



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2671
[www. CityofSacramento.org](http://www.CityofSacramento.org)

PUBLIC HEARING
August 9, 2005

Honorable Mayor and
 Members of the City Council

Subject: NEWTON BOOTH PLACE (P04-222)

Location/Council District: 2700 V Street; APN: 010-0187-001, -002, -003, -004, -007
 (District 4)

Recommendation: 1) Review a Resolution amending the Community Plan land use designation for acreage from Low Density Residential to Multi-Family Residential; 2) Pass for Publication, as required by Sacramento City Charter 32(c), an Ordinance amending the Comprehensive Zoning Ordinance Title 17 of the Sacramento City Code by removing acreage from Single Family and placing in the Multi-Family zone to develop 15 residential units on property located at 2700 V Street; and 3) continue to August 16, 2005 for adoption.

Contact: Jeanne Corcoran, Senior Planner, 808-5317
 Michael York, Assistant Planner, 808-8239

Presenters: Michael York, Assistant Planner, 808-8239

Department: Development Services

Division: Planning

Organization No: 4875

Summary: The applicant is requesting to amend the land use designation and rezone the property located at 2700 V Street to develop 15 residential units. The proposed Multi-Family (R-4) zone and "Multi-Family Residential" designation allows development of a higher density project which is consistent with the Central City Community Plan and Central City Housing Strategy. The project is designed as a town house ownership development. The units will be two and three bedroom and range in size from 950 square feet to 1,570 square feet with single car garages.

Committee/Commission Action:

On June 9, 2005, by a unanimous vote of 7 ayes and 2 absent, the Planning Commission voted to recommend approval and forward to City Council the Community Plan Amendment and Rezone.

Background Information:

Prior to 1998 the site was developed as residential. In 1997 a request for an office project was denied by the Planning Commission. The decision was appealed to City Council. An intent motion to approve the appeal and approve the project was made on a 5-4 vote. With the passing away of a council member, the applicant was unable to obtain a majority vote and the applicant withdrew the project. In 1998 the applicant demolished the existing structures on the subject site. The site has remained vacant since that time.

The Newton Booth Place project proposes a Rezone and Community Plan Amendment of 0.37± acres to allow development of 15 townhouse style residences. Planning Commission approved the tentative map, special permit, and variance entitlements for the project on June 9, 2005.

Rezone & Community Plan Amendment:

The applicant is proposing to rezone and amend the land use designation of the site to “Multi-Family” (R-4) and “Multi-Family Residential”, respectively. The site is currently zoned “Single Family (R-1B)” and designated “Low Density Residential.” The “R-4” zone and “Multi-Family Residential” designation is intended to allow a higher density ownership project on the site. The requested R-4 zone allows a maximum density of 58 units per net acre. The development as proposed is 40 units per net acre.

Staff supports the rezone and community plan amendment to develop the site with 15 residential units, since it provides additional ownership housing opportunities, uses infill lots to meet future housing needs, and is consistent with the Central City Housing Strategy to rezone larger vacant lots to higher densities. Additionally, the design of the project is compatible with the mix of single family, duplex, and low rise apartments in the area.

Financial Considerations: This project has no fiscal considerations.

Environmental Considerations:

The proposed project is exempt from environmental review pursuant to CEQA Guidelines (CEQA Section 15332).

Policy Considerations:

The project is consistent with Central City Housing Strategy policies that promote neighborhood revitalization, ownership opportunities, increase density to provide a better jobs/housing balance, and to create a better transition between existing and new development.

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 lots to allow for efficient use of existing facilities.

Strategic Plan Implementation - The project conforms with the City of Sacramento Strategic Plan, specifically by adhering to 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

Recommendation Approved:


ROBERT P. THOMAS
City Manager

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**CITY PLANNING COMMISSION
HEARING ITEM**

CPC AGENDA DATE: June 9, 2005

Item No.	Project No.	Title/Location	Action: Approved/Denied
6.	P04-222	Newton Booth Place located at 2700 V Street & 2217 27 th Street	Ap'd w/A
ACTION			
<i>decorative stamped concrete, fences, street lights - in alleys</i> <i>landscape area to be enhanced to be determined by staff</i>			

VOTE OF THE PLANNING COMMISSION:

COMMISSIONER	MOTION 1			MOTION 2			ABSTAIN
	Yes	No	M/S	Yes	No	M/S	
Bacchini							
Banes	M						
Boyd							
Notestine	S						
Taylor-Carroll	Y						
Vallencia	Y						
Wasserman	Y						
Woo	Y						
Yee	Y						

**** List "Proponents" and Opponents" on reverse side of this page****

CITY PLANNING COMMISSION
SACRAMENTO, CALIFORNIA
MEMBERS IN SESSION

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P04-222 – Newton Booth Place

- REQUEST:
- A. Environmental Determination: Exempt, Section 15332;
 - B. Community Plan Amendment to amend the designation from Low Density Residential to Multi-Family Residential on 0.37± acres;
 - C. Rezone of 0.37± acres from Single-Family (R-1B) to Multi-Family (R-4);
 - D. Tentative Map to subdivide five lots totaling 0.37± acres into 16 lots in the proposed Multi-Family (R-4) zone;
 - E. Special Permit to develop alternative housing (townhouse style) on 0.37± acres in the proposed Multi-Family (R-4) zone;
 - F. Variance to reduce the 26 foot maneuvering area for an alternative housing development in the proposed Multi-Family (R-4) zone.
 - G. Variance to waive one visitor parking space for a 15 unit townhome development.

LOCATION: 2700 V Street, 2217 & 2250 27th Street
 APN: 010-0187-001, -002, -003, -004, -007
 Sacramento City Unified School District
 Council District 4

APPLICANT:	Mike Klein Klein Properties, (916) 452-1599 3104 O Street, #130 Sacramento, CA 95816
OWNER:	Peter Confehr, (415) 444-5308 110 Crystal Court Novato, CA 94949
PLANS BY	Javed Siddiqui JTS Engineering, (916) 441-6708 1808 J Street Sacramento, CA 95814
APPLICATION FILED:	November 4, 2004
STAFF CONTACT:	Michael York, (916) 808-8239, myork@cityofsacramento.org

SUMMARY:

The applicant is proposing to subdivide 0.37± vacant acres into 16 lots to develop 15 residential units (15 town home lots & 1 common lot). The project will be designed as a town home ownership development. The dwelling units will be four bedroom and 1 ½ baths and range in size from 1,150± to 1,570± square feet with a single car garage provided for each unit. The project site is located within the Alhambra Corridor Special Planning District and requires Design Review Board approval. Staff has no issues with the proposed project. Two adjacent property owners to the project site have concerns over the potential massing issue this development would have on their residences.



