

**Meeting Date:** 5/27/2014

**Report Type:** Public Hearing

**Report ID:** 2014-00334

**Title:** 2031 3rd Street Rezone (Passed for Publication 05/20/2014; Noticed 05/16/2014; Published 05/22/2014)

**Location:** District 4

**Recommendation:** Conduct a Public Hearing and upon conclusion pass 1) a Resolution determining the 2031 3rd Street Rezone project exempt from review under the California Environmental Quality Act; 2) an Ordinance rezoning approximately 0.07 acres from the Multi-Unit (R-3A) Zone to the General Commercial (C-2) Zone; and 3) a Resolution approving the Site Plan and Design Review with deviations to the outdoor open space standards for residential units.

**Contact:** Antonio Ablog, Associate Planner, (916) 808-7702, Community Development Department; Stacia Cosgrove, Principal Planner, (916) 808-7110, Community Development Department

**Presenter:** Antonio Ablog, Associate Planner, (916) 808-7702, Community Development Department

**Department:** Community Development Dept

**Division:** Planning

**Dept ID:** 21001221

**Attachments:**

- 01-Description/Analysis
- 02-Background Information
- 03-Land Use Map
- 04-Planning and Design Commission Record of Decision
- 05-CEQA Resolution
- 06-Ordinance - Rezone
- 07-Exhibit A - Rezone
- 08-Project Resolution
- 09-Exhibit A - Site Plan
- 10-Exhibit B - Proposed Floor Plan 1st Floor
- 11-Exhibit C - Proposed Floor Plan 2nd Floor
- 12-Exhibit D - Perspective Views
- 13-Comment Letters

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**City Attorney Review**

Approved as to Form  
Jeffrey Heeren  
5/19/2014 2:33:33 PM

**Approvals/Acknowledgements**

Department Director or Designee: Ryan Devore - 5/14/2014 6:42:34 PM

James Sanchez, City Attorney

Shirley Concolino, City Clerk  
**John F. Shirey, City Manager**

Russell Fehr, City Treasurer

## Description/Analysis

**Issue Detail:** The applicant is seeking approval to rezone a 0.07-acre parcel from a Multi-Family (R-3A) Zone to General Commercial (C-2) Zone and a Site Plan and Design Review to waive the open space requirements for a multi-family residential development. There are two existing two-story buildings on the site which contain a total of three residential units and a vacant commercial space on the ground floor. Until recently, the residential units had been occupied; now, only one of the current units is occupied. The commercial space, at one time, had occupied approximately 1,500 square feet on the ground floor of the larger building. This space has been vacant long enough that commercial use cannot be re-established as commercial uses are not allowed in the R-3A zone. The applicant is proposing to reconfigure the interior of the building in order to accommodate six units ranging from a 315 square foot studio apartment to a 750 square foot two bedroom unit and to allow a small 300 square foot commercial space that can operate as a live/work studio. Approval of the requested entitlements would allow the applicant to add three units to the existing development and allow the applicant to re-establish commercial uses on the site.

On March 13, the requested entitlements were heard by the Planning and Design Commission. The Planning and Design Commission voted to forward the requested entitlements to City Council with an additional condition addressing bicycle parking.

### Policy Considerations: General Plan

2030 General Plan. The 2030 General Plan Update was adopted by City Council on March 3, 2009. The 2030 General Plan's goals, policies, and implementation programs define a roadmap to achieving Sacramento's vision to be the most livable city in America. The 2030 General Plan designation of the subject site is Traditional Neighborhood Medium Density which provides for higher-intensity medium-density housing and neighborhood-support uses that includes multi-family dwellings and limited neighborhood-serving commercial on lots two acres or less. The 2030 General Plan has identified goals and policies under the Land Use and Urban Design Element. Some of the goals and policies supported by this project are:

- *Land Use and Urban Design Element (Policy LU 2.1.1)* Recognizing that Sacramento's neighborhoods are the basic living environments that make-up the city's urban fabric, the City shall strive through its planning and urban design to preserve and enhance their distinctiveness, identity, and livability from the downtown core to well integrated new growth areas.
- *Land Use and Urban Design Element (Policy LU 2.1.6)* Neighborhood Enhancement. The City shall promote infill development, redevelopment, rehabilitation, and reuse efforts that contribute positively (e.g., architectural design) to existing neighborhoods and surrounding areas.
- *Land Use and Urban Design Element (Goal LU 4.1)* Neighborhoods. Promote the development and preservation of neighborhoods that provide a variety of housing types, densities, and designs and a mix of uses and services that address the diverse needs of Sacramento residents of all ages, socio-economic groups, and abilities.

- *Land Use and Urban Design Element (Policy LU 4.1.2) Neighborhood Amenities.* The City shall encourage appropriately scaled community-supportive facilities and services within all neighborhoods to enhance neighborhood identity and provide convenient access within walking and biking distance of city residents.
- *Land Use and Urban Design Element (Policy LU 4.3.1) Traditional Neighborhood Protection.* The City shall protect the pattern and character of Sacramento's unique traditional neighborhoods, including the street-grid pattern, architectural styles, tree canopy, and access to public transit, neighborhood services and amenities.
- *Historical and Cultural Resources (Policy HCR 2.1.16)* The City shall review and evaluate proposed preservation projects and development projects involving Landmark parcels and parcels within Historic Districts based on adopted criteria and standards.
- *Housing Element (Goal H-4)* Preserve, maintain and rehabilitate existing housing to ensure neighborhood livability and promote housing affordability.

In the context of the Central City, there is typically a mix of densities and uses in each neighborhood. Staff finds that rezoning this site is not out of character with the densities in the existing neighborhood. Given that the site is very small, the uses have historically existed on the site, and that mixed-use development is encouraged by the General Plan, staff supports the request. The floor area ratio (FAR) of the project is consistent with the General Plan designation. The project would rezone the property to allow the reuse an existing structure that will contribute positively to its surroundings by providing three additional residential units and offering goods and services to meet the daily needs of the neighborhood.

Central City Community Plan. The policies contained in the community plan are organized to mirror the structure of the citywide General Plan elements. They are intended to supplement, not repeat, citywide policies contained in Part 2 of the General Plan:

- **Mixed-Use Buildings.** The City shall provide the opportunity for mixture of housing with other uses in the same building or on the same site at selected locations to capitalize on the advantages of close-in living. (CC.H 1.1)

The proposal allows the preservation of an existing structure within the Southside Park Historic District to continue to be used as a mixed-use building. The proposed project will enhance the quality and vitality of the neighborhood.

**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 Section 15301, Existing Structures. The project consists of the rezone of a parcel that would allow three additional residential units and the re-establishment of a commercial use. There will be no increase to the size of the existing structures and negligible or no expansion of use. No unusual circumstances are present that

could lead to a significant effect, and cumulative effects have been evaluated in the Master environmental impact report (EIR) certified in connection with the adoption of the 2030 General Plan.

**Commission/Committee Action:** On March 13, 2014, the requested entitlements were heard by the Planning and Design Commission. There was one member of the public who spoke on concerns related to parking. Additionally, staff presented a packet of public comments with comments mainly related to parking and project density. One of the letters was submitted by a neighboring property owner who presented additional concerns such as noise from new air conditioner units and privacy concerns. With a unanimous vote (13:0), the Planning and Design Commission voted to forward the requested entitlements to the City Council with a recommendation for approval with a recommended condition to provide additional secured bicycle parking on the site.

**Rationale for Recommendation:** The 2031 3<sup>rd</sup> Street Rezone project has been reviewed objectively with consideration of General Plan and Community Plan policies, Zoning and Development Code development standards, comments received from public, and the proposed conditions of approval. Staff believes that the project meets policies and goals of the General Plan to provide a variety of housing types, densities, and designs; and a mix of uses and services that will be an asset to neighborhoods. Staff's recommendation of approval for the project was supported by the Planning and Design Commission who voted unanimously to forward the project to the City Council with a positive recommendation. Staff continues to support the project request based on the Findings of Fact and subject to the Conditions of Approval as found in the attached project resolution (Attachment 8)

**Financial Considerations:** The applicant is incurring all costs for the proposed 2031 3<sup>rd</sup> Street Rezone Project

**Local Business Enterprise:** Not applicable.

**Background Information:** The subject site is occupied by a pair of two story buildings. The larger building, 2031 3<sup>rd</sup> Street, is located at the corner of 3<sup>rd</sup> Street and U Street. It houses the former commercial space which has a corner entry. The ground floor has been historically used for both commercial and residential uses. The upper floor has been occupied by residential uses. The second building, 305 U Street, is located to the rear of the larger building. It is a smaller structure with a garage on the ground floor and residential space on the second floor. The smaller of the two buildings appears to be the oldest, built on the property around the early 20<sup>th</sup> century. The larger building was a later addition to the site. A records search in the City archives uncovered building permits showing the occurrence of both commercial and residential uses on this property; therefore, the building has historically been used as a mixed-use structure. The subject property is in the South Side Historic District, but is not listed as a landmark structure.

The subject structures currently contain three units. One of the units, the second floor unit above the garage, is currently undergoing a renovation. The commercial space has been vacant for some time. The requested Rezone is required to increase the number of units on site and will facilitate reestablishing the historic mixed-use development on the site.

**Public/Neighborhood Outreach and Comments:** Early project notices were sent to various community groups including the Southside Park Neighborhood Association, the Sacramento Old City Association, and Walk Sacramento and Public Hearing notifications were also sent to all property owners within 300 feet of the subject property. In response to these notices, staff received several letters from property owners and residents in the immediate vicinity. These letters were forwarded to the Planning Commission for consideration. The letters expressed concerns related to commercial uses, parking, housing density, and privacy.

