REPORT TO COUNCIL
City of Sacramento

19

915 I Street, Sacramento, CA 95814-2671
www. CityofSacramento.org

CONSENT
October 18, 2005

Honorable Mayor and
Members of the City Council

Subject: PFP: Rezone For Owen Duplex (P05-051)

Location/Council District: 5031 D Street; APN: 004-0201-044; Council District 3

Recommendation:

Planning Commission and staff recommend the City Council: 1) Review the attached Ordinance amending the Zoning Districts established by the Comprehensive Zoning Ordinance Title 17 of the Sacramento City Code by removing 0.17± acres from Standard Single Family (R-1) and placing in the Two-Family Review (R-2R) zone; 2) Continue to October 25, 2005 for adoption.

Contact: Jeanne Corcoran, Senior Planner, 808-5317; Michael York, Associate Planner, 808-8239
Presenters: Michael York, Associate Planner, 808-8239
Department: Development Services
Division: Planning
Organization No: 4875

Summary:

The applicant is requesting a rezone of 0.17± acre lot from the Standard Single Family (R-1) zone to the Two-Family Review (R-2R) zone in order to convert a former commercial space to residential use providing two units on the site. The site currently is developed with a two-story structure which contains a vacant ground floor commercial space and a dwelling unit on the second floor. The proposal is to renovate the vacant ground floor commercial space into a 1,250± square foot residence with the existing 1,250± square foot second floor unit remaining as is.

Committee/Commission Action:

On August 25, 2005, on consent, the Planning Commission approved the related Plan Review by a vote of seven ayes and zero noes to convert the commercial space to a residential unit, and recommended approval of the Rezone and forward to City Council.

Background Information:

The building was constructed in the early 1940's with a grocery store on the ground floor and a residential unit on the second floor. The grocery store changed to an office use in the 1980's. The prior commercial use on the ground floor was deemed a legal non-conforming use in the R-1 zone. Around 1997, the office use was discontinued. Since the office use has been discontinued for more than two years, this legal non-conforming use cannot be re-established. At this time the existing zoning of R-1 only allows the site to be developed with one dwelling unit. The proposed rezone will allow the site to be developed with two units. The second floor residential unit has never changed.

Rezone - The applicant is proposing to rezone the site to Two-Family Residential Review (R-2R). The R-2R zone is intended to be a low density buffer between single family residences and more intense land uses. In this case the proposed project of two units would buffer the single family residences to the west from the apartment complex to the east. The "R" designation is included as part of the rezone because of the commercial appearance of the existing building. The "R' designation will provide the ability to address design issues that provide for a building with a more residential nature. The rezone only addresses the land use and does not provide the ability for plan review. The Planning Commission approved the Plan Review on August 25, 2005.
Staff supports the rezone to Two-Family Residential Review (R-2R) and development of the site with two attached dwelling units, since it retains the existing residential unit, provides a transition from the single-family uses to the west from the apartment complex to the east, and the rezone enhances the viability of the existing structure.

Financial Considerations: This project has no fiscal considerations.

Environmental Considerations:

The proposed project is exempt from environmental review pursuant to CEQA Guidelines (CEQA Section 15301).

Policy Considerations:

The project is consistent with General Plan policies to Develop residential land uses in a manner which is efficient and utilizes existing and planned urban resources

Smart Growth Principles- City Council adopted a set of Smart Growth Principles in December 2001 in order to promote growth or sustain existing development that is economically sound, environmentally friendly, and supportive of community livability. The proposed project meets the above goals by supporting redevelopment of existing structures to allow for efficient use of existing facilities.

Strategic Plan Implementation- The project conforms with the City of Sacramento Strategic Plan, specifically by advancing the goal to enhance and preserve urban areas by supporting new development, or redevelopment within existing developed areas, that allows for efficient use of existing facilities or features.

Emerging Small Business Development (ESBD):

No goods or services are being purchased under this report.

Respectfully submitted by:

CAROL SHEARLY
Interim Planning Director
Planning Division

Recommendation Approved:

ROBERT P. THOMAS
City Manager

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Pg 8	Ordinance (Exhibit A)

ATTACHMENT 1

CITY PLANNING COMMISSION
CONSENT ITEMS **CPC AGENDA DATE: August 25, 2005**

Item No.	Project No.	Title/Location	Action: Approved/ Denied	Continued To:
2	P04-237	COOPER UNION BUILDING	Approved	
3	P05-038	ARIKA'S VILLAGE	Approved	
~~10~~	~~P05-026~~	~~7TH & S STREET TOWNHOUSES~~		
11	P05-051	OWEN REZONE	Approved	
12	P05-114	D POPOVICH COURT STREET NAME CHANGE	Approved	

