



Agenda City of Sacramento Planning Commission

COMMISSION MEMBERS:

*Anna Molander
Jon Bagatelos
Michael Mendez, MCP
Philip Harvey*

*Jameel Pugh
Joseph Contreras
Michael Notestine, Chair
Rommel Declines*

*James Frayne
Joseph Yee, AIA, Vice Chair
Panama Bartholomy*

CITY STAFF:

*Gregory Bitter, Principal Planner
Sabina Gilbert, Senior Deputy City Attorney*

*New City Hall
915 I Street, 1st Floor – Council Chambers*

September 23, 2010 – 5:30 P.M.

The City Planning Commission was created by the City Council. Its powers and duties include: to develop and maintain the General Plan; to make recommendations to the City Council on amendments to the General Plan and the City's zoning code and on zoning changes; to act upon applications for tentative subdivision maps, special permits and variances; and to make environmental determinations associated with these actions.

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken (3 minutes maximum) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the end of the meeting as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

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Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.



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AGENDA

September 23, 2010

*New City Hall
915 I Street – 1st Floor, Council Chambers*

All items listed are heard and acted upon by the Planning Commission unless otherwise noted.

Call to Order – 5:30 p.m.

Roll Call

Consent Calendar

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request that an item be removed for separate consideration.

1. Approval of Minutes for September 9, 2010

Location: Citywide

Recommendation: Approve Commission Minutes from September 9, 2010.

Contact: Gregory Bitter, Principal Planner, 916-808-7816

Director's Report

2. Director's Report (Oral)

Location: Citywide

Recommendation: Receive and File- Status report on pending development applications and appeals; proposed amendments to Zoning Code, design standards, and other development-related regulations; Community Development Department organizational and operational changes, work program, and training program; and similar matters.

Contact: Gregory Bitter, Principal Planner, 916-808-7816

Public Hearings

Public hearings may be reordered by the Chair at the discretion of the Commission. If you challenge the decision of this Commission you may be limited to raising only those issues that are raised in this hearing or in written correspondence received by the Commission prior to the hearing.

3. LR07-008 Florin Road Corridor Plan Policies and Rezone (Noticed on 9/13/10)

Location: The Florin Road Corridor from Tamoshanter Way to Franklin Boulevard, Districts 5 and 8

Recommendation: Forward Recommendations of Approval to City Council – Review 1) a **Resolution** approving environmental review of the actions implementing the Florin Road Corridor plan, 2) a **Resolution** amending the 2030 General Plan to add new policies to the South Area Community Plan chapter and to establish the Florin light rail station area as a Transit Village Development District under State law; 3) a **Resolution** amending the General Plan land use diagram to change the land use designation for parcel 049-0010-103-0000; and 4) an **Ordinance** rezoning various parcels on the Florin Road Corridor, and forward a recommendation of approval of these to Council.

Contact: Remi Mendoza, Assistant Planner, 916-808-5003, Desmond Parrington, AICP, Infill Coordinator, 808-5044

4. **P10-009 Highway 99 Billboard Relocation Agreement** (Noticed on 9/13/10)

Location: 7900 Stockton Boulevard, District 8, 117-0170-009-0000

Recommendation: Approve - Item A: Environmental Exemption (Per CEQA 15303); **Item B:** Variance-Signs to exceed the height allowed for a billboard within the General Commercial (C-2) zone; **Item C:** Relocation Agreement-Offsite Signs for the removal of three existing billboards in order to construct a new replacement billboard located within the General Commercial (C-2) zone.

Contact: Sandra Yope, Senior Planner, 916-808-7158, Joy Patterson, Principal Planner, 916-808-7507

5. **P10-042 3820 Broadway** (Noticed on 9/13/10)

Location: 3820 Broadway, District 5, 014-0171-001-0000, 014-0171-017-0000, 014-0171-018-0000, 014-0171-019-0000, 014-0171-020-0000, 014-0171-025-0000

Recommendation: Approve – Item A: Environmental Determination: Exempt (per CEQA Guidelines Section 15332); **Item B:** Special Permit to construct a building over 20,000 square feet in size in the Limited Commercial (C-1-SPD) zone; **Item C:** Special Permit to reduce required parking for senior apartments; **Item D:** Variance to reduce the setback from 5' to 0' along Broadway and; **Item E:** Variance to reduce the setback from 20' to 0' along Martin Luther King Jr. Boulevard.

Contact: Matthew Sites, Assistant Architect, 916-808-7646, Lindsey Alagozian, Senior Planner, 916-808-2659

6. **P10-043 Sutter Medical Center Signage** (Noticed on 9/13/10)

Location: 2801 L Street, District 3, 007-0114-003-0000; 007-0118-001-0000; 007-0171-002-0000; 007-0171-003-0000; 007-0171-004-0000; 007-0171-005-0000; 007-0171-006-0000; 007-0171-008-0000; 007-0172-010-0000; 007-0172-013-0000; 007-0172-017-0000; 007-0173-001-0000; 007-0173-002-0000; 007-0173-003-0000; 007-0177-001-0000

Recommendation: Approve – Item A: Addendum to Environmental Impact Report; **Item B:** Special permit major modification to amend the existing sign program for a hospital campus with approximately 10.8 acres; **Item C:** Variance – Signs to exceed the allowed sign area of 200 square feet for signs with 660 feet of a freeway; **Item D:** Variance – Signs to exceed the allowed vertical sign height for attached signs within 660 feet of a freeway; **Item E:** Variance – Signs to exceed the allowed 6 foot height for detached signs within the Hospital (H) zone; **Item F:** Variance – Signs to place detached signs within 10 feet of a property line and/or within 5 feet of a driveway in the Hospital (H) zone; **Item G:** Variance – Signs to place detached signs within the public right-of-way; **Item H:** Variance – Signs to exceed the maximum allowed area of 300 square feet for attached signs in any zone.

Contact: Kimberly Kaufman-Brisby, Associate Planner, 916-808-5260, Stacia Cosgrove, Senior Planner, (916) 808-7110

7. **P10-051 Radiological Associates of Sacramento Sign Variance** (Noticed on 9/13/10)
Location: 2929 K Street, District 3, 007-0117-001-0000,
Recommendation: **Continue to October 28, 2010**
Contact: Matthew Sites, Assistant Architect, 916-808-7646, Stacia Cosgrove, Senior Planner, 916-808-7110

Staff Reports

Staff reports include oral presentations including those recommending Receive and File.

None

Public Comments- Matters Not on the Agenda

8. **To be announced.**

Questions, Ideas and Announcements of Commission Members

9. **To be announced.**

Adjournment



Minutes City of Sacramento Planning Commission

1

COMMISSION MEMBERS:

*Anna Molander
Jon Bagatelos
Michael Mendez, MCP
Philip Harvey*

*Jameel Pugh
Joseph Contreras
Michael Notestine, Chair
Rommel Declines*

*James Frayne
Joseph Yee, AIA, Vice Chair
Panama Bartholomy*

CITY STAFF:

*Gregory Bitter, Principal Planner
Sabina Gilbert, Senior Deputy City Attorney*

*New City Hall
915 I Street, 1st Floor – Council Chambers*

September 9, 2010 – 5:30 P.M.

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MINUTES

September 9, 2010

*New City Hall
915 I Street – 1st Floor, Council Chambers*

All items listed are heard and acted upon by the Planning Commission unless otherwise noted.

Call to Order – 5:30 p.m.

Roll Call All commissioners present except Molander and Frayne.
Commissioner s Molander and Frayne arrived at 5:34.

Consent Calendar

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request that an item be removed for separate consideration.

1. **Approval of Minutes for August 26, 2010**

Location: Citywide

Recommendation: Approve Commission Minutes from August 12, 2010.

Contact: Gregory Bitter, Principal Planner, 916-808-7816

Action: Moved, seconded, and carried (Pugh/Contreras; 11:0:0) to approve minutes.

Director's Report

2. **Director's Report** (Oral)

Location: Citywide

Recommendation: Receive and File- Status report on pending development applications and appeals; proposed amendments to Zoning Code, design standards, and other development-related regulations; Community Development Department organizational and operational changes, work program, and training program; and similar matters.

Contact: Gregory Bitter, Principal Planner, 916-808-7816

Action: Received and Filed.

Public Hearings

Public hearings may be reordered by the Chair at the discretion of the Commission. If you challenge the decision of this Commission you may be limited to raising only those issues that are raised in this hearing or in written correspondence received by the Commission prior to the hearing.