*Privacy:* Related to privacy, staff heard from a neighboring resident that the proposed project would allow new ground floor units that would negatively impact the privacy of the adjacent property. The applicant plans to respond to this concern by constructing a solid wood fence between the two properties. Additionally, two of the ground floor units will be adjacent to the public streets and will provide opportunities for both passive and active surveillance of 3<sup>rd</sup> and U Streets.

*Commercial Uses:* Regarding commercial uses, the commercial space which had occupied as much as 1,500 square feet of the ground floor of the large building will be reduced to 300 square feet and has been designed to operate as a live/work studio. The C-2 zone allows a number of uses by right such as retail, office, and commercial services. Staff does not believe that the space is viable for a use that will have a noticeable impact on the surrounding properties. Furthermore, uses such as a stand-alone liquor store, for example, would require a Conditional Use Permit and any expansion of the site would require Site Plan and Design Review.

*Parking:* A number of the comments submitted to staff indicated that parking in the area is impacted and the proposed Rezone and resulting units would exacerbate existing parking problems. The project proposes three additional residential units and the re-establishment of a commercial use. The Commercial use is exempt from parking regulations per section 17.608.020 (G) and (I) of the Planning and Development code (exemptions for nonresidential uses on small lots and in mixed-use development). The six residential units require six parking spaces. The applicant proposes to rehabilitate the interior garage spaces to provide three parking spaces on the project site. One commenter noted that the garage was too small to accommodate three vehicle spaces. The applicant intends to renovate the garage in order to provide three spaces that are 20 feet deep and nearly eight feet wide. This is roughly the size of a standard parking space.

The adjacent streets are posted 1-hour parking except for those with a valid residential permit. Staff has been to the site on several occasions at different times of the day. T Street has been observed to have more cars parked on the street, but there generally has been adequate on-street parking. The parking on 3<sup>rd</sup> street appears to be less impacted, with staff noticing more parking available on 3<sup>rd</sup> street within the vicinity of the project.

The applicant is waiving the remaining three required spaces through an Administrative Parking Permit which allows on-street parking spaces adjacent to the subject site to count towards required parking. Planning staff has surveyed the site and has confirmed that the property has adequate frontage to accommodate three on-street parking spaces. Additionally, the applicant accepted a condition proposed by the Planning and Design Commission to provide two additional enclosed bicycle parking spaces.

The reconfiguration of the building interior will result in a reduction of commercial space and creation of a live/work unit. This will reduce the project's potential impact on parking in the neighborhood. Additionally, the project site is within close proximity to centers of employment and the property may appeal to potential residents who do not own a vehicle or do not use a vehicle on a daily basis.

*Density:* Staff heard concerns that the proposed rezone would allow densities beyond what is typical of the Southside Park neighborhood and would set precedent for future projects requesting higher densities. The project proposal results in six dwelling units on 0.07 acres. The resulting density is 82 dwelling units per acre. While this is density is higher than that of the immediate neighborhood, the Commission felt that the resulting density was appropriate as the project would only add three dwelling units at the edge of the neighborhood. The Commission did not believe that recommending approval for the project would set a precedent for higher density as each project is considered on its own merits and the Commission's decision was based on re-establishing the mixed-use nature of the building and providing additional dwelling units through internal modifications to existing buildings.

## **Project Design:**

### **Rezone**

The project proposes to rezone a 0.07-acre parcel from Multi-Family (R-3A) Zone to the General Commercial (C-2) Zone. The C-2 zone would be consistent with the existing C-2 zoned properties on the west side of 3<sup>rd</sup> street opposite the project site. Mixed-use projects in the C-2 zone must comply with the maximum 1.5 FAR established by the General Plan. This project is consistent with those requirements. The C-2 zone permits a range of commercial uses but still requires a Conditional Use Permit for uses that have a potential to negatively affect neighboring properties such as a drive-through or auto sales. Furthermore, the project is in the South Side Historic District and any significant changes to the existing building would require preservation review.

The existing two-story buildings on the site contain three residential units. Two units are in the larger corner building with the third unit in the building to the rear. A total of two units are legally allowed on this site within the R-3A zone based on the minimum land area of 1,200 square feet per unit for the zone. Therefore, the third unit has been nonconforming for many years. The ground floor commercial was also nonconforming, since the R-3A zone does not allow commercial uses. Nonconforming uses may not be discontinued for more than one year or the nonconforming status expires. Since the commercial uses have been discontinued for more than one year, it is determined that commercial is no longer a legal use on the site.

Rezoning the property to C-2 will allow the three additional units and allow re-establishment of the prior commercial use. The Rezone is consistent with the following findings:

1. The rezone is consistent with the general plan land use designation of Traditional Neighborhood Medium Density, use, and development standards; the goals, policies, and other provisions of the general plan; and the Central City Community Plan; and
2. The rezone promotes the public health, safety, convenience, and welfare of the city by providing additional residential opportunities without significant impacts to the surrounding land uses.

Staff believes that a C-2 zoned property at this location will be compatible with the adjacent neighborhood since there are existing multi-family residential uses and neighborhood-serving commercial uses nearby. The proposed uses are consistent with the General Plan Designation and the Central City Community Plan.

## Site and Building Design

The current site includes a vacant commercial space and three residential units. The commercial space is on the ground floor of the larger building. The proposed changes all occur within the existing building. No new floor area is being added. The new building design reduces the commercial space to a size that will be viable as a live/work space. The unit count will increase, but the units will be smaller and will include studio and single-bedroom options. Additionally, two of the ground floor units will be adjacent to the public streets that will provide opportunities for both passive and active surveillance of 3<sup>rd</sup> and U Streets.

Access and Circulation: The subject site is located at the northeast corner of 3<sup>rd</sup> Street and U Street. Both streets allow two-way traffic and on-street parking is allowed on both sides of each street. Existing sidewalk and curb are found on both frontages. The smaller building to the rear contains three garage spaces with access via a short driveway on U Street.

Parking Requirement: The site is located in the Traditional Parking District. This district requires one parking space per dwelling unit and one parking space for every 500 square feet of commercial/retail use. There are exceptions to the parking requirement for non-residential uses on lots less than 6,400 square feet and non-residential uses that are part of a residential mixed use project. The applicant proposes to rehabilitate the existing garage to accommodate three garage spaces on the project site. Three additional parking spaces are required for the three new units and to re-establish the commercial use.

<b>Use</b>	<b>Required Parking – Traditional District</b>	<b>Proposed Parking</b>	<b>Difference</b>
Multi-Unit Residential	6	3	3
Retail/Commercial	0	0	0
<b>Total</b>	6	3	3

Staff reviewed the parking requirements for the project and determined that the project was eligible for a staff level Administrative Parking Permit. The Administrative Parking Permit allows the utilization of on-street parking to fulfill the parking requirements. Both 3<sup>rd</sup> Street and U Street adjacent to the project site are posted 1 hour parking except for those with a valid residential parking permit. Staff reviewed the Administrative Parking Permit (IR14-033) and determined that there are four available on-street parking spaces adjacent to the subject site. These spaces exceed the number required to meet the parking requirements.

Height, Bulk and Setbacks: The existing building is non-conforming to current zoning regulations for lot coverage, interior side, street side and rear yard setbacks for multi-family dwellings. Since the project is not proposing any changes to the lot coverage, setback and height, it does not require the approval of entitlements to deviate from the subject development standards.

Open Space Requirement: The Planning and Development Code requires 100 square feet of open space per unit for new multi-unit dwellings. This requirement would apply to the three additional units proposed. The current building only has 60 square feet of private open space in the form of a covered porch. The applicant is unable to alter the building to accommodate the 300 square feet of required open space and is requesting Site Plan and Design Review for a deviation to the Planning and Development code to waive this requirement.

It is not unusual for multi-family units in the area to have no private or common open space and be built out to the property lines. Enforcing the requirement to provide the required open space would necessitate major modifications to the buildings. Such modifications could result in a building out of scale with the surrounding uses. Waiving this requirement does not negatively affect any of the surrounding properties. The Site Plan and Design Review is subject to the following findings:

1. The design, layout, and physical characteristics of the mixed-use project is consistent with the general plan; and
2. The design, layout, and physical characteristics of the mixed-use project is consistent with all applicable design guidelines and with all applicable development standards; and
3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the mixed-use project and comply with all applicable design guidelines and development standards; and
4. The design, layout, and physical characteristics of the residential units are visually and functionally compatible with the surrounding neighborhood; and
5. The design, layout, and physical characteristics of the residential units ensure energy consumption is minimized and use of renewable energy sources is encouraged; and
6. The design, layout, and physical characteristics of the residential units are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance.

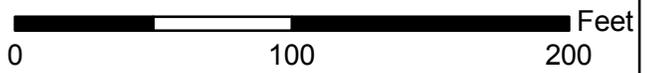
Building Design and Landscaping: The applicant is proposing to reconfigure the interior of the existing building to allow additional residential units and a commercial use. The applicant does not propose any exterior modifications with this application. All proposed

modifications will be interior. The existing commercial space will be reduced to approximately 300 square feet. The following table provides a breakdown of the proposed space.

<b>Table 3: Unit Count</b>			
	<b>Unit</b>	<b>Bedrooms</b>	<b>Area</b>
Building A – Larger Building	Commercial	n/a	291
	2	2	720
	3	Studio	390
	4	2	676
	5	2	673
Building B – Smaller Building	1	1	384
	6	2	735

**Preservation Review:** The subject site is located in the South Side Historic District. There are no exterior modifications proposed with this application. The applicant is requesting a Deviation from the Site Plan and Design Review development standards to avoid exterior modifications to the building. Should it be found that exterior modifications are needed to complete the interior building modifications, the modifications shall be subject to Preservation review.

