



CITY OF SACRAMENTO

22

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

MARTY VAN DUYN
PLANNING DIRECTOR

March 31, 1983

APPROVED
BY THE CITY COUNCIL

APR 5 1983

OFFICE OF THE
CITY CLERK

City Council
Sacramento, California

Honorable Members in Session:

- SUBJECT:
1. Environmental Determination;
 2. Amendment to the 1974 General Plan from Residential to Commercial and Office use;
 3. Amendment to the East Sacramento Community Plan from Light Density Residential to Shopping-Office-Commercial;
 4. Rezoning from R-1 to C-2;
 5. Subdivision Modification to waive standard cul-de-sac improvements for termination of 50th Street; and
 6. Tentative Map (P83-006)(APN: 008-341-18,21,22)

LOCATION: 4943-4945 Folsom Boulevard

SUMMARY

This is a request for entitlements necessary to resubdivide four parcels into three parcels and construct an additional commercial structure containing 11,700 square feet. The Planning Commission approved a portion of the requested zoning and a tentative map with conditions. The Commission also approved a subdivision modification to waive a cul-de-sac requirement for the terminus of 50th Street.

BACKGROUND INFORMATION

The subject site presently contains four separate parcels and the applicant is proposing to resubdivide the site into three separate parcels. Proposed Parcel 1 contains an existing duplex and the applicant is proposing to reduce the size of this lot. Parcel 2 is presently developed with an old service station that is being used for commercial. Parcel 3 is developed with a commercial structure and the applicant is proposing to construct an 11,700 sq. ft. commercial structure at the rear of the site.

There are basically three issues that were discussed at the Commission hearing. First, the Subdivision Review Committee recommended that a cul-de-sac be constructed at the terminus of 50th Street. This is a normal requirement of the Subdivision Ordinance. The applicant and the neighbors did not want a cul-de-sac constructed and preferred that 50th Street remain as is. The Planning Commission agreed, and therefore recommended approval of the subdivision modification to waive the cul-de-sac requirement.



22

A second issue is in reference to Parcels 1 and 2. The applicant is proposing to reduce the size of Parcel 1 and increase the size of Parcel 2. He is also proposing to rezone a portion of proposed Parcel 2 from R-1 to C-2 in order to allow future expansion of the commercial use. This is illustrated on Exhibit "A-A". The staff and Planning Commission recommend against the enlargement of Parcel 2 and the rezoning of this portion of the site to C-2. The Commission is concerned with the additional expansion of C-2 zoning into an R-1 area, and the fact that the applicant did not present any plans to show how this portion of the site will be utilized.

The third issue is in reference to rezoning the northwest corner of proposed Parcel 3 as shown on Exhibit "A-A" from R-1 to C-2. The rezoning of this portion of the site is necessary to allow the construction of the 11,700 sq. ft. commercial structure. The Commission and staff agree with this request and there was no objection to this rezoning.

The project was reviewed by the East Sacramento Improvement Association. They had no objection to rezoning the northwest corner of Parcel 3 for R-1 to C-2. They indicated opposition to cul-de-sac 50th Street and expressed concern with rezoning Parcel 2.

VOTE OF PLANNING COMMISSION

On February 24, 1983, the Planning Commission by a vote of 8 ayes, 1 vacant recommended the following:

1. Approval of the subdivision modification to waive the requirement for a cul-de-sac for the terminus of 50th Street.
2. Approval of the rezoning from R-1 to C-2 for the northwest corner of Parcel 3 as shown on Exhibit "A-A".
3. Denial of the rezoning from R-1 to C-2 for Parcel 2 as shown on Exhibit "A-A".

RECOMMENDATION

The staff and Planning Commission recommend that the City Council take the following action:

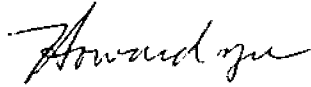
1. Ratify the Negative Declaration;
2. Adopt the attached resolution amending the 1974 General Plan and East Sacramento Community Plan for the northwest corner of Parcel 3;
3. Adopt the attached rezoning ordinance rezoning only the northwest corner of proposed Parcel 3; and

2

10
11
12
13
14

- 4. Adopt the attached resolution adopting findings of fact and approving the tentative map and subdivision modification to waive the cul-de-sac requirement for 50th Street subject to conditions.

Respectfully submitted,

for 
 Marty Van Duyn
 Planning Director

FOR CITY COUNCIL INFORMATION
 WALTER J. SLIPE
 CITY MANAGER

MVD:HY:cp
 Attachments
 P83-006

April 5, 1983
 District No. 3



SACRAMENTO CITY PLANNING COMMISSION

#4 22

MEETING DATE: February 24, 1983
 ITEM NO. 4A FILE NO. P-83-006
M-

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

Recommendation: Favorable Unfavorable
 LOCATION: 4943 + 4945 Solom Blvd.
 Petition Correspondence

PROPOSERS

NAME	ADDRESS
<u>Lucio Affinito</u>	<u>1550 51st St. Sacramento CA 95814</u>
<u>Phil Andrews</u>	<u>owner of property also subject site</u>
<u>Kristen Otto</u>	<u>agent for Way Lane Center</u>
<u>James J. Engineering</u>	<u>211 J St. Sacramento, 95814</u>

OPPOSERS

NAME	ADDRESS
<u>Bob Hanna</u>	<u>50th St</u>
<u>Yvonne Hoops</u>	<u>1464 51st St. Sacramento, CA 95819</u>
<u>Chuck McWilliams</u>	<u>East Side Planning Association</u>

MEETING NO. _____

MOTION:

	YES	NO	MOTION	2ND
<u>Augusta</u>	<input checked="" type="checkbox"/>			
<u>Way</u>	<input checked="" type="checkbox"/>			
<u>Howay</u>	<input checked="" type="checkbox"/>			
<u>Center</u>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
<u>Person</u>	<input checked="" type="checkbox"/>			
<u>Raki</u>	<u>vacant</u>			
<u>Iva</u>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
<u>Johnson</u>	<input checked="" type="checkbox"/>			
<u>Edin</u>	<input checked="" type="checkbox"/>			

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

5

EXHIBIT 'D'

IF YOU WISH TO SIGN THIS "RESPONSE" PLEASE GIVE YOUR STREET ADDRESS AND INDICATE WHETHER YOU ARE A RESIDENT-OWNER OR A RENTER. PHONE NUMBER OPTIONAL.

I PLAN TO PRESENT THE RESPONSE AND SIGNATURES AT THE CITY PLANNING COMMISSION HEARING ON THE MATTER CURRENTLY SCHEDULED TO BEGIN AT 5:30 PM THURSDAY, JAN. 27 AT CITY HALL, 915 I STREET.