3. **P07-153 T-Mobile Riverside Boulevard Monopine** (Continued from 8/12/10)
(Noticed on 8/2/10)
Location: 2661 Riverside Boulevard, District 4, 009-0321-061-0000
Recommendation: Deny – Item A: Environmental Exemption (Per CEQA 15303); **Item B:** Special Permit-Antennas/Wireless A request to construct a new 65 foot monopine (pine tree monopole) and associated ground equipment at 2661 Riverside Boulevard in the General Commercial (C-2) zone.
Contact: Antonio Ablog, Associate Planner, 916-808-7702; Lindsey Alagozian, Senior Planner, 916-808-2659
No public comment was taken because the public comment period was closed at the August 12, 2010 hearing.
Action: Moved, seconded, and carried (Harvey/Mendez; 6:4:1, No - Pugh, Bartholomy, Frayne, Bagatelos; Abstain - Declines) to approve staff recommendation.
4. **M10-015 Zoning Code Amendment Related to Medical Marijuana Dispensaries**
(Noticed on 8/26/10)
Location: Citywide
Recommendation: Forward Recommendations of Approval to City Council- Item A: Environmental Exemption (Per CEQA 15378); **Item B:** An Ordinance Amending Sections 17.16.010, 17.24.030, and 17.24.050 of Title 17 of the Sacramento City Code (The Zoning Code) Relating to Medical Marijuana Dispensaries.
Contact: Joy Patterson, Principal Planner, 916-808-5607; David Kwong, Planning Manager, 916-808-2691
Public comment made by Andre Gayet, Ryan Landers, Joy Cole, Jeanne Larsson, Bryan Smith, Douglas White, Sarah Sinclair, Peter Keyes, Lanette Davies, Bryan Davies, Max Del Beal.
Action: Moved, seconded, and carried (Harvey/Pugh; 10:1:0, No - Frayne) to approve staff recommendation.
5. **P10-028 Army Depot Solar Project** (Noticed 8/30/10)
Location: 8400 Okinawa Street, District 6, 062-0010-029-0000
Recommendation: Forward Recommendations of Approval to City Council- Item A: Environmental Exemption (Per CEQA Section 15061(b)(3)); **Item B:** Army Depot Re-Use Plan Amendment to allow the installation of renewable energy equipment within the Army Depot Special Planning District; **Item C:** Special Permit to allow renewable energy equipment and ancillary facilities on approximately 18 acres in the Agricultural/Open Space (A-OS-SPD) zone.
Contact: Heather Forest, Associate Planner, 916-808-5008; Lindsey Alagozian, Senior Planner, 916-808-2659

Action: Moved, seconded, and carried (Harvey/Pugh; 11:0:0) to approve staff recommendation.

- 6. **P10-041 2700 Del Paso Road Chevron Beer and Wine Sales Special Permit**
 (Noticed 8/30/10)
Location: 2700 Del Paso Road, District 1, 225-0070-108-0000
Recommendation: Approve- Item A: Environmental Exemption (Per CEQA 15061(b)(3); **Item B:** Special Permit-Alcohol sales for beer and wine for off-site consumption in the Employment Center 65 Del Paso Road Planned Unit Development (EC-65-PUD) zone.
Contact: Kimberly Kaufmann-Brisby, Associate Planner, 916-808-5590; Lindsey Alagozian, Senior Planner, 916-808-2659

Action: Moved, seconded, and carried (Yee/Pugh; 10:1:0, No - Contreras) to approve staff recommendation.

- 7. **P10-048 Norwood Tech Center - CDT Building** (Noticed 8/30/10)
Location: 200 Harris Avenue, District 2, 250-0025-035-0000
Recommendation: Approve- Item A: Environmental Exemption (Per CEQA 15303); **Item B:** Special Permit for Development within a PUD to complete construction of a 9,568 square foot warehouse/office building in the Light Industrial Norwood Tech Center Planned Unit Development (M-1S-PUD) zone.
Contact: Evan Compton, Associate Planner, 916-808-5260; Lindsey Alagozian, Senior Planner, 916-808-2659

Action: Moved, seconded, and carried (Mendez/Molander; 11:0:0) to approve staff recommendation.

Staff Reports

Staff reports include oral presentations including those recommending Receive and File.

None

Public Comments- Matters Not on the Agenda

- 8. **None.**

Questions, Ideas and Announcements of Commission Members

- 9. **Commissioner Contreras said there needs to be improved communication to the commission regarding cell phone towers. Commissioner Notestine would like to learn the difference between T Mobile and Clear Wire antennas and recommended a moratorium for new cell tower facilities. Commissioner Pugh would like to hear from Commissioner Declines about other cell tower facilities.**
- 10. **Commissioner Harvey mentioned that Old Sacramento will have a new General Plan and encouraged the commission to participate in a tour of Old Sacramento.**

11. **Commissioner Molander said a Planning Commission sub-committee will meet about voting rules for other nearby counties and municipalities; a meeting has been set up about delta water issues including a proposed \$40 billion water treatment plant. Commissioner Molander also mentioned a gas leak explosion had occurred in San Bruno this evening.**

12. **Greg Bitter provided more information regarding a Sacramento Bee article on the Asian Community Center.**

Adjournment 10:05 p.m.

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Oral Report

For

City of Sacramento

Planning Commission

Agenda Packet

For the Meeting of: September 23, 2010

Title: Director's Report - **Receive and File**- Status report on pending development applications and appeals; proposed amendments to Zoning Code, design standards, and other development-related regulations; Community Development Department organizational and operational changes, work program, and training program; and similar matters.

Contact Information: Gregory Bitter, Principal Planner, 916-808-7816

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REPORT TO PLANNING COMMISSION City of Sacramento

3

915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
September 23, 2010

Members of the Planning Commission

Subject: Florin Road Corridor Plan - Policies and Rezones (LR07-008)

Location/Council District: Florin Road from Tamoshanter Way to Franklin Blvd.,
Districts 5 and 8

Recommendation: Review 1) a **Resolution** approving environmental review of the actions implementing the Florin Road Corridor Plan, 2) a **Resolution** amending the 2030 General Plan to add new policies to the South Area Community Plan chapter and to establish the Florin station area as a Transit Village Development District under State law; 3) a **Resolution** amending the General Plan land use diagram to change the land use designation for parcel 049-0010-103-0000; and 4) an **Ordinance** rezoning various parcels on the Florin Road Corridor and forward a recommendation of approval of these to Council.

Contact: Remi Mendoza, Associate Planner, 808-5003; Desmond Parrington, AICP, Infill Coordinator, 808-5044.

Summary: City staff is seeking a recommendation from Planning Commission for Council approval of: 1) the rezone of 56 properties to encourage a greater mix of development on Florin Road and to bring the sites into consistency with the 2030 General Plan; 2) an amendment to the South Area Community Plan Chapter of the 2030 General Plan to add new policies for the Florin Road Corridor and to establish the quarter-mile area around the Florin light rail station as a Transit Village Development District in accordance with the State Transit Village Development Planning Act of 1994; and 3) an amendment to the 2030 General Plan land use diagram to change the land use designation for parcel 049-0010-103-0000 from Suburban Neighborhood Low Density to Traditional Neighborhood Medium Density in order to facilitate development on this constrained site.

Background:

As noted above, City staff is proposing the rezone of 56 parcels on Florin Road to bring them into consistency with the 2030 General Plan and also to implement the recommendations of the Florin Road Corridor Plan, a joint City-County planning effort for the area referred to on the maps in Attachments 2, 3 and 4. The rezones will help fulfill the vision for Florin Road as a mixed-use corridor and as a destination for the area. This is the first phase of rezones, and the rezones focus primarily on vacant sites. The limited approach was the result of the current state of the economy where higher density mixed-

use development is not feasible. In the future when the economy improves and there is greater demand for residential and mixed-use development, staff will consider additional rezoning to promote mixed-use and reduce the over-concentration of retail, which has struggled on the corridor. For a more detailed discussion of this issue refer to Attachment 1.

Staff is also recommending one General Plan land use change for parcel 049-0010-103-0000, located on 29th Street below Florin Road, to ensure a more suitable land use designation given the parcel's size and location (refer to Attachment 5). The land use designation would change from Suburban Neighborhood Low Density (3-8 du/ac) to Traditional Neighborhood Medium Density (8-21 du/ac) enabling better development of the narrow site and providing a buffer between multi-family in the north and single-family areas to the south.

Finally, staff is proposing the addition of new policies in the Florin Road section of the South Area Community Plan chapter of the 2030 General Plan. These policies address both the Florin Road Corridor and more specifically, the Florin light rail transit station area. The policies are an outgrowth of the Florin Road Corridor planning effort and support the development of a mixed-use corridor on Florin Road. In addition, they establish the area within a quarter-mile of the Florin light rail station as a Transit Village Development District in accordance with the Transit Village Development Planning Act of 1994 (California Government Code section 65460 *et seq.*), which will make the area eligible for future State incentives and funding.

In a related effort, staff is also proposing the creation of the Florin Road Corridor Design Review District and recommending adoption of the Florin Road Corridor Design Guidelines to promote quality development on the corridor. A map of the proposed district boundaries and a copy of the design guidelines are available at:

<http://www.sacqp.org/florin.html#proposeddrdistrict> . Staff is presenting these to the Design Commission on September 15, 2010 and will present an oral report of the Design Commission's recommendations to the Planning Commission.

These actions are part of the overall Florin Road Corridor planning effort. This is a joint planning effort between the City and the County of Sacramento begun in late 2007 to promote coordinated planning and economic revitalization along the corridor. The boundaries extend along Florin Road between Tamoshanter Way in the City and Stockton Boulevard in the County. The Florin Road Corridor planning effort developed specific strategies to address housing, economic development, infrastructure and financing, public safety, and design needs of the corridor. These strategies will encourage well-designed infill and economic development along Florin Road. More detail on the Florin Road Corridor planning effort and the background on these strategies is included in Attachment 1.

A significant amount of outreach was done for these actions including community meetings, a website, presentations to business and community groups, newspaper advertisements, and noticing to property owners, businesses, and residents. A full description of the City's outreach efforts is included in Attachment 1. Public comments were generally supportive of these efforts; however, some changes have been made to accommodate individual property owner concerns.

Environmental Considerations:

California Environmental Quality Act (CEQA): An Initial Study was prepared for the Project. Based on the Initial Study, it was determined that this is a subsequent project within the scope of the General Plan Master EIR. No additional environmental review is required per CEQA Guidelines Section 15177. A copy of the notice and the Initial Study is available at:

<http://www.cityofsacramento.org/dsd/planning/environmentalreview/eirs/documents/FlorinRoadCorridorPlanNoticeInitialStudy.pdf>

Sustainability Considerations: The changes recommended in this report are designed to eventually transform Florin Road from an auto-oriented corridor dominated by commercial strip centers into a multi-modal, mixed-use corridor that provides opportunities for people to live and work in the corridor, thereby reducing vehicle miles traveled and related greenhouse gases.

