Meeting Date: **2/25/2014**

Report Type: Public Hearing

Report ID: 2014-00125

City of SACRAMENTO 15

City Council Report
915 I Street, 1st Floor
www.CityofSacramento.org

Title: 23rd Street Rezone (P13-057) [Passed for Publication 02/18/2014; Published 02/13/2014 and 02/20/2014]

Location: 2415 23rd Street, District 5

Recommendation: Conduct a public hearing and upon conclusion, 1) pass a Resolution approving the CEQA Exemption; and 2) pass an Ordinance to rezone 0.07 acres from Residential Office (RO) to Limited Commercial (C-1).

Contact: Arwen Wacht, Associate Planner, (916) 808-1964; Stacia Cosgrove, Senior Planner, (916) 808-7110, Community Development Department

Presenter: Arwen Wacht, Associate Planner, (916) 808-1964, Community Development Department

Department: Community Development Dept

Division: Planning

Dept ID: 21001221

Attachments:

1-Description/Analysis
2-Background
3-Resolution for CEQA
4-Ordinance for Rezone
5-Vicinity Map
6-Aerial and Land Use Map

City Attorney Review

Approved as to Form
Jeffrey Heeren
2/20/2014 10:25:13 AM

City Treasurer Review

Reviewed for Impact on Cash and Debt
Russell Fehr
2/5/2014 10:40:01 AM

Approvals/Acknowledgements

Department Director or Designee: Max Fernandez - 2/12/2014 12:29:05 PM

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Description/Analysis

Issue Detail: The Residential Office (RO) zoned site at 2415 23rd Street has an unoccupied 3,200 square foot building that was originally constructed for an auto repair use in 1960 when the site was commercially zoned. The RO zone allows only office or residential uses. The auto repair use was previously discontinued and is no longer allowed under the current or proposed zoning. The property owners have had difficulties finding a tenant for this location due to restrictions of the RO zone. Therefore, the applicant is requesting approval to rezone the property from Residential Office (RO) zone to Limited Commercial (C-1) zone in order to allow more commercial services and retail uses, but maintain enough limitations to sustain compatibility with the surrounding zoning and uses.

Policy Considerations: The 2030 General Plan designation of the subject site is Urban Corridor Low, which provides for a mix of horizontal and vertical mixed-use development and single-use commercial and residential development. With a lot size of 3,200 square feet and an existing building size of 3,200 square feet, the building has a 1.00 Floor Area Ratio (FAR). Therefore the existing development is consistent with the Urban Corridor Low designation minimum FAR of 0.30 and maximum FAR of 3.00. The Broadway Corridor, between X Street and Broadway, is a mixed use area filled with residential and commercial uses. It is appropriate to rezone the property to facilitate the reuse of the site and support goals of revitalization of the Broadway Corridor with a mix of neighborhood supporting uses. The proposed C-1 zone is compatible with the Urban Corridor Low designation.

Economic Impacts: None

Environmental Considerations: The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that it is exempt from the provisions of the California Environmental Quality Act (CEQA) under Class 1, Section 15301, Existing Facilities. The project consists of the operation of an existing facility, involving no expansion of use beyond that existing. There are no unusual circumstances that would result in a significant effect, and the cumulative effects of the project have been evaluated in the Master Environmental Impact Report (EIR) prepared for the 2030 General Plan. The project would not have a significant effect on the environment.

Commission/Committee Action: The Planning and Design Commission heard the project on January 16, 2014 and forwarded a recommendation to approve the project with 10 ayes, 0 noes, and 0 recusals (Absent: 3).

Rationale for Recommendation: Staff supports the rezone of this parcel to Limited Commercial (C-1) zone for the following reasons: a) the rezoning is consistent with the applicable General Plan land use designation, use, and development standards; b) the rezoning is consistent with the goals, policies, and other provisions of the General Plan and any other applicable specific plan; c) the amendment promotes the public health, safety, convenience, and welfare of the city; and d) the proposed C-1 zoning will enable

the existing building to secure viable tenants with more commercial options but also will allow land uses that will be compatible with the surrounding residential and commercial land uses.

Financial Considerations: The project has no fiscal considerations.

Local Business Enterprise (LBE): No goods or services are being purchased under this report.

