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DEPARTMENT OF  
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO  
CALIFORNIA

May 1, 1990

1231 I STREET  
ROOM 200  
SACRAMENTO, CA  
95814-2998

City Council  
Sacramento, California

BUILDING INSPECTIONS  
916-449-5716

Honorable Members In Session:

PLANNING  
916-449-5604

- SUBJECT:
1. ENVIRONMENTAL DETERMINATION
  2. AMENDMENT OF CENTRAL CITY COMMUNITY PLAN FROM HEAVY COMMERCIAL TO GENERAL COMMERCIAL/MULTI-USE
  3. REZONE FROM HEAVY COMMERCIAL (C-4) TO GENERAL COMMERCIAL (C-2) (P90-040)
  4. APPEAL OF THE PLANNING COMMISSION APPROVAL OF:
    - A) SPECIAL PERMIT TO ALLOW RESIDENTIAL UNITS IN THE C-2 ZONE
    - B) VARIANCE TO WAIVE ONE OF THE NINE REQUIRED PARKING SPACES
    - C) VARIANCE TO REDUCE THE FRONT YARD SETBACK FROM 7.5 FEET TO ONE FOOT
    - D) VARIANCE TO REDUCE THE REQUIRED STREET SIDE YARD SETBACK FROM FIVE FEET TO ONE FOOT

LOCATION: 2031 S Street

**SUMMARY**

The application is for various entitlements to allow development of an 80'x 80' corner lot at 21st and S Street with a mixed use project. The proposed uses include 5,500 sq.ft. of retail space on the ground floor and three residential units on the upper floor. The project was supported by Planning staff with conditions and approved by the Planning Commission. An adjacent property owner has filed an appeal of the Commission's action on the Special Permit and variances.

CONTINUED  
TO 07-10-90

CONTINUED  
FROM 07-10-90  
TO 08-14-90

CONTINUED  
FROM 8-14-90  
TO date uncertain



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

November 14, 1990

Donald A. Primavera  
1822 21st Street  
Sacramento, CA 95814

On November 6, 1990, the City Council heard your appeal from the City Planning Commission action regarding their approval to allow a Residential/Commercial Development in the C-2 zone for property located at 2031 S Street.

The Council denied your appeal based on the enclosed Findings of Fact.

Sincerely,

**ORIGINAL SIGNED BY  
VALERIE BURROWES**

Valerie A. Burrowes  
City Clerk

cdc/4.1

Enclosure

cc: Planning Division  
JHL Inc. % Shirribukuro, 6875 Waterview Way, SAC 95831  
Chinn-Rusconi Architects, 201 Lathrop Way, #C, SAC 95815

## **BACKGROUND**

The subject site is located on a portion of 21st Street that is developed with a mixture of commercial, office and residential uses. The site is also on the southerly edge of the R Street Corridor which is why the site is presently zoned for Heavy Commercial use. The R Street Corridor is under study and land use recommendations are forthcoming. The applicant is proposing to reduce the zoning intensity of the site from C-4 to C-2 and to develop a mixed use project. Retail space is proposed on the ground floor and three residential units are proposed for the second floor.

Planning staff reviewed the entitlements required for the project and recommended approval with conditions. Staff found that the land use/zoning change from Heavy Commercial to General Commercial would be more consistent with the existing uses in the area, the retail character of 21st Street and the trend towards lighter uses within the R Street Corridor. Further, staff found the mixed use project provided a unique opportunity to increase much needed housing in the Central City.

There were a number of issues raised at the Planning Commission hearing over the project. These issues included concerns over potential problems created by certain retail uses, adequate parking and loss of visibility to the adjacent historic structure from 21st Street. The appeal filed by the adjacent property owners to the north focusses primarily on the loss of visibility to their site on 21st Street, which contains a victorian on the City's Official Register, as an essential structure. The applicant's plans call for the new structure to set back one foot from the property line on 21st Street and Planning staff had similar concerns related to visibility. Staff, therefore, recommended a condition that allowed the Design Review/Preservation Board the ability to mitigate this impact through revisions to the building location, increased setback or other means deemed necessary. This issue was discussed by the Planning Commission at length. The Commission determined that to make retail work and to achieve a better project, the building needs to front on 21st Street and not on S Street. This is also in keeping with the orientation of other retail uses on corner lots along 21st Street. The Commission, therefore, approved the setback variances.

Subsequent to the Planning Commission hearing, Councilman Chin, the applicant and neighbors have met to further discuss the project. Although the applicant has expressed a willingness to increase the building setback and provide landscaping on 21st Street, no agreement has been reached.

## **VOTE OF THE PLANNING COMMISSION**

On March 8, 1990, the Planning Commission voted seven ayes, one no, one abstained to recommend approval of the project.

**FINANCIAL DATA**

Not applicable.

**POLICY CONSIDERATIONS**

Not applicable.

**MBE/WBE EFFORTS**

Not applicable.

**RECOMMENDATION**

The Planning Commission and Planning staff recommend the following actions by the City Council:

1. Ratify the Negative Declaration;
2. Adopt the attached resolution to amend the Community Plan;
3. Adopt the attached ordinance to rezone the site;
4. Deny the appeal based on the attached findings.

Respectfully submitted,



MICHAEL M. DAVIS  
Director of Planning and Development

**FOR CITY COUNCIL INFORMATION**

WALTER J. SLIPE  
CITY MANAGER

May 1, 1990  
District No. 4

Contact Person:

Art Gee, Principal Planner  
449-5604

MMD:AG:vr  
P90-040.CC

Attachment

CITY OF SACRAMENTO

DEPARTMENT OF PLANNING AND DEVELOPMENT  
1231 "I" STREET, SACRAMENTO, CA 95814

PLANNING  
ROOM 200 449-5604

APPEAL OF THE DECISION OF THE  
SACRAMENTO CITY PLANNING COMMISSION

DATE: March 19, 1990

TO THE PLANNING DIRECTOR:

I do hereby make application to appeal the decision of the City Planning  
Commission on March 8, 1990 (hearing date), project # P 90-040,

when:

Special Permit	For <u>Please see attachment.</u>
Variance	For <u>Please see attachment.</u>
"R" Review	For <u>Please see attachment.</u>
OTHER _____	For <u>Please see attachment.</u>

was: X Granted / \_\_\_\_\_ Denied by the City Planning Commission

GROUND'S FOR APPEAL: (explain in detail) Please see attachment.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PROPERTY LOCATION: 2031 "S" Street (corner of "S" and 21st Street)

APPELLANT: DONALD A. PRIMAVERA (print) PHONE # 454-0113

ADDRESS: 1822 21st Street, Sacramento, CA 95814

APPELLANT'S SIGNATURE: Donald A. Primavera

THIS BOX FOR OFFICE USE ONLY

Filing Fee: \_\_\_\_\_ by Applicant: \$105.00  by 3rd Party \$ 60.00

Received By: C Lauchland Date: 3-19-90

Distribute Copies To: NVD  AG  WW  SG  
RT (original & receipt)

P# 90-040 Forwarded to City Clerk On: \_\_\_\_\_

Project No. P90-040

I do hereby make application to appeal the decision of the city Planning commission on March 8, 1990, project #P90-040 when:

Amend Central City Community Plan for 0.15± ac. from Heavy Commercial to General Commercial/Multi-Use.

Rezone 0.15± ac. from C-4 to C-2.

Special Permit to allow 3 residential units of 1,000.00± sq. ft. each with a 5,500± sq. ft. 2-story mixed use building in the C-2 zone.

Variance to waive one of the required 9 parking spaces.

Variance to reduce the required front yard setback from 7.5' to 1'.

Variance to reduce the street side yard from 5' to 1'.

Project No. P90-040  
Grounds for Appeal:

We own the property located at 1822 21st Street adjacent to the proposed construction, which is denominated the Nevis Mansion and listed on the Official Register as an Essential Structure. This Victorian is a Queen Anne design and as far as we are aware it is the only one of its kind in Sacramento. We have restored this building both on the interior and exterior with a careful eye to assuring that the building would be one of which all of Sacramento could rightly be proud. The most recent improvement was the exterior painting which highlighted the delicate wooden ornamentation at the front of the Victorian and on the side of the house on which the proposed project is to be built. The plans as approved will eliminate from view the entire south side of the Victorian, as well as inordinately diminish light and air to our building. The plans would block the view of all but the roof of the Nevis Mansion. This would be a tremendous loss to the City and reduce the historical integrity and importance of the building.

If the Design Review/Preservation Board is to achieve the goals implicit in its name, the Planning Commission must enforce reasonable restrictions on new constructions to ensure that the few remaining Victorians in Sacramento will be protected. If the current proposed plans seeking a drastic variance of the setback requirements are implemented, then the guidelines for preserving these historical buildings will be emasculated. In March, 1988, plans for a two-story, 4,000 square foot building were reviewed by the staff of the Design Review/Preservation Board, who rendered the following opinion:

Staff is concerned that the proposed structure as sited will screen out the Nevis Mansion from the northbound one-way traffic on 21st Street. The impact on the Listed Structure would be very great. It would be placed in a canyon like setting which would box it in to public view.

Since an even more distressing result will accrue from the present plans, which include a 5500 square foot building with a requested variance to reduce the required front yard set back from 7.5 feet to 1 foot, we believe that the plans cannot be implemented as approved by the Planning Commission. Mr. Richard Hastings, staff to the Design Review/Preservation Board, suggested that the plans be altered in such a way as to turn the planned building to set further back on the lot and thereby diminish the impact on the Nevis Mansion. Essentially this would mean that the major portion of the retail would be along "S" Street rather than on 21st Street. This reasonable

suggestion would allow the proposed construction to proceed and simultaneously mitigate any deleterious effect on the Essential Structure.

We understand and appreciate the Planning commission's desire to achieve a harmonious intermix of commercial and residential interest on this particular project. However, as admirable as these goals may be, they should be implemented in such a manner as to not destroy the beauty of the Nevis Mansion which we have worked so diligently to maintain in a fashion befitting the dignity of an Essential Structure in the City of Sacramento.

We respectfully request that the City Counsel members view the Nevis Mansion before acting on this appeal to see the architectural and historical forfeiture which will be occasioned if these plans are implemented. Surely, the plans can be devised to protect the beauty that is already here.



# THE POVERTY RIDGE REVITALIZATION ASSOCIATION

March 6, 1990

TO: City Planning Commission

RE: Proposed Project for Northwest Corner of 21st and S Streets

We, the undersigned, oppose construction of the building referred to above. We feel the proposed land use (mixed use of residential and retail) in a preservation area is inappropriate. If you plan to approve the project, we ask that you deny the requested parking and set-back variances. Also, the neighborhood is adamantly opposed to having a convenience store, neighborhood market, or laundromat located in the area.