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RECOMMENDATION:

Staff recommends **approval of the project, subject to conditions**. Staff's recommendation is based upon the project's consistency with the General or Community Plan residential land use designations. Furthermore, the project is consistent with the General Plan, Central City Community Plan, and Central City Housing Strategy policies that promote neighborhood revitalization, ownership opportunities, increase in density to provide a better jobs/housing balance, and a smooth transition between existing and new development.

PROJECT INFORMATION:

General Plan Designation:	Community/Neighborhood Commercial & Offices
Central City Community Plan (CCCP):	
CCCP Designation (Existing):	Low Density Residential
CCCP Designation (Proposed):	Multi-Family Residential
Existing Land Use of Site:	Vacant
Existing Zoning of Site:	Two-Family (R-1B-SPD)
Proposed Zoning of Site:	Multi-Family (R-4)

Surrounding Land Use and Zoning:

North: Apartments, Single family homes; Multi-Family (R-3A-SPD)
 South: Single Family, Office; Two-Family (R-1B-SPD) & General Commercial (C-2-SPD)
 East: Duplex & Office; General Commercial (C-2-SPD)
 West: Two Story Office; Residential Office (RO-SPD)

Setbacks:	Required	Provided
North of Alley:		
Front (V Street):	To Be	15'
Side(27 th Street):	Determined By	5'
Side(E):	Planning	5'
Rear:	Commission	5'
South of Alley:		
Front (27th Street):	To Be	15'
Side(S):	Determined By	5'
Side(Alley):	Planning	5'
Rear (E):	Commission	5'

Property Dimensions:	236' x 96'
Property Area:	0.37± vacant acres
Density of Development:	40 units per net acre
Maximum Density Allowed in R-4:	58 units per net acre
Street Improvements:	To Be Improved
Utilities:	To Be Improved

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OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

<u>Permit</u>	<u>Agency</u>
Final Map	Development Engineering, Development Services
Off-Site Improvements	Development Engineering, Plan Check Section
Building Permit	Building Division

BACKGROUND INFORMATION:

The project site was originally proposed and developed as residential. On August 28, 1997 the City Planning Commission denied a request for a Community Plan Amendment and Rezone for development of a 20,000 square foot two story office project (P97-004). The office project required the relocation or demolition of five single family units and one duplex unit. The Planning Commission decision was appealed to City Council. On October 28, 1997 City Council made an intent motion to approve the appeal with conditions, the vote was five to four. Prior to returning to City Council with revised plans addressing conditions of the intent motion, a council member passed away, which did not allow the applicant to gain the necessary majority vote to approve their project. In 1998 the applicant demolished the existing structures on the subject site. The project site has remained vacant since that time.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

1. General Plan

The General Plan designates the site as Community/Neighborhood Commercial & Offices . The project is consistent with the following General Plan policies:

"Promote infill development as a means to meet future housing needs" (Policy 4, Sec. 2-16).

"Develop residential land uses in a manner which is efficient and utilizes existing and planned urban resources" (Goal C, Sec. 2-15).

"Provide adequate housing sites and opportunities for all households" (Goal 1, Sec. 3.10-2).

The project is consistent with the following Smart Growth Principles:

"Create a range of housing opportunities and choices with a diversity of affordable housing near employment centers".

"Foster walkable, close knit neighborhoods through a system of fully connected activity centers, streets, pedestrian paths and bike routes".

2. Central City Community Plan

The Community Plan designates the site as Low Density Residential. The project is consistent with the following Community Plan policies:

“Provide a choice of housing types by developing new housing and conserving existing housing” (CCCP, pg 6).

“Favorably consider vacant sites larger than 9,600 square feet within the central city be rezoned to either R-4 or R-5” (CCCP, pg 18).

The project is consistent with the following City’s infill policies:

“A mix of housing types for all income levels”.

“Additional development of housing for owner occupancy”.

“Additional housing development to provide support for retail, cultural, and employment.

B. Community Plan Amendment/Rezone

The applicant proposes to amend the Central City Community Plan from ‘Low Density Residential’ to ‘Multi-Family Residential’ and rezone the site from ‘Single Family (R-1B)’ to ‘Multi-Family (R-4)’. The requested amendment and rezone allow for denser development which is consistent with policies for the Central City area such as providing additional housing downtown for a better jobs/housing balance, using infill lots to meet future housing needs, create housing for owner occupancy, and create affordable housing near employment centers. The project site is located in area with a mix of single family, duplex, low rise apartments, and a two story office building, as well as being along a primary bus route which makes the site more conducive to a denser development. Staff supports the requested Community Plan Amendment and Rezone.

C. Tentative Map

The proposed map subdivides 0.37± acres into 16 lots, 15 town home lots and one common lot. The map allows for ownership housing while at the same time developing at a higher density. Developing 15 units on the project site puts the density of the project at approximately 40 units per net acre. The density of the project is consistent with the proposed designation of ‘Multi-Family Residential’ for the Central City Community Plan.

The map will have 15 lots, each approximately 1,000± square feet and containing a three-story residential unit and one common area lot approximately 2,700± square feet. The map will be designed with two lots fronting V Street, six lots fronting 27th Street, five lots interior fronting the common Lot A, and two lots south of the alley fronting onto the alley. The common area lot will contain easements for vehicular and pedestrian ingress/egress, maneuvering, utilities, and landscaping.

The applicant has provided a map that addresses policies adopted by the City to further enhance our resources and smart growth principles by developing ownership housing with a higher density along a traffic corridor. Staff has determined that the map as proposed does not inhibit development on adjacent parcels. Staff, therefore supports the approval of the tentative map.