THANKS

Bob Skimin

BOB SKIMIN
1375 50th ST.
456-8254

APPROVED (SIGNED) BY 19 OF THE 22 HOUSEHOLDS ON THE BLOCK
 ✓ ✓ 28 RESIDENT-OWNERS
 ✓ ✓ 1 NON-RESIDENT PROPERTY OWNER
 AS OF 2/9/83

TOTAL = 32 SIGNATURES

A NEIGHBORHOOD RESPONSE
TO THE CITY OF SACRAMENTO PLANNING AND ENGINEERING DEPARTMENTS
REGARDING PROPOSED PROJECT P83-006

IT HAS COME TO OUR ATTENTION THAT THE CITY ENGINEERING DEPARTMENT IS SUGGESTING AN ALTERATION TO 50th STREET BETWEEN M STREET AND FOLSOM BOULEVARD IN CONNECTION WITH A RE-ZONING AND COMMERCIAL DEVELOPMENT FRONTING ON FOLSOM BLVD. BETWEEN 48th AND 51st STREETS PROPOSED BY MR. MARIO AFFINITO. THIS SEGMENT OF 50th STREET PRESENTLY DEAD-ENDS AT MR. AFFINITO'S NORTHERLY PROPERTY LINE.

THE UNDERSIGNED RESIDENTS AND PROPERTY OWNERS ON THIS BLOCK WISH TO PROTEST AGAINST ANY ALTERATION TO THE PRESENT CHARACTER OF THE TRAFFIC FLOW ON THIS BLOCK!!

MANY OF US HAVE LIVED HERE SINCE THE AREA WAS SUBDIVIDED SOME THIRTY-SIX YEARS AGO. WE HAVE ENJOYED AND PROFITED BY THE RELATIVE ISOLATION AND PROTECTION AFFORDED BY THE DEAD-END STREET. WE WOULD ALSO LIKE TO POINT OUT THAT THIS SEGMENT OF 50th ST. IS A "STUB" -- IT DOES NOT EXTEND NORTH FROM M STREET NOR SOUTH FROM FOLSOM BLVD. THEREFORE OPENING IT TO FOLSOM BLVD. WOULD ONLY PROVIDE A ONE BLOCK "ARTERY" AND WOULD FUNNEL ADDITIONAL TRAFFIC ONTO THE M STREET BIKE LANE.

ANY ALTERATION WHICH WOULD PERMIT THROUGH TRAFFIC OR ENCOURAGE COMMERCIAL TRAFFIC ON OUR BLOCK IS UNEQUIVOCALLY OPPOSED BY US.

SIGNED:

- 1. Lester S. McCoy 1362-50th St. Owner 455-6111
- 2. Evelyn C McCoy 1362-50th St. Owner 455-6111
- 3. Lillian Krenn
1375-50th St 456-8254
Resident owner
- 4. Elizabeth Brenner
1369-50th St
Resident owner
- 5. RANION A. FLORES
357-50th St.
RESIDENT OWNER 456-7578
- 6. Beatrice Flores 1357-50th St 456-7578
Resident owner

#4 22

February 21, 1983

City of Sacramento
City Planning Department and
City Planning Commission
927 10th Street, Suite 300
Sacramento, California 94814

RE: P83-006

Dear Commissioners:

We, the undersigned property owners adjacent to and in the neighborhood of the proposed project P83-006 hereby oppose said project and oppose the decision to prepare a Negative Declaration.

The described project is a pocket of land which extends into a residential neighborhood. To rezone to commercial is to condone a precedent for commercial encroachment into a residential area without an appropriate protective buffer zone.

The Negative Declaration of environmental impact for this project and the proposed mitigation measures do not adequately deal with our concerns, which include: disposition of 50th Street; surface water runoff of the 51st lots backing onto the project; proposed amount of increased traffic and people (employees); kinds of retail outlets and hours of operation; amount of increased air, light, noise, and visual pollution; kind, height, size, and hours of operation of retail signs; accessibility to property and adjoining residences after hours (i.e. loitering, intrusion of privacy, accessibility to private property for crime); kind and amount of screening vegetation; project landscaping; proposed protective measures for oak tree at N.W corner of property.

In summary, we agree that proposed project will cause substantial environmental impact that will impair the integrity of our neighborhood and reduce property values. Alternatives to the proposed project, in order of acceptability, are (1) rezoning to R-1, R-2; and (2) rezoning to buffer zone BP. If residential or buffer BP zoning are not acceptable, then a significant scaling down of the proposed commercial development from 14 retail outlets, with acceptable mitigation measures, would be considered.

We have contacted the East Sacramento Improvement Association, who concur with our position. We have contacted the developer's engineer on two occasions to discuss this matter, and have been referred to ESIA.

attachment (petitions)

PETITION TO OPPOSE CITY OF SACRAMENTO P83-006
& OPPOSE NEGATIVE DECLARATION
February 21, 1983

SIGNATURE	PRINT NAME	ADDRESS
<u>Lynell Heaps</u>	<u>Lynell Heaps</u>	<u>1464 51st Street, Sacto 95819</u>
<u>Alberta M. Courchene</u>	<u>ALBERTA M. COURCHENE</u>	<u>1387-50th St, Sacto 95819</u>
<u>Austen Smart</u>	<u>AUSTEN SMART</u>	<u>1381 50th St Sacto 95819</u>
<u>Jeff Messner</u>	<u>JEFF MESSNER</u>	<u>1380 50th St Sacto 95819</u>
<u>Russell R. Williams</u>	<u>RUSSELL A. WILLIAMS</u>	<u>1374-50th St Sacto 95819</u>
<u>Lester G. McCoy</u>	<u>Lester G. McCoy</u>	<u>1362-50th St Sacto 95819</u>
<u>Doris M. Lent</u>	<u>Doris M Lent</u>	<u>1354-50th St Sacto 95819</u>
<u>William H. Gentile</u>	<u>WILLIAM H. GENTILE</u>	<u>1349-50 " " 95819</u>
<u>Ronald F. Litton</u>	<u>RONALD F. LITTON</u>	<u>1438 51st St. Sacto 95819</u>
<u>Vickie Brady</u>	<u>VICKIE BRADY</u>	<u>1460 51st Street</u>
<u>Mike Brady</u>	<u>MIKE BRADY</u>	<u>" "</u>
<u>R.L. Rathfon</u>	<u>R.L. RATHFON</u>	<u>1402 51st STREET</u>
<u>Marilyn Sander</u>	<u>MARILYN SANDER</u>	<u>1465 57th St.</u>
<u>Kathryn B. Cline</u>	<u>Kathryn Cline</u>	<u>1393-50th St</u>

PLEASE RETURN PETITIONS TO: Ms Lynell Heaps
1464 51st Street
Sacramento, CA 95819
(916) 457-1962

RESOLUTION No. 83-247

Adopted by The Sacramento City Council on date of

RESOLUTION AMENDING THE EAST SACRAMENTO COMMUNITY PLAN FROM LIGHT DENSITY RESIDENTIAL TO SHOPPING-OFFICE-COMMERCIAL; AND THE 1974 GENERAL PLAN FROM RESIDENTIAL TO COMMERCIAL-OFFICE FOR THE AREA DESCRIBED ON THE ATTACHED EXHIBIT B (P83-006)(APN: 008-341-22)

WHEREAS, the City Council conducted a public hearing on April 5, 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 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 East Sacramento Community Plan as shopping-office-commercial and the 1974 General Plan as commercial and office.