Policy Considerations:

Rezoning for consistency with the Land Use Diagram is a top priority implementation measure of the 2030 General Plan. Furthermore, this is consistent with the goal of the Florin Road Corridor planning effort to promote redevelopment and reinvestment on Florin Road. The addition of the General Plan policies and the land use amendment are also consistent with the recommendations of the 2030 General Plan, which encourages mixed use corridors and transit-oriented development.

Rationale for Recommendation: These actions implement the 2030 General Plan land use policies and the joint City-County Florin Road Corridor planning effort. These changes are designed to support reinvestment and revitalization of the corridor and establish similar design and development standards in both the City and County.

Respectfully submitted by: 

 Desmond Parrington, AICP
 Infill Coordinator

Recommendation Approved:



 Thomas S. Pace
 Long Range Planning Manager

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Attachment 1

Additional Background Information

The City's new 2030 General Plan identified Florin Road as one of the opportunity areas for future growth, particularly as a center for the community and as a mixed-use corridor. In order to lay the foundation for growth and revitalization of the entire corridor, City Council directed staff in late 2007 to partner with the County in a joint planning effort for the entire corridor. The resulting effort, called the Florin Road Corridor Plan, consists of a number of coordinated planning studies and actions designed to foster well-designed infill and redevelopment along the corridor. This effort has taken on greater urgency as the economic recession has had a negative impact on the corridor resulting in high vacancy rates and the closure of almost all the auto dealerships that have operated there since the early 1980s. The actions contained in this report carry out recommendations from the Florin Road Corridor Plan.

As a result of several background studies, including market analyses and planning and economic studies, there was a recognition that the corridor needed to shift from a predominantly commercial area to one that supports a greater mix of uses, including residential, retail and office development. Currently, almost all of the corridor is zoned C-2 (General Commercial; refer to Attachment 2). Commercial areas should be located at key sites such as major intersections where they are more likely to be successful over the long-term. As a result, City and County staff looked at ways of encouraging more mixed use on the corridor. This included reducing the amount of commercial zoning such as C-2 and replacing it with zoning that supported mixed-use development while concentrating commercial at the intersections of Florin and Franklin, Florin and 24th Street, and near Highway 99 and Stockton Boulevard where there is the highest visibility and greatest likelihood of long-term success. Much of the commercial that exists between these areas is currently either vacant or is struggling. Thus, staff is proposing over time to promote a greater mix of uses by eventually rezoning those parcels from C-2 to RMX (Residential Mixed-Use).

Due to concerns about the impact of the rezones on existing business, staff is taking a gradual approach to the rezoning (refer to Attachments 3 and 4). Staff proposes to rezone those sites that are vacant or where the property owners support the proposed rezone. In addition, changes will also be made around the light rail station area to encourage higher density, transit-supportive development. These rezones implement part of the Florin Road Station Area TOD Concept and Guidelines that was accepted by Council in February 2009. Many of the proposed rezones include changing sites zoned C-2-R to C-2. The C-2-R designation requires site plan review by Planning staff. Since staff proposes the creation of a new Florin Road Corridor Design Review District, the separate site plan requirement would be redundant as it will be part of the design review process.

As the economy improves and mixed-use and residential development become economically feasible again on the corridor, staff will likely bring forward additional rezoning proposals to encourage that type of development. The risk of doing those rezones now is that property owners could be saddled with zoning that requires them to build something which is not yet feasible in today's market.

The proposed General Plan land use change is for one parcel (APN: 049-0010-103-0000) that is accessed from 29th Street south of Florin (refer to Attachment 5). The land use is being changed from Suburban Neighborhood Low Density (3-8 units/acre) to Traditional Neighborhood Medium Density (8-21 units/acre). Under the current land use designation, it is unlikely the site will be able to be developed with large single-family homes because of the parcel's limited access off of 29th Street. Compact single family homes or town homes are more likely to be feasible on this location and would be permitted under the new designation.

Community Outreach

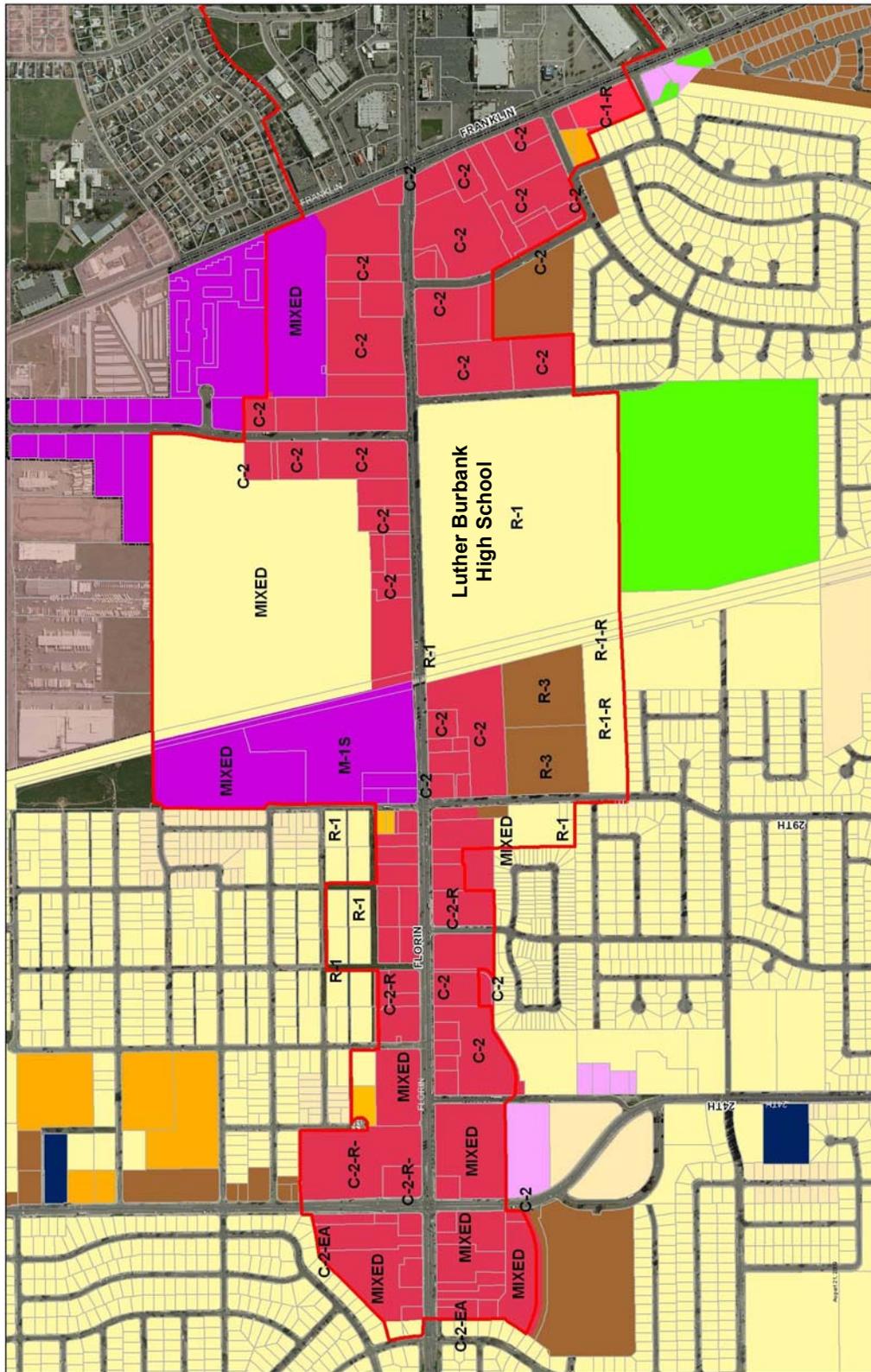
In conjunction with the County and its consultant team, City staff conducted extensive outreach for the Florin Road Corridor Plan in late 2007 and 2008 including several community meetings, stakeholder interviews, youth planning sessions, on-line surveys, and booths at the Florin farmer's market. City staff sent out over 2,000 notices about the rezones, land use change, and design review district to property owners, businesses, residents, and tenants on Florin Road and within 500-feet of the district boundary. In addition, the General Plan amendments were advertised in the paper in accordance with City Code Section 17.200.010. A City webpage (www.sacgp.org/florin) was created where information on the rezones, General Plan amendments, policy addition, design review district and the guidelines were available for review and comment for over a month. In addition, staff gave presentations to the Florin Road Partnership board of directors and to businesses at the Partnership's general meeting in July.

Planning and Neighborhood Services staff worked together to alert neighborhood and community groups in the area about the changes and notified them about the community workshop in August. Staff met with property owners and held a community workshop on August 11, 2010, where staff described the proposed changes and answered questions. There were few comments in opposition to the creation of the design review district or on the guidelines. The public was generally supportive of staff's efforts on Florin Road.