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Background Information: The site previously housed a single-family residence that was demolished. The existing 3,200 square foot auto repair garage was constructed in 1960. On June 4, 1980, the site was rezoned from General Commercial (C-2) zone to Residential Office (RO) zone as part of the adoption of the updated Central City Community Plan (Ordinance 4369 and File M-432). The existing property is surrounded by: single-unit and duplex dwellings to the north; multi-unit dwellings, duplex dwellings, and an office conversion to the east; auto repair, parking, and a restaurant to the south; and parking, single-unit dwellings, and offices to the west.

Public/Agency Outreach and Comments: The project site was posted and all property owners within a 500' radius of the property were sent a notice of the public hearing. Staff received one comment e-mail that supported the rezone, in that it would encourage finding a tenant for the site, which would then help reduce vandalism and dumping in the adjacent alley.

Rezone: The project proposes to rezone the property from Residential Office (RO) to Limited Commercial (C-1). The existing Residential Office zoning allows for a very limited number of non-residential land uses within the existing 3,200 square foot building. The intent of the RO zone is to provide a medium-density, multiple-family zone which allows for residential uses and very limited types of office and commercial uses (examples of permitted commercial and institutional uses in the RO zone: bed and breakfast inn, community market, office, and temporary commercial building) that are compatible with adjacent residential uses. The existing building was originally constructed for an auto-service use, which has since vacated the site for more than one year and the site was subsequently occupied by at least one conforming use (a somatic practitioner); therefore, an auto-service use would not be an allowed use at this location. The property owners have found difficulties finding a tenant at this location with a land use consistent with the RO zone. Consequently, the applicant is requesting approval to rezone the property from Residential Office (RO) zone to Limited Commercial (C-1) zone.

The following is a summary of the proposed rezone:

Table 2: Rezone

Designation	Existing (gross ac)	Proposed (gross ac)	Difference (gross ac)
Residential Office (RO)	0.07	0	-0.07
Limited Commercial (C-1)	0	0.07	+0.07
TOTAL	0.07	0.07	

As shown above, the existing parcel is currently zoned Residential Office (RO) and the applicant is requesting to rezone the property to the Limited Commercial (C-1) zone. The purpose of the C-1 zone is to provide for certain offices, retail stores, and commercial establishments that are compatible with residential developments. The proposed C-1 zoning will allow for residential units, but will also allow for a wider range of limited commercial / non-residential uses (examples of permitted commercial and institutional uses in the C-1 zone are: athletic club, bed and breakfast inn, childcare center, cinema, commercial service, community market, laundromat – self-service, library / archive, museum, office, restaurant, retail store, school – dance, music, art, or martial arts, temporary commercial building, and theater), but the permitted uses will still be compatible with the residential and commercial uses in the area.

There are no modifications to the building proposed at this time. The property owner and future tenant would be responsible for obtaining building permits for any work and any necessary site plan and design review entitlements. The existing building is a white cinderblock building with a small aluminum storefront facing 23rd Street (west) and two roll-up garage doors facing the alley (south). The 2030 General Plan designates the area as Urban Corridor Low (UCORLOW) and the rezoning of the site to Limited Commercial (C-1) will maintain the site's consistency with the existing 2030 General Plan land use designation.

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RESOLUTION NO.

Adopted by the Sacramento City Council

DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, FOR THE PROPERTY LOCATED AT 2415 23RD STREET (P13-057) (APN: 010-0223-001-0000)

BACKGROUND

A. On January 16, 2014 the City Planning and Design Commission conducted a hearing on, and forwarded to the City Council, a recommendation to approve the Redding Avenue Sign Relocation Project.

B. On February 25, 2014, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Section 17.812.030 (b), and received and considered evidence concerning the 23rd Street Rezone project.

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

The project consists of an approval of rezoning the property from Residential Office zone (RO) to Limited Commercial zone (C-1).

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 Section15301, Existing Facilities of the California Environmental Quality Act Guidelines as follows:

The project consists of the operation of an existing facility, involving no expansion of use beyond that existing. There are no unusual circumstances that would result in a significant effect, and the cumulative effects of the project have been evaluated in the Master EIR prepared for the 2030 General Plan. The project would not have a significant effect on the environment.

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ORDINANCE NO.