MAYOR

ATTEST:

CITY CLERK

APPROVED
BY THE CITY COUNCIL
APR 5 1983
OFFICE OF THE
CITY CLERK

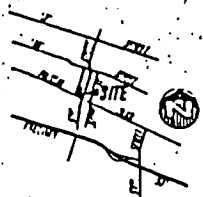
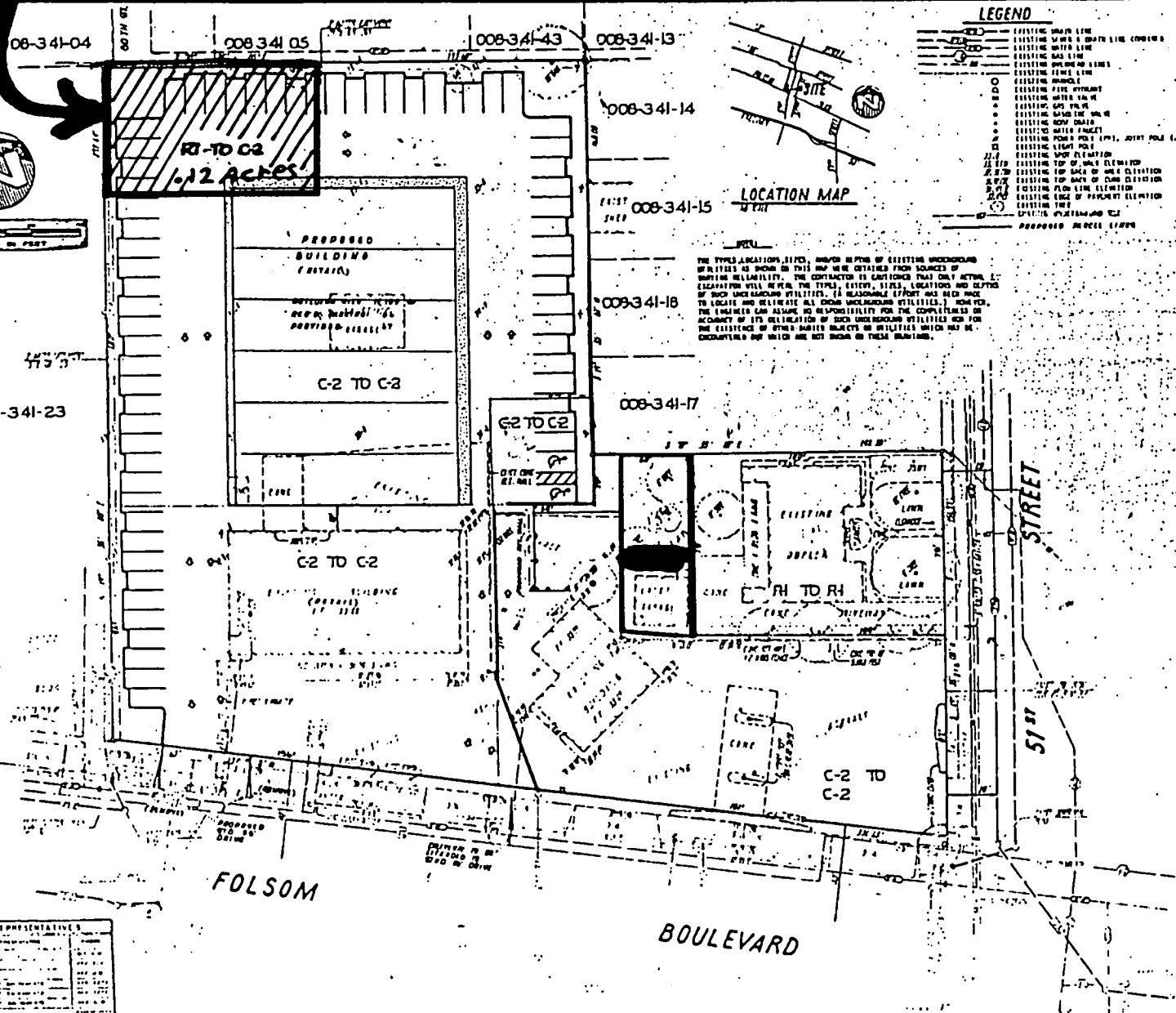
P83-006

AREA TO BE DESIGNATED FOR COMMERCIAL USES
IN THE GENERAL PLAN & E. SACRAMENTO
COMMUNITY PLAN

P-88006

FCB 24, 1983

Item No. 4



LEGEND

---	EXISTING MAIN LINE
---	EXISTING WATER LINE
---	EXISTING SAN LINE
---	EXISTING GAS LINE
---	EXISTING POWER LINE
---	EXISTING FENCE LINE
---	EXISTING DRAINAGE
---	EXISTING FIRE HYDRANT
---	EXISTING WATER TANK
---	EXISTING SIGN POLE
---	EXISTING LAND USE MARK
---	EXISTING SIGN SHADE
---	EXISTING METAL FENCE
---	EXISTING POST & RAIL (P), JOINT POST (JP)
---	EXISTING LIGHT POLE
---	EXISTING SIGN ELEVATION
---	EXISTING TOP OF WALK ELEVATION
---	EXISTING TOP BACK OF WALK ELEVATION
---	EXISTING TOP BACK OF CURB ELEVATION
---	EXISTING FLOOR FINISH ELEVATION
---	EXISTING EDGE OF PARAPET ELEVATION
---	EXISTING TREE
---	EXISTING STRUCTURE AND CURB
---	PROPOSED WALKWAY

THE TYPES, LOCATIONS, SIZES, AND/OR IN PLACE OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS MAP WERE OBTAINED FROM SOURCES OF REPUTABLE RELIABILITY. THE CONTRACTOR IS EMPLOYED THAT ONLY ACTUAL EXCAVATION WILL REVEAL THE TYPES, EXTENT, SIZES, LOCATION AND DEPTH OF SUCH UNDERGROUND UTILITIES. (A REASONABLE EFFORT WAS MADE TO LOCATE AND REVEAL ALL COMMON UNDERGROUND UTILITIES.) HOWEVER, THE ENGINEER CAN ASSUME NO RESPONSIBILITY FOR THE COMPLETENESS OR ACCURACY OF ITS DELINEATION OF SUCH UNDERGROUND UTILITIES NOR FOR THE EXISTENCE OF OTHER HAZARDOUS SUBJECTS OR UTILITIES WHICH MAY BE OCCURRED BY WHICH ARE NOT SHOWN ON THESE DRAWINGS.

