



REPORT TO COUNCIL

City of Sacramento 14

915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org

Public Hearing
July 29, 2008

Honorable Mayor and
Members of the City Council

Title: Freeport Raley's Parking Lot Rezone (P08-031)

Location/Council District: Council District 4

Recommendation: Conduct a public hearing and upon conclusion adopt 1) a **Resolution** approving the environmental exemption under California Environmental Quality Act (CEQA) Guidelines Section 15301; and 2) an **Ordinance** approving a rezoning from Standard Single-Family Executive Airport Overlay [R-1 (EA-4)] to General Commercial Executive Airport Overlay [C-2 (EA-4)] relating to the Freeport Raley's Parking Lot Rezone project.

Contact: Heather Forest, Associate Planner, (916) 808-5008; Nedzlene Ferrario, Senior Planner, (916) 808-7826

Presenters: Heather Forest, Associate Planner

Department: Development Services

Division: Current Planning

Organization No: 21001221

Description/Analysis:

Issue: The applicant, Jerry Alass with Burrell Consulting Group, is requesting the approval of entitlements to rezone two existing parcels, totaling 0.98 acres in size, from the Standard Single Family Executive Airport Overlay (R-1-EA-4) zone to the General Commercial Executive Airport Overlay (C-2-EA-4) zone. The parcels have been used as a parking lot and truck loading areas for the Raley's grocery store on Freeport Boulevard for many years and the applicant is intending to merge the parcels. The parcel merger alone would result in multiple zones on the same parcel which is not permitted under the Zoning Ordinance under the administration and enforcement provisions in Chapter 17.232. Therefore, a rezone to the General Commercial (C-2-EA-4) zone is necessary. As of the date of this report, all project related issues have been resolved and staff has determined that this is a non-controversial item.

Policy Considerations: The project site is currently zoned Standard Single Family (R-1-EA-4) within the Executive Airport Overlay zone, but was developed as parking

lot under a special permit. The rezone to General Commercial Executive Airport Overlay (C-2-EA-4) zone is necessary for consistency with the existing parking lot use. The proposed General Commercial Executive Airport Overlay (C-2-EA-4) zone would provide an overall site/zone consistency with the zoning and would further allow for the applicant to submit a parcel merger for the entire grocery store site. The General Commercial (C-2) zone provides for the sale of commodities, or performance of services, including repair facilities, office, small wholesale stores or distributors, and limited processing and packaging. The Executive Airport Overlay (EA-4) zone is identified as an area under the traffic pattern of the Executive Airport and is the least restrictive land use zone, in which parking lot and grocery store uses are allowed.

General Plan: The subject site consists of two parcels totaling approximately 0.98 acres in size, currently designated Low Density Residential (4-15 dwelling units per net acre [du/na]) in the Land Use Element of the General Plan. Rezoning the project to commercial is consistent with its current use as a parking lot. Small amounts of commercial serving uses in a residential neighborhood are appropriate in the residential land use category.

Smart Growth Principles: The City Council adopted a set of Smart Growth Principles in December 2001 to promote growth that is economically sound, environmentally friendly, and supportive of community livability. The subject proposal is consistent with these principles in that it: (a) provides a mix of land uses to support vibrant City centers; and (b) concentrates new development and target infrastructure investments within the urban core of the region.

Strategic Plan Implementation: The recommended action conforms with the City of Sacramento's Strategic Plan, specifically by adhering to goals that achieve sustainability, enhance livability, and expand economic development throughout the City.

Committee/Commission Action: On June 12, 2008 by unanimous vote (6-0, Boyd, Samuels, and Givens absent) the Planning Commission forwarded all items to the City Council with a recommendation of approval.

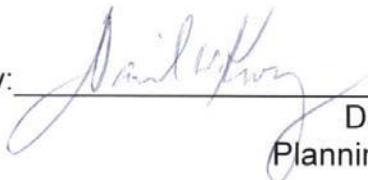
Environmental Considerations: The Development Services Department, Environmental Planning Services Division (EPS) has reviewed this project and determined that it is exempt from the provisions of the California Environmental Quality Act (CEQA) under Class 32, Section number 15301, which consists of the operation, repair or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of capacity beyond that existing at the time of the lead agency's determination.

Rationale for Recommendation: While the project does require a rezone, the proposal is consistent with the General Plan for the reasons discussed in the "Policy Considerations" section above. In addition, staff has received no opposition throughout the review process. For these reasons, staff recommends that the

Council approve the Resolution adopting the Environmental Exemption as well as the Ordinance to rezone from R-1-EA-4 to C-2-EA-4 as attached hereto.