Michael Jorman	1917	20 <sup>th</sup> St	95814
Bill J. Allen	2311	U St.	95818
Bob Bailey	2101	V St	95818
Shirley Woodard	2214	21 St	95818
Frances Peterson	2121	W St	
Katharine Christensen	2221	- W St	
Alvin King	2229	- W St	
Betha Nialy Johnson	2214	23 <sup>rd</sup> St	95818
Estelene Kinzie	2205	22 <sup>nd</sup> St.	95818
John F. Kerzian	2217	- V St # 2	95818
John R. Kane	2120	V Street	
Harvey S. Jan	2209	22 <sup>nd</sup> St.	95818
Maryle Cook	2330	V St	95818
David Ford	2330	V St.	95818
Michael Spentz	2331	V St	95818
William Hart	2331	V St	95818

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# THE POVERTY BRIDGE REVITALIZATION ASSOCIATION

March 6, 1990

TO: City Planning Commission

RE: Proposed Project for Northwest Corner of 21st and S Streets

We, the undersigned, oppose construction of the building referred to above. We feel the proposed land use (mixed use of residential and retail) in a preservation area is inappropriate. If you plan to approve the project, we ask that you deny the requested parking and set-back variances. Also, the neighborhood is adamantly opposed to having a convenience store, neighborhood market, or laundromat located in the area.

Helda Scibird 2120 V Street

Lora Barker 2202 23rd St. Apc 95818

Sharon Lunetta 2101 22<sup>nd</sup> St.

Jack Western 2107 22<sup>nd</sup> Street

Mr. & Mrs. Jim Siquiera 2220 V<sup>1st</sup> 22<sup>nd</sup> St

Mr & Mrs. Ines Amaral 2200 23<sup>rd</sup> St St

Jamie Duchian 2217 - 22<sup>nd</sup> St. St. 1115

Jonathan Caperton 2201 21<sup>st</sup> Street

Estelle Schleich 2201 21<sup>st</sup> Street

Betty Mae Cralle 2117 - 20<sup>th</sup> St.

Elizabeth R. Bortright 2006 U ST

PHAM, TIMOTHY 2110 U ST.

Jacquelyn Redinbaugh 2115 V St., Apt E

Norma Jean Allee @ 2117 22<sup>nd</sup> St #4

# THE POVERTY RIDGE REVITALIZATION ASSOCIATION

March 6, 1990

TO: City Planning Commission

RE: Proposed Project for Northwest Corner of 21st and S Streets

We, the undersigned, oppose construction of the building referred to above. We feel the proposed land use (mixed use of residential and retail) in a preservation area is inappropriate. If you plan to approve the project, we ask that you deny the requested parking and set-back variances. Also, the neighborhood is adamantly opposed to having a convenience store, neighborhood market, or laundromat located in the area.

Mr. & Mrs. Scott Adams 2131 T Poverty Ridge St  
Mrs. Marta von Niessen

Mark Peterson 2115 V St #4 737-1724

Isabel Daugherty - 2111 - 20th St

Sandra Bosley 2101 - W Street

Kristi Eller 1821 20th St

Andy Schmidt 2101 22nd St

Dianne Price 2128 V

March 6, 1990

TO: City Planning Commission

RE: Proposed Project for Northwest Corner of 21st and S Streets

We, the undersigned, oppose construction of the building referred to above. We feel the proposed land use (mixed use of residential and retail) in a preservation area is inappropriate. If you plan to approve the project, we ask that you deny the requested parking and set-back variances. Also, the neighborhood is adamantly opposed to having a convenience store, neighborhood market, or laundromat located in the area.

*Jenny [Signature]* NO Parking 1816 - 21st Street  
*Jessie [Signature]* NO PARKING, NO RETAIL 1900 - 21st Street  
*Robert Wallace* 1922 21<sup>ST</sup> STREET  
*Gayle Rose-Wynn* 1920 21st Street  
*Rady Wynn* 1920 21<sup>ST</sup> Street  
*Donald L. Pumaiera* 1822 - 21<sup>ST</sup> St.  
*Robui L. Pumaiera* 1822 - 21<sup>ST</sup> St.  
*Vincent Mc Donald* 2017 - "T" St.

# Sacramento City Planning Commission VOTING RECORD

**MEETING DATE**  
March 8, 1990

**ITEM NUMBER**  
5a

**PERMIT NUMBER**  
P 90-040

## ENTITLEMENTS

- |   |  |
|---|--|
| <input type="checkbox"/> GENERAL PLAN AMENDMENT   | <input type="checkbox"/> TENTATIVE MAP                 |
| <input type="checkbox"/> COMMUNITY PLAN AMENDMENT | <input type="checkbox"/> SUBDIVISION MODIFICATION      |
| <input type="checkbox"/> REZONING                 | <input type="checkbox"/> LOT LINE ADJUSTMENT           |
| <input type="checkbox"/> SPECIAL PERMIT           | <input checked="" type="checkbox"/> ENVIRONMENTAL DET. |
| <input type="checkbox"/> VARIANCE                 | <input type="checkbox"/> OTHER _____                   |

**STAFF RECOMMENDATION**

Favorable  Unfavorable

Correspondence

Petition

**LOCATION** 2031 S Street

P R O P O N E N T S	NAME	ADDRESS
	<u>Mark Rusconi</u>	<u>201 Lathrop Way - C, Mcto. 95831</u>
	<u>David Richmond</u>	<u>2231 L St.</u>
	<u>Dennis Newfield</u>	<u>10 Sam Mateo Ct.</u>
	<u>Steve Jenkins</u>	<u>2001 11th St.</u>

O P P O N E N T S	NAME	ADDRESS
	<u>Harle Rose Weaver</u>	<u>1920 21st St, Mcto. 95814</u>
	<u>Robin Primavera</u>	<u>1822 21st St, Mcto. 95814</u>
	<u>Larry Weaver</u>	<u>1920 " " " "</u>
	<u>Robin Hame</u>	<u>2120 V St. " 95818</u>
	<u>Shirley Hays</u>	
	<u>Dagmar Bremner-Wicks</u>	<u>2128 V St " 95816</u>

**MOTION #**

	Yes	No	Motion	Second
RECERRA	<input checked="" type="checkbox"/>			
CHINN	<u>absent</u>			
GASTON	<input checked="" type="checkbox"/>			
HOLLOWAY	<input checked="" type="checkbox"/>			
NOTESTINE	<input checked="" type="checkbox"/>			
OTTO	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
ROSEN		<input checked="" type="checkbox"/>		
YEE	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
HOLLICK	<input checked="" type="checkbox"/>			

PLANNING AND DEVELOPMENT

- MOTION**
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| <input type="checkbox"/> TO APPROVE  | <input type="checkbox"/> TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL                  |
| <input type="checkbox"/> TO DENY   | <input type="checkbox"/> TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL |
| <input type="checkbox"/> TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT | <input checked="" type="checkbox"/> TO RATIFY NEGATIVE DECLARATION                        |
| <input type="checkbox"/> TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT               | <input type="checkbox"/> TO CONTINUE TO _____ MEETING                                     |
| <input type="checkbox"/> INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE    | <input type="checkbox"/> OTHER _____  |

**Sacramento City Planning Commission  
VOTING RECORD**

MEETING DATE  
March 8, 1990

ITEM NUMBER  
5b

PERMIT NUMBER  
P 90-040

**ENTITLEMENTS**

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| <input type="checkbox"/> GENERAL PLAN AMENDMENT              | <input type="checkbox"/> TENTATIVE MAP            |
| <input checked="" type="checkbox"/> COMMUNITY PLAN AMENDMENT | <input type="checkbox"/> SUBDIVISION MODIFICATION |
| <input type="checkbox"/> REZONING                            | <input type="checkbox"/> LOT LINE ADJUSTMENT      |
| <input type="checkbox"/> SPECIAL PERMIT                      | <input type="checkbox"/> ENVIRONMENTAL DET.       |
| <input type="checkbox"/> VARIANCE                            | <input type="checkbox"/> OTHER _____              |

STAFF RECOMMENDATION  
 Rec Favorable  Unfavorable

Correspondence  
 Petition

LOCATION 2031 S Street

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NAME	ADDRESS
<u>Mark Rusconi</u>	<u>201 Lathrop Way - C, Sacto. 95831</u>
<u>David Richmond</u>	<u>2231 L St.</u>
<u>Demaris Neufeld</u>	<u>10 Ann Mater Ct.</u>
<u>Steve Jenkins</u>	<u>2001 11th St.</u>

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NAME	ADDRESS
<u>Gayle Rose Weaver</u>	<u>1920 21st St., Sacto. 95814</u>
<u>Robin Primavera</u>	<u>1822 21st St, Sacto. 95814</u>
<u>Larry Weaver</u>	<u>1920 " " " "</u>
<u>Robin Kame</u>	<u>2120 V St. " 95818</u>
<u>Shirley Hays</u>	
<u>Dagmar Bremner-Wicks</u>	<u>2128 V St. " 95816</u>

MOTION #            Yes No Motion Second

<b>BECERRA</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>CHINN</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>GASTON</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>HOLLOWAY</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<b>ROSEN</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>YEE</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>HOLLICK</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- MOTION**
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| <input type="checkbox"/> TO APPROVE  | <input checked="" type="checkbox"/> TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL       |
| <input type="checkbox"/> TO DENY   | <input type="checkbox"/> TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL |
| <input type="checkbox"/> TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT | <input type="checkbox"/> TO RATIFY NEGATIVE DECLARATION                                   |
| <input type="checkbox"/> TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT               | <input type="checkbox"/> TO CONTINUE TO _____ MEETING                                     |
| <input type="checkbox"/> INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE    | <input type="checkbox"/> OTHER _____  |

PLANNING AND DEVELOPMENT

**Sacramento City Planning Commission  
VOTING RECORD**

**MEETING DATE**  
March 8, 1990

**ITEM NUMBER**  
5c

**PERMIT NUMBER**  
P 90-040

**ENTITLEMENTS**

- GENERAL PLAN AMENDMENT
- COMMUNITY PLAN AMENDMENT
- REZONING
- SPECIAL PERMIT
- VARIANCE
- TENTATIVE MAP
- SUBDIVISION MODIFICATION
- LOT LINE ADJUSTMENT
- ENVIRONMENTAL DET.
- OTHER \_\_\_\_\_

**STAFF RECOMMENDATION**

Favorable  Unfavorable

Correspondence

Petition

**LOCATION** 2031 S Street

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NAME	ADDRESS
<u>Mark Rusconi</u>	<u>201 Lathrop Way - C, Dacto. 95831</u>
<u>David Richmond</u>	<u>2231 L St.</u>
<u>Demaris Neufield</u>	<u>10 Sam Mateo Ct.</u>
<u>Steve Jenkins</u>	<u>2001 11th St.</u>

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NAME	ADDRESS
<u>Gayle Rose Weaver</u>	<u>1920 21st St., Dacto. 95814</u>
<u>Robin Primavera</u>	<u>1822 21st St., " "</u>
<u>Larry Weaver</u>	<u>1920 " " " "</u>
<u>Robin Kame</u>	<u>2120 V St. " 95818</u>
<u>Shirley Glaze</u>	
<u>Dagmar Brummer-Wicks</u>	<u>2128 V St. " 95816</u>