PARCEL LIST

008-341-04	008-341-05	008-341-43	008-341-13	008-341-14	008-341-15	008-341-16	008-341-17	008-341-23	008-341-24	008-341-25	008-341-26	008-341-27	008-341-28	008-341-29	008-341-30	008-341-31	008-341-32	008-341-33	008-341-34	008-341-35	008-341-36	008-341-37	008-341-38	008-341-39	008-341-40	008-341-41	008-341-42	008-341-44	008-341-45	008-341-46	008-341-47	008-341-48	008-341-49	008-341-50	008-341-51	008-341-52	008-341-53	008-341-54	008-341-55	008-341-56	008-341-57	008-341-58	008-341-59	008-341-60	008-341-61	008-341-62	008-341-63	008-341-64	008-341-65	008-341-66	008-341-67	008-341-68	008-341-69	008-341-70	008-341-71	008-341-72	008-341-73	008-341-74	008-341-75	008-341-76	008-341-77	008-341-78	008-341-79	008-341-80	008-341-81	008-341-82	008-341-83	008-341-84	008-341-85	008-341-86	008-341-87	008-341-88	008-341-89	008-341-90	008-341-91	008-341-92	008-341-93	008-341-94	008-341-95	008-341-96	008-341-97	008-341-98	008-341-99	008-341-100
------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	-------------

J&J ENGINEERING CONSULTANTS, INC.
111 J STREET
SACRAMENTO, CALIFORNIA 95814 (916) 441-4700

DESIGNED BY: [Signature]
SCALE: 1" = 20'
CHECKED BY: [Signature]
DATE: [Date]

BEFORE APPLICATION SUBMIT
4943-4945 FOLSOM BLVD.
APN: 008-341-18, 21, 22 & 24
REZONING EXHIBIT

EXHIBIT 'B' 22

ORDINANCE NO. 83-044

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 4943 AND 4945 FOLSOM BOULEVARD FROM THE R-1, SINGLE FAMILY ZONE(S) AND PLACING SAME IN THE C-2, GENERAL COMMERCIAL ZONE(S) (FILE NO. P-83-006)(APN: 008-341-18, 21, 22)

APPROVED BY THE CITY COUNCIL

APR 5 1983

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1:

The territory described in the attached exhibit(s) which is in the R-1, Single Family zone(s), established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the C-2, General Commercial zone(s).

OFFICE OF THE CLERK

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 February 24, 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

P83-006

RESOLUTION No. 83-248

Adopted by The Sacramento City Council on date of

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR PROPERTY LOCATED AT 4943-4945 FOLSOM BOULEVARD

APPROVED BY THE CITY COUNCIL

(P-83-006)(APN: (008-341-22)

APR 5 1983

WHEREAS, the City Council, on April 5, 1983 held a public hearing on the request for approval of a subdivision modification and tentative map for property located at 4943-4945 Folsom Boulevard

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 City Planning Commission has submitted to the City Council its report and 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 balanced 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. The Negative Declaration has been prepared in compliance with CEQA, State and City Guidelines, and the Council has reviewed and considered the information contained therein.
2. None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision.

3. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 40 of the City Code, which is a Specific Plan of the City. Both the City General Plan and the East Sacramento Community Plan designate the subject site for shopping-office-commercial use(s).
4. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Control Board, Central Valley Region in that existing treatment plants have a design capacity adequate to service the proposed subdivision.
5. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
6. In the matter of the hereby approved requested subdivision modification to waive the cul-de-sac requirement for 50th Street :
 - a. there are special circumstances that affect this property 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 construction of a cul-de-sac at this location would create an undesirable terminus of 50th Street.
 - 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 cul-de-sac would not be desirable at this location
 - 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 granting of the modification will not change the characteristics of the area
 - d. that granting the modification is in accord with the intent and purpose of these regulations and is consistent with the General Plan and with all other applicable Specific Plans of the City in that the site is designated for commercial uses
7. The tentative map for the proposed subdivision is hereby approved subject to the following conditions which must be satisfied prior to the filing of the final map unless a different time for compliance is specifically noted:
 - a. Applicant shall relocate existing sewer, drain and water lines or provide for necessary easements for these services as required by the City Engineer.
 - b. Provide separate sewer and water services for each existing structure.
 - c. Install street lights as required by the City Engineer.

- d. Provide for the improvement of 50th Street to City cul-de-sac standards.
- e. Right of access to 50th Street shall be dedicated to the City of Sacramento.
- f. Provide a 6' high masonry wall with wrought iron grille work on top along all interior property lines abutting residentially zoned or used property. Design shall be subject to review and approval of the Planning Director.
- g. Install the required 4' landscaped planters along public street frontages adjacent to parking lots and along perimeter of site as shown on site plan. These planters shall be landscaped with a variety of trees, shrubs and ground cover. Landscaping plans for the developed portion of the site shall be reviewed and approved by the planning staff; and said landscaping shall be installed prior to recordation of the final map.
- h. Applicant shall redesign the map so that the residential lot line remains as it now exists, 140' in depth. (See staff's Exhibit "C").
- i. Detailed landscaping and irrigation plans shall be reviewed and approved by the Planning Department prior to issuance of building permit.
- j. The elevations shall be reviewed and approved by the Design Review/Preservation Board.
- k. The proposed wall shall be constructed of split face or slump stone block or a third alternative of textured plaster treatment to be integrated with existing buildings. The wall should be designed to protect the existing oak tree along the northern property line. The proposed wall to be reviewed and approved by the Design Review/Preservation Board.