Financial Considerations: This project has no fiscal considerations.

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

Respectfully Submitted by:  _____
David Kwong
Planning Manager

Approved by:  _____
William Thomas
Director of Development Services

Recommendation Approved:

 _____
Ray Kerridge
City Manager

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Attachment 1 – Background

Background Information: The project site consists of two parcels, 1905 and 1911 Potrero Way, both of which are currently zoned Standard Single Family (R-1-EA-4) located within the Executive Airport Overlay zone. The parcels have been legally used as a parking lot through approved Special Permits, since as early as the 1960's. The parking lot serves as an ancillary use to the Raley's grocery store located east of the parcels, at 4850 Freeport Boulevard. Including the project site, the entire Raley's grocery store site consists of five (5) individual parcels, the two subject parcels zoned Standard Single Family (R-1-EA-4) and three adjacent parcels zoned General Commercial (C-2-EA-4). In order to merge the five parcels into one parcel, the applicant is requesting the approval of a rezone so that entire site may reflect zoning consistent with its existing land use. Physical changes to the land are not proposed at this time; however, city staff is aware of future renovations planned for the Raley's grocery store. To date these modifications have not been formally submitted.

Public/Neighborhood Outreach and Comments: The project was routed to the Land Park Community Association (LPCA) and the Hollywood Park Neighborhood Association. City staff did not receive formal comments from either neighborhood association.

Raley's has a long history of neighborhood outreach within the project area. Specific to the rezone, Raley's presented the proposed project to the LPCA on November 26, 2007, and January 30, 2008. In addition, Raley's held an intimate in store meeting on January 30, 2008 to review the proposed project with the adjacent property owners. City staff has not received any comments from adjacent property owners opposing the proposed rezone.

Additional Policy Information:General Plan:

The project site is designated as Low Density Residential 4-15 dwelling units per net acre (du/na) in the General Plan. Rezoning the project site to be consistent with its use as a parking lot would be consistent with the following Goals and Policies as stated in the General Plan:

Commerce and Industry Land Use Element, Goal A, Sec 4-16

Ensure that all areas of the City are adequately served by neighborhood/community shopping districts.

Commerce and Industry Land Use Element, Policy 1, Sec 4-17

Maintain and strengthen viable shopping districts throughout the City.

Commerce and Industry Land Use Element, Policy 2, Sec 4-17

Promote the rehabilitation and revitalization of existing commercial centers.

General Plan Update Vision and Guiding Principles: While the City's General Plan is being updated, the City Council has adopted a vision for the future of the City as well as several guiding principles to help achieve this vision. This was done to ensure that new developments submitted during the ongoing update comply with the goals and policies that are being incorporated into the General Plan through the update. The applicable guiding principles that this proposal complies with state that:

- The project utilizes existing assets of infrastructure and public facilities to promote site re-use while maintaining important qualities of community character (pg. 3).
- The project promotes strategic development of vacant, underutilized, and infill land, especially along transportation and commercial corridors, to improve the City's economic outlook (pg. 3).

The proposed project complies with the above guiding principles and is not contrary to any of the proposed policies.

Attachment 2 – Environmental Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

**DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT
(1905 AND 1911 POTRERO WAY)
(P08-031) (APN: 017-0171-021 and 017-0171-030)**

BACKGROUND

- A.** On June 12, 2008, the City Planning Commission conducted a public hearing on the Freeport Raley's Parking Lot Rezone project (hereafter referred to as "Project"), and forwarded the Project to the City Council with a recommendation to approve with conditions.
- B.** On July 29, 2008, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Section 17.200.010(C)(2)(a), (b), and (c) (publication and mail [500']), and received and considered evidence concerning the Project.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the City Council finds that the Project is exempt from review under Section 15301 of the California Environmental Quality Act Guidelines as follows:

- a.** The project consists of the operation, repair or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of capacity beyond that existing at the time of the lead agency's determination.

Attachment 3 – Rezone Ordinance

ORDINANCE NO. 2008-_____

ADOPTED BY THE SACRAMENTO CITY COUNCIL

**AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) BY REZONING CERTAIN REAL PROPERTY FROM STANDARD SINGLE FAMILY EXECUTIVE AIRPORT OVERLAY (R-1-EA-4) TO GENERAL COMMERCIAL EXECUTIVE AIRPORT OVERLY (C-2-EA-4)
(1905 AND 1911 POTRERO WAY)
(P08-031) (APN: 017-0171-021 & 017-0171-030)**

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

SECTION 1

Title 17 of the Sacramento City Code (the Zoning Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known, and referred to as 1905 and 1911 Potrero Way (APN: 017-0171-021 & 017-0171-030) and consisting of ±0.98 net acres, from Standard Single Family Executive Airport Overlay (R-1-EA-4) to General Commercial Executive Airport Overlay (C-2-EA-4).