**MOTION #**            Yes No Motion Second

<b>BECERRA</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>CHINN</b>	<u>absent</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>GASTON</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>HOLLOWAY</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>NOJESTINE</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>OTTO</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>ROSEN</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>YEE</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>HOLLICK</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**MOTION**

- TO APPROVE
- TO DENY
- 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 \_\_\_\_\_

**Sacramento City Planning Commission  
VOTING RECORD**

MEETING DATE  
March 8, 1990

ITEM NUMBER  
5d

PERMIT NUMBER  
P90-040

**ENTITLEMENTS**

- |  |   |
|--|---|
| <input type="checkbox"/> GENERAL PLAN AMENDMENT    | <input type="checkbox"/> TENTATIVE MAP            |
| <input type="checkbox"/> COMMUNITY PLAN AMENDMENT  | <input type="checkbox"/> SUBDIVISION MODIFICATION |
| <input type="checkbox"/> REZONING                  | <input type="checkbox"/> LOT LINE ADJUSTMENT      |
| <input checked="" type="checkbox"/> SPECIAL PERMIT | <input type="checkbox"/> ENVIRONMENTAL DET.       |
| <input type="checkbox"/> VARIANCE                  | <input type="checkbox"/> OTHER _____              |

STAFF RECOMENDATION

Favorable  Unfavorable  
*Wicks*

Correspondence

Petition

LOCATION 2031 3 Street

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NAME	ADDRESS
<i>Mark Fusconi</i>	<i>201 Lathrop Way - C, Sacto. 95831</i>
<i>David Richmond</i>	<i>2231 L St.</i>
<i>Dennis Neufeld</i>	<i>10 Ann Mater Ct.</i>
<i>Steve Jenkins</i>	<i>2001 11th St</i>

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NAME	ADDRESS
<i>Shirley Rose Weaver</i>	<i>1920 21st St, Sacto. 95814</i>
<i>Robin Primavera</i>	<i>1822 21st St, " "</i>
<i>Larry Weaver</i>	<i>1920 " " " "</i>
<i>Robin Kane</i>	<i>2120 V St, " 95818</i>
<i>Shirley Stays</i>	
<i>Sydney Bremer-Wicks</i>	<i>2128 V St. " 95816</i>

**MOTION #**

	Yes	No	Motion	Second
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	Yes	No	Motion	Second
RECERRA	<input checked="" type="checkbox"/>			
CHINN	<i>absent</i>			
GASTON	<input checked="" type="checkbox"/>			
HOLLOWAY	<input checked="" type="checkbox"/>			
NOTESTINE	<input checked="" type="checkbox"/>			
OTTO	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
ROSEN		<input checked="" type="checkbox"/>		
YEE	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
HOLLIICK	<input checked="" type="checkbox"/>			

- MOTION**
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| <input type="checkbox"/> TO APPROVE  | <input type="checkbox"/> TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL                  |
| <input type="checkbox"/> TO DENY   | <input type="checkbox"/> TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL |
| <input checked="" type="checkbox"/> TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT <i>amended</i> | <input type="checkbox"/> TO RATIFY NEGATIVE DECLARATION                                   |
| <input type="checkbox"/> TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT   | <input type="checkbox"/> TO CONTINUE TO _____ MEETING                                     |
| <input type="checkbox"/> INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE                              | <input type="checkbox"/> OTHER _____  |



# Sacramento City Planning Commission VOTING RECORD

MEETING DATE <i>March 8, 1990</i>
ITEM NUMBER <i>5e</i>
PERMIT NUMBER <i>P 90-040</i>

## ENTITLEMENTS

- |   |   |
|---|---|
| <input type="checkbox"/> GENERAL PLAN AMENDMENT   | <input type="checkbox"/> TENTATIVE MAP            |
| <input type="checkbox"/> COMMUNITY PLAN AMENDMENT | <input type="checkbox"/> SUBDIVISION MODIFICATION |
| <input type="checkbox"/> REZONING                 | <input type="checkbox"/> LOT LINE ADJUSTMENT      |
| <input type="checkbox"/> SPECIAL PERMIT           | <input type="checkbox"/> ENVIRONMENTAL DET.       |
| <input checked="" type="checkbox"/> VARIANCE      | <input type="checkbox"/> OTHER _____              |

STAFF RECOMENDATION <input checked="" type="checkbox"/> Favorable <input type="checkbox"/> Unfavorable <i>W. G. G. G.</i>
<input checked="" type="checkbox"/> Correspondence
<input checked="" type="checkbox"/> Petition

LOCATION <i>2031 S Street</i>
----------------------------------

NAME	ADDRESS
<i>Mark Rusconi</i>	<i>201 Lathrop Way - C, Sacto. 95831</i>
<i>David Richmond</i>	<i>2231 L St.</i>
<i>Dennis Newfield</i>	<i>10 Sam Mateo Ct.</i>
<i>Steve Jenkins</i>	<i>2001 11th St.</i>

NAME	ADDRESS
<i>Shyle Rose Weaver</i>	<i>1920 21st St., Sacto. 95814</i>
<i>Robin Pruniera</i>	<i>1822 " " " "</i>
<i>Larry Weaver</i>	<i>1920 " " " "</i>
<i>Robin Kame</i>	<i>2120 V St. " 95818</i>
<i>Shirley Hays</i>	
<i>Dagmar Brommer-Wicks</i>	<i>2128 V St. " 95816</i>

MOTION # \_\_\_\_\_  
Yes
No
Motion
Second

<b>BECERRA</b>	✓			
<b>CHINN</b>	<i>absent</i>			
<b>GASTON</b>	✓			
<b>HOLLOWAY</b>	✓			
<b>NOTESTINE</b>	✓			
<b>OTTO</b>	✓			✓
<b>ROSEN</b>		✓		
<b>YEE</b>	✓			✓
<b>HOLLICK</b>	✓			

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| <input type="checkbox"/> TO DENY   | <input type="checkbox"/> TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL |
| <input checked="" type="checkbox"/> TO APPROVE SUBJECT TO <i>amended</i> COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT | <input type="checkbox"/> TO RATIFY NEGATIVE DECLARATION                                   |
| <input type="checkbox"/> TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT   | <input type="checkbox"/> TO CONTINUE TO _____ MEETING                                     |
| <input type="checkbox"/> INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE                              | <input type="checkbox"/> OTHER _____  |

PLANNING AND DEVELOPMENT

(16)

**Sacramento City Planning Commission  
VOTING RECORD**

MEETING DATE  
March 8, 1990

ITEM NUMBER  
5f

PERMIT NUMBER  
P 90-040

**ENTITLEMENTS**

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| <input type="checkbox"/> GENERAL PLAN AMENDMENT   | <input type="checkbox"/> TENTATIVE MAP            |
| <input type="checkbox"/> COMMUNITY PLAN AMENDMENT | <input type="checkbox"/> SUBDIVISION MODIFICATION |
| <input type="checkbox"/> REZONING                 | <input type="checkbox"/> LOT LINE ADJUSTMENT      |
| <input type="checkbox"/> SPECIAL PERMIT           | <input type="checkbox"/> ENVIRONMENTAL DET.       |
| <input checked="" type="checkbox"/> VARIANCE      | <input type="checkbox"/> OTHER _____              |

STAFF RECOMENDATION

Favorable  Unfavorable

all hands

Correspondence

Petition

LOCATION 2031 S Street

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NAME	ADDRESS
<u>Mark Rusconi</u>	<u>201 Lakhoop Way - C, Sacto. 95831</u>
<u>David Richmond</u>	<u>2231 L St.</u>
<u>Dennis Neufeld</u>	<u>10 San Mateo Ct.</u>
<u>Steve Jenkins</u>	<u>2001 11th St.</u>

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NAME	ADDRESS
<u>Gayle Rose Weaver</u>	<u>1920 21st St., Sacto 95814</u>
<u>Robin Promisera</u>	<u>1822 " " "</u>
<u>Larry Weaver</u>	<u>1920 21st St., Sacto. 95814</u>
<u>Robin Kamei</u>	<u>2120 V St. " 95818</u>
<u>Shirley Stary</u>	
<u>Dagmar Bremner-Wicks</u>	<u>2128 V St. " 95816</u>

MOTION #            Yes No Motion Second

BECERRA	✓			
CHINN	<u>absent</u>			
GASTON	✓			
HOLLOWAY	✓			
NOTESTINE	✓			
OTTO	✓			✓
ROSEN		✓		
YEE	✓			✓
HOLLICK	✓			

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| <input checked="" type="checkbox"/> TO APPROVE SUBJECT TO <u>amended</u> COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT | <input type="checkbox"/> TO RATIFY NEGATIVE DECLARATION                                   |
| <input type="checkbox"/> TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT   | <input type="checkbox"/> TO CONTINUE TO _____ MEETING                                     |
| <input type="checkbox"/> INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE                              | <input type="checkbox"/> OTHER _____  |

**Sacramento City Planning Commission  
VOTING RECORD**

MEETING DATE <i>March 8, 1990</i>
ITEM NUMBER <i>59</i>
PERMIT NUMBER <i>P 90-040</i>

**ENTITLEMENTS**

- |   |   |
|---|---|
| <input type="checkbox"/> GENERAL PLAN AMENDMENT   | <input type="checkbox"/> TENTATIVE MAP            |
| <input type="checkbox"/> COMMUNITY PLAN AMENDMENT | <input type="checkbox"/> SUBDIVISION MODIFICATION |
| <input type="checkbox"/> REZONING                 | <input type="checkbox"/> LOT LINE ADJUSTMENT      |
| <input type="checkbox"/> SPECIAL PERMIT           | <input type="checkbox"/> ENVIRONMENTAL DET.       |
| <input checked="" type="checkbox"/> VARIANCE      | <input type="checkbox"/> OTHER _____              |

STAFF RECOMMENDATION
<input checked="" type="checkbox"/> Favorable <input type="checkbox"/> Unfavorable
<input checked="" type="checkbox"/> Correspondence
<input checked="" type="checkbox"/> Petition

LOCATION <i>2031 S Street</i>
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NAME	ADDRESS
<i>Mark Rusconi</i>	<i>201 Lathrop Hwy - C, Sacto. 95831</i>
<i>David Richmond</i>	<i>2231 L St.</i>
<i>Dennis Fairfield</i>	<i>10 Dan Mateo Ct.</i>
<i>Steve Jenkins</i>	<i>2001 11th St.</i>

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NAME	ADDRESS
<i>Shirley Rose Weaver</i>	<i>1920 21st St., Sacto. 95814</i>
<i>Robin Primavera</i>	<i>1822 21st St. " "</i>
<i>Larry Weaver</i>	<i>1920 " " "</i>
<i>Robin Kame</i>	<i>2120 V St. " 95818</i>
<i>Shirley Gage</i>	
<i>Rogmar Brommer-Wicks</i>	<i>2128 V St. " 95816</i>