Adopted by the Sacramento City Council

AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE PLANNING AND DEVELOPMENT CODE) BY REZONING CERTAIN REAL PROPERTY FROM RESIDENTIAL OFFICE ZONE (RO) TO LIMITED COMMERCIAL ZONE (C-1)
2415 23RD STREET (P13-057)
(APN: 010-0223-001-0000) COUNCIL DISTRICT 5

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

SECTION 1

Title 17 of the Sacramento City Code (Planning and Development Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known and referred to as 23rd Street Rezone (APN: 010-0223-001-0000) and consisting of approximately 0.07 acres, from Residential Office zone (RO) to Limited Commercial zone (C-1).

SECTION 2

The rezoning of the property shown in the attached Exhibit A, by the adoption of this Ordinance, is consistent with the applicable general plan land use designation, use, and development standards; the goals, policies, and other provisions of the general plan; and any applicable specific plan; and the amendment promotes the public health, safety, convenience, and welfare of the city.

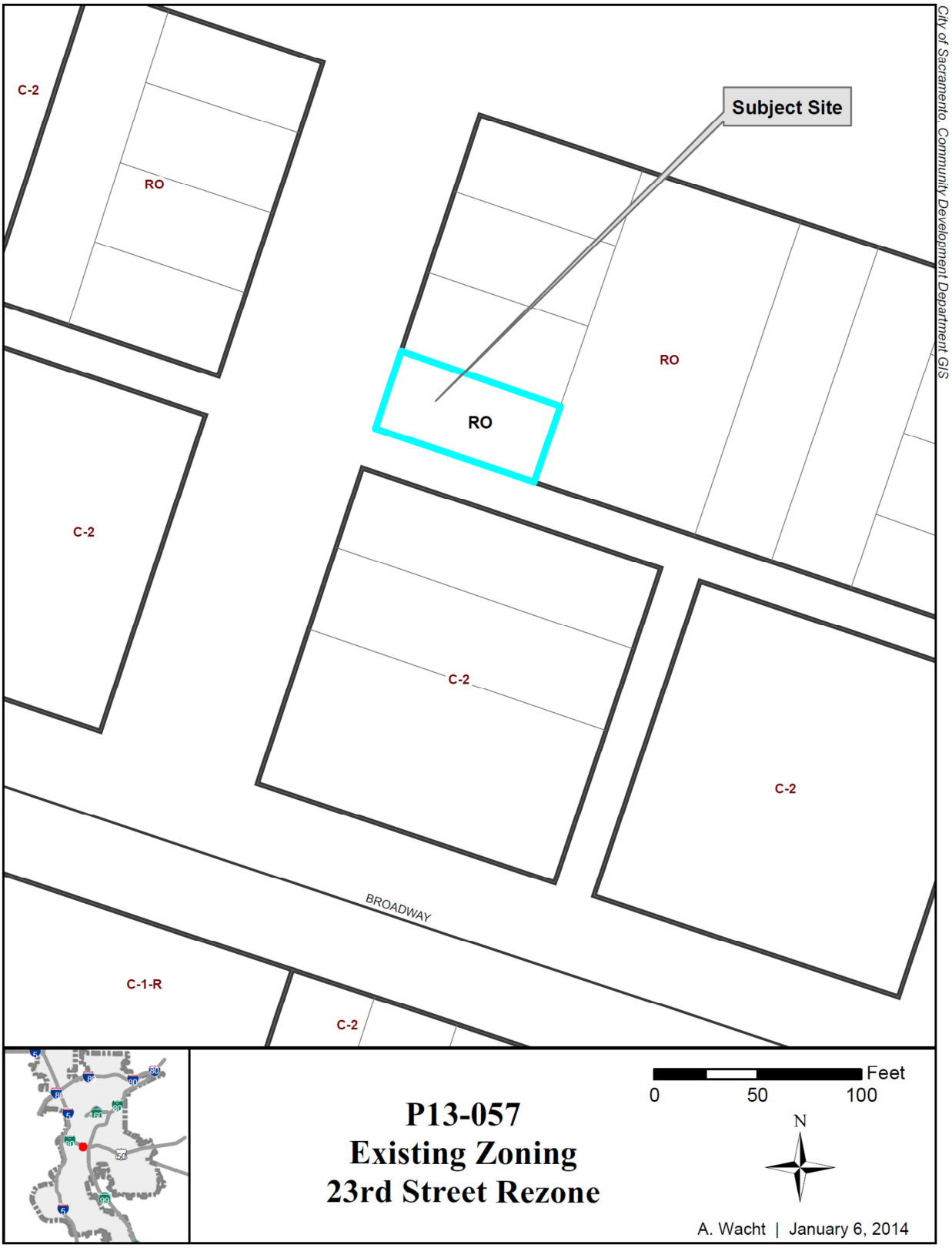
SECTION 3

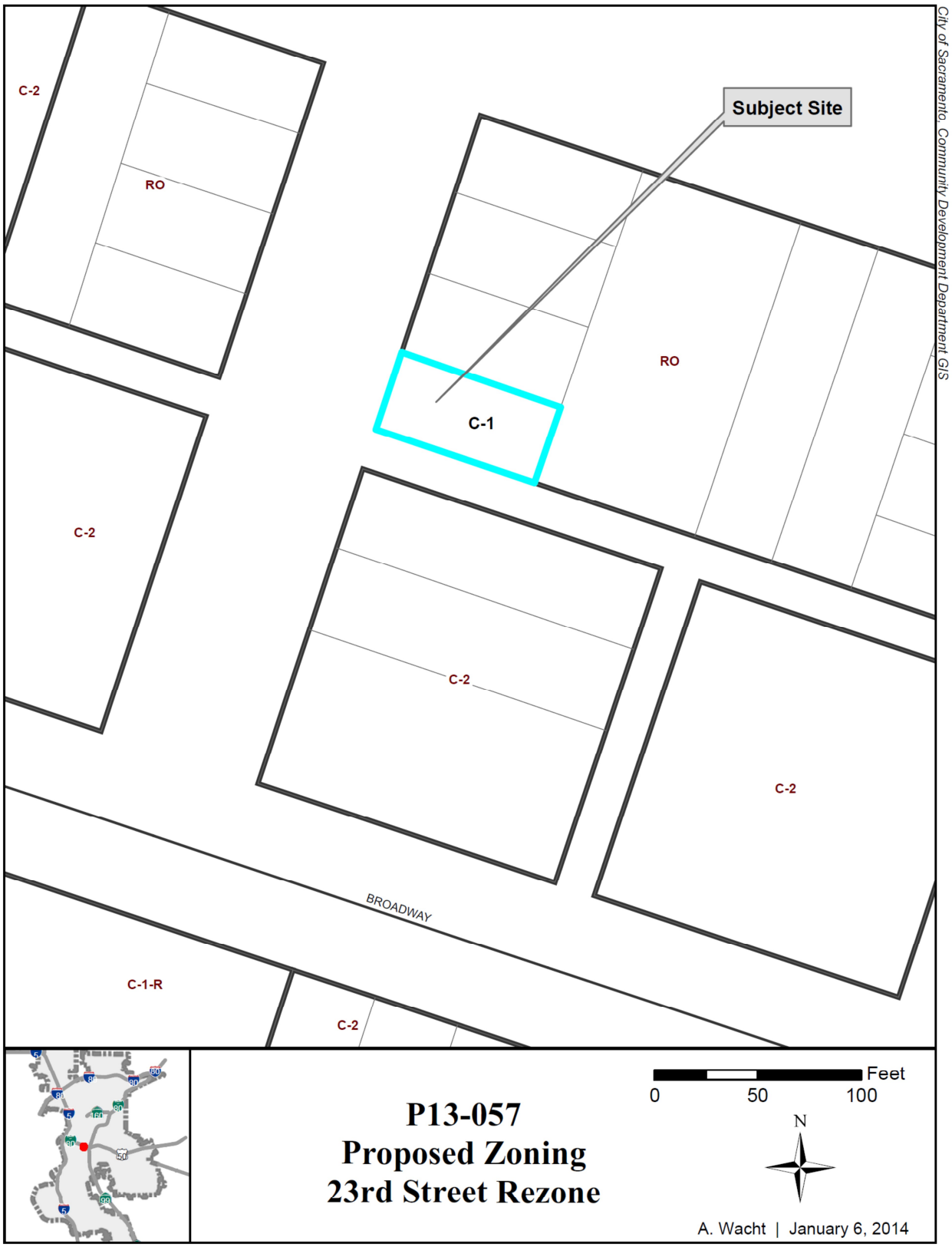
The City Clerk of the City of Sacramento is hereby directed to amend the official zoning maps to conform to the provisions of this Ordinance.