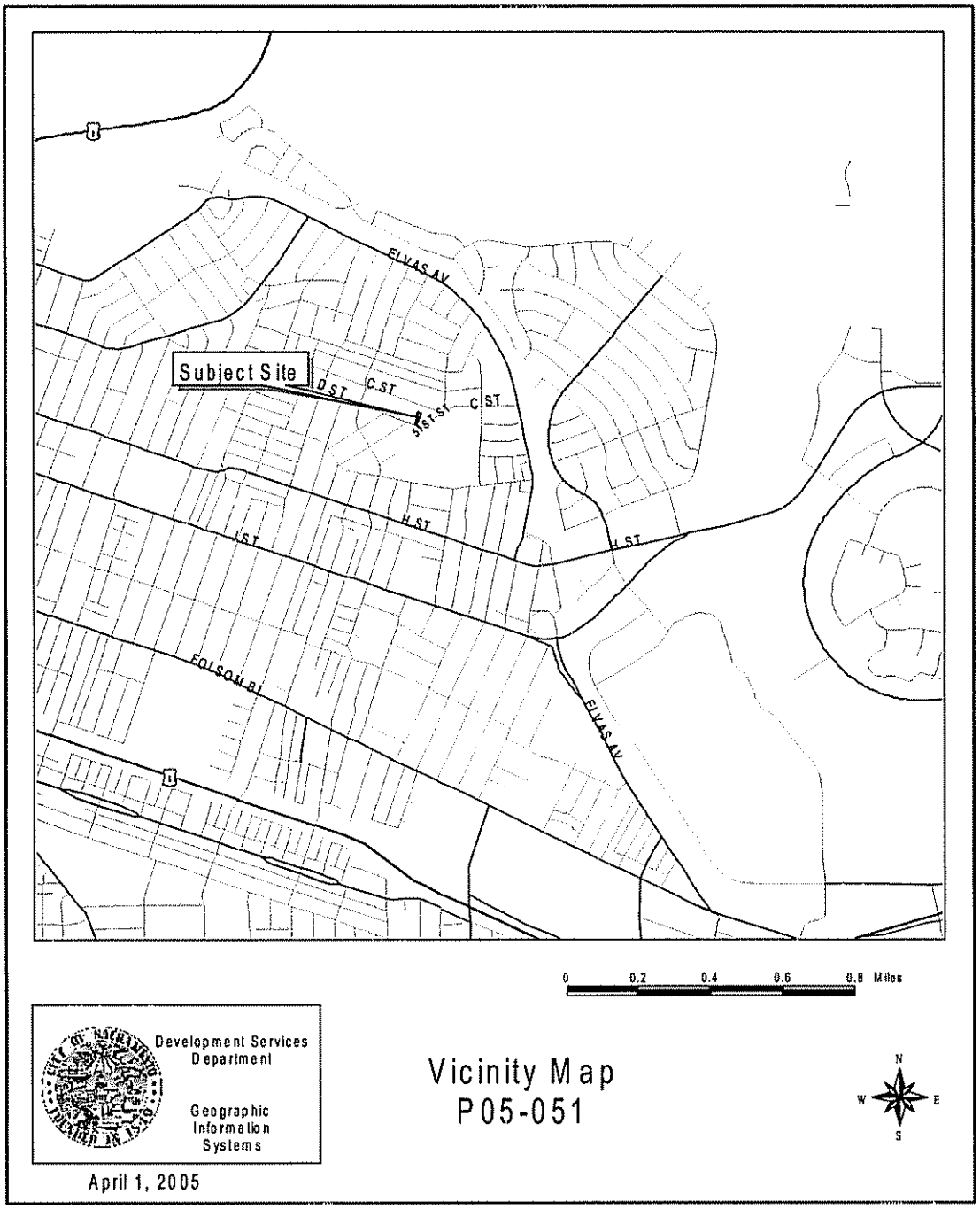
VOTE OF THE PLANNING COMMISSION:

COMMISSIONER	Motion (M)/ Second (S)	YES	NO	ABSTAIN
Bacchini				
Banes	S	Y		
Boyd		Y		
Notestine		Y		#3 abstain
Taylor-Carroll		Y		
Vallencia	M	Y		#2 abstain
Wasserman		Y		
Woo				
Yee		Y		

~~#2 abs~~
~~#3 abs~~

COPY

ATTACHMENT 2



ATTACHMENT 3

ORDINANCE NO.

Adopted by the Sacramento City Council

October 18, 2005

AN ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE, TITLE 17 OF THE CITY CODE, BY REMOVING 0.17± ACRES FROM THE STANDARD SINGLE-FAMILY (R-1) ZONE AND PLACING IN THE TWO-FAMILY REVIEW (R-2R) ZONE, FOR THE PROPERTY LOCATED AT 5031 D STREET (P05-051) (APN: 004-0201-044)

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

SECTION 1

The property generally described, known and referred to as APN: 004-0201-044 (5031 D Street) which is shown on attached Exhibit A, consists of 0.17± acres and is currently in the Standard Single-Family (R-1) zone established by the Comprehensive Zoning Ordinance (Title 17 of the City Code). Said territory is hereby removed from the R-1 zone and placed in the Two-Family Review (R-2R) zone.