D. Special Permit/Variations/Site Plan & Building Design

1. Special Permit/Variance

The proposal for 15 town home units is considered alternative housing and requires special permit approval. The special permit approval allows the review of the overall design including setback requirements. In this case, setbacks and lot coverage are analyzed based on the entire lot and not the smaller individual lots. The project is located in the proposed Multi-Family (R-4) zone which has setback requirements of 25' for the front yard or the average of the two nearest buildings fronting the same block face, 5' for the side yards, and 15' for the rear yard. The special permit entitlement allows for variation from the code requirements for which zone a project is located in.

Setbacks for the project are evaluated as two lots since the property is separated by an alley. The area north of the alley will have V Street as the front of the lot and the area south of the alley will have 27th Street as the front of the lot. As proposed the following setbacks have been provided:

North of the Alley:	
Front (V Street):	15'
Side(27 th Street):	5'
Side(E):	5'
Rear (alley):	5'
South of Alley:	
Front (27th Street):	15'
Side(S):	5'
Side(Alley):	5'
Rear (E):	5'

The setbacks, based on their proximity and orientation from property lines of adjacent residential lots, are compatible and in line with what exists in the area. The setbacks are also consistent with other developments of this density. Staff has no issues with the proposed setbacks.

Lot coverage in the R-4 zone is permitted up to 50%. Although each individual residential lot for this project has roughly 70% lot coverage, staff has reviewed the lot coverage based on the entire project site similar to setbacks resulting in a 45% lot coverage. Lot coverage is determined not to be an issue.

The height permitted in the R-4 is 35 feet. For this project the height at the highest point of the roof is 35 feet. Height is not an issue.

2. Variances

A condition of approval of the Design Review hearing was to increase the setback of units on V Street and the units south of the alley on 27th Street to be more in line with the setbacks of the adjacent residential units. Staff concurred with the increase of these setbacks to maintain the compatibility of this project with the existing residential units on the block. The increase of the setback for the unit along 27th Street south of the alley resulted in removing the guest parking space that was proposed off the alley at the eastern property line and requiring a variance to waive a parking space. Staff has determined on a site visit that adequate street parking is available to accommodate guest parking. Therefore, staff supports the variance to waive the parking space and create a setback that makes the project more compatible with the adjacent residential area.

The portion of common area (Lot A) for vehicle maneuvering is 25 feet behind the face of each garage. The required maneuvering depth is 26 feet, therefore a variance to reduce the required maneuvering area from 26 feet to 25 feet is necessary. Staff can support the variance in this instance in that the garages are slightly wider which allows for more maneuverability. The extra vehicle movements that may be necessary for maneuvering will not impact on-street traffic. Staff has no issues with the requested variance.

3. Site Plan

The project is located at the southeast corner of 27th & V Streets and will be developed with a total of 15 units. The site is separated by an alley. The area north of the alley will be developed with 12 units, six units on each side of a common area lot. The common area lot will run north/south between V Street and the alley. Of the 12 units, seven will have frontage with entrances and porches on the street. Five units will be interior to the site and will have front entrances fronting onto the common area (Lot A). Pedestrian access for the five interior lots will be provided from a pathway between the two units fronting onto V Street. Pedestrian access can also be utilized from the alley off of 27th Street. All of the units north of the alley, except for two units fronting V Street will have vehicle access to their garages from the alley off of 27th Street. The two units fronting V Street have their own driveways.

The area south of the alley will be developed with three units, two which front onto the alley and one that fronts 27th Street. Pedestrian access for the two lots fronting the alley will be from the alley off of 27th Street. All three units south of the alley will have vehicle access to their garages from the alley off of 27th Street.

The common area (Lot A) which provides pedestrian access from V Street and vehicular access from the alley will only have a six foot separation for that portion between the two units which front V Street. Therefore, a "No build easement" for the common area (Lot A) will be a condition of the project as part of the tentative map.

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The project will provide for a mix of trees and shrubs around each of the units. The shading requirement for parking and maneuvering area will not apply for this project in that this development is ownership housing similar to single family detached which does not have a requirement for shading. If this project were a condominium development which is similar to apartment development, a variance from the shading requirement would be necessary.

4. Building Design

The project will be designed as three story craftsman style residential units with covered porches at the fronts of all units. The porches will be approximately 50 square feet each to provide private outdoor open space. With areas ranging from 120 to 150 square feet, the rear yard and sideyard areas of the five interior lots and the three lots south of the alley can also be utilized as private open space.

The third floors of the two units facing V Street are designed to be visually minimized. The applicant has attempted to present a design that satisfies all interested parties. The current proposed design is a result of comments from neighbors and neighborhood groups during the Design Review hearing. The Design Review hearing resulted in the increase of setbacks to minimize the dominance of the structures and the redesign of the V Street elevation to minimize the third floor. The design was approved by the Design Review Board on May 4, 2005. The Design Review Board decision was not appealed. Staff has no issues with the proposed design.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project is exempt from environmental review pursuant to CEQA Guidelines (CEQA Section 15332).

B. Public/Neighborhood/Business Association Comments

The project was routed to the Sacramento Old City Association (SOCA), Neighborhood Advisory Group (NAG), Central City Alliance of Neighborhoods (CCAN), Winn Park/Capitol Ave Neighborhood Association, Newton Booth/Alhambra Triangle, and WalkSacramento. Newton Booth/Alhambra Triangle expressed concerns with design. The applicant presented the project design at the Newton Booth/Alhambra Triangle Associations regular monthly meeting. The Design Review Board also heard any interested parties concerns on design at the May 4, 2005 meeting.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. Comments received have been incorporated as conditions of approval for the project.

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Development Engineering, Utilities & Fire

All applicable comments are addressed in the conditions.

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny A-G. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

RECOMMENDATION:

Staff recommends the Planning Commission take the following actions:

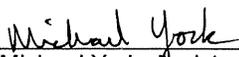
- A. Adopt the attached Notice of Decision and Findings of Fact, which finds that the project is Exempt pursuant to CEQA Section 15332;
- B. Recommend approval and forward to City Council the Community Plan Amendment to amend the designation from Low Density Residential to Multi-Family Residential on 0.37± acres;
- C. Recommend approval and forward to City Council the Rezone of 0.37± acres from Single-Family (R-1B) to Multi-Family (R-4);
- D. Adopt the attached Notice of Decision and Findings of Fact approving the Tentative Map to subdivide five lots totaling 0.37± acres into 16 lots in the proposed Multi-Family (R-4) zone;
- E. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit to develop alternative housing (townhouse style) on 0.37± acres in the proposed Multi-Family (R-4) zone;
- F. Adopt the attached Notice of Decision and Findings of Fact approving the Variance to reduce the 26 foot maneuvering area for an alternative housing development in the proposed Multi-Family (R-4) zone;
- G. Adopt the attached Notice of Decision and Findings of Fact approving the Variance to waive one visitor parking space for a 15 unit townhome development.