**Recommendation:** The Commission voted unanimously to forward a recommendation of approval to the City Council for the requested entitlements based on the findings in Attachment 1. The project meets policies and goals of the General Plan to provide a variety of housing types, densities, and designs and a mix of uses and services that will be an asset to the neighborhood.



# P13-058 2031 3rd Street Rezone Land Use Map



**CITY OF SACRAMENTO PLANNING AND DESIGN COMMISSION  
RECORD OF DECISION**

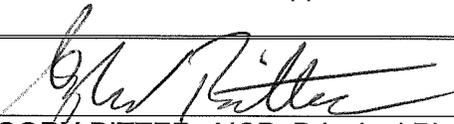
300 Richards Boulevard, Sacramento, CA 95811

Project Name:	2031 3 <sup>rd</sup> Street Rezone		
Project Number:	P13-058		
Project Location:	2031 3 <sup>rd</sup> Street		
Assessor's Parcel No.:	009-0111-018		
Applicant:	Darryl Chinn, Darryl Chinn Architects. 2612 J Street #2, Sacramento, CA 95816		
Action Status:	Forwarded to City Council with Recommendation for Approval	Action Date:	March 14, 2014

**REQUESTED ENTITLEMENT(S):** **Item A: Environmental Determination:** Exempt per CEQA Guidelines Section 15301 (Existing Facilities); **Item B: Rezone** of approximately 0.07 acres from Multi-Unit (R-3A) zone to the General Commercial (C-2) zone; **Item C: Site Plan and Design Review** for deviations to the outdoor open space standards for residential units.

**ACTIONS TAKEN:** On March 13, 2014 the Planning and Design Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval: Forwarded to City Council with Recommendation for Approval entitlements A through C.

Action certified by:

  
GREGORY BITTER, AICP, Principal Planner

Sent to Applicant: March 14, 2014

By:

  
ANTONIO ABLOG, Associate Planner

**NOTICE OF PROTEST RIGHTS**

The above conditions include the imposition of fees, dedications, reservations, or other exactions. Pursuant to California Government Code section 66020, this Notice of Decision serves as written notice to the project applicant of (1) the amount of any fees and a description of any dedications, reservations, or exactions imposed, and (2) that the applicant may file a protest against the imposition of those fees, dedications, reservations, or other exactions within 90 days of the date of this approval, which is deemed to be the date that the fees, dedications, reservations, or other exactions are imposed. If the payment of a fee is imposed as a condition of approval, but the amount of the fee is not stated in this Notice of Decision and is not otherwise available to the applicant on a fee schedule or otherwise, the 90 days protest period will begin to run when the applicant is notified of the amount of the fee.

For purposes of this notice, the following fees are deemed to be imposed upon approval of the first discretionary

For purposes of this notice, the following fees are deemed to be imposed upon approval of the first discretionary entitlement for the subject development project and are subject to the protest procedures set forth in Title 18 of the Sacramento City Code as indicated: North Natomas Public Facilities Fee, Transit Fee, and Drainage Fee (SCC 18.24.160); North Natomas Land Acquisition Fee (SCC 18.24.340); North Natomas School Facilities Fee (SCC18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC18.28.150); Willow Creek Project Area Development Fee (SCC 18.32.150); Development Impact Fees for the Railyards, Richards Boulevard, and Downtown Areas (SCC 18.36.150); Habitat Conservation Fee for the North and South Natomas Community Plan Areas (18.40.090); and Park Development Impact Fee (18.44.140).

The time within which to challenge a condition of approval of a tentative subdivision map, including the imposition of fees, dedication, reservation, or other exaction, is governed by Government Code section 66499.37

#### **EXPIRATION**

**TENTATIVE MAP:** Failure to record a final map within three years of the date of approval or conditional approval of a tentative map shall terminate all proceedings.

**SPECIAL PERMIT:** A use for which a Special Permit is granted must be established within three years after such permit is issued. If such use is not so established, the Special Permit shall be deemed to have expired.

**VARIANCE:** Any variance involving an action which requires a building permit shall expire at the end of three years unless a building permit is obtained within the variance term.

**PLAN REVIEW:** Any plan review shall expire at the end of three years unless a building permit is obtained within the plan review term.

**NOTE:** Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezoning, special permits and variances.

#### **APPEALS**

Appeals of the Planning And Design Commission decision of this item to the City Council must be filed at 300 Richards Boulevard, 3rd Floor, within 10 calendar days of this meeting, on or before March 24, 2013. If the 10<sup>th</sup> day falls on a Sunday or holiday, the appeal may be filed on the following business day.

### **Findings of Fact 2031 3<sup>rd</sup> Street Rezone (P13-058) 2031 3<sup>rd</sup> Street, Sacramento, CA 95818**

- A. The Planning and Design Commission has reviewed and considered the information contained in the **CEQA Exemption** in making the recommendations set forth in Attachment 1.
- B. The Planning and Design Commission recommends approval and forwards to the City Council the **Rezoning** for the Project as set forth in Attachment 2.
- C. The Planning and Design Commission recommends approval and forwards to the City Council the **Site Plan and Design Review** for deviations to the outdoor open space standards for residential units as set forth in Attachment 3.

**Attachment 1: Exemption – Findings – Draft Resolution**

**RESOLUTION NO.**

Adopted by the Sacramento City Council

**DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (P13-058)**

**BACKGROUND**

A. On March 13, 2014 the City Planning Commission conducted a public hearing on, and forwarded to the City Council, a recommendation to approve the 2031 3<sup>rd</sup> Street Rezone.

B. On \_\_\_\_\_, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.030 (A) and (B) (publication, posting, and mail (300 feet)), and received and considered evidence concerning the 2031 3<sup>rd</sup> Street Rezone 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, Existing Facilities, of the California Environmental Quality Act Guidelines as follows:

The project consists of the rezone of a parcel with an existing building. The rezone will allow three additional residential units and the re-establishment of a previous commercial use with no expansion of the existing building.

**Attachment 2: Rezone – Draft Ordinance**

**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 MULTI-FAMILY (R-3A) ZONE TO GENERAL COMMERCIAL (C-2) ZONE (2031 3<sup>RD</sup> STREET) (P13-058) (APN: 009-0111-018)**

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

Section 1. Title 17 of the Sacramento City Code (the Planning and Development Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known, and referred to as 2031 3rd Street (APN: 009-0111-018) and consisting of 0.07 acres, from Multi-Family (R-3A) zone To General Commercial (C-2) zone.

Section 2. Rezoning of the property shown in the attached exhibit, by the adoption of this Ordinance, will be considered to be in compliance with the requirements for the rezoning of property described in the Planning and Development Code, as amended, as those procedures have been affected by recent court decisions.

Section 3. Rezoning of the property shown in the attached exhibit, by the adoption of this Ordinance is consistent with the following findings of fact:

1. The rezoning or is consistent with the general plan land use designation of Traditional Neighborhood Medium Density, use, and development standards; the goals, policies, and other provisions of the general plan; and the Central City Community Plan; and
2. The rezone promotes the public health, safety, convenience, and welfare of the city by providing additional residential opportunities without significant impacts to the surrounding land uses. Rezoning the subject property to the C-2 Zone will be compatible with the adjacent neighborhood as there are existing multi-family residential uses and neighborhood-serving commercial uses nearby. The proposed uses are consistent with the General Plan Designation and the Central City Community Plan.

Section 3. The City Clerk of the City of Sacramento is directed to amend the official zoning maps, which are part of the Planning and Development Code, to conform to the provisions of this Ordinance.

**Exhibit A: Rezone**

**Proposed**



APN: 009-0111-018  
Area: 0.07 Acres  
Proposed Zone: C-2

**Existing**



APN: 009-0111-018  
Area: 0.07 Acres  
Existing Zone: R-3A

**2031 3<sup>rd</sup> Street Rezone**

**Attachment 3: Draft Project Resolution**

**RESOLUTION NO.**

Adopted by the Sacramento City Council

**ADOPTING FINDINGS OF FACT AND APPROVING THE 3<sup>RD</sup> STREET  
REZONE PROJECT'S SITE PLAN AND DESIGN REVIEW TO DEVIATE  
FROM THE MULTI FAMILY OPEN SPACE REQUIREMENTS 2031 3<sup>RD</sup>  
STREET) (P13-058) (APN: 009-0111-018)**

**BACKGROUND**

A. On March 13, 2014 the City Planning and Design Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the 3<sup>rd</sup> Street Rezone Project.

B. On, , \_\_\_\_ the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.030 (A) and (B) (publication, posting, and mail (300 feet)), and received and considered evidence concerning the 3<sup>rd</sup> Street Rezone Project.

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

Section 1. Based on the verbal and documentary evidence received at the hearing on the 3<sup>rd</sup> Street Rezone Project, the City Council approves the Project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council approves the Project entitlements based on the following findings of fact:

**A. Environmental Determination:** The Project is exempt from review under Section 15301, Existing Facilities, of the California Environmental Quality Act Guidelines.