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Attachment 2

Existing Zoning



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Attachment 3

Sites Affected by Proposed Rezoning

Florin Road Corridor - Proposed Rezones

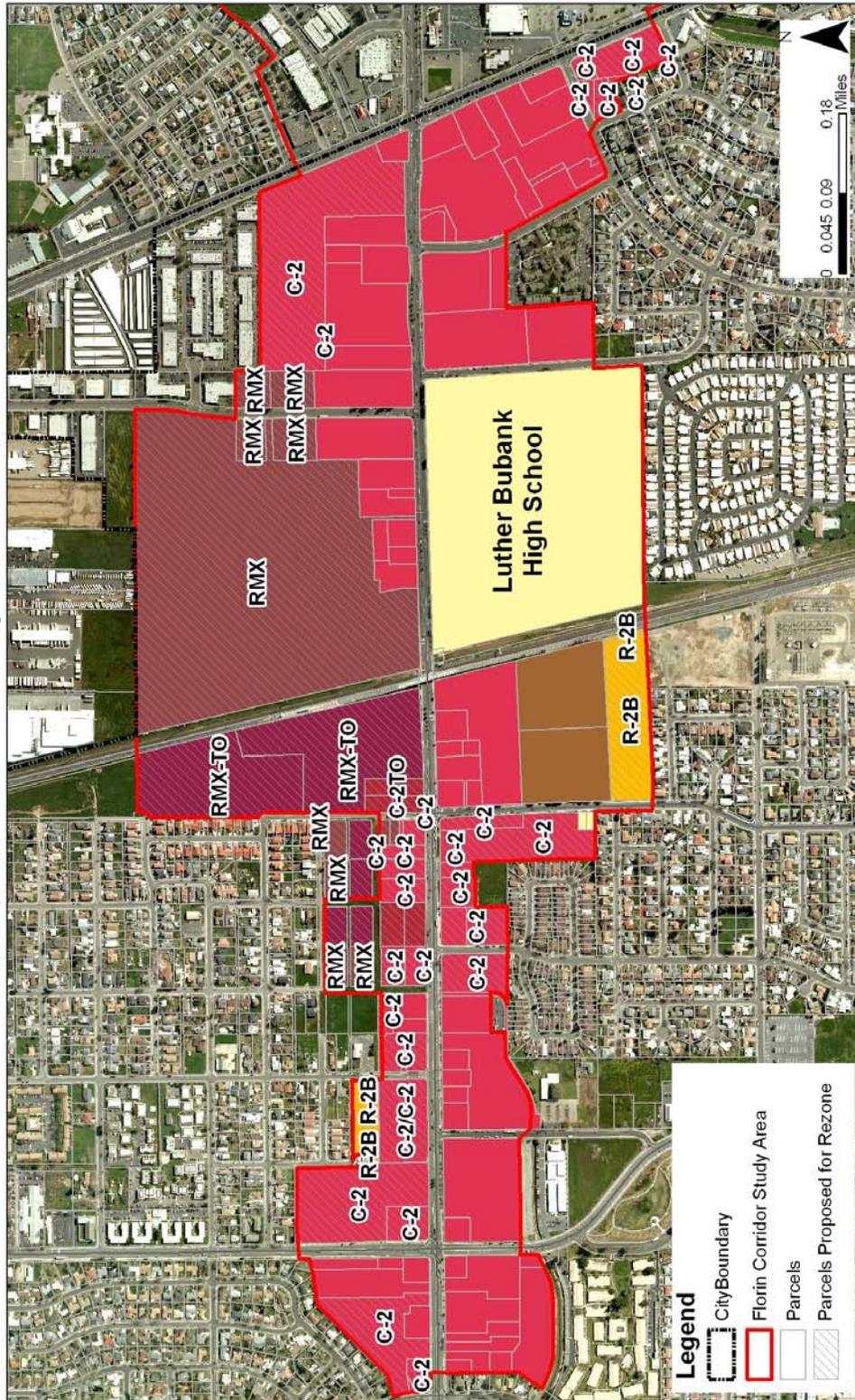


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Attachment 4

Proposed Zoning

Florin Road Corridor - Proposed Rezones

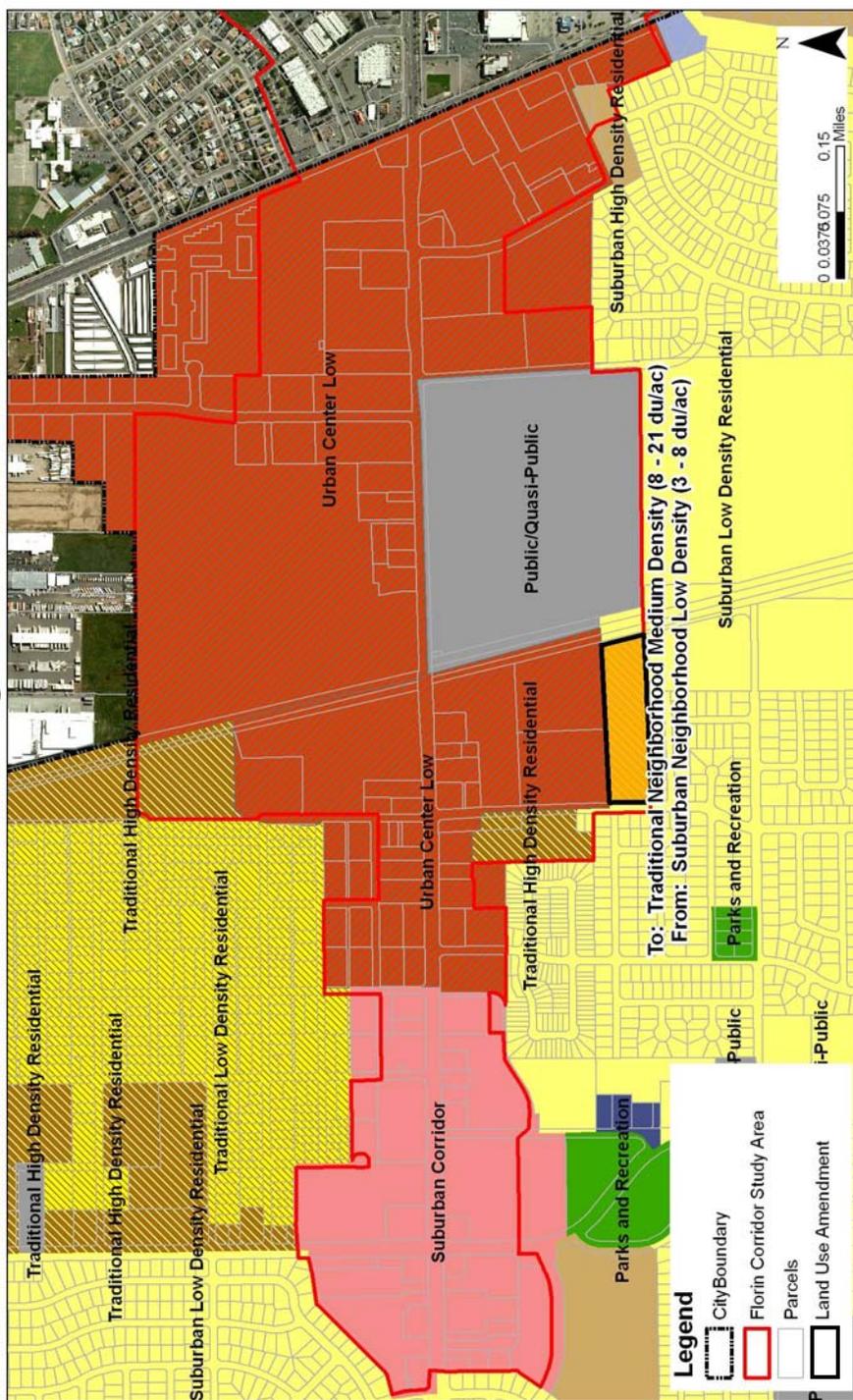


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Attachment 5

Proposed General Plan Land Use Change

General Plan Land Use Change - APN: 049-0010-103-0000



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Attachment 6

**City Planning Commission Proposed Record of Decision
Florin Road Corridor Plan - Policies and Rezones (LR07-008)**

- A. The Planning Commission has reviewed and considered the information contained in the **2030 General Plan Environmental Impact Report** for the Project in making the recommendations set forth in Attachment 7.
- B. The Planning Commission recommends approval and forwards to the City Council the **General Plan Amendments** for the Project as set forth in Attachments 8 and 9.
- C. The Planning Commission recommends approval and forwards to the City Council the **Rezoning** for the Project as set forth in Attachment 10.

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Attachment 7

RESOLUTION 2010- ____

Adopted by the Sacramento City Council

**APPROVING ENVIRONMENTAL REVIEW FOR
THE ACTIONS IMPLEMENTING THE
FLORIN ROAD CORRIDOR PLAN**

BACKGROUND

- A. On September 23, 2010, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the land use change, rezones, and design review implementation actions recommended as part of the Florin Road Corridor Plan.
- B. On _____, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(1)(a) and (c) including publication and mail within 500 feet and received and considered evidence concerning implementation actions for the Florin Road Corridor Plan.

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

- Section 1. The City Council finds that the Master Environmental Impact Report for the 2030 General Plan was certified on March 3, 2009 and the 2030 General Plan was adopted on that date.
- Section 2. The City of Sacramento was the Lead Agency for the Master EIR.
- Section 3. An initial study has been prepared for the project, and concluded that the project was described in the Master EIR and that the project would not cause any additional significant environmental effects that were not examined in the Master EIR. No new additional mitigation measures or alternatives are required, and the project is within the scope of the Master EIR.
- Section 4. The City has incorporated all feasible mitigation measures or feasible alternatives appropriate to the project as set forth in the Master EIR. The City has provided notice of its intended action by publishing the required notice in a newspaper of general circulation in the area affected by the project, and by posting the notice in the office of the county clerk for a period of thirty days, as required by CEQA Guidelines Section 15177 and 15087.
- Section 5. The City Council directs that, upon approval of the Project, the City’s Environmental Planning Services shall file a notice of determination with the County Clerk

of Sacramento County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of CEQA section 21152.