**MOTION #**

	Yes	No	Motion	Second
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	Yes	No	Motion	Second
BECERRA	<input checked="" type="checkbox"/>			
CHINN	<i>absent</i>			
GASTON	<input checked="" type="checkbox"/>			
HOLLOWAY	<input checked="" type="checkbox"/>			
NOJESTINE	<input checked="" type="checkbox"/>			
OTTO	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
ROSEN		<input checked="" type="checkbox"/>		
YEE	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
HOLLICK	<input checked="" type="checkbox"/>			

- TO APPROVE
- TO DENY
- TO APPROVE SUBJECT TO <sup>amended</sup> 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

- MOTION**
- 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

REPORT AMENDED BY STAFF 3-6-90  
**CITY PLANNING COMMISSION**  
 1231 T STREET, SUITE 200, SACRAMENTO, CA. 95814

<b>APPLICANT</b>	Chinn/Rusconi Architects - 201 Lathrop Way-C, Sacramento, CA 95831		
<b>OWNER</b>	JHL Inc. c/o John Shimabukuro - 6875 Waterview Way-C, Sacto, CA 95815		
<b>PLANS BY</b>	Chinn/Rusconi Architects - 201 Lathrop Way-C, Sacramento, CA 95831		
<b>FILING DATE</b>	12-15-89	<b>ENVIR.DET.</b>	Neg. Dec. <b>REPORT BY</b> PW:sg
<b>ASSESSOR'S PCL. NO.</b>	010-0025-006		

**APPLICATION:**

- A. Negative Declaration
- B. Amend Central City Community Plan for 0.15+ vacant acre from Heavy Commercial to General Commercial/Multi-Use
- C. Rezone 0.15+ vacant acre from Heavy Commercial (C-4) to General Commercial (C-2) zone
- D. Special Permit to allow three residential units of 1,000 square feet each within a 5,500 square foot, two-story mixed use building in the C-2 zone
- E. Variance to waive one of the required 9 parking spaces
- F. Variance to reduce the required front yard setback from 7.5 feet to 1 foot
- G. Variance to reduce the required street side yard setback from 5 feet to 1 foot

**LOCATION:**

2031 S Street (NW corner of 21st and S Streets)

**PROPOSAL:**

The applicant is requesting the necessary entitlements to develop a 5,500 square foot mixed-use building consisting of retail and residential uses.

**PROJECT INFORMATION:**

General Plan Designation: Heavy Commercial or Warehouse  
 1980 Central City Community  
 Plan Designation: Heavy Commercial  
 Existing Zoning of Site: C-4  
 Existing Land Use of Site: Vacant

Surrounding Land Use and Zoning:		Setbacks:	Required	Provided
North:	Law office; C-4	Front:	7.5'	1'
South:	Residential, office; C-4	Side(Int):	0'	0'
East:	Warehouse; C-4	Side(St):	5.0'	1'
West:	Commercial; C-4	Rear:	0'	44'

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~~February 22, 1990~~

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Parking Required:	9 spaces
Parking Provided:	8 spaces
Property Dimensions:	80' x 80'
Property Area:	0.15+ acres
Density of Development:	20 d.u. per acre
Square Footage of Building:	5,500 sq. ft.
Height of Building:	35'
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Cement plaster, metal
Roof Materials:	Metal, asphalt shingles

**BACKGROUND INFORMATION:** On March 16, 1988, the Design Review and Preservation Board approved a design for a two-story, 4,000 square foot office building on the subject site.

*The submitted proposal for the Bode and Bode project indicated the building fronting on 21st Street with access from S Street. In the Design Review and Preservation Board (DR/PB) staff report, staff recommended the relocation of the building so that the view of the adjacent Essential structure located on the property to the north was not screened and the redwood tree on the adjacent site would not be impacted. Prior to the DR/PB hearing the applicant submitted a revised plan that relocated the building 90 degrees to front on S Street with access into the site from 21st Street. This revised plan with the building fronting S Street and parking adjacent to the Essential structure is the site design that was approved by the DR/PB on March 16, 1988. The project was never constructed and a new proposal has been submitted that requires Planning Commission approval. (staff amended)*

**STAFF EVALUATION:** Staff has the following comments:

A. Land Use and Zoning

The subject site consists of a 80' x 80' vacant lot at the corner of 21st and S Streets. The site is located in the Heavy Commercial (C-4) zone and designated in both the General Plan and Central City Community Plan for heavy commercial uses. The site is also located within the Poverty Ridge Preservation area. The building at 1822 21st Street, immediately north of the project, is an Essential Structure on the City's Official Register. This Queen Anne style Victorian has been converted from residential to office use. Other surrounding land uses include a house with office and residential unit to the south, a warehouse to the east, and a small commercial building to the west. All surrounding zoning is C-4, heavy commercial.

B. Applicant's Proposal

The applicant is proposing to construct a 5,500 square foot, two-story mixed-use building on the subject site. The proposed project will include approximately 2,500 square feet of ground floor, neighborhood-related retail space and three two-bedroom rental units above. The residential units will consist of 1,000 square feet each. The parking area will be located behind the building. The project's proposed mixed use concept and design require the approval of several planning entitlements. The required entitlements include

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~~February 22, 1990~~

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approval of several planning entitlements. The required entitlements include the following:

- o Amendment of the Central City Community Plan from Heavy Commercial to General Commercial
- o Rezone from C-4 to C-2
- o Special Permit to develop three residential units in the C-2 zone
- o Variance to waive one required parking space
- o Variances to reduce the required front and street side yard building setbacks

The Plan Amendment, Rezoning and Special Permit are all required in order to develop the residential component of the project. The Zoning Ordinance prohibits residential uses in the Heavy Commercial (C-4) zone.

C. Mixed-Use Concept

Planning staff is very supportive of the applicant's proposal in terms of its land use concept. The project contributes both neighborhood-related retail space and needed housing stock to the area. Along this line of thinking, staff also supports the requested entitlements needed in order to develop the proposal as a mixed-use project. The subject site is located within the R Street Corridor Plan Study area. A Draft R Street Corridor Plan has been distributed subject to comments and future recommendations. The applicant's proposal is consistent with the goals and policies of the Draft R Street Corridor Plan. The project meets the following objectives of the Draft R Street Corridor Plan:

1. To create an environment that is conducive to future residential development and in harmony with existing commercial development.
2. To ensure that new development is compatible with existing residential neighborhoods both in the corridor and adjacent to the corridor.
3. To provide for a balanced mix of residential, retail/office and other general commercial uses in the corridor.
4. To establish realistic measures needed to provide new housing opportunities in the corridor.
5. To promote the use of light rail and other methods of alternative transportation into, out of and within the corridor.
6. To minimize the effect of traffic generated by new development on adjacent neighborhoods.

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March 8, 1990

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7. To provide for the necessary support commercial uses needed to service office workers and the residential neighborhood.

The subject proposal essentially complies with all of these plan objectives.

The project, as designed, lends itself to pedestrian-oriented commercial uses that can serve the quantity of office and warehouse space in the surrounding area. The existing C-4 zoning allows retail commercial uses by right. However, residential housing is allowed in the proposed C-2 zoning with the approval of a special permit. The housing is the additional element to this subject proposal. The residential component provides three additional units to the area's housing stock that otherwise would not be provided. A previous project approved for the site in 1988 consisted entirely of 4,000 square feet of office with no housing.

D. Site and Building Design

The subject site is located within the Poverty Ridge Preservation Area, and therefore is subject to Design Review/Preservation Board review and approval. The submitted design has visual interest and appears to be of a high quality. The design gives a more interesting look than the previous building approved in 1988, especially along the 21st and S Street frontages. Planning staff's main concern with the project's design is the impact on the listed structure to the north (Nevis Mansion). Had the listed structure not been there, staff would not suggest any major changes to the building or site design. The placement of the parking in the rear of the structure does allow for greater pedestrian and auto visibility from 21st Street. However, the proposed location of the building, specifically along the site's northeast corner will screen out the listed structure from public view. Staff suggests a redesign of the site plan in this area in order to alleviate this concern. Planning staff recommends the project be redesigned to the satisfaction of the Design Review/preservation Board to lessen the impacts to the Nevis Mansion. The applicant has indicated a willingness to redesign the project to address the concern.

E. Neighborhood Comments

~~Planning staff has not received comments from the Poverty Ridge Neighborhood. However, the applicant has met with the neighborhood and has indicated a willingness to address the neighborhood's design concerns. Planning staff has received several letters from the Poverty Ridge Neighborhood objecting to the proposed project. (See attached) On March 2, 1990, Planning staff met with the applicant and members of the Poverty Ridge Neighborhood to discuss the project. The neighborhood indicated several concerns regarding the project. The following issues were addressed at the meeting:~~

Site Design

*The neighborhood objects to the proposed site design because of potential impacts to the existing Essential Structure adjacent*

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to the subject site. The previous DR/PB approval of the Bode and Bode building (March 16, 1988) was discussed as an alternative to the proposed plan. Dick Hastings of the City's Design Review staff recommended relocation of the proposed building 90 degrees to front on S Street with access from 21st Street. This recommendation is consistent with the previous site plan approved by DR/PB. The applicant indicated that this site plan revision would be researched with a response prepared for the Planning Commission

Mixed Use

The neighborhood objects to retail uses: specifically all retail uses that will attract additional people to the area. The neighborhood prefers office to retail commercial uses. No resolution was reached regarding the restriction of certain commercial uses or regulation of hours.

Parking

The neighborhood objects to the one space parking variance. The neighborhood does not consider this area downtown but rather a suburb and sees the project as adversely impacting the parking situation in the area. No resolution on the parking issue was reached.

Planning staff supports the one parking space variance for the following reasons:

The project's close proximity to light rail (23rd and R Street station)

The Commission has approved parking variances and special permits for parking reductions on other projects within 660 feet of light rail stations.

The mixed-use project allows for a shared parking situation between the residential and commercial users.

The City Council and Planning Commission have indicated a desire to reduce parking requirements in the Central City and City-wide.

(Staff amended)

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the proposed project will not cause any adverse environmental effects and has filed a negative declaration with the following mitigation measures.