SECTION 2

Rezoning of the property shown in the attached Exhibit A, by the adoption of this Ordinance will be considered to be in compliance with the requirements for the zoning of property described in the Comprehensive Zoning Ordinance, Title 17 of the City Code, as amended, as those procedures have been affected by recent court decisions.

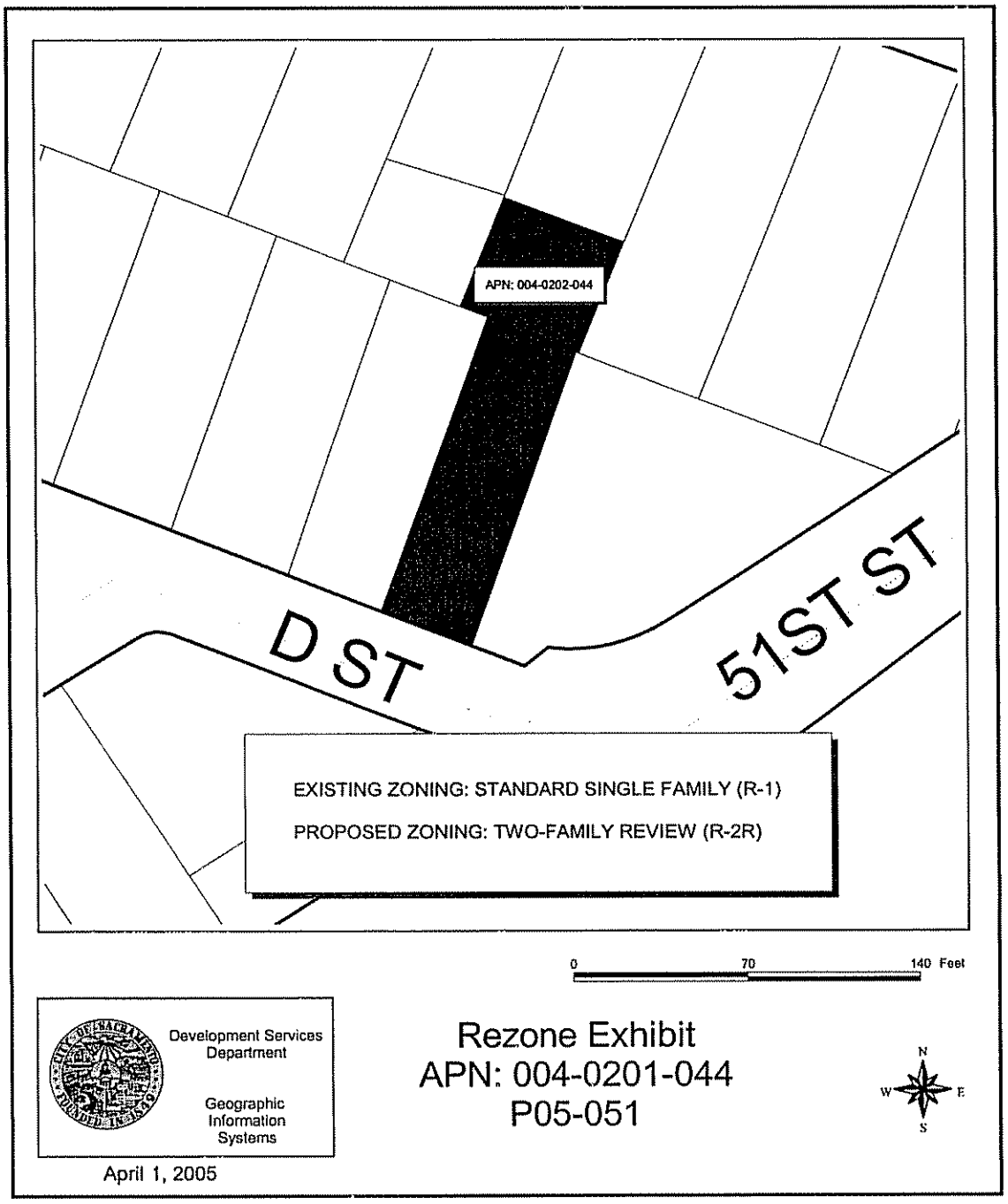
SECTION 3

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

Table of Contents:

Exhibit A: Owen Duplex Rezoning Map – 1 page

EXHIBIT A


APN: 004-0202-044
D ST
51ST ST
EXISTING ZONING: STANDARD SINGLE FAMILY (R-1)
PROPOSED ZONING: TWO-FAMILY REVIEW (R-2R)
0
70
140 Feet
Development Services Department
Geographic Information Systems
Rezone Exhibit
APN: 004-0201-044
P05-051
N
W
E
S
April 1, 2005