Section 6. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

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Attachment 8

RESOLUTION NO. 2010- ____

Adopted by the Sacramento City Council

**AMENDING THE SOUTH AREA COMMUNITY PLAN CHAPTER
OF THE SACRAMENTO 2030 GENERAL PLAN TO ADD POLICIES
FOR THE FLORIN ROAD CORRIDOR AND ESTABLISHING THE
FLORIN TRANSIT VILLAGE DEVELOPMENT DISTRICT (LR07-008)****BACKGROUND**

- A. On October 15, 2002, the City Council accepted the Transit for Livable Communities (TLC) recommendations, which provided recommendations and strategies for transit-supportive development proximate to existing and future light rail stations.
- B. On October 2, 2007, the City Council directed staff to work with the County of Sacramento to initiate the Florin Road Corridor planning effort to ensure similar design and development standards across the corridor and promote revitalization of the area. This effort consists of land use changes, rezones, design guidelines, a streetscape master plan, infrastructure analysis, a financing strategy and other background studies.
- C. On March 3, 2009, the City Council adopted the 2030 General Plan, which includes land use and policy direction to promote infill development in key opportunity areas, including commercial corridors and areas served by transit such as the Florin Road Corridor.
- D. On October 6, 2009, the City Council designated the Florin Road Corridor as a Tier 1, high priority, shovel-ready area in order to promote reinvestment efforts in the area and to prepare the area for new development that would fulfill the vision of the 2030 General Plan and Florin Road Corridor planning effort.
- E. The policies in Exhibit A for the Florin Road Corridor and the Florin Transit Village are consistent with the goals and policies of the South Area Community Plan and the 2030 General Plan.
- F. The policies included in Exhibit A of this resolution support the City and County's vision for the Florin Road Corridor and were drafted in accordance with the provisions of the State Transit Village Development Act (Government Code section 65460 et seq.), which encourages mixed-use development at higher densities around transit stations.
- G. An environmental review of the project determined that these actions constitute a subsequent project within the scope of the General Plan Master EIR.

- H. On September 23, 2010 the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the Florin Road Corridor Plan implementation actions (LR07-008).
- I. On October 19, 2010, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(1) (a) and (c) (publication and mail (500 feet)), and received and considered evidence concerning the Florin Road Corridor Plan implementation actions (LR07-008).

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

Section 1. The South Area Community Plan chapter of the 2030 General Plan is hereby amended to add the language and policies identified in Exhibit A.

Section 2. That land within the South Area Community Plan that is not more than a quarter mile of the exterior boundary of the parcel on which the Florin light rail station is located is hereby designated the Florin Transit Village Development District pursuant to the Transit Village Development Planning Act of 1994 (Government Code section 65460 et seq.). The Florin section of South Area Community Plan chapter of the 2030 General Plan shall serve as the transit village plan for the Florin Transit Village Development District.

Section 3. Exhibit A is a part of this Resolution.

Table of Contents:

Exhibit A – South Area Community Plan Policies

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Exhibit A 2030 General Plan/South Area Community Plan Amendment Policy Additions

[To be inserted after the infrastructure challenges discussion on page 3-SA-36 of the South Area Community Plan chapter of the City's 2030 General Plan.]

Policies for the Florin Road Corridor/Florin Subregional Center

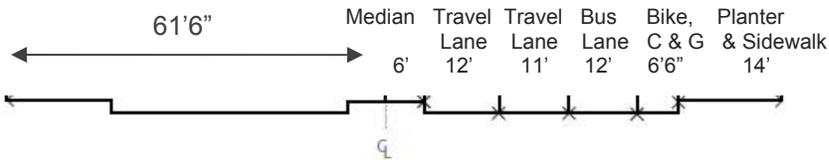
In order to promote reinvestment and the long-term success of the Florin Road Corridor area, the City and County of Sacramento jointly prepared the Florin Road Corridor Plan, a planning effort to ensure a consistent vision for the revitalization of both the City and County side of the Florin Road Corridor. The Plan is comprised of specific individual strategies designed to address the housing, economic development, infrastructure, public safety, and design needs of the corridor. Key policies from that planning effort are listed below.

- SA.FRC 1.1 Commercial Nodes.** The City shall create key commercial nodes by concentrating commercial zoning around the key intersections of 24th Street and Florin and Franklin Blvd. and Florin. *(RDR)*
- SA.FRC 1.2 Mixed-Use Corridor.** The City shall promote more mixed-use development on the corridor between the key commercial nodes through the use of zoning, flexible development standards, and other development incentives. *(RDR)*
- SA.FRC 1.3 Residential Development.** The City shall encourage high quality residential development along the corridor, especially in areas between the major commercial nodes, by allowing residential and mixed-use development in commercial zones. *(RDR)*
- SA.FRC 1.4 Large Parcel Development.** The City shall encourage the addition of new streets and smaller block sizes as well as bicycle/pedestrian pathways to help provide better access to large parcels and to develop a more walkable environment. *(RDR)*
- SA.FRC 1.5 Reinvestment and Redevelopment.** The City shall explore regulatory options and tools that facilitate land assembly, identify financial resources, and promote reinvestment in order to encourage new development on the corridor. *(RDR, FB)*
- SA.FRC 1.6 Economic Development.** In conjunction with the Florin Road Partnership, the City shall continue to use the enterprise zone and pursue other incentives to support existing businesses and attract new employers. *(JP, MPSP)*
- SA.FRC 1.7 Parks and Gathering Places.** The City shall encourage the development of parks, plazas, and other types of gathering places for people at key locations, such as the light rail station or commercial nodes, on Florin Road and promote events and programming for those places. *(RDR)*

SA.FRC 1.8 Circulation. The City shall require circulation improvements that promote a multi-modal (e.g., pedestrian, bicycles, transit, and automobiles) transportation network on Florin Road. (RDR, MPSP)

SA.FRC 1.9 Bus Rapid Transit. The City shall provide sufficient right-of-way along Florin Road between Indian Lane and Franklin Boulevard in order to support improved transit service there, including bus rapid transit (BRT) lanes or business access transit (BAT) lanes, consistent with the Sacramento Regional Transit Master Plan and to the satisfaction of the City’s Department of Transportation. Refer to example Florin Road cross section in Figure SA.FRC-1 below. (RDR, MPSP)

**Figure SA.FRC-1
Florin Road – Example BRT Configuration
4-Lane Arterial with Bus Rapid Transit Lanes
(123’ ROW)**



SA.FRC 1.10 Transportation Network. The City shall evaluate the transportation network and work with property owners and developers to increase opportunities for improved access to large parcels and to create pedestrian scale blocks along the Florin Road Corridor. (RDR, MPSP)

SA.FRC 1.11 Civic and Educational Uses. The City shall encourage educational and civic uses, such as youth centers and vocational schools, to support surrounding neighborhoods and promote business growth. (RDR)

SA.FRC 1.12 Safety. The City shall support public safety efforts of the Florin Road Partnership and continue to promote close coordination between the City Police Department and County Sheriffs and the California Highway Patrol to maintain a safe environment for businesses and residents. (SO)

SA.FRC 1.13 Infrastructure. The City shall pursue funding to improve infrastructure on Florin Road to create “shovel-ready” development sites. In addition, the City shall ensure that development plans provide adequate water, sewer, and drainage capacity on Florin. (FB, RDR, MPSP)

SA.FRC 1.14 Utility Undergrounding. The City shall work with SMUD and cable companies to place power lines underground on Florin Road. *(JP)*

SA.FRC 1.15 District Themes. As shown below in Figure SA-FRC-2, the City shall promote the development of a “neighborhood district” on Florin west of the railroad tracks and a civic, cultural and sports/ entertainment district east of the tracks in order to inform the scale and character of development. *(RDR, JP)*

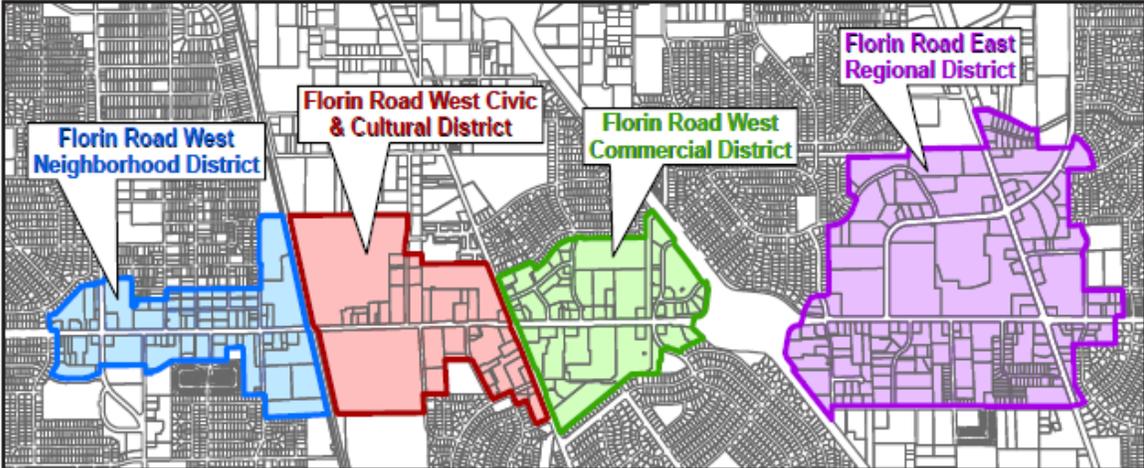


Figure SA-FRC-2 – Florin District Overview Map

SA.FRC 1.16 Gateways. At the major entrances to the corridor (i.e., 24th Street and Florin and at Franklin and Florin), the City shall encourage the use of gateway elements and support higher building heights in order to create an attractive entry to the corridor. *(RDR)*

SA.FRC 1.17 Security Through Design. The City shall continue to promote and use Crime Prevention Through Environmental Design (CPTED) design techniques in its review of new development on Florin Road, encouraging street-level activity and plenty of “eyes on the street.” *(RDR)*

Florin Transit Village Plan

The Florin Transit Village covers the area within a quarter mile of the existing light rail station platform and is envisioned as a mixed-use community with range of housing types as well as retail services, facilities, and parks and greenways that serve residents as well as surrounding neighborhoods. The large parcels that currently exist would be broken up into a series of smaller blocks with streets and pedestrian pathways that would serve residents as well as commuters. The north and south side of Florin is envisioned as a “main street” with commercial uses that line the street while higher density mixed-use development would be located interior to the project and along Indian Lane. Mixed-use and residential development would be built around a series of parks and greenways.