**B. Site Plan and Design Review:** The Site Plan and Design Review for deviations to the outdoor open space standards for residential units approved based on the following Findings of Fact:

1. The design, layout, and physical characteristics of the mixed use project is consistent with the general plan; and

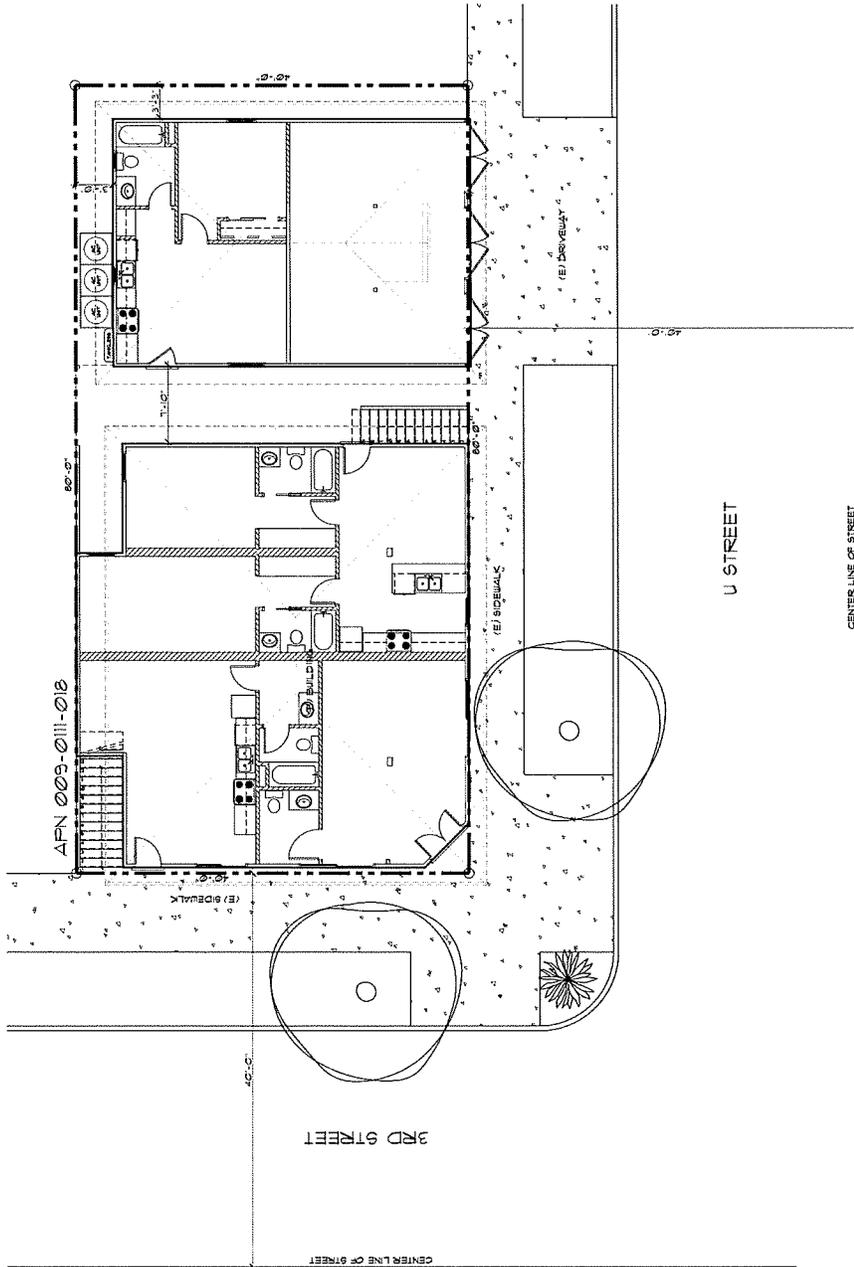
2. The design, layout, and physical characteristics of the mixed use project is consistent with all applicable design guidelines and with all applicable development standards; and
3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the mixed use project and comply with all applicable design guidelines and development standards; and
4. The design, layout, and physical characteristics of the residential units are visually and functionally compatible with the surrounding neighborhood; and
5. The design, layout, and physical characteristics of the residential units ensure energy consumption is minimized and use of renewable energy sources is encouraged; and
6. The design, layout, and physical characteristics of the residential units are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation a nuisance as there are other properties in the immediate area that have no private or common open space and are built out to the property lines. Furthermore, waiving this requirement does not negatively affect any of the surrounding properties.

Section 3. The City Council approves the Project entitlements subject to the following conditions of approval:

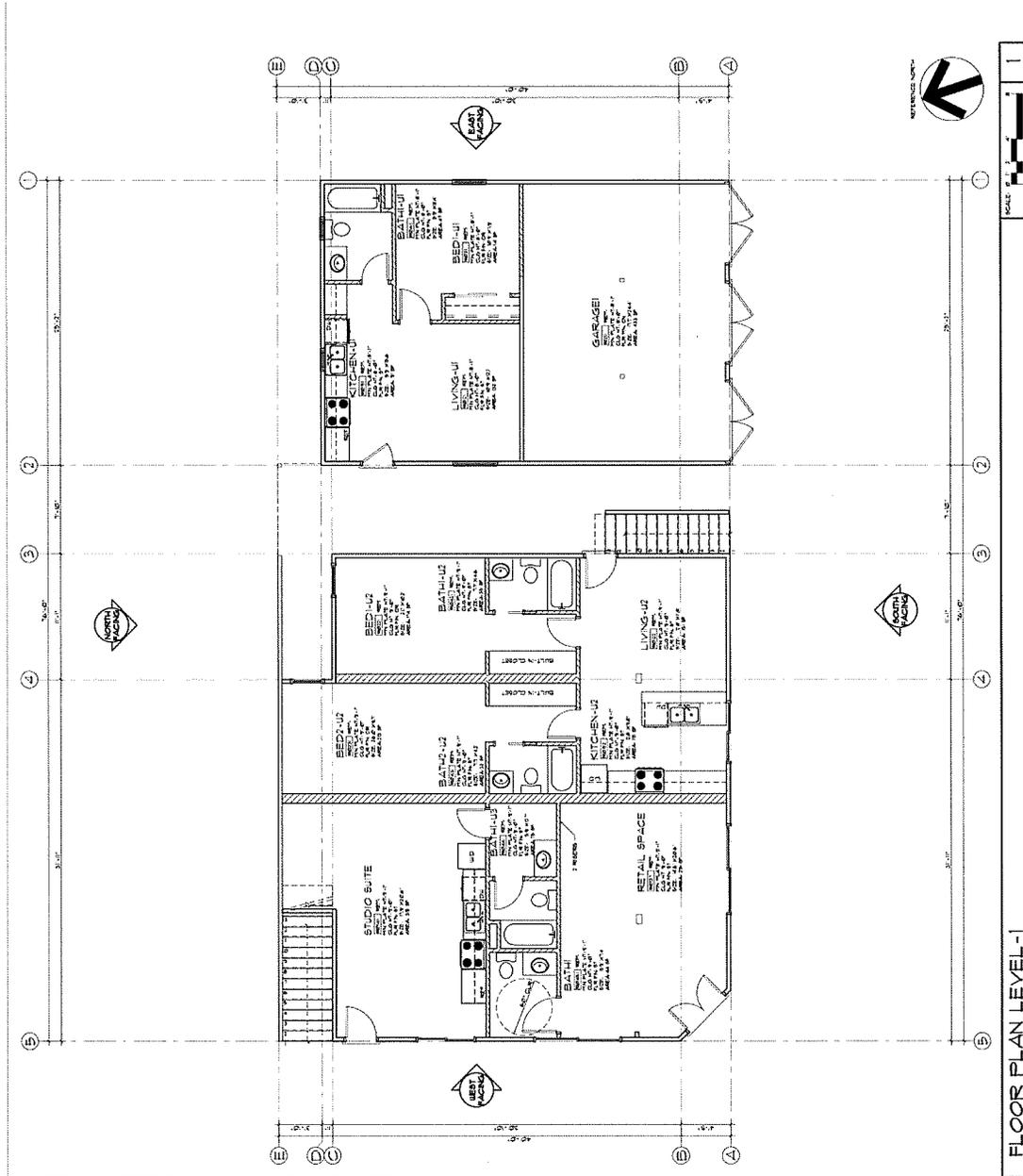
### **Planning**

- B1. The building footprint and elevations shall be in conformance with the attached plans, except as conditioned. Any modifications in the design, materials, or colors from this approval shall be submitted to the Current Planning Division for review and determination for further actions.
- B2. The applicant shall provide a minimum of two on-site, long-term bicycle parking spaces in the form of bicycle lockers or other enclosed storage.
- B3. The applicant shall obtain all necessary building permits prior to commencement of construction; any modification to the project shall be subject to review and approval by Planning staff (and may require additional entitlements) prior to the issuance of building permits.