MAYOR

ATTEST:

CITY CLERK

P83-006

*AMENDED STAFF REPORT 2/24/83
CITY PLANNING COMMISSION

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

22

APPLICANT	JTS Engineering, 811 J Street, Sacramento, CA 95814		
OWNER	Mario & Dominic Affinito, 1550 51st Street, Sacramento, CA 95819		
PLANS BY	JTS Engineering, 811 J Street, Sacramento, CA 95814		
FILING DATE	12/23/82	50 DAY CPC ACTION DATE	REPORT BY: SD:sg
NEGATIVE DEC	2/14/83	EIR	ASSESSOR'S PCL NO. 008-341-18,21,22

- APPLICATION:
1. Environmental Determination
 2. Amend the 1974 General Plan from Residential to Commercial and Office
 3. Amend 1963 East Sacramento Community Plan from Light Density Residential to Shopping-Office-Commercial
 4. Rezone 1.7+ acre from R-1 to C-2
 5. Tentative Map (P83-006)

LOCATION: 4943-4945 Folsom Boulevard

PROPOSAL: The applicant is requesting the necessary entitlements to resubdivide three existing parcels and construct an additional retail sales structure at the rear of a commercially zoned parcel.

PROJECT INFORMATION:

1974 General Plan Designation:	Residential/Commercial & Office
1963 East Sacramento Community Plan Designation:	Light Density Residential/Shopping-Center-Commercial-Office
Existing Zoning of Site:	C-2 and R-1
Existing Land Use of Site:	Retail establishment/duplex

Surrounding Land Use and Zoning:

North:	Residential; R-1
South:	Commercial; C-2
East:	Residential and Commercial; R-1, C-2
West:	Commercial; C-2

Parking Required:	67 spaces
Parking Provided:	67 spaces
Parking Ratio:	1:250 sq. ft.
Property Dimensions:	Irregular
Property Area:	1.7± acres
Square Footage of Building:	6,699 sq. ft. existing; 11,700 sq. ft. proposed
Height of Structure:	16 ft. (one story)
Significant Features of Site:	Existing development: irregular zoning lines, stub of 50th at the northwest corner
Topography:	Flat
Street Improvements:	Provided
Utilities:	Provided
Exterior Building Colors:	Earthtone
Exterior Building Materials:	Wood and stucco

APPLC. NO. P83-006

MEETING DATE February 24, 1983

CPC ITEM NO. 4

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: At the Subdivision Review Committee meeting of February 9, 1983, by a vote of seven ayes, one absent, one abstention, the Committee voted to recommend approval of the tentative map subject to conditions. The Committee also voted to deny the subdivision modification request to waive improvements for termination of 50th Street, by the same seven ayes, one absent, one abstention vote. The applicant shall satisfy each of the following conditions prior to filing the final map unless a different time for compliance is specifically noted:

1. Relocate existing sewer, drain and water lines or provide for necessary easements for these services as required by the City Engineer.
2. Provide separate sewer and water services for each existing structure.
3. Install street lights as required by the City Engineer.
4. Provide for the improvement of 50th Street to City cul-de-sac standards.
5. Right of access to 50th Street shall be dedicated to the City of Sacramento.
6. Provide a six foot high masonry wall on all interior property lines abutting residentially zoned or used property, including the required cul-de-sac on 50th Street. The wall design shall be subject to review and approval of the Planning Director.
7. Install the required four foot landscaped planters along public street frontages adjacent to parking lots. These planters shall be landscaped with a variety of trees, shrubs and ground cover.

STAFF EVALUATION: Staff has the following concerns and comments with regard to this project:

1. The subject site consists of four irregularly shaped parcels zoned C-2 and R-1. The site is developed with two commercial structures located on Folsom Boulevard and a residence on 51st Street. The applicant proposes to resubdivide the site and rezone portions of it to achieve a better utilization of the overall 1.7 acres. Staff has no objection to the project in concept.
2. 50th Street stubs at the northwest corner of the property and has existed this way for over 30 years. The applicant proposes to leave it as is. The City Engineer and Traffic Engineer have requested that the street be properly terminated with a cul-de-sac and dedication of right-of-access from this cul-de-sac. A six foot high masonry wall is also required around the cul-de-sac. Neighbors residing on 50th Street have expressed opposition to any change in the street pattern in a petition which is attached to the report as Exhibit "C". They do not object to the proposed project (see Exhibit "D").
- ** 3. The northeast^{west} 5,200± square feet of parcel three is currently zoned R-1. In order to utilize this piece in conjunction with the rest of the site for a new retail sales complex the applicant is requesting a rezoning from R-1 to C-2. Since the applicant has specific plans for this piece of property, staff has no objection to the rezoning request.

4. The applicant is also requesting to relocate the western line of the residential parcel 40 feet to the east and rezone that corresponding area from R-1 to C-2 (see Exhibit "B"). This will create a larger commercial piece and a residential lot which will be in excess of the minimum area dimension requirements. Since there are no specific plans for this portion of the site at this time, staff does not support this rezoning request. This rezoning is a further intrusion into a residential neighborhood. Further, staff suggests that the lot line remain where it is, corresponding to the zoning line. The final map should be revised to reflect this suggestion (see staff's Exhibit "C").
5. In order to finalize the map, the applicant should be prepared to install the necessary four foot landscaped planters between parking areas and the public right-of-way. Additionally, a six foot high masonry wall will be necessary along the perimeter of the commercial property abutting residentially used or zoned land, including around the cul-de-sac. Design of the wall shall be subject to review and approval of the Planning Director.
6. In order to shade 50% of the proposed parking area, it may be necessary to redesign the parking lot and reduce the square footage of the new structure. The applicant should check with the department's Energy Planner.
7. The project was transmitted to the East Sacramento Improvement Association. They have indicated opposition to the rezonings, particularly behind the existing duplex. They also expressed concern about changing the neighborhood circulation by constructing a cul-de-sac at the termination of 50th Street. They would also like heavy screening landscaping along the perimeter of the property adjacent to residential uses.

STAFF RECOMMENDATION: Staff recommends the following actions:

1. Ratification of the Negative Declaration.
2. Amendment of the General Plan from Residential to Commercial and Office for the .12± acre in the northwest corner of the site.
3. Amendment of the 1963 East Sacramento Community Plan from Light Density Residential to Shopping-Office-Commercial for the same northwestern corner of the site (.12± acre).
4. Rezoning of the northwestern .12± acre from Single Family (R-1) to General Commercial (C-2). (Amendments and rezoning approved for the northwestern corner only.)
5. Approval of the tentative map subject to conditions which follow.
- ** 6. *City Planning Commission Approval*
~~Denial~~ of the subdivision modification to waive cul-de-sac improvements.

Conditions - Tentative Map

- a. Applicant shall relocate existing sewer, drain and water lines or provide for necessary easements for these services as required by the City Engineer.