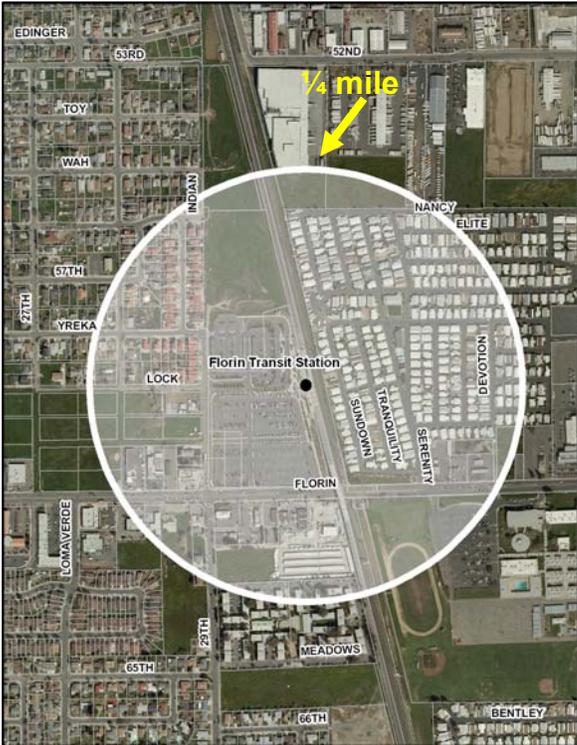


Figure SA-FTV 1: Florin Transit Village Plan area (1/4 mile radius from station)

The focal points of the village would be the central park and the transit plaza adjacent to the light rail tracks which would be bordered by higher density mixed-use development. As the area develops over time, town homes, duplexes and other compact single family residential buildings would be built to the north and the west of the station in order to blend with the surrounding single family neighborhoods. Financial and regulatory incentives will be provided to encourage development of transit supportive and sustainable development consistent with the Plan in a manner that avoids conflicts with existing residential neighborhoods.

The following policies are based on recommendations from the *Florin Road Station Area Transit Oriented Development Concept and Guidelines* (2009). The Florin Transit Village Area, as shown above in Figure SA-FTV-1, was adopted as a transit village plan pursuant to California Government Code Section 65460.2.

- SA.FTV 1.1 Transit Supportive Uses.** The City shall encourage uses within the Florin Transit Village that have daily or frequent patronage, such as offices, hotels, or high-density development. (RDR)
- SA.FTV 1.2 Incompatible Uses.** The City shall discourage uses within the Florin Transit Village that might be detrimental to transit ridership such as those with low frequency patronage, or automobile related uses, such as warehouses, self-storage, service stations, or car sales lots. (RDR)
- SA.FTV 1.3 Variety of Housing Types.** Through the use of zoning, incentives, and flexible development standards, the City shall encourage a range of housing types including such

housing types as compact single-family housing, townhouses, condominiums, lofts and apartments that meet the needs of a diverse population. *(RDR)*

- SA.FTV 1.4 Screening and Buffering.** The City shall require new development in the Florin Transit Village to provide screening and buffering from adjacent industrial uses (e.g. railroad tracks) in the form of landscaping, masonry walls, or parking lots (surface and structure) to reduce potential noise and visual impacts. *(RDR)*
- SA.FTV 1.5 Ground Floor Visibility.** The City shall require windows to be provided on the street level of new buildings in the Florin Transit Village as a visual link between business and pedestrians. Ground-floor commercial facades facing streets, sidewalks, pedestrian routes and public plazas shall have non-reflective, transparent windows. *(RDR)*
- SA.FTV 1.6 Development Incentives.** The City shall pursue grant funds and whenever possible offer economic and/or regulatory incentives for transit-oriented development (TOD) projects in the plan area. *(RDR, FB)*
- SA.FTV 1.7 Infrastructure Financing.** The City shall pursue funding for infrastructure improvements in the transit village area and shall require new development to participate in a funding program or pay their fair share for infrastructure improvements. *(FB)*
- SA.FTV 1.8 Greenways, Parks and Public Spaces.** The City shall require that development of the Florin Transit Village area include a variety of public spaces and gathering places such as parks and plazas as well as a network of pedestrian greenways that link the open spaces to residences, businesses, and the station area. *(RDR)*
- SA.FTV 1.9 Street Network and Design.** The City shall require a network of streets that establish an urban block pattern in order to ensure that traffic will move slowly through the area, and pedestrians will be able to cross at intersections with safety and ease. Furthermore, as the only signalized entrance in the station area, the City shall require that Indian Lane is designed so that it becomes a safe entry point for pedestrians, automobiles and bicycles. *(RDR, MPSP)*
- SA.FTV 1.10 Connections.** The City shall ensure clear, safe and convenient access to and from the station area including connections to the surrounding neighborhoods, Luther Burbank High School and eventual connections to residential and commercial areas east of the light rail tracks. *(RDR, MPSP)*
- SA.FTV 1.11 Parking.** The City shall support reduced parking ratios for transit oriented residential or commercial development in the transit village area and promote the efficient design and use of parking including curbside parking, shared parking, and the use of parking structures for higher density development and park-and-ride areas. *(RDR)*

SA.FTV 1.12 Coordination. The City shall coordinate closely with Regional Transit, the Florin Road Partnership, neighborhood associations, and other business and community groups in the development of the transit village area. *(IGC, JP)*

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Attachment 9

RESOLUTION NO. 2010- ____

Adopted by the Sacramento City Council

AMENDING THE SACRAMENTO 2030 GENERAL PLAN LAND USE DIAGRAM FOR PARCEL 049-0010-103-0000

BACKGROUND

- A. On October 2, 2007, the City Council directed staff to work with the County of Sacramento to initiate the Florin Road Corridor planning effort to ensure similar design and development standards across the corridor and promote revitalization of the area. This effort consists of land use changes, rezones, design guidelines, a streetscape master, infrastructure analysis, a financing strategy and other background studies.
- B. On March 3, 2009, the City Council adopted the 2030 General Plan, which includes land use and policy director to promote infill development in key opportunity areas, including commercial corridors and areas served by transit.
- C. Based on a review by City staff of parcel 049-0010-103-0000 located on 29th Street south of Florin Road, it was determined that the current General Plan land use designation of Suburban Neighborhood Low Density (3-8 du/ac) would actually hamper development of the site given the dimensions of the property and its limited access from 29th Street.
- D. Staff determined that the Traditional Neighborhood Medium Density (8-21 du/ac) would allow for more development possibilities and would serve as a buffer between the higher density apartments to the north and the low density single family development south of the property.
- E. On September 23, 2010 the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the Florin Road Corridor Plan implementation actions (LR07-008).
- F. On October 19, 2010, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(1) (a) and (c) (publication and mail (500 feet), and received and considered evidence concerning the Florin Road Corridor Plan implementation actions (LR07-008).

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

Section 1. The General Plan land use diagram is hereby amended to change the designation for Assessor Parcel Number 049-0010-103-0000 from Suburban

Florin Road Corridor Plan – Policies and Rezones (LR07-008)

September 23, 2010

Neighborhood Low Density to Traditional Neighborhood Medium Density as shown in Exhibit A.

Section 2. Exhibit A is a part of this Resolution.