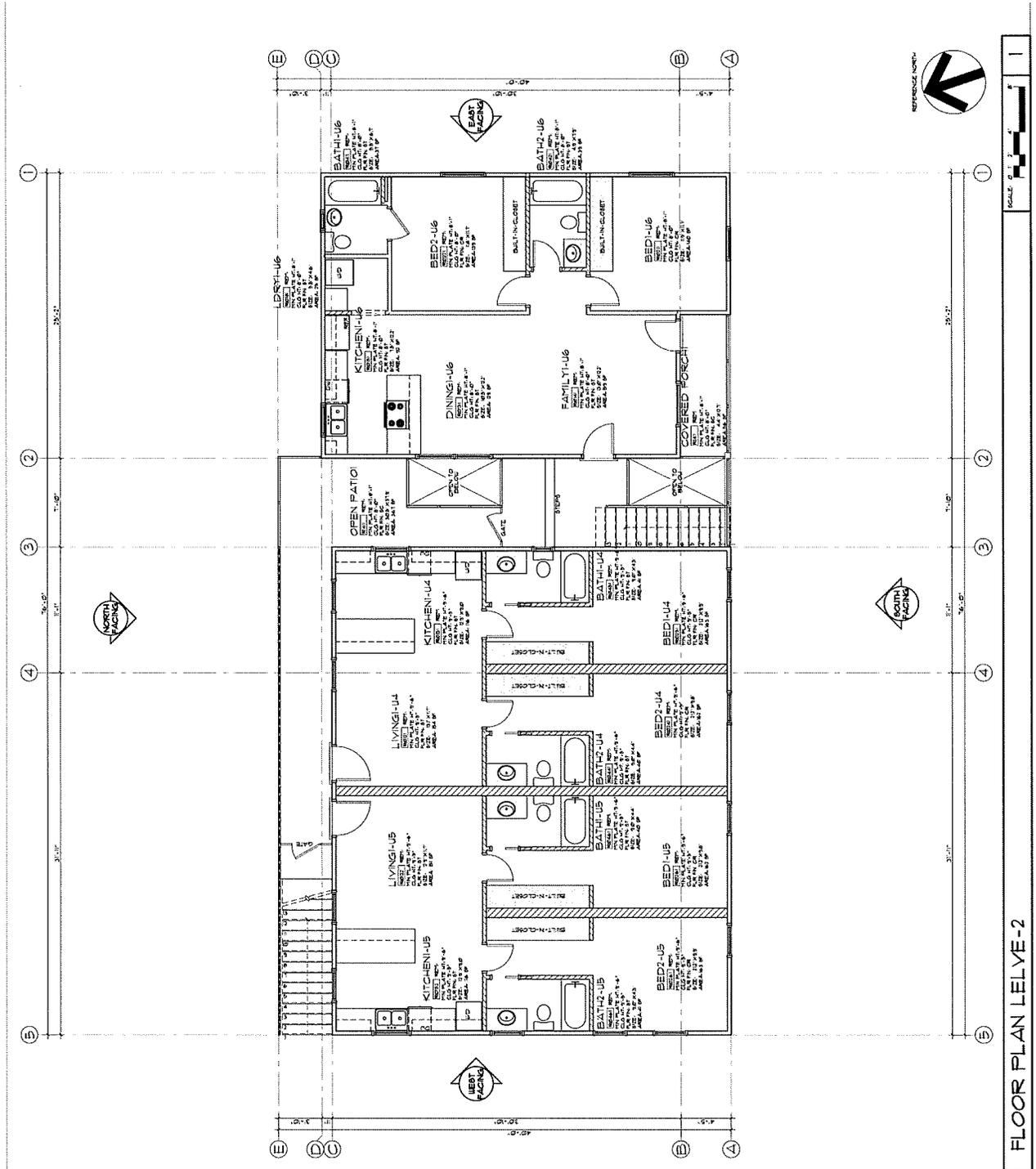
Exhibit A – Site Plan



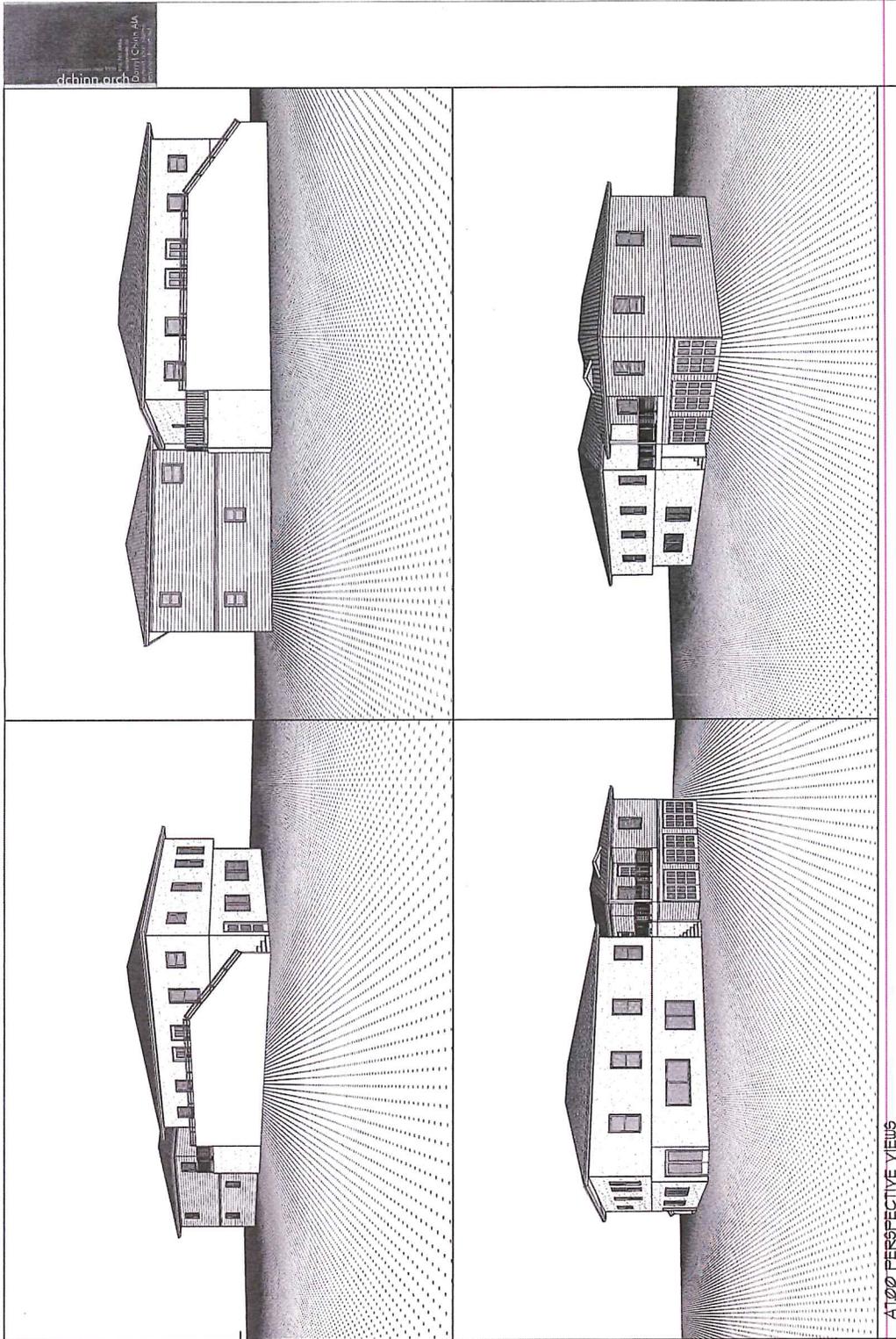
# Exhibit B – Proposed Floor Plan 1<sup>st</sup> Floor



# Exhibit C – Proposed Floor plan 2<sup>nd</sup> Floor



# Exhibit D – Perspective Views



## **RESOLUTION NO.**

Adopted by the Sacramento City Council

### **DETERMINING THE 2031 3<sup>RD</sup> STREET REZONE PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (P13-058)**

#### **BACKGROUND**

- A. On March 13, 2014 the City Planning Commission conducted a public hearing on, and forwarded to the City Council, a recommendation to approve the 2031 3<sup>rd</sup> Street Rezone.
- B. On May 27, 2014 the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.030 (A) and (B) (publication, posting, and mail (300 feet)), and received and considered evidence concerning the 2031 3<sup>rd</sup> Street Rezone 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, Existing Facilities, of the California Environmental Quality Act Guidelines as follows:

- A. The project consists of the rezone of a single parcel with existing buildings. The rezone will allow three additional residential units and the re-establishment of a previous commercial use with no expansion of the existing building.
- B. There are no unusual circumstances that could result in a significant effect.
- C. Any cumulative effects that could result from the action have been identified and evaluated in the Master environmental impact report (EIR) certified in connection with adoption of the 2030 General Plan.

## 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 MULTI-FAMILY (R-3A) ZONE TO GENERAL COMMERCIAL (C-2) ZONE (P13-058)  
(2031 3<sup>RD</sup> STREET) (APN: 009-0111-018)**

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

Section 1. Title 17 of the Sacramento City Code (the Planning and Development Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known, and referred to as 2031 3rd Street (APN: 009-0111-018) and consisting of 0.07 acres, from Multi-Family (R-3A) zone To General Commercial (C-2) zone.

Section 2. Rezoning of the property shown in the attached exhibit, by the adoption of this Ordinance, will be considered to be in compliance with the requirements for the rezoning of property described in the Planning and Development Code, as amended, as those procedures have been affected by recent court decisions.

Section 3. Rezoning of the property shown in the attached exhibit, by the adoption of this Ordinance is consistent with the following findings of fact:

1. The rezoning or is consistent with the general plan land use designation of Traditional Neighborhood Medium Density, use, and development standards; the goals, policies, and other provisions of the general plan; and the Central City Community Plan; and
2. The rezone promotes the public health, safety, convenience, and welfare of the city by providing additional residential opportunities without significant impacts to the surrounding land uses. Rezoning the subject property to the C-2 Zone will be compatible with the adjacent neighborhood as there are existing multi-family residential uses and neighborhood-serving commercial uses nearby. The proposed uses are consistent with the General Plan Designation and the Central City Community Plan.

Section 3. The City Clerk of the City of Sacramento is directed to amend the official zoning maps, which are part of the Planning and Development Code, to conform to the provisions of this Ordinance.

**Existing**



APN: 009-0111-018  
Area: 0.07 Acres  
Existing Zone: R-3A

**Proposed**



APN: 009-0111-018  
Area: 0.07 Acres  
Proposed Zone: C-2

2031 3<sup>rd</sup> Street Rezone

## RESOLUTION NO.

Adopted by the Sacramento City Council

**ADOPTING FINDINGS OF FACT AND APPROVING THE 3<sup>RD</sup> STREET  
REZONE PROJECT'S SITE PLAN AND DESIGN REVIEW TO DEVIATE  
FROM THE MULTI-FAMILY OPEN SPACE REQUIREMENTS  
(P13-058)  
(2031 3<sup>RD</sup> STREET)(APN: 009-0111-018)**

### BACKGROUND

A. On March 13, 2014 the City Planning and Design Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the 3<sup>rd</sup> Street Rezone Project.

B. On May 27, 2014 the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.030 (A) and (B) (publication, posting, and mail (300 feet)), and received and considered evidence concerning the 3<sup>rd</sup> Street Rezone Project.