- A. All joints in exterior walls shall be grouted or caulked airtight.
- B. Window or through-the-wall ventilation and air conditioning units shall not

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March 8, 1990

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- C. All penetrations of exterior walls shall include a 1/2 inch airspace. This space shall be filled loosely with fiberglass insulation. The space shall then be sealed airtight on both sides of the wall with a resilient, non-hardening caulking or mastic.
- D. Windows must have a minimum STC rating of 29 or better. Windows facing the noise source should comprise less than 25 percent of the wall area. Windows shall have an air infiltration rate of less than or equal to 0.20 CFM/linear foot when tested with a 25 mile an hour wind per ASTM standards.
- E. Sliding glass doors must carry an STC rating of 31 or better. They should be double-glazed and they must meet or exceed the window air infiltration rating given above.
- F. Exterior entrance doors should have a minimum STC rating of 30. They must include complete perimeter door seals.
- G. If subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during development or construction of the project, work in the area shall stop immediately and a qualified archaeologist and representative of the Native American heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues

STAFF RECOMMENDATION: Planning staff recommends the Commission take the following actions:

- A. Ratify the negative declaration;
- B. Recommend approval to amend the Central City Community Plan for 0.15+ vacant acre from Heavy Commercial to General Commercial and forward to City Council;
- C. Recommend approval to rezone 0.15+ vacant acre from C-4 to C-2 and forward to City Council;
- D. Approve the special permit to allow three residential units of 1,000 square feet each within a 5,500+ square foot mixed-use building subject to conditions and based upon findings of fact which follow;
- E. Approve the variance to waive one of the required nine parking spaces subject to conditions and based upon findings of fact which follow;
- F. Approve the variance to reduce the required front yard setback from 7.5 feet to 1 foot subject to conditions and based upon findings of fact which follow; and
- G. Approve the variance to reduce the required street side yard setback from 5 feet to 1 foot subject to conditions and based upon findings of fact which follow.

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*March 8, 1990*

*(24)*

Condition - Special Permit, Variances

1. The applicant shall revise the project's *site plan and building design* to lessen the impacts on the adjacent listed structure to the satisfaction of the Design Review/Preservation Board. (*staff amended*)
2. The applicant shall provide a trash enclosure per City standards.
3. The applicant shall provide handicap parking per City standards.
4. The applicant shall obtain necessary sewer and water services at time of building permit.
5. A 24 foot minimum driveway shall be required.
6. Visibility through wall shall be required for handicapped spaces.
7. The applicant shall comply with the following environmental mitigation measures:
  - a. All joints in exterior walls shall be grouted or caulked airtight.
  - b. Window or through-the-wall ventilation and air conditioning units shall not be permitted.
  - c. All penetrations of exterior walls shall include a 1/2 inch airspace. This space shall be filled loosely with fiberglass insulation. The space shall then be sealed airtight on both sides of the wall with a resilient, non-hardening caulking or mastic.
  - d. Windows must have a minimum STC rating of 29 or better. Windows facing the noise source should comprise less than 25 percent of the wall area. Windows shall have an air infiltration rate of less than or equal to 0.20 CFM/linear foot when tested with a 25 mile an hour wind per ASTM standards.
  - e. Sliding glass doors must carry an STC rating of 31 or better. They should be double-glazed and they must meet or exceed the window air infiltration rating given above.
  - f. Exterior entrance doors should have a minimum STC rating of 30. They must include complete perimeter door seals.
  - g. If subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells)

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MEETING DATE ~~February 22, 1990~~

ITEM NO. 11

*March 8, 1990*

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are discovered during development or construction of the project, work in the area shall stop immediately and a qualified archaeologist and representative of the Native American heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.

8. *The applicant shall provide a five foot building setback adjacent to the north property line and both the first and second floors of the proposed building. The building shall be allowed to have its frontage on 21st Street as indicated on the site plan. (CPC added)*
9. *The site shall be redesigned so that the trash inclosure shall be relocated to the bike locker area (northwest corner of site). (CPC added)*
10. *All ground floor uses shall close after 10 P.M. (CPC added)*

Findings of Fact - Special Permit, Variances

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
  - a. adequate landscaping and parking is provided, and
  - b. an additional three residential units will be provided to the area's housing stock.
2. The proposed project, as conditioned, will not be detrimental to the public welfare nor result in the creation of a nuisance in that:
  - a. an adequate setback will be provided adjacent to the listed structure to lessen the visual impacts, and
  - b. a high quality design has been proposed and will be ensured by the Design Review/Preservation Board's review and approval; and
  - c. the mixed -use concept will provide both needed housing and a neighborhood type of retail service that is currently lacking in the area.
3. Granting the variances, as conditioned, does not constitute a special privilege extended to an individual property owner in that the overall size of the site makes it difficult to develop as a viable mixed-use project.

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MEETING DATE 3-8-90  
3-22-90  
February 22, 1990

ITEM NO 4  
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4. Granting the variances, as conditioned, will not result in a nuisance in that:
  - a. adequate parking, maneuvering and setbacks will be provided;
  - b. the project's mixed-use concept and close proximity to the Light Rail station will allow for a shared parking situation.
  
5. The project, as conditioned, is consistent with the policies of both the Central City Community Plan and Draft R Street Corridor Plan that include the following:
  - a. encourage the development of residential and locally serving retail activities as important to the future development of this area of the City;
  - b. eliminate the intrusion of incompatible uses into existing residential area where possible and promote measures that will ensure that new development is compatible with existing land uses; and
  - c. new development should support the public transit system and encourage its increase use.

February 16, 1990

Members of the Planning Commission:

Please accept this letter in opposition to the proposed development of the northwest corner of 21st and S Streets. I had hoped to be at the meeting at which this was considered but the developer has steadfastly refused to postpone the hearing on this matter. As a result, many of us in the neighborhood could not appear personally.

I oppose the development as it is proposed for the following reasons: retail use is impractical and inappropriate as there is little foot traffic in this area and no place for customers to park; there is inadequate parking for residents, customers and employees who will be using the building; the design of the parking lot provides a safe haven for activities we do not wish to see encouraged in the neighborhood; the structure obscures the elegant Victorian next door on 21st Street; there will be a negative impact on three trees -- the strip tree on S Street, a flowering magnolia on the lot, and the beautiful old redwood on the lot next door on 21st Street; and, finally, the design is totally incompatible with surrounding structures in the Poverty Ridge Historical Preservation Area. It is compatible only with the "tin shed" directly across 21st Street -- the corrugated aluminum building on the northeast corner of the intersection.

I have voiced these concerns to the developer and architects, as have many other residents of this neighborhood. They indicated that they heard our concerns and lead us to believe that they would be addressed. I discover, however, that that is not the case and that they are basically being ignored.

Sincerely,

  
KATHY FELCH

P90-040

3-8-90

(28)

Item 5

Dear Planning Commission member,

We are writing in regard to the proposal by Mr. Dave Richmond to develop the north/west corner of 21st + A. Street. We strongly oppose this project in its current form, including the request for a zoning change and variances to accommodate the project.

Our objections center on three main areas:

1. Compatibility of use with the existing neighborhood
2. Design & use of the lot
3. Parking / Traffic / noise impact

1. This lot is at the north end of an old and established neighborhood known as Poverty Ridge Preservation Area. The area is primarily a mix of residential and office use. It has the character of a bustling office center during the day and a quiet residential neighborhood at night. Over the 15 years we have lived here this has proven to be a compatible mix. The addition of retail sales into the area injects a disruptive force into this mixture. It will extend the parking problems beyond the

current time frames. It will bring people into the neighborhood of varying character, depending on the nature of the retail service. We don't want the change.

2. This design is too big for the size of the lot. There are no set backs to soften the lines and help the building blend with surrounding structures. The design will necessitate the severe pruning of two trees and the total removal of a third tree, thus making the structure even harsher. The lack of adequate set backs will also block the light, air circulation & visibility of the buildings right next door. This design as proposed will totally dominate the corner. We want a structure that blends in with existing structures, not overpowers them!

3. The parking problems in this area are already very <sup>(30)</sup> serious. It's impossible

to park in front of our house between 7 AM and 6 PM now. Twenty-first street is a major artery into the downtown area and traffic is heavy. Adding a retail establishment at this location will only increase traffic problems, parking problems and noise problems. The design doesn't allow for sufficient parking for the residential tenants, shop owners, employees and customers. The only alternative will be the street where spaces are already at a premium.

We sympathize with Mr. Richmond's desire to "make a statement" on this corner. However, after meeting with him and his architects, it is clear their idea of what our neighborhood should look like is very different than ours. They want a "San Francisco" type mix, which is more well suited to areas further downtown that are in need of this "24 hr vitality". We have plenty of residents here — it's not a "ghost town" at night — we don't need to bring in more people to live it up. We



support the development of a project on this corner which preserves the existing combination of residential and office.

What Mr. Richmond and his architects may be forgetting is that this area was one of Sacramento's first suburbs and retains that character to this day. This makes it extremely difficult to impose a 24 hour character to it without disturbing the entire structure of the neighborhood.

Sincerely,

Gayle Ross-Wever  
 Gayle Wever  
 1920 24th St

ANN J. PROCTER  
2200 T Street  
Sacramento, California 95816  
(916) 739-0599

February 16, 1990

To the Planning Commission:

We are writing with regard to a proposal to develop the Northwest corner of 21st and S Streets. We object to this proposal for a number of reasons.

We moved to Sacramento from Napa Valley a year ago. We came in search of an old-fashioned neighborhood, one where people walk in the evening, stop by to introduce themselves, and work to nurture a sense of community. We like Sacramento very much. One of the nicest things about living downtown (or "midtown" as we have been told) is its proximity to all sorts of interesting things. We have only to get on our bicycles to get to fascinating places in a matter of minutes. Indeed, within a twenty block range of our home (at the corner of 22nd and T Streets) we can find museums, retail shops, movies, restaurants, markets, trade shops). We feel very fortunate to have found such a wonderful spot.

Another nice thing about our neighborhood is the notable absence of retail shops. The area incorporates light industry in an inconspicuous manner: the Sacramento Bee, within eyesight of our front porch, is a presence but an unobtrusive one. Such is the case with other smaller industrial concerns in the area: we co-exist nicely. The proposal to put in this particular apartment/retail complex at 21st and S Streets threatens to overwhelm the neighborhood. It is not necessary. It would invite too much traffic and would add to an already burdensome parking problem.

Without going into the complexities of the project itself, please record our two voices in opposition to it. If you are interested, we have two children who might also be added into the anti-count as they will inherit the neighborhood and already have a large interest in it from a safety standpoint: added traffic in this area will only increase the likelihood of accidents occurring. The T Street corridor, one block from the site under consideration, already invites high speed traffic.

In addition to our concerns, there is a larger consideration. Poverty Ridge, McClatchy Heights, call it what you will, is of historical importance. Preservation of its architectural integrity as well as of its current ambiance is critical. What we have here is precious, an invaluable resource.

This vote is critical to the preservation of our neighborhood. Perhaps another, smaller scale project more appropriate to the neighborhood will come up in the future. This proposal is not appropriate.

P90-040

3-8-90

33

Item 5

Thank you for your consideration of our very strong feelings about Mr. Richmond's proposal, and thank you for voting to preserve our neighborhood.