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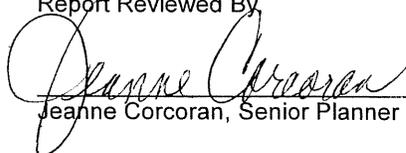
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Report Prepared By,


Michael York, Assistant Planner

Report Reviewed By,


Jeanne Corcoran, Senior Planner

Attachments

Attachment 1	Notice of Decision & Findings of Fact
Exhibit 1A	Tentative Map
Exhibit 1B	Site Plan
Exhibit 1C	Elevations
Exhibit 1D	Floor Plans
Attachment 2	Land Use & Zoning Map

**Amended by CPC 6-9-05
ATTACHMENT 1
NOTICE OF DECISION AND FINDINGS OF FACT
FOR NEWTON BOOTH PLACE TOWNHOMES, LOCATED AT
2700 V STREET SACRAMENTO, CALIFORNIA
IN THE PROPOSED MULTI-FAMILY (R-4) ZONE.
(APN: 010-0187-001, -002, -003, -004, -007) (P04-222)**

At the regular meeting of June 9, 2005, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. Environmental Determination: Exempt, Section 15332;**
- B. Recommended approval and forwarded to City Council the Community Plan Amendment to amend the designation from Low Density Residential to Multi-Family Residential on 0.37± acres;**
- C. Recommended approval and forwarded to City Council the Rezone of 0.37± acres from Single Family (R-1B) to Multi-Family (R-4);**
- D. Approved the Tentative Map to subdivide five lots totaling 0.37± acres into 16 lots (15 town home lots & one common lot) in the proposed Multi-Family (R-4) zone;**
- E. Approved the Special Permit to develop alternative housing (townhouse style) on 0.37± acres in the proposed Multi-Family (R-4) zone;**
- F. Approved the Variance to reduce the 26 foot maneuvering area for an alternative housing development in the proposed Multi-Family (R-4) zone.**
- G. Approved the Variance to waive one visitor parking space for a 15 unit townhome development.**

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

- A. Catagorical Exemption: The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section #15332 of the CEQA Guidelines.
- D. Tentative Map to subdivide five lots totaling 0.37± acres into 16 lots (15 town home lots & one common lot) in the proposed Multi-Family (R-4) zone: The Tentative Map is **approved** based on the following findings of fact:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (g) inclusive, exist with respect to the proposed subdivision;
 2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, and Section 16 of the City Code, which is a Specific Plan of the City. The City's General Plan designates the site as Medium Density Residential (16-29 du/na);
 3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Control Board, Central Valley Region in that existing treatment plants have a design capacity adequate to service the proposed subdivision.
 4. The site is physically suitable for the proposed density of development;
 5. The design of the subdivision and the proposed improvements will not cause any environmental damage and will not injure fish, wildlife or their habitat;
 6. The design of the subdivision and the type of improvements will not cause serious public health problems;
 7. The design of the subdivision and the improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
- E. Special Permit to develop alternative housing (townhouse style) on 0.37± acres in the proposed Multi-Family (R-4) zone: The Special is **approved** based on the following findings of fact:
1. The project, as conditioned, is based upon sound principles of land use in that:
 - a. The project will utilize an existing vacant lots;
 - b. The residential complex will be designed to enhance the existing neighborhood; and
 - c. The project will not adversely affect the surrounding land uses in that the residential units are being located in an area with other residential uses.
 2. The project, as conditioned, will not be detrimental to the public welfare, safety, or result in the creation of a public nuisance:
 - a. The proposed project will eliminate the potential for nuisance activities such as illegal dumping on a vacant lot;
 - b. The project supports redevelopment and rehabilitation efforts to eliminate neighborhood blight; and

c. The project is consistent with the Central City Plan which recommends rezoning larger vacant sites to R-4 or R-5 to develop denser residential projects.

3. The project, as conditioned, complies with the General Plan Policies that promote infill development to meet future housing needs, maintain and improve residential neighborhoods and to develop residential land that utilizes existing and planned urban resources.

F. Variance to reduce the 26 foot maneuvering area for an alternative housing development in the proposed Multi-Family (R-4) zone: The Variance is **approved** based on the following findings of fact:

- 1. The variance is not a special privilege extended to an individual property owner in that:
 - a. Access to the project site is provided by an alley and a private drive which will be developed to city standards; and
 - b. The garages are almost 13 feet wide, three feet wider than the required width, which will allow greater maneuvering ability.
- 2. The proposed use is not a use variance in that multi-family developments are permitted in the R-4 zone; and
- 3. The project will not be injurious to the public welfare, nor property in the vicinity of the project site in that the additional vehicular movements necessary as a request of the reduced maneuvering are on-site and will not impact on-street traffic.
- 4. The project is consistent with the Central City Community Plan, which proposes designating the project site as Multi-Family Residential.

G. Variance to waive one visitor parking space for a 15 unit townhome development: The Variance is **approved** based on the following findings of fact:

- 1. The variance is not a special privilege extended to an individual property owner in that:
 - a. The development is ownership housing similar to single family detached which does not require guest parking; and
 - b. The variance allows a greater setback of the unit fronting 27th Street that is south of the alley to allow for a more compatible design with the existing residential;
 - c. The location of the guest parking space makes it unlikely that most of the residents would utilize the guest parking space;
- 2. The proposed use is not a use variance in that multi-family developments are

permitted in the R-4 zone; and

- 3. The project will not be injurious to the public welfare, nor property in the vicinity of the project site in that the additional vehicular movements necessary as a request of the reduced maneuvering are on-site and will not impact on-street traffic.
- 4. The project is consistent with the Central City Community Plan, which proposes designating the project as Multi-Family Residential.