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

Section 1. Based on the verbal and documentary evidence received at the hearing on the 3<sup>rd</sup> Street Rezone Project, the City Council approves the Project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council approves the Project entitlements based on the following findings of fact:

- A. Environmental Determination:** The Project is exempt from review under Section 15301, Existing Facilities, of the California Environmental Quality Act Guidelines.
- B. Site Plan and Design Review:** The Site Plan and Design Review for deviations to the outdoor open space standards for residential units approved based on the following Findings of Fact:
  - 1. The design, layout, and physical characteristics of the mixed-use project is consistent with the general plan; and

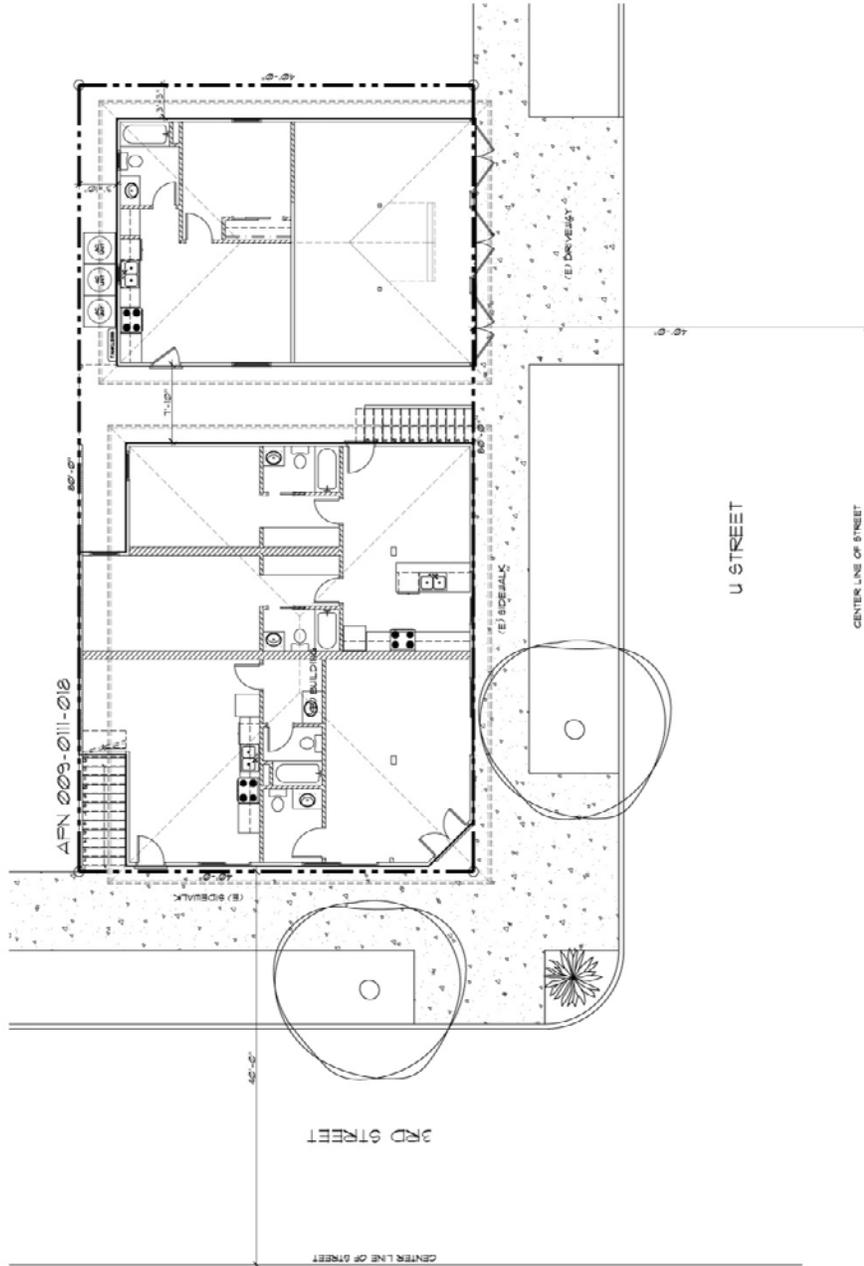
2. The design, layout, and physical characteristics of the mixed-use project is consistent with all applicable design guidelines and with all applicable development standards; and
3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the mixed-use project and comply with all applicable design guidelines and development standards; and
4. The design, layout, and physical characteristics of the residential units are visually and functionally compatible with the surrounding neighborhood; and
5. The design, layout, and physical characteristics of the residential units ensure energy consumption is minimized and use of renewable energy sources is encouraged; and
6. The design, layout, and physical characteristics of the residential units are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation a nuisance as there are other properties in the immediate area that have no private or common open space and are built out to the property lines. Furthermore, waiving this requirement does not negatively affect any of the surrounding properties.

Section 3. The City Council approves the Project entitlements subject to the following conditions of approval:

### **Planning**

- B1. The building footprint and elevations shall be in conformance with the attached plans, except as conditioned. Any modifications in the design, materials, or colors from this approval shall be submitted to the Current Planning Division for review and determination for further actions.
- B2. The applicant shall provide a minimum of two on-site, long-term bicycle parking spaces in the form of bicycle lockers or other enclosed storage.
- B3. The applicant shall obtain all necessary building permits prior to commencement of construction; any modification to the project shall be subject to review and approval by Planning staff (and may require additional entitlements) prior to the issuance of building permits.

# Exhibit A – Site Plan



### Exhibit B – Proposed Floor Plan 1<sup>st</sup> Floor

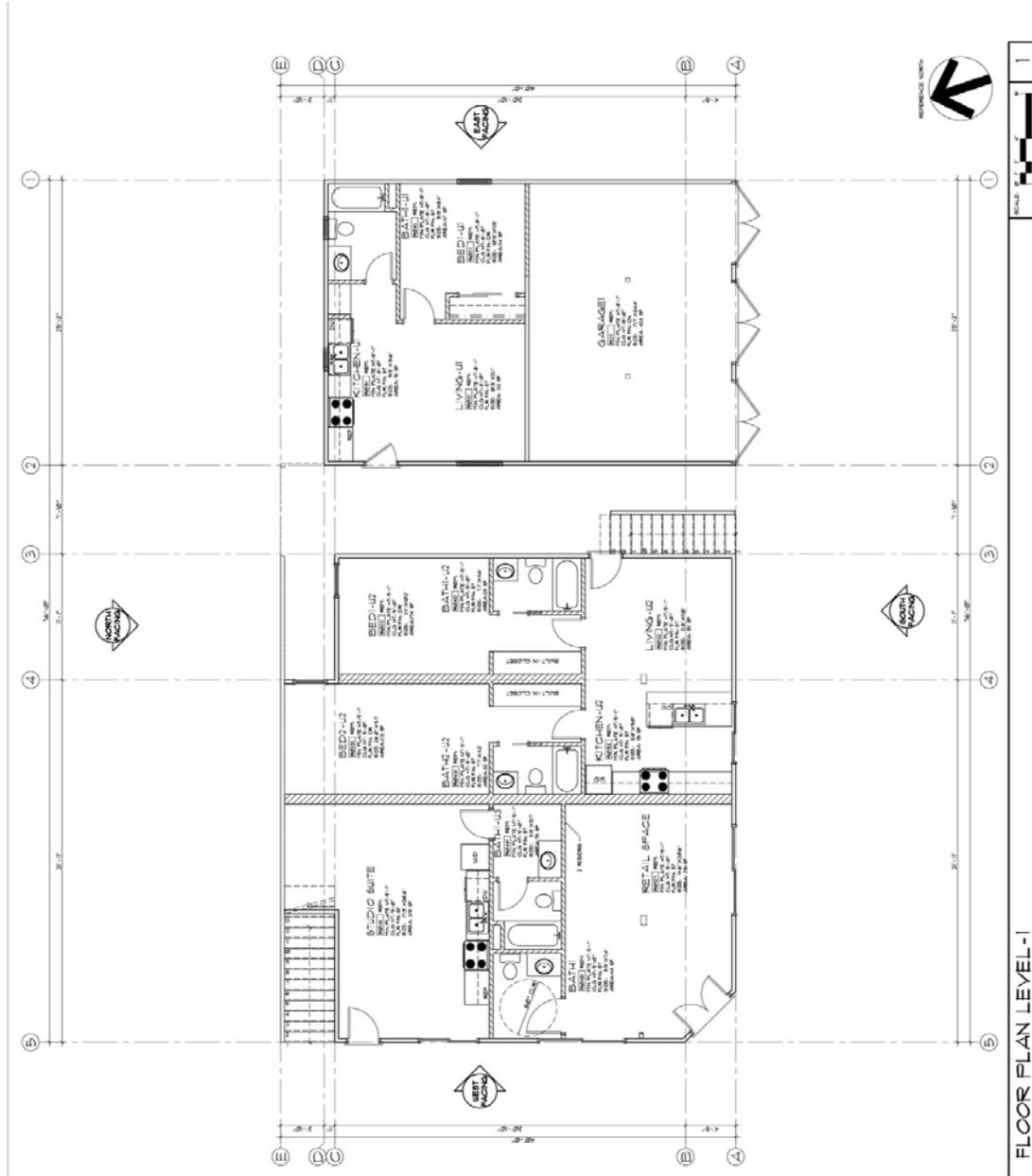
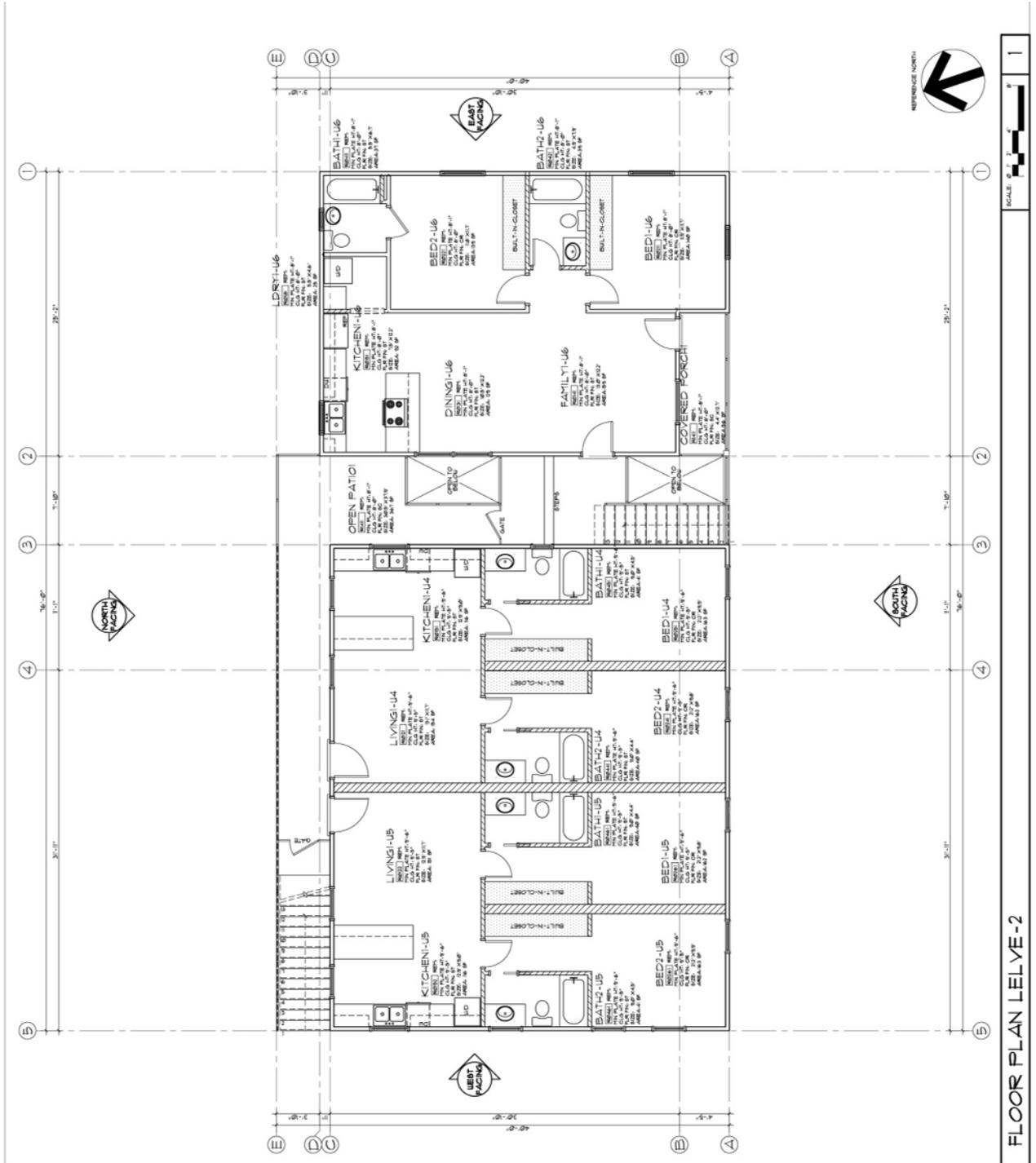