Sam J. Procter

Alicia Footman

Louisa Footman

ALEX FOOTMAN (X)

3. The building plans should be modified as it would sit back more from the street than planned. The office in the rest room that may come in. (Examples were given)

c. We are concerned about the type of business to give enough business to the store. (especially in the evening and on weekends) enough people walking by this area

b. Other than the tenants, there are not parking is already very congested in this area; parking to allow for walk-in customers; a. There would not be enough assigned offices instead of three.

2. The lower floor should be planned for the future needs of the triplet. They can find this posing a danger to a. Tenants sleep in any other area security reasons.

1. The parking area should be gated for suggestions:

We collectively came up with the following last week and asked for our opinions.

They met with our neighborhood members building at the corner of 21st and 5 streets.

with their plans to build the proposed Mr. Richmond and his architects are continuing Mr. the residents of 21st Street, have heard that

to whom St. Mary's concern:

Family & Boye Waver - 1920-21 or 8  
Shirley Boye  
1914-21 or 5

Sincerely,

a later date on the calendar.

on Feb. 22, since we were not able to have  
into consideration when the meeting comes up  
The Planning Commission take our suggestions  
No concern neighbors, we forward request  
we made were not all in vain.

had with us and the practical suggestions  
We earnestly hope that the meeting they  
To be made according to our suggestions.

if clear whether or not modifications were going  
meeting will still be Feb. 22. He did not make  
we going through with their plans and the

We have since heard from Mr. Chen that the  
on Feb. 22. We all believed we should be present.  
many of our members would not be able to attend  
postponed on the calendar to a future date one  
4. The meeting with the Planning Commission be

We hope he will keep his word.

light for the side bay windows of the restaurant  
a modification allowing for more space and  
a. Mr. Chen said they would consider making  
expouse than the original plans allow.  
not down to have a little more light and

February 15, 1990

TO: City Planning Commission

RE: Proposed structure, Northwest corner 21st and S Streets

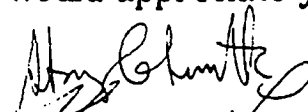
On February 13, members of the Poverty Ridge Neighborhood Association met with Mr. Chinn and Mr. Rusconi (architects for the proposed structure), and the owner of the property, Mr. Richmond, to discuss their plans for the property.

Members of the Association voiced their concerns over the proposed design and use of this property; Mr. Chinn seemed to understand the nature of our concerns. We were informed at this meeting that the proposal was going before the City Planning Commission on February 22. We asked Chinn, Rusconi and Richmond if it would be possible to obtain a postponement; we were told they would discuss such a delay and get back to us. Today, we received word from Mr. Chinn that the unaltered plans will be presented to the Planning Commission as scheduled.

We object to many aspects of this proposal:

- (1) We do not want a parking-space variance granted as our area is already heavily impacted by commuters and other business-related parking. Also, the bus stop along one side of the property leaves practically no street parking for this lot.
- (2) We believe set-back requirements must be observed. This structure will obscure the beautiful Victorian next door, and will effectively box it in. The design leaves no space around the building for greenery and crowds it up against the adjoining buildings.
- (3) The proposed design is not compatible with the historical neighborhood. It's modern box-like shape will be in sharp contrast to the two Victorians that its property lines bound on and it is much too large for the small lot. Also, the proposed use of aluminum windows is out of character with the surrounding preservation area.
- (4) We do not want retail on the bottom floor. This area, with the exception of office buildings directly on 21st Street, is residential, and the added problems that can arise with the addition of retail shops (traffic, parking, etc.) will be detrimental to the historical and residential aspects of our neighborhood.

We are concerned for our neighborhood. It is at risk of losing many things and we would like to preserve as much of its residential and historical qualities as we can. We would appreciate your attention to our concerns.

  
Sharon Lunetta  
Stanley and Sharon Lunetta  
2101 22nd Street

890-040

3-8-90 (37)

Item 5

Dagmar Brenner-Wicks  
2128 V Street  
Sacramento, Ca. 95816

2/14/90

TO: Sacramento City Planning Commission

Re: Proposed Construction at *5572727*

As a resident of Poverty Ridge and a member of the Poverty Ridge Revitalization Association (aka Poverty Ridge Mob) I am firmly opposed to the proposed construction. *VARIANCE.*

The type of units planned are not the type of dwellings where inhabitants would normally be very involved in a neighborhood, no green area etc. *Variance decreases "cement block" design.*

The parking is too scant for midtown, especially if you mix residential and business parking.

The area does not lend itself to small business ventures. There is little inducement for foot traffic. We do not want to end up with laundromats or convenience stores.

The developers may think that mixed use is wonderful. As residents we would very much prefer to see an office building on this lot. At least office workers leave our overcrowded neighborhood in the evening and on week-ends and let us live a more normal life.

The developers told us at our meeting that they would give our input consideration. They also indicated that they may ask for a postponement of the Planning meeting, but they now seem to be unwilling to do either. We want to urge the Planning Commission to postpone a decision to a later hearing.

Sincerely

*Dagmar Brenner-Wicks*  
Dagmar Brenner-Wicks

P90-040

3-8-90

(38)

Item 5

ROBIN KANE  
2120 V Street

2/15/90

TO THE SACRAMENTO CITY PLANNING COMMISSION

I am strongly opposed to the proposed building on the S Street lot.

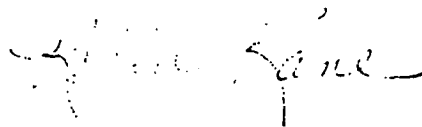
Apartments without resident managers have regularly become a blight on the neighborhood by lack of supervision and (when they get older) disrepair.

Apartment residents in general do not make good neighbors, because they usually do not have reasons to be outside other than getting into their car (no front yard, no outside maintenance, no personal interest in neighborhood issues).

Stores do not survive well in residential neighborhoods. It is too dangerous to walk to them and there will be no parking to drive to them. Legitimate business cannot make much money.

Office use would be very preferable in this buffer zone. Workers leave at night and weekends and don't congest the neighborhood with cars and company.

Robin Kane



P90-040

3-8-90

(39)

Item 5



Mrs. Gary C. Getz  
2025 Twenty-second Street  
Sacramento, California 95818

February 15, 1990

Members of the Planning Commission,

As a resident of the Poverty  
Hedge Preservation Area, I am  
writing because of my concern  
for the proposed development  
on the northwest corner of 21<sup>st</sup>  
and S Street.

My main concern is that  
the proposed building is <sup>to</sup> big  
for the lot in discussion and  
the existing plans will not  
be compatible with the architecture  
of the Preservation Area neighbor-  
hood. A beautiful, stately  
victorian on the next lot

would be completely new -  
 present by this "purpose" and  
 to property and "arrangement"  
 (getting from my copy of  
 the Property Rights Preservation  
 map sent by the City Planning  
 to residents of the area)  
 "the boundary line was properly  
 drawn and likely to include  
 two important houses on the  
 west side of 21st Street but  
 to include the section between  
 that have over the quality  
 of the area". One of these two  
 important houses included in  
 the section that will be  
 shown by the present  
 American Intermountain West area.  
 Please note that this  
 happens day "no" to this

3-8-20 (43)

JEAS

93818  
Instruments, Co.  
3035 - 3rd St. N.E.  
New York, N.Y.

Annex

Type of development and  
how area designated as in  
Preservation (and vice versa)

LAW OFFICES OF  
DONALD A. PRIMAVERA  
PROFESSIONAL CORPORATION  
1822 TWENTY FIRST STREET  
SACRAMENTO, CALIFORNIA 95814

CITY PLANNING DEPARTMENT

FEB 22 1990

RECEIVED

TELEPHONE  
(916) 454-0113

DONALD A. PRIMAVERA  
KAREN E. TARP  
BARRY C. BLAY  
MARYELLEN LAUMBACH

February 21, 1990

City of Sacramento  
Department of Planning and Development  
1231 I Street, Room 300  
Sacramento, CA 95814-2998

Re: Revised Proposal: P90-040  
Parcel No.: 010-0025-006  
Address: 2031 S Street, Sacramento, CA

Dear Gentilepersons:

We recently received copies of the revised proposed plan, submitted by Dave Richmond, to develop the lot at the corner of 21st and "S" Streets. We have met and conferred both with the architects as well as Mr. Richmond to express our profound concerns over this proposed project. We feel that these objections are of critical importance if there is to be significant meaning given to the preservation of Designated Essential Historical Structures in Sacramento. The revised plans are not so sufficiently altered as to ameliorate their deleterious effects on the Nevis Mansion.

We own the property adjacent to the proposed construction, which is denominated the Nevis Mansion and listed on the Historical Preservation list as an essential structure. This Victorian is a Queen Anne design and as far as we are aware it is the only one of its kind in Sacramento. We have restored this building both on the interior and exterior with a careful eye to assuring that the building would be one of which all of Sacramento could rightly be proud. The most recent improvement was the exterior painting which highlighted the delicate wooden ornamentation at the front of the Victorian and on the side of the house on which the proposed project is to be built. The revised plans as submitted will eliminate from view the entire south side of the Victorian, as well as inordinately diminish light and air to our building. The plans as presented would block the view of all but the roof of the Nevis Mansion. This would be a tremendous loss to the City and reduce the historical integrity and importance of our building.

If the Historical Preservation Board is to achieve the goals implicit in its name, the Design Review Board and the Planning Commission must enforce reasonable restrictions on

P90-040

3-8-90 (43)

Items

Sacramento City Department of Planning and Development  
February 21, 1990  
Page 2

Re: Revised Proposal No. P90-040

new constructions to ensure that the few remaining Victorians in Sacramento will be protected. If the current proposed plans seeking a drastic variance of the setback requirements are approved, then the guidelines for preserving these historical buildings will be emasculated. In March, 1988, plans for a two-story, 4,000 square foot building were reviewed by the staff of the Design Review and Preservation Board, who rendered the following opinion:

Staff is concerned that the proposed structure as sited will screen out the Nevis Mansion from the northbound one-way traffic on 21st Street. The impact on the Listed Structure would be very great. It would be placed in a canyon like setting which would box it in to public view.

Since an even more distressing result will accrue from the present plans, which include a 5,500 square foot building, we believe that the same opinion applies, and that the plans cannot be approved as drawn.

We understand and appreciate the Planning Commission's desire to achieve a harmonious intermix of commercial and residential interests on this particular project. However, as admirable as these goals may be, they cannot be implemented in such a manner as to destroy the beauty of the Nevis Mansion which we have worked so diligently to maintain in a fashion befitting the dignity of an Essential Historical Structure.

We respectfully request that the members view the Nevis Mansion before acting on the proposed plans to see the architectural and historical forfeiture which will be occasioned if these plans are approved as drafted. Surely, the plans can be devised to protect the beauty that is already here.

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P90-040

3-8-90

(44)

Item 5

Sacramento City Department of Planning and Development  
February 21, 1990  
Page 3

Re: Revised Proposal No. P90-040

With the above in mind, we ask that the Commission require the architectural plans be revised to accommodate the integrity of the Nevis Mansion.