CONDITIONS OF APPROVAL

- D. The Tentative Map to subdivide five lots totaling 0.37± acres into 16 lots (15 town home lots & one common lot) in the proposed Multi-Family (R-4) zone is hereby approved subject to the following conditions of approval:

Development Engineering

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P04-222). The design of any improvement not covered by these conditions shall be to City standard.

The applicant shall satisfy each of the following conditions prior to filing the Final Map unless a different time for compliance is specifically stated in these conditions. Any condition requiring an improvement that has already been designed and secured under a City Approved improvement agreement may be considered satisfied at the discretion of the Development Engineering and Finance Division:

- D1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.
- D2. Pursuant to City Code Section 16.40.190, indicate easements on the Final Map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the Division of Development Engineering and Finance after consultation with the U.S. Postal Service.
- D3. Private reciprocal ingress, egress, maneuvering and parking easements are required for future development of the area covered by this Tentative Map. The applicant shall enter into and record an Agreement For Conveyance of Easements with the City stating that a private reciprocal ingress/egress, maneuvering, and parking easement shall be conveyed to and reserved from Parcels 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 15 and Lot A, at no cost, at the time of sale or other conveyance of either parcel.

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- D4. Lot A shall be recorded with a "No Build Easement", no bay windows or other projections shall be permitted within Lot A. For security purposes if necessary a decorative wrought iron fence or other non-combustible fencing material may be permitted across Lot A, subject to review of the Building Division and Design Review Staff. The location of a gate shall be flush with the building elevations and to the satisfaction of Planning Staff. Covenants, Conditions, and Restrictions (CC&R's) shall be adopted to the satisfaction of the Building Division – Building Official detailing the restrictions of the "No Build Easement".
- D5. Show all continuing and proposed/required easements on the Final Map.
- D6. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition.
- D7. Submit a Geotechnical Analysis prepared by a registered engineer to be used in street design. The analysis shall identify and recommend solutions for groundwater related problems, which may occur within both the subdivision lots and public right-of-way. Construct appropriate facilities to alleviate those problems. As a result of the analysis street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater conditions.
- D8. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk fronting the property along 27th street and "V" Street per City standards and to the satisfaction of the Development Engineering and Finance Division.
- D9. The applicant shall repair/reconstruct the existing alley from 27th Street along the property boundary to the satisfaction of the Development Engineering and Finance Division.
- D10. All new driveways shall be designed and constructed to City Standards to the satisfaction of the Development Engineering and Finance Division.
- D11. Developer is required to install permanent street signs (if needed) to the satisfaction of the Development Engineering and Finance Division.
- D12. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Development Engineering and Finance Division. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards.

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- D13. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Development Engineering and Finance Division.
- D14. Construct A.D.A. compliant ramps at the intersection of 27th Street and "V" Street and to the satisfaction of the Development Engineering and Finance Division.
- D15. The applicant shall make provisions for bus stops, shelters, transit centers, etc. to the satisfaction of Regional Transit (if needed).
- D16. This project does require street lighting. There may be an existing street lighting system in this project area. Improvements to the right-of-way may require modifications to the existing system. Electrical equipment shall be protected and remain functional during construction. The applicant shall provide one streetlight per street frontage and an additional light in the alley way. All street/alley lights shall be constructed using acorn style street lights to the satisfaction of the Development Services Department.

Utilities

- D17. Dedicate a 10-foot public utility easement for overhead and underground facilities and appurtenances adjacent to the north side of the alleyway, excepting where buildings or structures are located.
- D18. Dedicate a 10-foot public utility easement for underground facilities and appurtenances adjacent to the south side of the alleyway, excepting where buildings or structures are located.
- D19. Water flow test required.
- D20. Only one domestic water service will be allowed per parcel. Any new domestic water services shall be metered.
- D21. Provide separate metered domestic water services to each parcel. Any excess services must be abandoned to the satisfaction of the Department of Utilities.
- D22. Per Sacramento City Code, water meters shall be located at the point of service which is the edge of the public alley, back of curb for separated sidewalks or the back of walk for connected sidewalks.

- D23. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.
- D24. Residential water taps shall be sized per the City's Building Department onsite plumbing requirements (water taps may need to be larger than 1-inch depending on the length of the house service, number of fixture units, etc.).
- D25. Provide sanitary sewer services to each parcel to the satisfaction of the Department of Utilities.
- D26. Surface and subsurface drainage, water and sanitary sewer facilities located within the private driveway and adjacent to the east (rear) property of Lots 10 thru 15 shall be private facilities maintained by the homeowner's association. Private easements shall be dedicated for these facilities. These facilities shall not be within public utility easements (PUE).
- D27. Per City Code, the Subdivider may not develop the subdivision in any way that obstructs, impedes, or interferes with the natural flow of the drainage across the property. The project shall construct a private infrastructure to handle off-site runoff to the satisfaction of the Department of Utilities. The applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record an Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.
- D28. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities. Each new lot shall be graded to drain independently to the adjacent street.
- D29. The applicant must enter into and record an **Agreement for Conveyance of Easements** with the City stating that a private reciprocal drainage easement shall be conveyed to and reserved from Lots 1 thru 6, and 10 thru 15 within the common driveway and lots 10 thru 15 adjacent to the east (rear) property line, at no cost, at the time of sale or other conveyance of either parcel. A note stating the following must be placed on the Final Map: **"THE PARCELS CREATED BY THIS MAP SHALL BE DEVELOPED IN ACCORDANCE WITH RECORDED AGREEMENT FOR CONVEYANCE OF EASEMENTS # (BOOK __, PAGE__)."**
- D30. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment control methods on the subdivision improvement plans. These plans shall also show the methods to control urban runoff pollution from the project site during construction.

Parks Department

- D31. Applicant shall comply with City Code 16.64 (Parkland Dedication) and dedicate a park site at a location deemed acceptable to the City's PPDD; **and/or**, as determined by PPDD, request the City have prepared, at the applicants expense, a fair market value appraisal of the property to be subdivided and pay the required parkland dedication in lieu fees or, as an alternative to the appraisal process, pay the required parkland dedication in lieu fees based on the Community Planning Area "fixed market value " per acre of land as adopted by Sacramento City Council.
- D32. The applicant must provide proof they have initiated and completed the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annexed the project to an existing parks maintenance district prior to recording a Final (Parcel) Map. The applicant shall pay all city fees for formation of or annexation to special districts. The purpose of the district is to equitably spread the cost of neighborhood park maintenance on the basis of special benefit, in the case of an assessment district. In the case of a special tax district, the cost will be spread based upon the hearing report, which specifies the tax rate and method of apportionment. (Contact Development Services Department, Special Districts, Project Manager).

