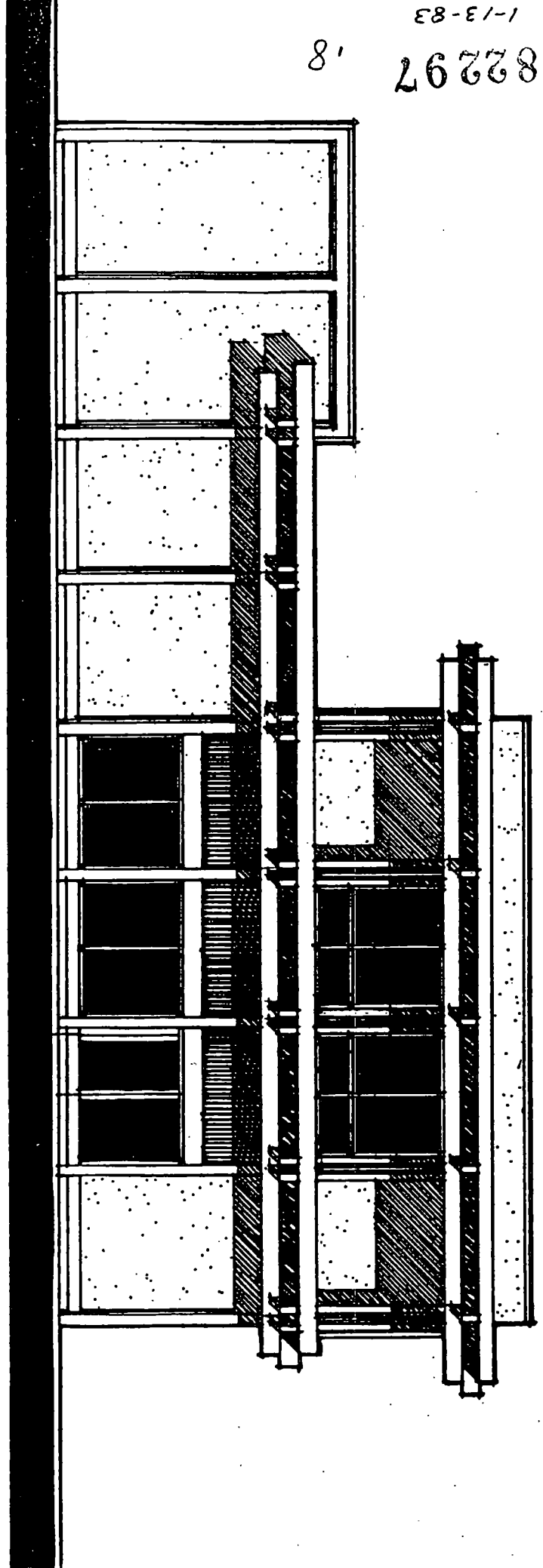
No. 17

EAST ELEVATION

PARCEL A

1-13-83

P 82297 8'



6



CITY OF SACRAMENTO

CITY PLANNING DEPARTMENT
927 TENTH STREET
SUITE 300
SACRAMENTO, CA 95814
TELEPHONE (916) 448-5604

MARTY VAN DUYN
PLANNING DIRECTOR

February 7, 1983

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Rezone from Medium Density Multiple Family (R-4) to General Commercial (C-2)

LOCATION: Northeast corner of 10th Street and Broadway

SUMMARY

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


BACKGROUND

Prior to publication of an item in a local paper to meet legal advertising requirements, the City Council must first pass the item for publication. The City Clerk then transmits the title of the item to the paper for publication and for advertising the meeting date.

RECOMMENDATION

It is recommended that the item be passed for publication of title and continued to February 22, 1983.

Respectfully submitted,


Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

PASSED FOR
PUBLICATION
& CONTINUED
TO 2-22-83

MVD:cp
Attachments
P82-297

February 15, 1983
District No. 1

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE
 COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES,
 AS AMENDED, BY REMOVING PROPERTY LOCATED AT NORTHEAST
CORNER OF 10TH STREET AND BROADWAY
 FROM THE MEDIUM DENSITY MULTIPLE FAMILY (R-4) ZONE(S)
 AND PLACING SAME IN THE GENERAL COMMERCIAL (C-2) ZONE(S)
 (FILE NO. P-82-297)(APN: 009-244-02,03,04)

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 Medium
Density Multiple Family (R-4) zone(s),
 established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed
 from said zone and placed in the General Commercial (C-2)
zone(s).

This action rezoning the property described in the attached exhibit(s) is adopted subject to the following conditions and stipulations:

- a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.
- b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission January 13, 1983, on file in the office of the Planning Department, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Director shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

SECTION 2.

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this ordinance.

SECTION 3.