SECTION 2

Rezoning of the property described in the attached Exhibit A by the adoption of this Ordinance, will be considered to be in compliance with the requirements for the rezoning of property described in the Zoning Code, as amended, as those procedures have been affected by recent court decisions.

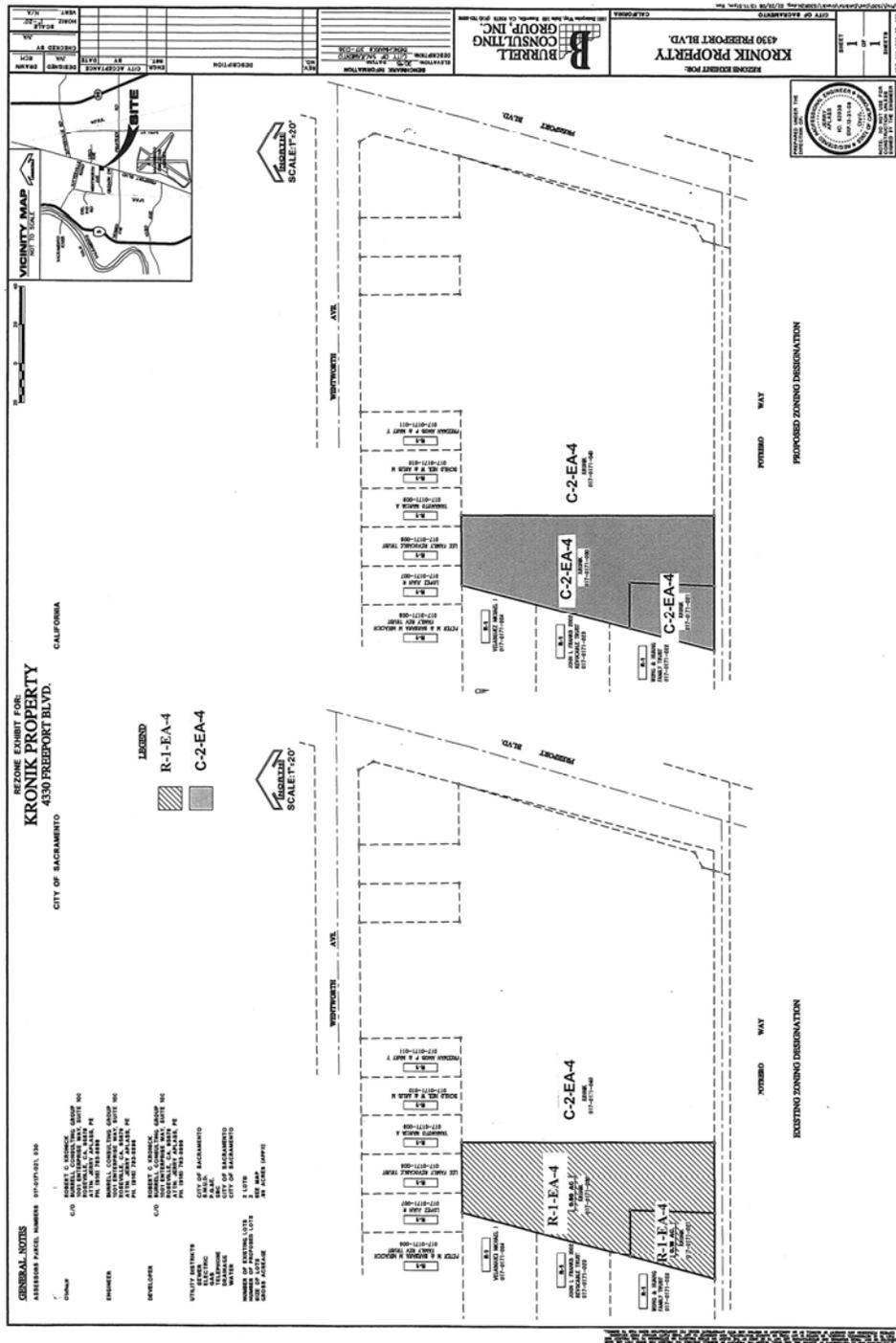
SECTION 3

The City Clerk of the City of Sacramento is directed to amend the official zoning maps, which are part of the Zoning Code, to conform to the provisions of this Ordinance.

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Exhibit 3A: Rezone Exhibit

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Attachment 4 – Land Use & Zoning Map