- b. Provide separate sewer and water services for each existing structure.
- c. Install street lights as required by the City Engineer.
- d. Provide for the improvement of 50th Street to City cul-de-sac standards.
- e. Right of access to 50th Street shall be dedicated to the City of Sacramento.
with wrought iron grille work on top
- **f. Provide a 6' high masonry wall/along all interior property lines abutting residentially zoned or used property including the cul-de-sac on 50th Street. Design shall be subject to review and approval of the Planning Director.
- **SEE BELOW g. *Install the required 4' landscaped planters along public/street frontages adjacent to parking lots. These planters shall be landscaped with a variety of trees/shrubs and ground cover. Landscaping plans shall be reviewed and approved by the Planning Department prior to final map/recordation!*
- h. Applicant shall redesign the map so that the residential lot line remains as it now exists, 140' in depth. (See staff's Exhibit "C").
- ** g. *Install the required 4' landscaped planters along public street frontages adjacent to parking lots and along perimeter of site as shown on site plan. These planters shall be landscaped with a variety of trees, shrubs and ground cover. Landscaping plans for the developed portion of the site shall be reviewed and approved by the planning staff; and said landscaping shall be installed prior to recordation of the final map.*
- ** i. *Detailed landscaping and irrigation plans shall be reviewed and approved by the Planning Department prior to issuance of building permit.*
- ** j. *The elevations shall be reviewed and approved by the Design Review/Preservation Board.*
- ** k. *The proposed wall shall be constructed of split face or slump stone block or a third alternative of textured plaster treatment to be integrated with existing buildings. The wall should be designed to protect the existing oak tree along the northern property line. The proposed wall to be reviewed and approved by the Design Review/Preservation Board.*

#22
4-5-1983

4. P83-032 Various requests for property located at SW quadrant of San Juan & Truxel Roads. (D1)
 - a. Amendment of Del Verde PUD (P-8245) to decrease amount of of single family detached units from 272 to 17 and allow 255 zero-lot line units.
 - b. Rezone 243 lots from R-1 to R-1A.
 - c. Appeal of Planning Commission's approval of rezone.

5. P83-029 Various requests for property located at SW corner of Windubey Circle and Riverwind Way. (D8)(APN: 031-590-21)
 - a. Rezone 0.2+ ac. from R-1 to R-1A.
 - b. Tentative Map to divide 0.2+ ac. into two parcels.

6. P83-009 Appeal of Planning Commission's denial of various requests for property located at 3024-3026 "G" Street. (D1)(APN: 003-212-09,10,11)
 - a. Special Permit to convert apartment complex on 0.24+ ac. into offices in R-0 zone.
 - b. Variance to locate 5 of req. 16 parking spaces off-site.
 - c. Variance to allow required maneuvering area to cross property line.
 - d. Variance to waive 2 required parking spaces.
 - e. Variance to reduce maneuvering spaces for compact spaces from 25' to 24'.
 - f. Variance to increase number of compact parking spaces from 30% to 35%.

66
21
87
5
82

SACRAMENTO CITY PLANNING DEPARTMENT

#22
451983

Application Information

Application taken by/date: _____

Project Location 4943 & 4945 Folsom Boulevard

P N O 9924

Assessor Parcel No. 008-341-18,21 & 22

P 83006

Owners Mario & Dominic Affinito

Phone No. _____

Address 1550-51st Street, Sacramento, CA 95819

Applicant JTS Engineering Consultants

Phone No. _____

Address 811 'J' Street, Sacramento, CA 95814

Signature _____

C.P.C. Mtg. Date 2-24-83

REQUESTED ENTITLEMENTS

ACTION ON ENTITLEMENTS

Filing Fees

REQUESTED ENTITLEMENTS	Commission date	Council date	Filing Fees
<input checked="" type="checkbox"/> Environ. Determination Neg Dec	_____	_____	\$ _____
<input checked="" type="checkbox"/> General Plan Amend for 0.17± ac. from Residential to Commercial & Offices	RA for portion	_____	\$ _____
_____	_____	Res. _____	_____
<input checked="" type="checkbox"/> Community Plan Amend (East Sacramento) for 0.17± ac. () from Light Density Residential to Shopping-Offices-Commercial	RA for portion	_____	\$ _____
_____	_____	Res. _____	_____
<input checked="" type="checkbox"/> Rezone 0.15± ac. from R-1 to C-2	RA for portion	_____	\$ _____
_____	_____	Ord. _____	_____
<input checked="" type="checkbox"/> Tentative Map to redivide 1.8± ac. into 3 parcels	RA Ex. 'C' subj. to Amend. Cond.	_____	\$ _____
_____	_____	Res. _____	_____
<input type="checkbox"/> Special Permit	_____	_____	\$ _____
_____	_____	_____	_____
<input type="checkbox"/> Variances	_____	_____	\$ _____
_____	_____	_____	_____
<input type="checkbox"/> Plan Review	_____	_____	\$ _____
_____	_____	_____	_____
<input type="checkbox"/> PUD	_____	_____	\$ _____
_____	_____	_____	_____
<input checked="" type="checkbox"/> Other Subdivision Modification to waive standard cul-de-sac improvements for termination of 50th St.	RA	_____	\$ _____

FEE TOTAL \$ _____

Sent to Applicant: _____ Date _____

By: _____ Sec. to Planning Commission

RECEIPT NO. 463
By/date GM 12/27/82

Key to Entitlement Actions

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

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

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

P 83006
P N O 9924

SACRAMENTO CITY PLANNING COMMISSION

#4 #20

MEETING DATE: February 24, 1983
 ITEM NO. 4a FILE NO. P-83-006
M-

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

4-5-1983

Recommendation:

- Favorable
- Unfavorable

LOCATION: 4943 + 4945 Folsom Blvd.

- Petition
- Correspondence

PROPOSERS

NAME	ADDRESS
<u>Marco Affinito</u>	<u>1550 51st St. Sacramento, CA 95819</u>
<u>Phil Andrews</u>	<u>owner of property near subject site</u>
<u>Kristen Otto</u>	<u>agent for Way Care Center</u>
<u>Javed, ITS Engineering</u>	<u>811 J St. Sacramento, 95814</u>

OPPOSERS

NAME	ADDRESS
<u>Bob Shema</u>	<u>50th St</u>
<u>Lynell Heaps</u>	<u>1464 51st St. Sacramento, CA 95819</u>
<u>Rick McWilliams</u>	<u>East Side Planning Association</u>

MEETING NO. _____

MOTION:

	YES	NO	MOTION	2ND
<u>Augusta</u>	<input checked="" type="checkbox"/>			
<u>DeJ</u>	<input checked="" type="checkbox"/>			
<u>Holloway</u>	<input checked="" type="checkbox"/>			
<u>Unter</u>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
<u>Arson</u>	<input checked="" type="checkbox"/>			
<u>Uraki</u>	<u>vacant</u>			
<u>Ilva</u>			<input checked="" type="checkbox"/>	
<u>Impson</u>	<input checked="" type="checkbox"/>			
<u>Podin</u>	<input checked="" type="checkbox"/>			

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



CITY OF SACRAMENTO

#22 (X)
4-5-1983

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

MARTY VAN DUYN
PLANNING DIRECTOR

March 22, 1983

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Rezone 0.15+ ac from R-1 to C-2

LOCATION: 4943 & 4945 Folsom Boulevard

RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO
MAR 23 4 49 PM '83

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 April 5, 1983.