Table of Contents:

Exhibit A: 23rd Street Rezone Map – 2 Pages

Exhibit A: Rezone Map




Subject Site
C-2
RO
RO
C-1
C-2
C-2
C-2
BROADWAY
C-1-R
C-2
City of Sacramento, Community Development Department GIS
Feet
0
50
100
N
P13-057
Proposed Zoning
23rd Street Rezone
A. Wacht | January 6, 2014

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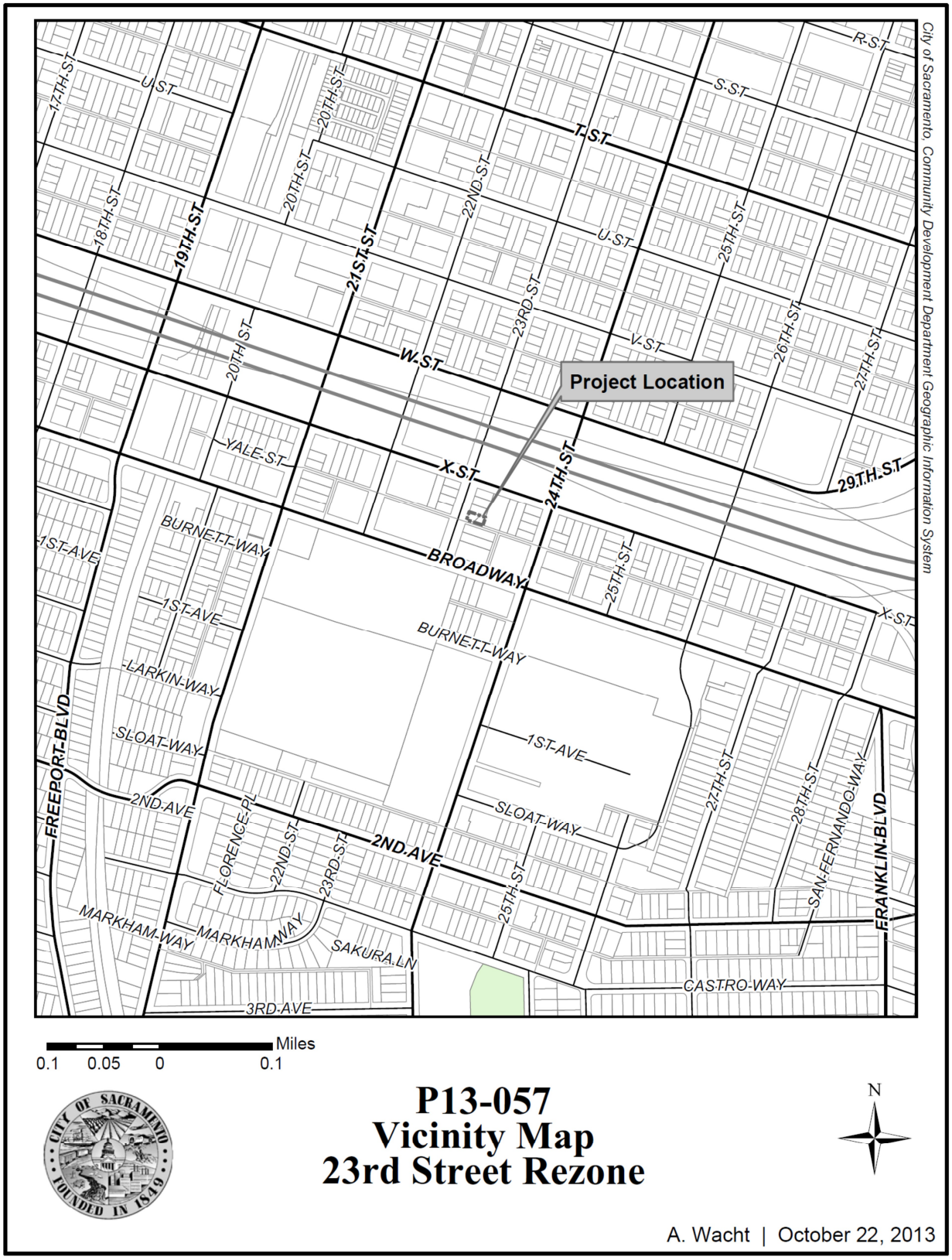
Vicinity Map