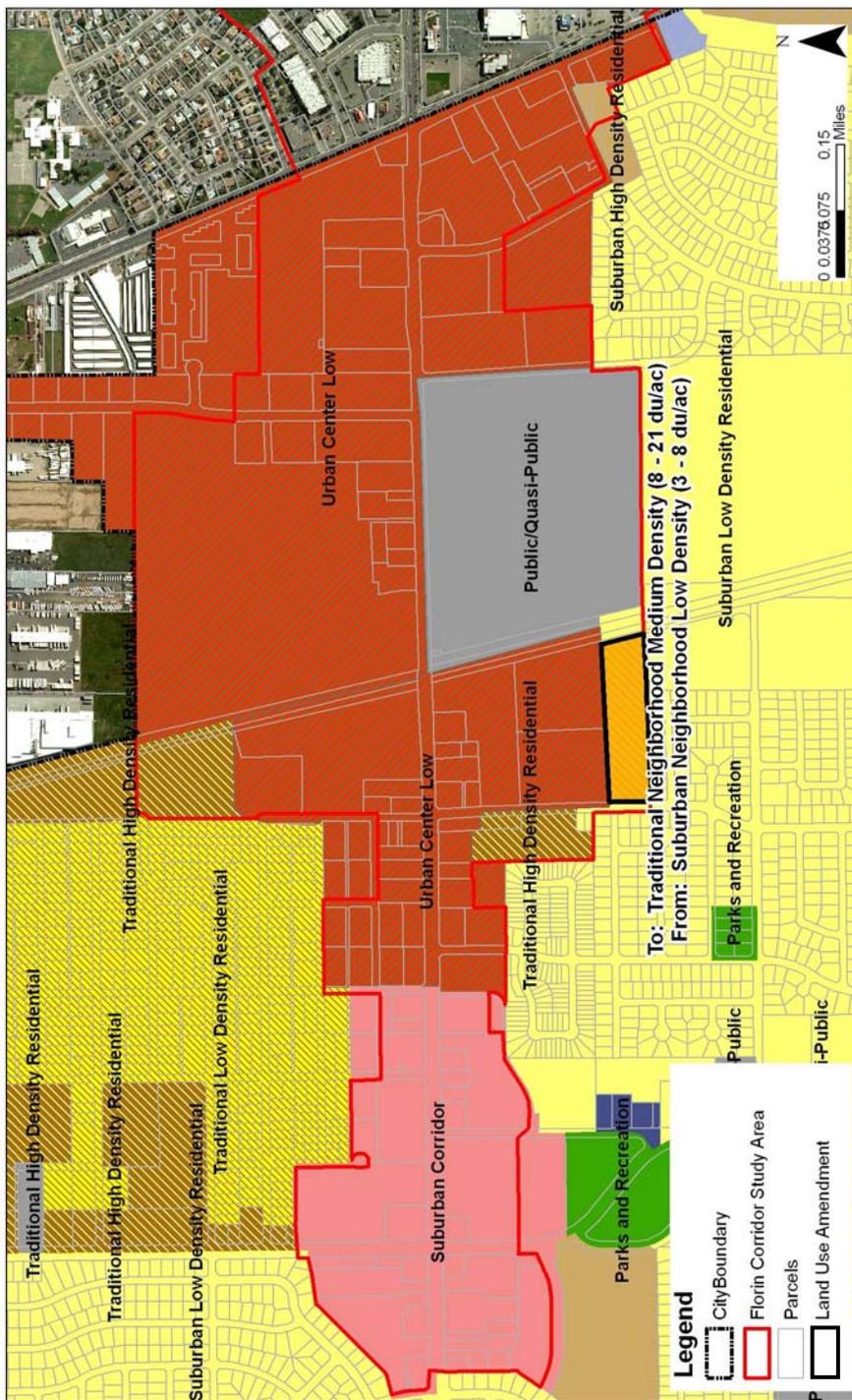
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Exhibit A – General Plan Land Use Diagram Change

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Exhibit A Amendment to 2030 General Plan Land Use Diagram APN: 049-0010-103-0000

General Plan Land Use Change - APN: 049-0010-103-0000



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Attachment 10

ORDINANCE NO.

Adopted by the Sacramento City Council

AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) BY REZONING VARIOUS PARCELS OF REAL PROPERTY ON FLORIN ROAD FOR CONSISTENCY WITH THE 2030 GENERAL PLAN

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

Section 1. Title 17 of the Sacramento City Code (the Zoning Code) is amended by rezoning the properties depicted in the attached Exhibit A and identified by APN and address in the attached Exhibit B, from the existing zone to the proposed zone as set forth in Exhibit B. The attached Exhibits A and B are incorporated herein by reference.

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 Zoning Code, as amended, as those procedures have been affected by recent court decisions.

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

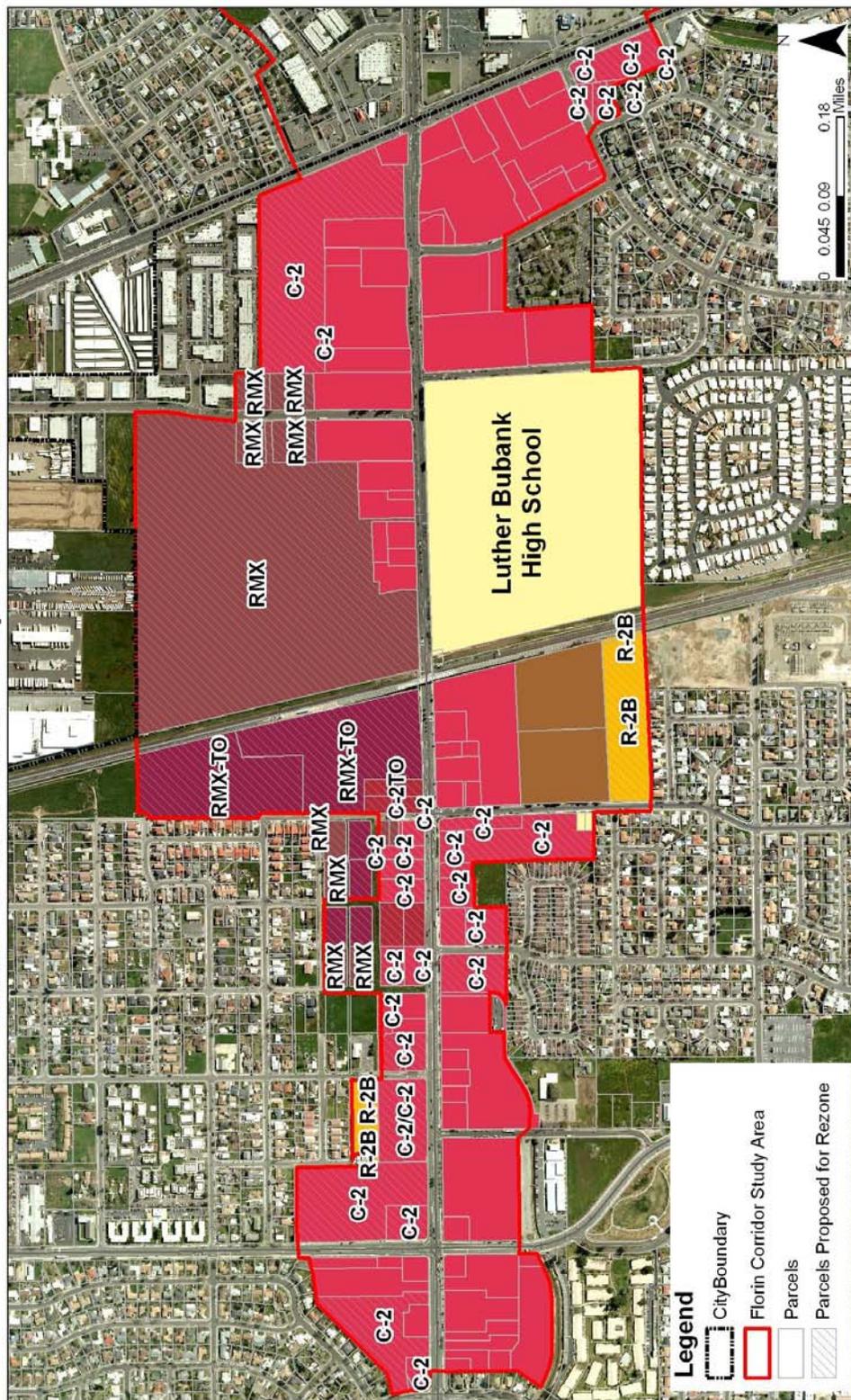
Table of Contents:

Exhibit A – Florin Road Rezone Map
Exhibit B – List of Rezone Properties

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Exhibit A – Florin Road Rezone Map

Florin Road Corridor - Proposed Rezones



[Return to Table of Contents](#)**Exhibit B – List of Rezone Properties**

APN	NUMBER	STREET	EXISTING ZONE	PROPOSEDZONE
04101120320000	3201	FLORIN RD	R-1/C-2	RMX
04101110060000	7101	INDIAN LN	M-1S/M-1S	RMX-TO/RMX-TO
04101110050000	3001	FLORIN RD	M-1S	RMX-TO
04101120240000	0	LUTHER DR	C-2	RMX
04101120230000	0	LUTHER DR	C-2	RMX
04101200220000	3815	FLORIN RD	M-1S/C-2	C-2
04101120210000	0	LUTHER DR	C-2	RMX
04101120300000	0	LUTHER DR	C-2	RMX
04100730250000	2401	FLORIN RD	C-2-R	C-2
03503340320000	2251	FLORIN RD	C-2/R-1	C-2
04101200110000	0	FLORIN RD	M-1S	C-2
04100850020000	7104	INDIAN LN	R-1	RMX
04100850010000	2816	LOCK AV	R-1	RMX
04100830020000	0	LOCK AV	R-1	RMX-TO
04100830010000	0	LOCK AV	R-1	RMX
04100850030000	7114	INDIAN LN	R-1	RMX-TO
04100850040000	0	SAM AV	R-1	RMX-TO
04100830030000	0	SAM AV	R-1	RMX-TO
04100830040000	0	SAM AV	R-1	RMX
04100730150000	7120	WOODBINE AV	R-1	R-2B
04100730110000	7120	WOODBINE AV	R-2A	R-2B
04101110070000	0	INDIAN LN	M-1S	C-2-TO
04101110040000	2935	FLORIN RD	M-1S	C-2-TO
04100750070000	0	27TH AV	C-2-R	C-2
04100750060000	7141	WOODBINE AV	C-2-R	C-2
04100730160000	2501	FLORIN RD	C-2-R/C-2	C-2
04100860210000	7116	INDIAN LN	R-2A	RMX
04100860220000	2815	FLORIN RD	C-2-R	C-2
04100860230000	2813	FLORIN RD	C-2-R	C-2
04100860320000	2811	FLORIN RD	C-2-R	C-2
04100860280000	0	SAM AV	C-2-R	C-2-TO
04100860290000	0	SAM AV	C-2-R	C-2
04100730240000	7155	24TH STREET	C-2-R	C-2
04100860270000	7136	INDIAN LN	R-2A	RMX
04101110080000	2931	FLORIN RD	M-1S	C-2-TO
04100860260000	0	INDIAN LN	C-2-R	C-2
04100750050000	0	SAM AV	C-2-R	C-2
04100860070000	2829	FLORIN RD	C-2-R	C-2
04100860310000	0	FLORIN RD	C-2-R	C-2-TO