Respectfully submitted,

Marty Van Duyn
Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

PASSED FOR
PUBLICATION
& CONTINUED
TO 4-5-83

MVD:cp
Attachment
P83-006

March 29, 1983
District No. 3

#22
4583
X6

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 4943
AND 4945 FOLSOM BOULEVARD
FROM THE R-1, SINGLE FAMILY ZONE(S)
AND PLACING SAME IN THE C-2, GENERAL COMMERCIAL ZONE(S)
(FILE NO. P-83-006)(APN: 008-341-18, 21, 22)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

The territory described in the attached exhibit(s) which is in the R-1,
Single Family zone(s),
established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed
from said zone and placed in the C-2, General Commercial
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 February 24, 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.

#172
45-1983
*

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

P83-006

LEGAL DESCRIPTION

#22
45-183

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

PARCEL NO. 1:

A portion of Lot 6, as shown and delineated on that certain map or plat entitled "Portion of Tuller Homestead Tract", owned by Phillip Wolf Jr., Sacramento, California, filed in the office of the Recorder of Sacramento County, California, on January 7, 1896, in Book A of Surveys, Map No. 57, and being bounded and more particularly described as follows, to Wit:

Beginning at a point in the center line of 51st street in the said City of Sacramento, from which said point of beginning the most Northeasterly corner of said Lot 6, (said corner being located on the said center line of 51st Street) bears North 19° 35' East 160.00 feet, and running thence from said point of beginning North 70° 25' West 20.00 feet to a point in the Westerly line of said 51st Street; thence continuing North 70° 25' West 140.27 feet to a 2 inch by 2 inch stake; thence North 19° 35' East 23.70 feet to a 3/4 inch iron pipe; thence North 70° 25' West 40.95 feet to a 3/4 inch iron pipe; thence South 19° 35' West 47.30 feet to a 3/4 inch iron pipe; thence South 70° 25' East 52.37 feet to a 2 inch by 2 inch stake; thence South 19° 35' West 49.85 feet to a 2 inch by 2 inch stake; thence South 65° 48' East 22.07 feet to a 2 inch by 2 inch stake; thence South 70° 25' East 106.85 feet to a point in the Westerly line of said 51st Street; thence continuing South 70° 25' East 20.00 feet to a point in the aforesaid center line of 51st Street; thence following the said center line of 51st Street North 19° 35' East 75.25 feet to the point of beginning.

PARCEL NO. 2:

All that portion of Lot 6 as shown on the "Plat of Portion of Tullar Homestead Tract owned by Phillip Wolf, Jr.", recorded in the office of the County Recorder of Sacramento County, June 7, 1898, in Book A of Surveys, Map No. 57, described as follows:

Commencing at the Southeast corner of said Lot 6 at the point of intersection of the West line of a road, 40 feet in width, (now known as 51st Street) as shown on said plat with the North line of M Street Road (now known as Folsom Boulevard) as shown on said plat; thence from said point of commencement along the East line of said Lot 6 and the West line of said 51st Street, North 19° 35' East 81.67 feet; thence North 70° 25' West 107.00 feet; thence, parallel to the East line of said Lot 6, South 19° 35' West 68.06 feet to a point on the South line of said Lot 6 and the North line of Folsom Boulevard, thence South 63° 10' East 107.87 feet to the point of commencement.

PARCEL NO. 3:

All that portion of Lot 6 as shown on the "Plat of Portion of Tullar Homestead Tract owned by Philip Wolf, Jr.", recorded in the office of the County Recorder of Sacramento County, June 7, 1898, in Book A of Survey Map No. 57, described as follows:

Beginning at a point on the North line of Folsom Boulevard formerly M Street Road, located North 63° 10' West 107.89 feet from the intersection of the Westerly line of 51st Street with the Northerly line of said Folsom Boulevard, said point of beginning is further described as being the Southwest corner of a tract of land conveyed by Anna E. Meinardi, formerly Anna Roseman, to R.H. Anderson by deed dated May 12, 1922 and recorded....

100

LEGAL DESCRIPTION

#22
45-83 6

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

in Book 604 of Deeds, page 48; thence North 19° 35' East parallel with the West line of said 51st Street 68.06 feet to a point located South 19° 35' West 235.25 feet from the North line of said Lot 6, which said point marks the Northwest corner of said Anderson Lot; thence North 65° 48' West 22.07 feet; thence North 19° 35' East 50.16 feet; thence North 70° 25' West 52.37 feet; thence South 19° 35' West 110.53 feet to the Northerly line of said Folsom Boulevard; thence along said Northerly line South 63° 10' East 74.96 feet to the point of beginning.

PARCEL NO. 4:

That portion of Lots 5 and 6 of Portion of Tullar Homestead Tract owned by Philip Wolf Jr., according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on June 7, 1898, in Book A of Surveys, Map No. 57, described as follows:

Beginning at an old stake on the North line of Folsom Boulevard located North 63° 00' West 203.17 feet from the intersection of the North line of Folsom Boulevard and the center line of 51st Street, being the Southeast corner of said Lot 6, and which stake bears North 19° 35' East 16.5 feet from a cross cut on back of curb; thence along a fence, North 19° 35' East 157.3 feet to a 3/4 inch pipe; thence South 70° 35' East 40.95 feet to a 3/4 inch pipe; thence along a fence line North 19° 35' East 136.3 feet to a fence corner; thence along an old fence, North 69° 53' West 150.79 feet to a fence corner; thence along an old fence, South 19° 35' West 280.80 feet to the North line of Folsom Boulevard, from which point a 3/4 inch iron pipe at the inside edge of sidewalk bears South 19° 35' West; thence South 63° 00' East 110.79 feet to the point of beginning.

PARCEL NO. 5:

Commencing at a point in the center line of 51st Street of the City of Sacramento, at the Southeast corner of Lot Six (6) of the Philip Wolf Jr. Tract of the Edwin Tullar Homestead Tract, according to the official plat filed for record June 7, 1898, in Book A of Surveys, at page 57, said point being 36.55 feet from the intersection of the center line of Folsom Boulevard with the center line of said 51st Street; running thence along the South line of Lots 6 and 5 of said subdivision, North 63° 00' West 313.826 feet, parallel with the center line of Folsom Boulevard, to the point of beginning, being the Southeast corner of the property herein described; thence North 19° 35' East 284.53 feet to a point on the North line of Lot 5, of said subdivision; thence along the North boundary line of Lot 5, North 70° 35' West 42.644 feet to a stake at fence intersection; thence South 19° 53' West 277.7 feet to a point on the South line of said Lot 5, said point being North 19° 53' East distant 36.55 feet from the center line of Folsom Boulevard; thence along the South line of Lot 5, South 63° 00' East, 44.53 feet to the point of beginning.