Very truly yours,

Robin L. Primavera  
ROBIN L. PRIMAVERA

Donald A. Primavera  
DONALD A. PRIMAVERA

DAP.RLP/js

P90-040

3-8-90 (45)

Item 5

COPY

22 February 1990

Peter Hollick, Chairman  
City Planning Commission  
1231 I Street, Suite 200  
Sacramento, CA 95814

Re: Hearing on Proposed Development on Northwest Corner of 21st  
and S streets

Dear Mr. Hollick:

I am writing on behalf of my husband, Donald Primavera, and others who cannot be here tonight. I am requesting that the Commission continue the hearing on the proposed development for the northwest corner of 21st and S streets until the Commission's next regular meeting on March 1, 1990. The reason for this request is two-fold:

One: There are efforts afoot to relocate the Nevis mansion to the corner of 21st and S streets. The Nevis mansion is the Victorian structure currently located directly to the north of the proposed development. The Nevis mansion was originally located on that corner and was moved to its current location. A continuance will allow us time to continue to explore the possibility of relocating the structure. We expect to be able to report on the feasibility of moving this structure at your next meeting on March 1.

Two: Many persons who wish to testify against this proposed development are not able to be here tonight. The developer is well aware of this and our many requests for an extension have been refused by him. My husband, Donald Primavera, is an attorney and is in an arbitration right now and therefore unable to be here tonight. Kathy Felch, also an attorney and one of our neighbors, committed long ago to hosting a meeting in her home tonight at the request of one of the City Council members and is therefore also unable to attend tonight. Stanley Lunetta, the timpanist for the Sacramento Symphony and one of our neighbors, is scheduled for two rehearsals and one performance this evening -- one rehearsal at 5:00 p.m., a performance at 7:00 p.m. and another rehearsal at 8:00 p.m. -- and is therefore unable to

P90-040

3/8/90

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#5

Peter Hollick, Chairman  
22 February 1990  
Page 2

attend. Shirley Gaye, one of our neighbors on 21st Street to the south of the proposed project, has an unalterable family commitment for this evening and is therefore also unable to attend tonight's meeting. Drs. Siri Gian Singh Khalsa and Siri Gian Kaur Khalsa, psychologists who live at the corner of 22nd and S streets, also wished to be here tonight but cannot attend because they are presiding over a meeting in Campus Commons. All of the above have submitted letters in opposition to this project and wish very much to be able to express their feelings by personal testimony. They are, however, unable to attend tonight because of commitments made long before the notice of this hearing, and they wish to be heard on this issue.

There are also other neighbors who would like to be here tonight but I am able to tell you about their specific commitments at this late date. A continuance will allow most, if not all, of our concerned neighbors to appear before you and will allow us to report back on the feasibility of moving our building to its original site.

Therefore, I am requesting that you reschedule the hearing for this project to March 1, 1990.

Sincerely,

TRULY SIGNED BY

*Robin Primavera*

ROBIN PRIMAVERA

P40-040

3/8/90

49

#5



# RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

RESOLUTION AMENDING THE CENTRAL CITY COMMUNITY PLAN FROM HEAVY COMMERCIAL TO GENERAL COMMERCIAL/MULTI-USE FOR AREA DESCRIBED ON THE ATTACHED EXHIBIT

(P90-040) (APN: 010-0025-006)

WHEREAS, the City Council conducted a public hearing on \_\_\_\_\_ 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 General Commercial development; and
3. The proposal is consistent with the policies of the City's General Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sacramento, that the area as described on the attached Exhibit A in the City of Sacramento is hereby designated on the Central City Community Plan as General Commercial/Multi-use.

\_\_\_\_\_  
MAYOR

ATTEST:

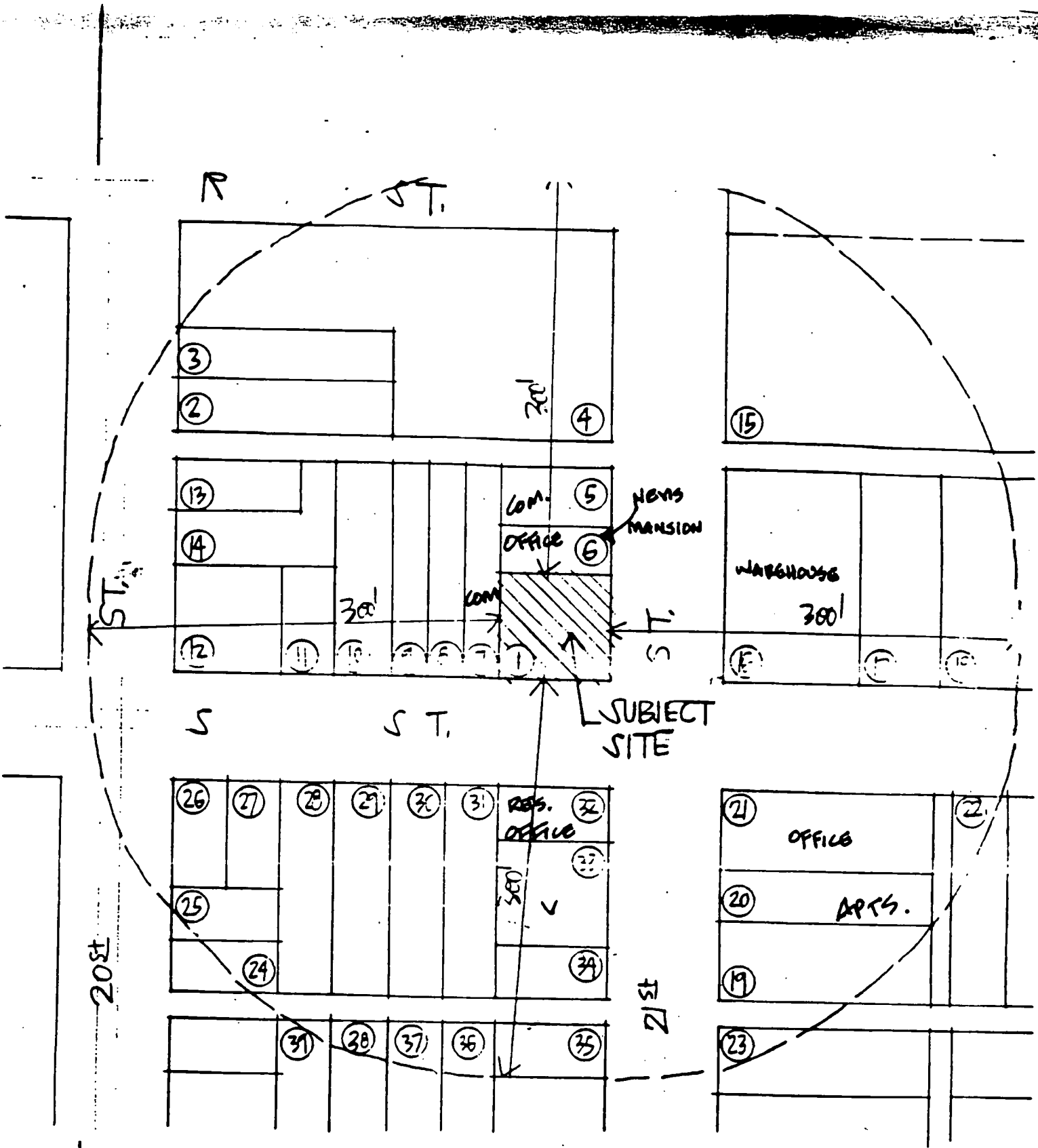
\_\_\_\_\_  
CITY CLERK  
P90-040

\_\_\_\_\_  
FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

(52)



ALL SURROUNDING ZONING IS C-4

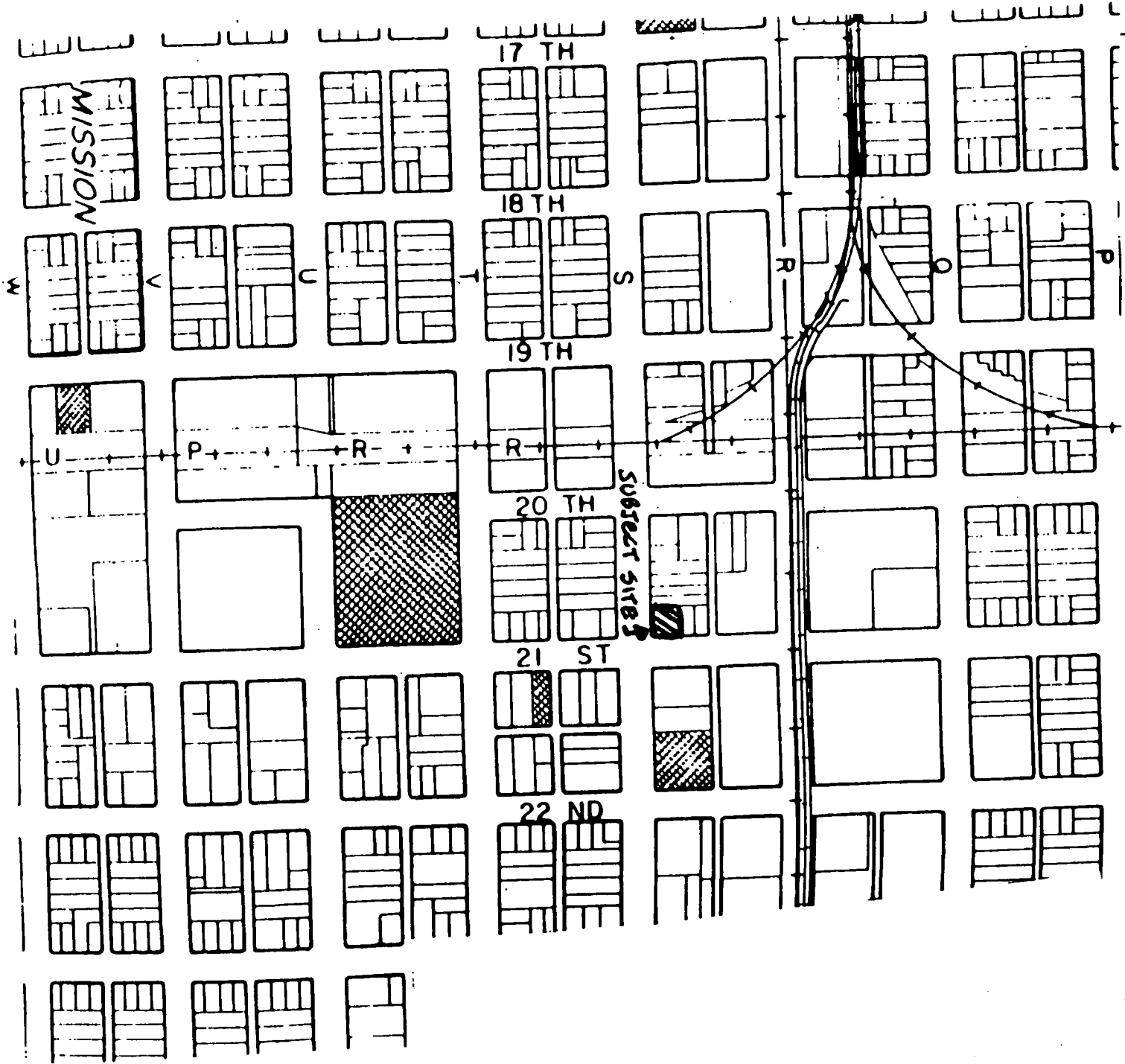
# LAND USE & ZONING MAP

P90-040

53

3-8-90  
2/23/90

S  
#11



VICINITY MAP

54

3-8-96  
2/22/10

#11

# 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 2031 S STREET FROM THE HEAVY COMMERCIAL (C-4) ZONE(S) AND PLACING THE SAME IN THE GENERAL COMMERCIAL/MULTI-USE (C-2) ZONE(S) OR A MORE RESTRICTIVE ZONE(S)

(FILE NO. P90-0040) (APN: 010-0025-006))

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 Heavy Commercial (C-4) zone(s) established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the General Commercial/Multi-use (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.