Rezoning of the property described in the attached exhibit(s) by the adoption of this ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550, Fourth Series, as said procedures have been affected by recent court decisions.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

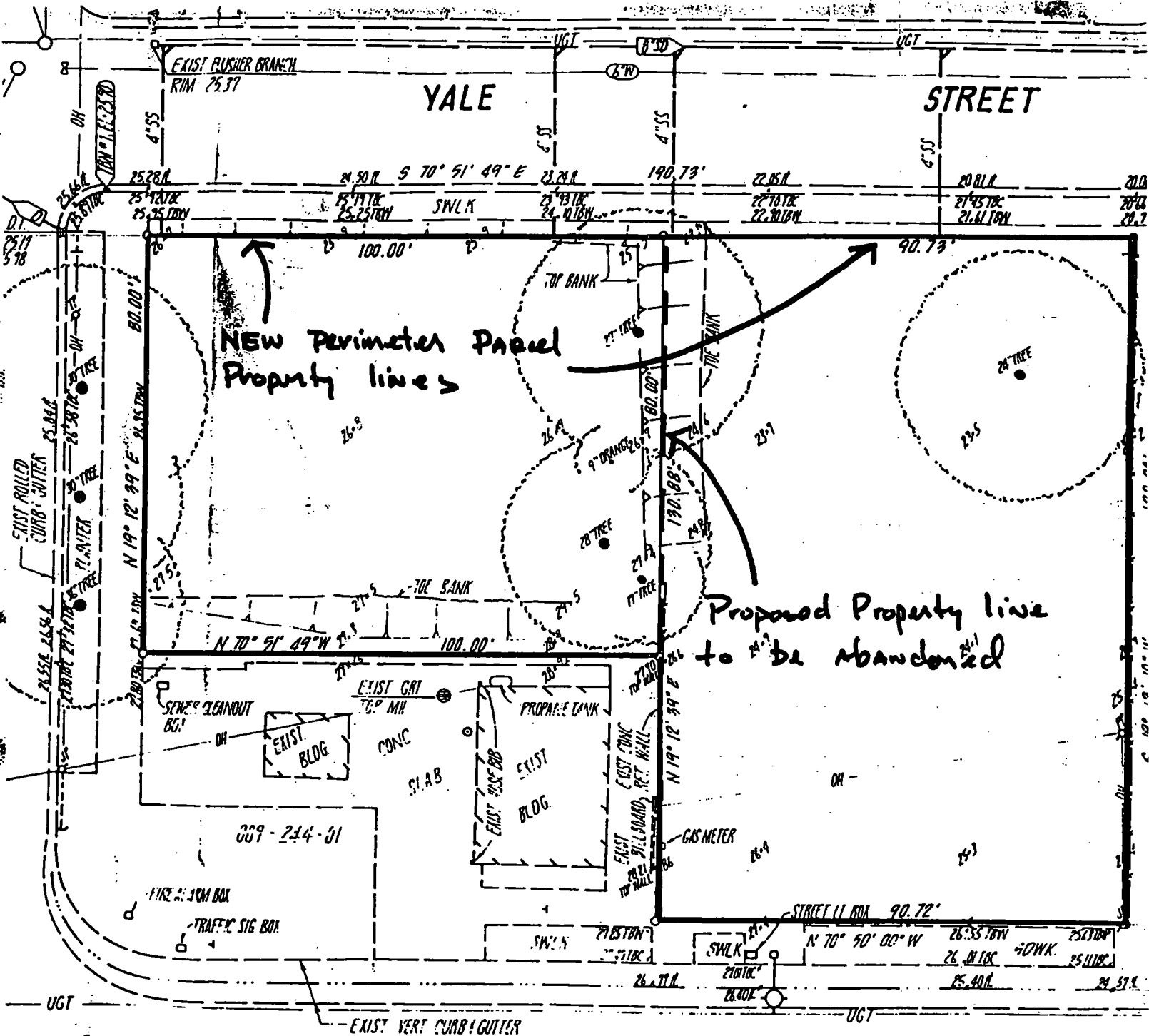
ATTEST:

CITY CLERK

P82-297

Exhibit "A"

6



BROADWAY

8

February 23, 1983

K & A Nakatani &
Seiki & Mari Okabayashi, Osaka-ya
2230 10th Street
Sacramento, CA 95818

Dear Sir/Madam:

On February 22, 1983, the Sacramento City Council took the following action(s) for property located at NE corner of 10th Street and Broadway (P-82297):

- A-B. Adopted Resolution 83-141 amending general plan for 5,400± sq. ft. from Residential to Commercial & Offices.
- C. Adopted Ordinance 83-028 rezoning 0.17± acres from R-4 to C-2

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

Sincerely,

Lorraine Magana
City Clerk

LM/emm/29
Enclosure

cc: Planning Department
E.M. Kado Associates, AIA, Inc.