22

RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO

APR 1 9 56 AM '83

4-5-1983

March 31, 1983

City of Sacramento
Office of the City Clerk
915 I Street
City Hall Room 203
Sacramento, CA 95814
ATTN: Lorraine Magana, City Clerk

RE: P-83006

Dear City Council Members:

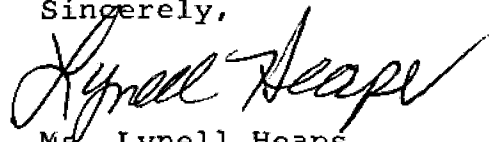
Please find enclosed a copy of the petition and cover letter submitted to the City Planning Commission dated February 21, 1983 expressing opposition to the above project.

In conjunction with the East Sacramento Improvement Association, we appeared before the Commission to express our opposition and concerns about the impact of this project on our residential neighborhood.

This letter is to reconfirm our opposition to such projects which intrude into residential areas and to express our hope that you will concur with the rezoning and mitigation recommendations of the Planning Commission and staff in their entirety.

Thank you for your consideration.

Sincerely,



Ms. Lynell Heaps

LH:rov

1

1

1

1

1

1

1

1

#22
4583
RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO

APR 1 9 56 AM '83
February 21, 1983

City of Sacramento
City Planning Department and
City Planning Commission
927 10th Street, Suite 300
Sacramento, California 94814

RE: P83-006

Dear Commissioners:

We, the undersigned property owners adjacent to and in the neighborhood of the proposed project P83-006 hereby oppose said project and oppose the decision to prepare a Negative Declaration.

The described project is a pocket of land which extends into a residential neighborhood. To rezone to commercial is to condone a precedent for commercial encroachment into a residential area without an appropriate protective buffer zone.

The Negative Declaration of environmental impact for this project and the proposed mitigation measures do not adequately deal with our concerns, which include: disposition of 50th Street; surface water runoff of the 51st lots backing onto the project; proposed amount of increased traffic and people (employees); kinds of retail outlets and hours of operation; amount of increased air, light, noise, and visual pollution; kind, height, size, and hours of operation of retail signs; accessibility to property and adjoining residences after hours (i.e. loitering, intrusion of privacy, accessibility to private property for crime); kind and amount of screening vegetation; project landscaping; proposed protective measures for oak tree at N.W corner of property.

In summary, we agree that proposed project will cause substantial environmental impact that will impair the integrity of our neighborhood and reduce property values. Alternatives to the proposed project, in order of acceptability, are (1) rezoning to R-1, R-2; and (2) rezoning to buffer zone BP. If residential or buffer BP zoning are not acceptable, then a significant scaling down of the proposed commercial development from 14 retail outlets, with acceptable mitigation measures, would be considered.

We have contacted the East Sacramento Improvement Association, who concur with our position. We have contacted the developer's engineer on two occasions to discuss this matter, and have been referred to ESIA.

attachment (petitions)



PETITION TO OPPOSE CITY OF SACRAMENTO PROPOSAL
& OPPOSE NEGATIVE DECLARATION OF SACRAMENTO

February 21, 1983

APR 1 9 56 AM '83

RECEIVED

#22
#4583

SIGNATURE	PRINT NAME	ADDRESS
Lynell Heaps	Lynell Heaps	1464 51 st Street, Sacto 95819
Alberta M. Courchene	ALBERTA M. COURCHENE	1387-50 th St. Sacto 95819
Austen P. Smart	AUSTEN SMART	1381 50 th St Sacto 95819
Jeff Messner	JEFF MESSNER	1380 50 th ST Sacto 95819
Russell R. Williams	RUSSELL A. WILLIAMS	1374-50 th ST. SACTO. 95819
Lester G. McCoy	Lester G. McCoy	1362-50 th St Sacto 95819
Doris M. Lent	Doris M Lent	1354-50 th St Sacto 95819
William H. Gentile	WILLIAM H. GENTILE	1349-50 " " 95819
Ronald F. Litton	RONALD F. LITTON	1438 51 st St. Sacto 95819
Vickie Brady	VICKIE BRADY	1460 51 st Street
Mike Brady	MIKE BRADY	" "
R.L. Rathfon	R.L. RATHFON	1402 51 st STREET
Marilyn Sander	MARILYN SANDER	1465 57 th St.
Kathryn B. Cline	Kathryn Cline	1393-50th St

PLEASE RETURN PETITIONS TO: Ms Lynell Heaps
1464 51st Street
Sacramento, CA 95819
(916) 457-1962

PETITION TO OPPOSE CITY OF SACRAMENTO
& OPPOSES NEGATIVE DECLARATION

February 21, 1983

RECEIVED
CITY CLERKS OFFICE
883-906
OF SACRAMENTO

APR 1 9 57 AM '83

#22
45-83

<u>SIGNATURE</u>	<u>PRINT NAME</u>	<u>ADDRESS</u>
<i>Marcia Denton</i>	MARCIA DENTON	1449 51 st STREET
<i>George Clark</i>	GEORGE CLARK	1449 51 st STREET
<i>A.G. Larsen</i>	A.G. LARSEN	1356-50 th ST
<i>Marguerite M Jordan</i>	M. Jordan	M. Jordan
<i>S.C. Curl</i>	S.C. CURL	1454 51 st St

PLEASE RETURN PETITIONS TO: Ms Lynell Heaps
1464 51st Street
Sacramento, CA 95819
(916) 457-1962

#22
4/5/83

April 6, 1983

Mario & Dominic Affinito
1550 51st Street
Sacramento, CA 95819

Dear Sirs:

On April 5, 1983, the Sacramento City Council took the following action(s) for property located at 4943 & 4945 Folsom Boulevard (P-83006):

- A-B: Adopted Resolution 83-247 amending General Plan for 0.17± acres from Residential to Commercial & Office; amending Community Plan for 0.17± acres from Light Density Residential to Shopping-Offices-Commercial.
- C. Adopted Ordinance 83-004 rezoning 0.15± acres from R-1 to C-2 (NW corner of parcel 3).
- D-F: Adopted Resolution 83-248 adopting Findings of Fact and approving tentative map and subdivision modification.

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

Sincerely,

Lorraine Magana
City Clerk

LM/emm/22
Enclosure

cc: Planning Department
JTS Engineering Consultants