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FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

48

- 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 on March 8, 1990, on file in the office of the Planning Division, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Division 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

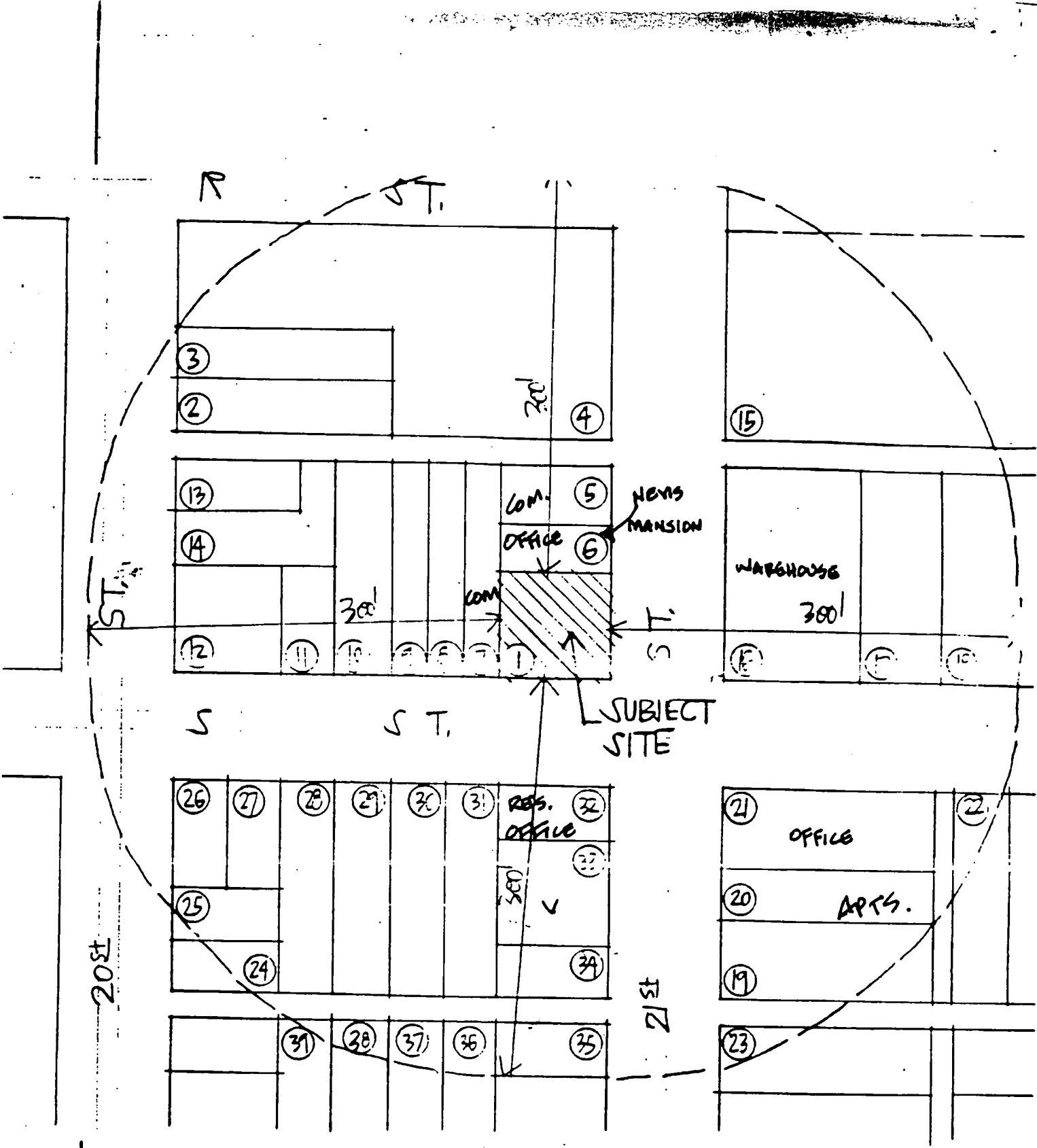
P90-040

\_\_\_\_\_  
FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

(49)



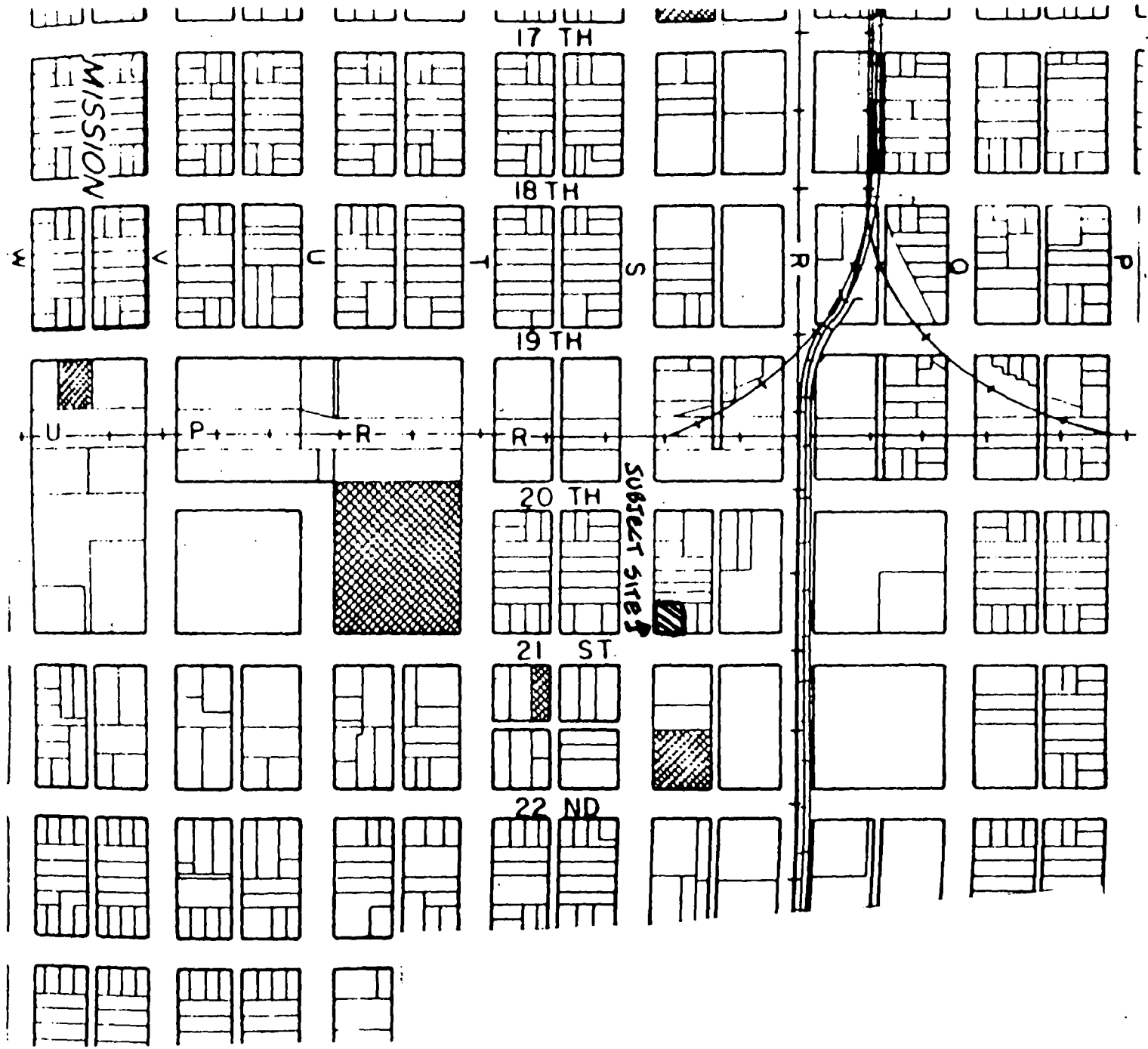
ALL SURROUNDING ZONING IS C-4

# LAND USE & ZONING MAP

P90-040

(50) 3-8-90  
2/22/90

S  
#11



VICINITY MAP

3-8-90  
2/22/90  
51

#11

APPEAL OF Donald A. Primavera vs.  
CITY OF SACRAMENTO PLANNING COMMISSION'S  
APPROVAL OF A SPECIAL PERMIT AND  
VARIANCES FOR A MIXED USE PROJECT AT  
2031 I STREET (P90-040)

Notice of Decision  
and  
Findings of Fact

At its regular meeting of May 1, 1990, 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:

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
  - a. Adequate landscaping and parking is provided, and
  - b. An additional three residential units will be provided to the area's housing stock.
2. The proposed project, as conditioned, will not be detrimental to the public welfare nor result in the creation of a nuisance in that:
  - a. An adequate setback (five feet from the north property line) will be provided adjacent to the listed structure to lessen the visual impacts, and
  - b. A high quality design has been proposed and will be ensured by the Design Review/Preservation Board's review and approval; and
  - c. The mixed-use concept will provide both needed housing and a neighborhood type of retail service that is currently lacking in the area.
3. Granting the variances, as conditioned, does not constitute a special privilege extended to an individual property owner in that the overall size of the site makes it difficult to develop as a viable mixed-use project.
4. Granting the variances, as conditioned, will not result in a nuisance in that:
  - a. Adequate parking, maneuvering and setbacks will be provided;
  - b. The project's mixed-use concept and close proximity to the Light Rail station will allow for a shared parking situation.



5. The project, as conditioned, is consistent with the policies of the Central City Community Plan that include the following:
- a. Encourage the development of residential and locally serving retail activities as important to the future development of this area of the City;
  - b. Eliminate the intrusion of incompatible uses into existing residential area where possible and promote measures that will ensure that new development is compatible with existing land uses.

\_\_\_\_\_  
MAYOR

ATTEST:

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

P90-0040

(56)