Exhibit C – Proposed Floor plan 2<sup>nd</sup> Floor



FLOOR PLAN LELVE -2



rhino arch  
ARCHITECTURE  
Daryl Chiu AIA  
ARCHITECTURE  
PHOTOGRAPHY

Exhibit D – Perspective Views

## Antonio Ablog

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**From:** Gregory Bitter  
**Sent:** Thursday, March 13, 2014 1:51 PM  
**To:** Antonio Ablog; Stacia Cosgrove  
**Cc:** David Kwong; Roberta Deering  
**Subject:** FW: PDC tonite: P13-058 2031 3rd Street Rezone

FYI

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**From:** Kiyomi Burchill [mailto:burchillcitypc@gmail.com]  
**Sent:** Thursday, March 13, 2014 1:49 PM  
**To:** Gregory Bitter  
**Subject:** Fwd: PDC tonite: P13-058 2031 3rd Street Rezone

FYI

**Kiyomi Burchill**  
Chair, City of Sacramento Planning and Design Commission  
[burchillcitypc@gmail.com](mailto:burchillcitypc@gmail.com)

Begin forwarded message:

**From:** Paul Trudeau <[joezbro@gmail.com](mailto:joezbro@gmail.com)>  
**Date:** March 13, 2014, 12:20:53 PM PDT  
**To:** [burchillcitypc@gmail.com](mailto:burchillcitypc@gmail.com), [ed@loftgardens.com](mailto:ed@loftgardens.com), [dcovill@cbnorcal.com](mailto:dcovill@cbnorcal.com),  
[sacplanning\\_declines@me.com](mailto:sacplanning_declines@me.com), [pharveycitypc@aol.com](mailto:pharveycitypc@aol.com), [todd.s.kaufman@gmail.com](mailto:todd.s.kaufman@gmail.com),  
[othermeeta@gmail.com](mailto:othermeeta@gmail.com), [ALofaso@sbcglobal.net](mailto:ALofaso@sbcglobal.net), [kimjoanmc@att.net](mailto:kimjoanmc@att.net),  
[phyllis@phyllisnewton.com](mailto:phyllis@phyllisnewton.com), [dnybo@wateridge.net](mailto:dnybo@wateridge.net), [jparrinello08@comcast.net](mailto:jparrinello08@comcast.net), [tr5753@att.com](mailto:tr5753@att.com)  
**Cc:** "spna2003@yahooogroups.com" <[spna2003@yahooogroups.com](mailto:spna2003@yahooogroups.com)>, Joe hensler  
<[joe.hensler@gmail.com](mailto:joe.hensler@gmail.com)>, Darryl Chinn <[dchinnarch@att.net](mailto:dchinnarch@att.net)>  
**Subject:** re: PDC tonite: P13-058 2031 3rd Street Rezone

Date: March 13, 2014

To: Members of the Planning and Design Commission

Re: tonight's agenda item 4. **P13-058 2031 3rd Street Rezone (Noticed on 02-28-14)**

**Location:** 2031 3rd Street, 009-0111-018-0000, District 4

**(OPPOSE)**

I am a long-time board member and past president of Southside Park Neighborhood Association. I live about 1.7 blocks from 2031 U Street. **I strongly support the concept of promoting infill development in order to promote a healthy community in the central city and to reduce sprawl.** I have supported many projects in our neighborhood over the years based on this principle, including new alley units, lot splits to add more dwelling units, two new homes on a lot where there was once only one, etc. Some of these projects I supported in the face of significant opposition from other neighbors.

The project at 2031 U Street is different, however, in that it would require rezoning the parcel to allow more than double the current maximum allowed dwelling units per acre.\* None of the projects I allude to above required that kind of rezoning. I am concerned that **if we allow this rezone, it will set a precedent for other developments here and cumulatively will change the fundamental character of our neighborhood, for the worse.** Already there is a concurrent proposed project nearby (515 T Street) asking for a similar rezone in order to put a high-density apartment complex in the middle of what was a row of historic two-story wood frame houses.

There are a number of vacant or partly vacant parcels in our neighborhood that are candidates for more infill development as currently zoned, and I would support such projects.

I was at the October meeting where the applicant initially presented the 2031 U project. I see that the staff report says:

“The applicant has noted to staff that he has presented the proposal to the Southside Park Neighborhood Association. They had no issues with the proposal.”

That is not an entirely accurate statement. SPNA’s extensive minutes from that meeting conclude, “No action taken on behalf of SPNA at this point.”, which is not the same as saying we have no issues with the proposal. **Opinion on the project at that meeting was divided and remains so.**

I was also present last night at SPNA’s meeting where we discussed the project again in light of emerging near-neighbor concerns. Opinion on the project remains divided, as reflected in a vote last night regarding the project: 50% approved, 50% opposed, with one abstention.

While we appreciate and want to encourage the applicant’s investment in our neighborhood, my strong opinion is **the project should only go forward if its density is kept within the limits of the current zoning.\***

Thank you for your consideration and for your service on the commission. Family obligations preclude my attending in person tonite.

Paul Trudeau

[joezbro@gmail.com](mailto:joezbro@gmail.com)

(916) 533-5268

\*Previously, the applicant for 2031 U sought R-4A zoning. I see that the application is now for C-2 zoning. Southside Park neighborhood is mostly R-3A and R-1B, with a smattering of other zones. **No other residential parcel in our neighborhood is zoned more densely than R-3A except one parcel zoned R-5 long ago.** There is a fair amount of C-2-NC and one parcel of pure C-2. Multi-unit dwellings are a permitted use for C-2, but as far as I can tell, no particular density is specified. In any event, **the proposed density for this project is 82 dwelling units per acre, which is more than double the 36 dwelling units per acre maximum under current R-3A zoning.**

2

## Antonio Ablog

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**From:** Elaine Hebert <ehebert@igc.org>  
**Sent:** Thursday, March 13, 2014 2:15 PM  
**To:** Antonio Ablog  
**Cc:** Paul Trudeau  
**Subject:** Fwd: [spna2003] re: PDC tonite: P13-058 2031 3rd Street Rezone

Dear Antonio - I wanted to make sure that the letter (below) from my neighbor Paul Trudeau regarding his opposition to the rezoning of 2031 3rd Street got to you. I believe the rezoning issue is up for voting on the city's Planning and Design Commission this evening, and I believe Paul has written to the Commission members.