Miscellaneous

- D33. Title to any property required to be dedicated to the City in fee shall be conveyed free and clear of all rights, restrictions, easements, impediments, encumbrances, liens, taxes, assessments or other security interests of any kind (hereafter collectively referred to as "Encumbrances"), except as provided herein. The applicant shall take all actions necessary to remove any and all Encumbrances prior to approval of the Final Map and acceptance of the dedication by City, except that the applicant shall not be required to remove Encumbrances of record, including but not limited to easements or rights-of-way for public roads or public utilities, which, in the sole and exclusive judgment of the City, cannot be removed and/or would not interfere with the City's future use of the property. The applicant shall provide title insurance with the City as the named beneficiary assuring the conveyance of such title to City.
- D34. Form a Homeowner's Association. CC&R's shall be approved by the City and recorded assuring maintenance of private drives. The Homeowner's Association shall maintain all private drives, sidewalks and landscaping between the curbs and sidewalks, lights, sewers, drains and water systems.

- E. The Special Permit to develop alternative housing (townhouse style) on 0.37± acres in the proposed Multi-Family (R-4) zone is hereby approved subject to the following conditions of approval:
- E1. The applicant shall obtain all necessary building permits prior to construction.
 - E2. The project elevations shall substantially conform to the approved plans as shown on attached Exhibits 1B-1D and as approved by the Design Review Board (DR04-310). Any modification to the project shall be subject to review and approval by Planning Staff (and may require additional entitlements) prior to issuance of building permits.
 - E3. Lot sizes and building setbacks shall comply with the approved site plan attached as Exhibit 1A and shall be as follows:
 - North of Alley:
 - Front yard (V Street) 15'
 - Street side yard (27th Street) 5'
 - Side yard (east property line) 5'
 - Rear Yard (south property line) 5'
 - South of Alley
 - Front yard (27th Street) 15'
 - Side yard (Alley) 5'
 - Side yard (south property line) 5'
 - Rear yard (east property line) 5'

Any deviation from this shall require review and approval by Planning staff prior to issuance of building permit.
 - E4. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk fronting the property along 27th Street and "V" Street per City standards and to the satisfaction of the Development Engineering and Finance Division.
 - E5. The applicant shall repair/reconstruct the existing alley from 27th Street along the property boundary to the satisfaction of the Development Engineering and Finance Division.
 - E6. Developer is required to install permanent street signs (if needed) to the satisfaction of the Development Engineering and Finance Division.
 - E7. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Development Engineering and Finance Division. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards.

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- E8. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Development Engineering and Finance Division.
- E9. Construct A.D.A. compliant ramps at the intersection of 27th Street and "V" Street and to the satisfaction of the Development Engineering and Finance Division.
- E10. Form a Homeowner's Association. CC&R's shall be approved by the City and recorded assuring maintenance of private drives. The Homeowner's Association shall maintain all private drives, sidewalks and landscaping between the curbs and sidewalks, lights, sewers, drains and water systems.
- E11. All new driveways shall be designed and constructed to city standards to the satisfaction of the Development Engineering and Finance Division.
- E12. The applicant shall record the Final Map, which creates the lot pattern shown on the proposed site plan prior to obtaining any building permits.
- E13. Lot A shall be recorded with a "No Build Easement", no bay windows or other projections shall be permitted within Lot A. For security purposes if necessary a decorative wrought iron fence or other non-combustible fencing material may be permitted across Lot A, subject to review of the Building Division and Design Review Staff. The location of a gate shall be flush with the building elevations and to the satisfaction of Planning Staff. Covenants, Conditions, and Restrictions (CC&R's) shall be adopted to the satisfaction of the Building Division – Building Official detailing the restrictions of the "No Build Easement".
- E14. The portion of Lot A off the alley used for vehicle maneuvering shall be developed with an alternative paving material (ie. Stamped concrete, brick or other material) and also provide additional landscape planter area to meet 50% shade requirement.
- E15. This project does require street lighting. There may be an existing street lighting system in this project area. Improvements to the right-of-way may require modifications to the existing system. Electrical equipment shall be protected and remain functional during construction. The applicant shall provide one streetlight per street frontage and an additional light in the alley way. All street/alley lights shall be constructed using acorn style street lights to the satisfaction of the Development Services Department.

Advisory Notes

1. Note: Subdivider shall notify future property owners within this subdivision that they will be required to maintain the sidewalks and landscaping between the curbs and sidewalks.
2. **Timing and Installation.** When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction. CFC 901.3.
3. **Ingress and egress.** A reciprocal ingress/egress agreement shall be provided for review by City Attorney for all shared driveways being used for Fire Department access.
4. **Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. CFC 902.2.2.1.
5. **Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a roadbed consisting of material unaffected by the introduction of water based upon fire flow or rain based on 25 year storm and a surface consisting of a minimum of a single layer of asphalt. CFC 902.2.2.2.
6. **Turning radius.** All turning radius for fire access shall be designed as 45' inside and 55' outside. Cul-de-sac shall be 45' radius or city standard hammerhead. CFC 902.2.2.3.
7. **Gates and barriers.** Plans shall be submitted for review and approval prior to the installation of gates, barriers, and access control devices which are to be constructed on or within fire department apparatus access roadways. CFC 902.2.4.3.
8. **Key Boxes.** When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life saving or firefighting purposes, or where the building is served by a fire alarm system which is monitored by a central station, the chief is authorized to require approved key switches, key boxes or padlocks to be installed in approved accessible locations or areas in order to permit immediate fire department access. CFC 902.4.