P13-057
Vicinity Map
23rd Street Rezone

A. Wacht | October 22, 2013

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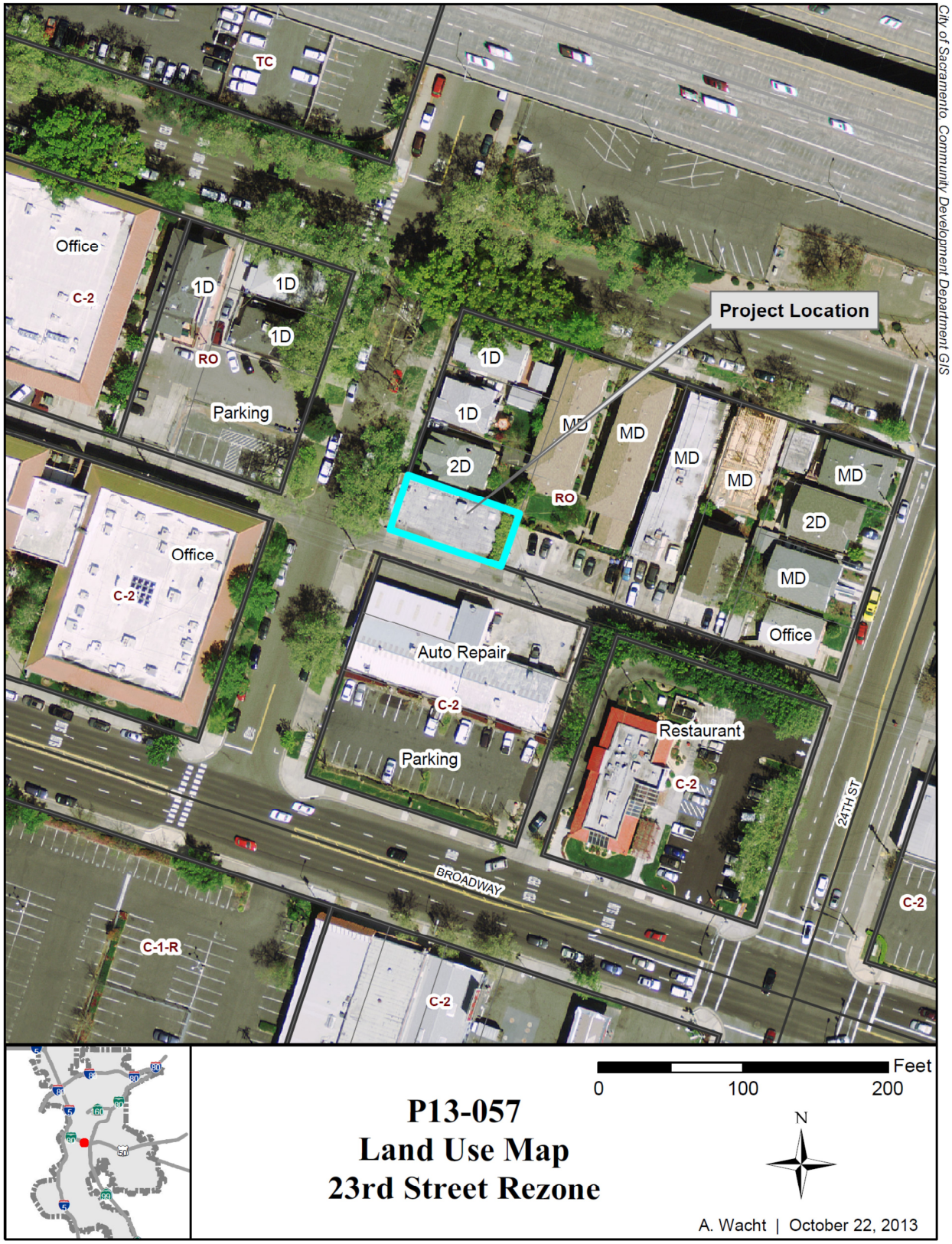
Aerial and Land Use Map