I too want to express my concern about this rezoning. I have not been inside the upstairs 4-bedroom apartment at 2031 3rd Street, but I did view the photos online when that property was for sale. It appeared to be a well-preserved and beautiful old-style apartment, with many of the charming period features that make this neighborhood and other older Sacramento neighborhoods special. To sub-divide that apartment into more units would likely destroy that old-style charm (though I admit I have not reviewed the remodeling plans closely to check on this). I know there are a lot of renters who value the 1900's-era apartments.

I am concerned about the precedent this re-zoning may set (as Paul is) - the density level is very high and, I think, NOT appropriate for this neighborhood just for the fact of being so much more dense than the surrounding properties. While I know the city wants to bring a lot more residents to the central city, this seems to be overkill for our neighborhood on the very edge of downtown.

One neighbor who lives adjacent to the parcel in question said that with just 3 apartments on the 2031 3rd Street property, she experienced a lot of noise from the 2031 3rd Street renters. She fears that with twice the number of apartments, the noise problem will be amplified.

As I've thought about this rezoning and conversed with neighbors about it, I have gone back and forth with feeling either against it or neutral. I now respectfully **oppose it**.

Thank you for your attention.

Elaine Hebert  
300 block of U Street  
[ehebert@igc.org](mailto:ehebert@igc.org)

Begin forwarded message:

**From:** Paul Trudeau <[joezbro@gmail.com](mailto:joezbro@gmail.com)>  
**Date:** March 13, 2014 12:20:53 PM PDT  
**To:** [burchillcitypc@gmail.com](mailto:burchillcitypc@gmail.com), [ed@loftgardens.com](mailto:ed@loftgardens.com), [dcovill@cbnorcal.com](mailto:dcovill@cbnorcal.com),  
[sacplanning\\_declines@me.com](mailto:sacplanning_declines@me.com), [pharveycitypc@aol.com](mailto:pharveycitypc@aol.com), [todd.s.kaufman@gmail.com](mailto:todd.s.kaufman@gmail.com),  
[othermeeta@gmail.com](mailto:othermeeta@gmail.com), [ALofaso@sbcglobal.net](mailto:ALofaso@sbcglobal.net), [kimjoanmc@att.net](mailto:kimjoanmc@att.net),  
[phyllis@phyllisnewton.com](mailto:phyllis@phyllisnewton.com), [dnybo@wateridge.net](mailto:dnybo@wateridge.net), [jparrinello08@comcast.net](mailto:jparrinello08@comcast.net),  
[tr5753@att.com](mailto:tr5753@att.com)

3

Attn: Community Development Department

March 13, 2014

Re: Proposed Rezone Project P13-058 at 2031 3<sup>rd</sup> St/305 U St.

From: Property owner & resident next door at 309 U St.

Stance: **Oppose**

As a property owner who resides directly next door to 2031 3rd St building, which is on the corner of 3rd and U St. in the Southside Park neighborhood, I am strongly opposed to the rezoning from R-3A to C-2 Commercial on the ground floor and adding 3 more units to the ground floor. When I purchased my single family home next door to this property I checked the city records and verified that it was zoned as residential, not commercial to my relief. This was the deciding factor to move forward with purchasing my home. **If it was zoned as commercial and had 6 units I would NOT have purchased my residence at 309 U St.**

As the board reviews this proposal I ask that the following concerns be reviewed, and considerations of the actual people residing in the neighborhood also be strongly considered and addressed. I oppose the rezone project for the following reasons.

1. Decrease in my property value. (Would you find it desirable to purchase a single family home next door to six renters and a commercial space?)
2. Increase in neighborhood noise, loitering, trash and debris directly in front of my home and in the surrounding area. How does this “enhance the quality and vitality of a neighborhood”?
3. **Storage of additional garbage and recycling containers** with a zero lot line. Currently containers are already unsightly and stored on the sidewalk and parking strip) where will six addition garbage and recycling containers be stored if 3 more units and a commercial space are added? Will these go in the already reduce required “open space requirement”? (The picture below is the current storage area, now six more will be added?)



Where will six more garbage & recycling containers be stored?

4. Rezoning to a C-2 "General Commercial Zone" next door to and within 500 feet of this property that is currently surrounded by various single family dwellings and surrounding 2-3 unit Victorians in a mid density neighborhood **will not serve as positive contribution of goods or services to the neighborhood at this particular location.** Please clarify how this contributes to public health as stated in your report?
  
5. The report to the planning commission indicates "that no exterior modifications will occur" in the Building Design & Landscaping section and Preservation Review section on Page 9. However the East side elevation of 305 U St. (the smaller building) in Exhibit D shows only one window on the ground level. There are currently two windows and a door on the east side elevation of the 305 U St. building as pictured below.
  
6. **Adding an addition apartment to the ground level of the 305 U St building with only 5 foot distance between properties and my bedroom on the side of my house is a direct noise nuisance to me the neighbor at 309 U St. (green house pictured on the right below). In addition the view from the ground floor windows of 305 U St will have a direct view into my bathroom and bedroom window. This infringes upon my personal privacy.**

East Side of 305 U St.



305 U St. ----> | <----- 309 U St ----> | <----- 305 U St. --> | <----- 309 U St -----> |  
 5 foot distance between 305 U St. & my bedroom windows pictured above.

7. In addition adding three A/C units in the rear of 305 U St. will also **create a noise nuisance to my second bedroom on the west side of my home**, as they will be located just 10 feet from the bedroom window. Please see Exhibit A – Site Plan on page 17 of the report to planning commission.

8. **Parking & Said Garage Spaces Provided:** Please look at the available parking at 6:30pm when residents of the neighborhood are arriving home from work. Checking in on this in the middle of the day is not an accurate assessment of available parking.

In the report to the planning commission it states that 3 existing garage spaces will be provided therefore only 3 will need to park on the street. However **the existing garage is too narrow to park three cars in side by side and allow clearance to open just one door. Each garage door actually measures 7'6" wide (90 inches), an average car with just one door open measures 7 feet wide.** Pictured below are the three garage doors and a car pulled up to the garage door to show scale. Realistically three cars cannot fit side by side and open their doors too.



This garage will provide 3 parking spots?



Tight squeeze for 3 cars side by side.

9. This is not the right location/neighborhood to support the cities 2030 general plan of a "vibrant economy". This is a quiet residential corner within the Southside park neighborhood, a community centered around a 17 acre community park, a 32,000 square feet community garden, numerous churches and places of worships. One building being converted to a commercial space in a very residential neighborhood will simply not support this or change an entire neighborhood for the positive. While it may seem like a good idea and investment on paper to a new landlord unfamiliar with the neighborhood who does not reside in the actual neighborhood, but in reality a business will not last in this unseen and quiet location.

**Although Southside park neighborhood is in downtown in general, if you take a closer look it's nothing like the high density downtown (central city area) or full of mixed use areas like midtown. It's very residential and quiet in comparison.**

As an informed resident of Sacramento I am well aware of the City of Sacramento's 2030 general plan for increasing mixed use in the central city, midtown, and other various high density neighborhoods. I support the growth in these busy high density areas, a new arena downtown, and the K St revitalization. Yes, I do support the improvement of the city and it's growth but this is not the right location that will create or sustain a "vibrant economy" within a quiet residential corner within the Southside park neighborhood. **The affect on the immediately surrounding neighborhood and actual neighbors creating an unlimited commercial space (zoned C-2) in a low to mid density, very residential area will not positively serve the neighborhood as a whole.**

Should the CDD decide to move forward despite neighborhood opposition I kindly ask that a limited commercial zone C-1 be strongly considered and advised.

"C-1 Limited Commercial Zone: This is a limited commercial zone which allows certain office, retail stores, and service establishments which are compatible with residential developments. This zone is intended to be applied to small parcels which are surrounded by a residential neighborhood. Any nonresidential development in the C-1 zone that requires a discretionary entitlement shall also be subject to review for consistency with the commercial corridor design principles adopted pursuant to Section 17.132.180 and as they may be amended from time to time."

Thank you,  
Heidi Stark  
Owner & Resident next door

**Antonio Ablog**

---

**From:** apressman43@aol.com  
**Sent:** Tuesday, March 11, 2014 4:24 PM  
**To:** Antonio Ablog  
**Subject:** Project # P13-058

The following objections for 2031 3 RD Street:

1. Going from 3 units to 6 units causes a parking problem. Each unit is 6 cars with only 3 assigned parking. But a lot of apartments have to people, therefore 2 cars. This causes a street parking problem.
2. Where will the commercial parking be? Or for there customers?
3. Where will the garbage cans be for the apartments? If there is 6 units, that is 6 garbage cans & 6 recycle cans.
4. No one parks on 3rd street because of the meters during the day.
5. When the gym has an event, they fill their parking lot & the over flow cars are on U, T & 3rd Street. These events are not just during the weekends.
6. Have you checked the street parking during the evening?

They have already started construction on this building site.  
See you Thursday night...

5

**Antonio Ablog**

---

**From:** Liberati, Beatriz@FTB <Beatriz.Liberati@ftb.ca.gov>  
**Sent:** Friday, March 07, 2014 1:02 PM  
**To:** Antonio Ablog  
**Subject:** project number p13-058

CITY OF SACRAMENTO  
Community Development Department  
300 Richards Blvd. 3<sup>rd</sup> floor  
Sacramento, CA 95811

March 7, 2014

Project number P13-058

Dear Mr. Antonio Ablog,

I Beatriz Liberati and Dennis Liberati, don't agree and objecting on rezoning the 3 units to six, the reason why is because there is no parking and it's completely congested. There is nowhere to park on the streets and will make things worse by putting three more apartments!

I would like to raise those issues at the Public Hearing, or would someone else will be speaking on my behalf?, please can you let me know.

Thank you,  
Dennis and Beatriz Liberati,  
5820 Twin Gardens Rd  
Carmichael CA 95608  
Phone # 916-482-7645

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