9. **Required Water Supply for Fire Protection.** An approved water supply capable of supplying the required fire flow for the protection shall be provided to all premises upon which facilities, buildings or portion of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the chief. CFC 903.2 **Note: contact utilities for flow test 264-5371.**
10. **Required installations.** The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or the site of the premises or both to be protected as required and approve by the chief. CFC 903.4.2 See also Appendix III-B, Section 5, Distribution of Fire Hydrants.
11. **Fire Department Connection (FDC).** Locate and identify FDC on address side of building within 40-feet of a fire hydrant. The fire sprinkler system in each building shall be supplied by its own main.
12. **Fire Service.** Fire service mains shall not cross property lines unless a reciprocal easement agreement is provided. CFC 903.1.1 (see Fire Marshall for assistance.
13. The proposed development is located in the combined sewer system which has the potential to have flooding during heavy storms the applicant should elevate or floodproof the structure one foot six inches or maximum height feasible above the adjacent sidewalk grade.
14. This project is served by the Combined Sewer System (CSS). Therefore, impacts from the project to the CSS must be mitigated to the satisfaction of the Department of Utilities. If mitigation of impacts is not feasible, the developer/property owner will be required to pay the Combined System Development Fee at \$105.00 per lot for a total of \$1,575.00 prior to the issuance of building permits. The fee will be used for improvements to the CSS.
15. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the fire suppression systems.
16. The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective February 18, 2005. Within the X zone, there are no requirements to elevate or flood proof.

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CHAIRPERSON

ATTEST:



SECRETARY TO CITY PLANNING COMMISSION

DATE (P04-222)

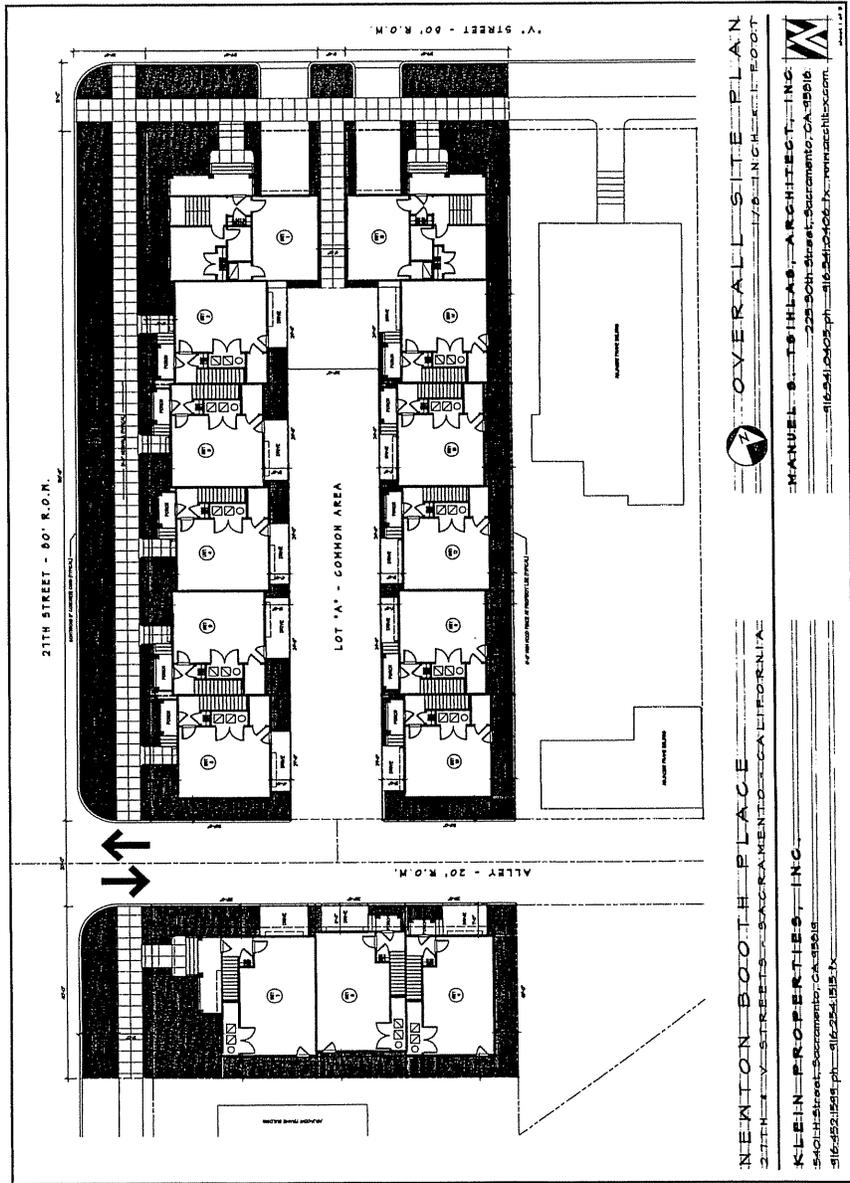
Exhibit 1A Tentative Map
Exhibit 1B Site Plan
Exhibit 1C Elevations
Exhibit 1D Floor Plans

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Exhibit 1B - Site Plan



OVERALL SITE PLAN
1/8" = 1'-0"

MANUEL S. TINILAS, ARCHITECT, INC.
228 Booth Street, Sacramento, CA 95816
916.551.0505, ph. 916.244.0676, www.mschit.com

P04-222
REVISED
RECEIVED 5-31-05

NEWTON BOOTH PLACE
3177 E. STREETS, SACRAMENTO, CALIFORNIA

KLEIN PROPERTIES, INC.
5404 Street, Sacramento, CA 95805
916.452.1515, ph. 916.254.1515, fx.

Exhibit 1C – Elevations

EXISTING ALLEY ELEVATION LOOKING NORTH
SCALE: 1/8" = 1'-0"

EXISTING ALLEY ELEVATION LOOKING SOUTH
SCALE: 1/8" = 1'-0"

NEAR ELEVATION FROM ADJACENT PROPERTY LOOKING NORTH
SCALE: 1/8" = 1'-0"

NEAR ELEVATION FROM ADJACENT PROPERTY LOOKING SOUTH
SCALE: 1/8" = 1'-0"

NEWTON BOOTH PLACE
27TH - V STREETS - SACRAMENTO - CALIFORNIA

KLEIN PROPERTIES, INC.
5401 H Street, Sacramento, CA 95816
916-452-1515, ph. 916-254-1515, fx.

MANUEL G. TOHLIAS ARCHITECT, INC.
2225 30th Street, Sacramento, CA 95816
916-341-2405, ph. 916-241-0405, fx. www.manuelgtohlias.com

BUILDING ELEVATIONS
17.5 INCHES FEET

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Exhibit 1C - Elevations

WEST STREET ELEVATION LOOKING EAST
SCALE: 1/8" = 1'-0"

WEST STREET ELEVATION LOOKING EAST
SCALE: 1/8" = 1'-0"

NEWTON BOOTH PLACE
2377 V STREETS SACRAMENTO CALIFORNIA

KLEIN PROPERTIES, INC.
5401 H STREET, SACRAMENTO, CA 95819
916-482-1518, ph. 916-254-1518, fx.

BUILDING ELEVATIONS
1/8" = 1'-0"

MANUEL B. TRILHAS, ARCHITECT, INC.
225 SOUTH STREET, SACRAMENTO, CA 95816
916-541-0405, ph. 916-541-0406, fx. www.cacchit.com

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Exhibit 1D - Floor Plans

NEWTON BOOTH PLACE
2200 V STREET - SACRAMENTO - CALIFORNIA

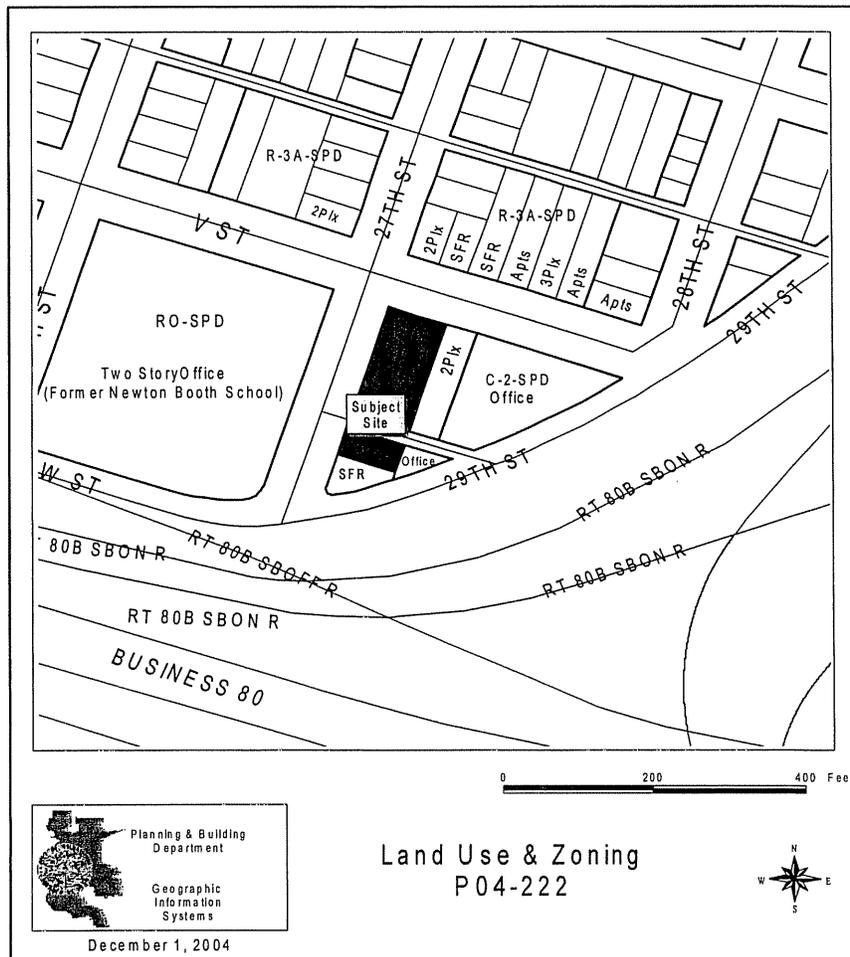
KEHN PROPERTIES, INC.
3401 Street, Sacramento, CA 95815
516.252.1555 ph 516.254.1515 fx

MANUEL S. TISHKAS ARCHITECT, INC.
225 20th Street, Sacramento, CA 95816
516.241.0402 ph 516.241.0402 fx man@archtllb.com

TYPICAL FLOOR PLANS
1/4" = 1" FOOT

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RECEIVED 5-31-05**

Attachment 2 – Land Use & Zoning Map



RESOLUTION NO.

Adopted by the Sacramento City Council

AMENDING THE CENTRAL CITY COMMUNITY PLAN LAND USE MAP TO REDESIGNATE 0.37± ACRES FROM LOW DENSITY RESIDENTIAL TO MULTI-FAMILY RESIDENTIAL FOR THE PROPERTY LOCATED AT 2700 V STREET (APN: 010-0187-001, -002, -003, -004, -007) (P04-222)

BACKGROUND

- A. The proposed plan amendment is consistent with policies to provide additional ownership housing downtown for a better jobs/housing balance;
- B. The proposed plan amendment supports infill development as a means to meet future housing needs;
- C. The proposed plan amendment is consistent with the Central City Community Plan to favorably consider vacant sites larger than 9,600 square feet within the central city be rezoned to R-4 or R-5;
- D. The proposal is consistent with policies of the City's General Plan and the Central City Community Plan that encourage the revitalization of neighborhoods.

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

Amend the Central City Community Plan to re-designate 0.37± acres from Low Density Residential to Multi-Family Residential for the area described on the attached Exhibit A.

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Exhibit A: Central City Community Plan Amendment Exhibit – 1 Page

ORDINANCE NO.

Adopted by the Sacramento City Council

AN ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE, TITLE 17 OF THE CITY CODE, BY REMOVING 0.37± ACRES FROM THE SINGLE-FAMILY (R-1B) ZONE AND PLACING IN THE MULTI-FAMILY (R-4) ZONE, FOR THE PROPERTY LOCATED AT 2700 V STREET (P04-222) (APN: 010-0187-001, -002, -003, -004, -007)

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

SECTION 1

The property generally described, known and referred to as APN: 010-0187-001, -002, -003, -004, -007 (2700 V Street) which is shown on attached Exhibit B, consists of 0.37± acres and is currently in the Single-Family (R-1B) zone established by the Comprehensive Zoning Ordinance (Title 17 of the City Code). Said territory is hereby removed from the R-1B zone and placed in the Multi-Family (R-4) 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 rezoning 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.

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Exhibit A: Newton Booth Rezoning Map – 1 Page