Florin Road Corridor Plan – Policies and Rezones (LR07-008)

September 23, 2010

APN	NUMBER	STREET	EXISTING ZONE	PROPOSEDZONE
04100860300000	0	FLORIN RD	C-2-R	C-2
03503340180000	2221	FLORIN RD	C-2/R-1	C-2
03503340190000	0	TAMOSHANTER WY	R-1	C-2
04900210060000	2860	FLORIN RD	C-2-R/R-3	C-2
04900210050000	2800	FLORIN RD	R-1/C-2-R	C-2
04900210310000	2770	FLORIN RD	C-2-R	C-2
04900210420000	2750	FLORIN RD	C-2-R	C-2
04900210360000	2730	FLORIN RD	C-2-R	C-2
04900210350000	2700	FLORIN RD	C-2-R	C-2
04700120140000	2378	FLORIN RD	C-2/C-2-4	C-2/C-2
05000100470000	7282	FRANKLIN BL	C-2-R	C-2
04902700050000	0	MEADOWGATE DR	R-2B	C-2
04902700150000	7290	FRANKLIN BL	C-1-R	C-2
04902700060000	0	MEADOWGATE DR	R-2B	C-2
04900101030000	0	29TH ST	R-1-R	R-2B
04902700070000	0	FRANKLIN BL	C-1-R	C-2
04902700090000	0	FRANKLIN BL	C-1-R	C-2



REPORT TO PLANNING COMMISSION City of Sacramento

4

915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING

September 23, 2010

To: Members of the Planning Commission

Subject: Highway 99 Billboard Relocation Agreement (P10-009)

A request to approve a billboard relocation agreement to construct a new replacement billboard on the same site.

- A. Environmental Determination:** Categorical Exemption per CEQA Guidelines Section 15303;
- B. Billboard Relocation Agreement** to allow for the removal of three existing billboards in order to construct a new replacement billboard on 1.65 acres in the General Commercial (C-2) zone; and
- C. Variance** to exceed the maximum allowed 35 foot height by 10 feet for a 45 foot high billboard within the C-2 zone.

Location/Council District: 7900 Stockton Blvd/ District 8

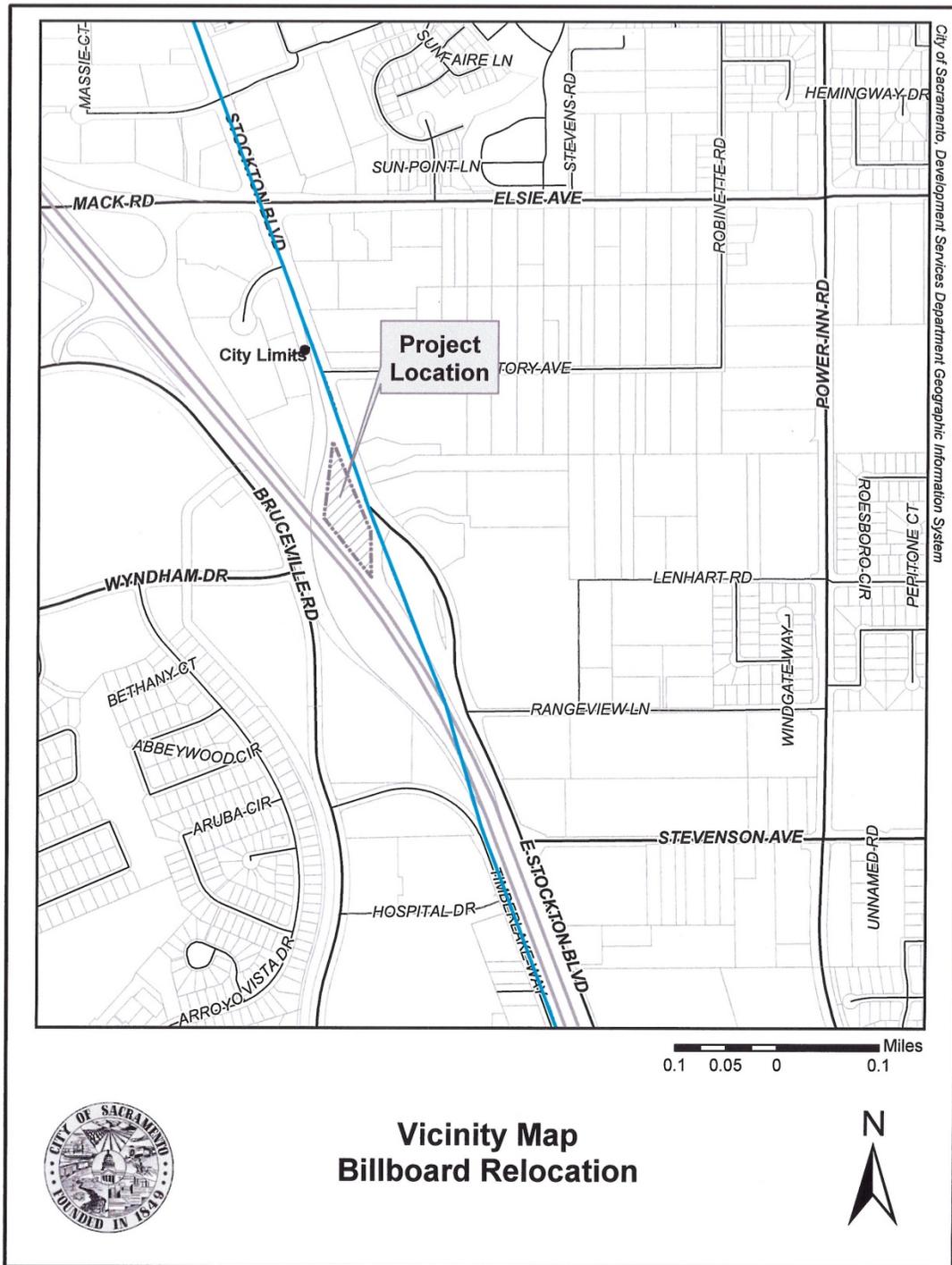
Assessor's Parcel Number: 117-0170-009

Recommendation: Staff recommends the Planning Commission recommend approval and forward the Billboard Relocation Agreement request to City Council based on the findings listed in Attachment 2. The City Council has the final approval authority over items A-B. This recommendation is based upon the conclusion the project is consistent with the applicable policies, requirements and findings for a relocation agreement established under Chapter 15.148 of the Sacramento City Code. Staff recommends the Planning Commission approve the Variance based on the findings of fact. The Planning Commission has final approval authority over item C above, and its decision is appealable to City Council.

Contact: Sandra Yope, Senior Planner, 916-808-7158 and Joy Patterson, Principal Planner, 916-808-7507

Applicant: Michael Wagener for Clear Channel Outdoor; 1107 9th St, Ste. 500; Sacramento, CA 95814, 916-492-1309

Owner: Doug Bayless; 1792 Tribute Rd., Ste. 270; Sacramento, CA 95815



Highway 99 Billboard Relocation Agreement (P10-009)

September 23, 2010

Summary: The applicant is requesting approval of a billboard relocation agreement to allow for the construction of a new replacement billboard on the same site and a variance to exceed the maximum height for the new billboard. The new billboard will have a double face and be 45 feet high. Three existing billboards will be removed including the existing single face billboard currently on the site.

As of the time of writing the report there were no comments or objections from any neighborhood group or adjacent property owners. **The project is not controversial.**

Table 1: Project Information
2030 General Plan designation: Suburban Corridor
Existing zoning of site: General Commercial (C-2)
Existing use of site: Commercial/Car Dealership
Property area: 1.65 acres

Background Information

On October 16, 2007, the Sacramento City Council adopted Ordinance No. 2007-079, which prohibits the construction and operation of new billboards within the City. Ordinance No. 2007-079 also provides, however, that this prohibition does not limit the City’s ability to enter into billboard relocation agreements under which new billboards may be constructed in exchange for the permanent removal of existing billboards, resulting in a net reduction of both the number and total square footage of billboards then lawfully allowed. Section 15.148.815 of the Sacramento City Code (“Section 15.148.815”) prescribes when and how the City may enter into a relocation agreement.

Clear Channel Outdoor (CCO) wishes to construct a new billboard under a billboard relocation agreement. The proposed agreement (Exhibit A) identifies the location of the proposed new billboard site (which is “freeway oriented”) and the location, general description, and size of the billboards proposed for permanent removal.

Public/Neighborhood Outreach and Comments

Staff routed the project to the Center Crossroads Neighborhood Association and staff has not received any comments from this neighborhood association. The Planning Commission meeting was also noticed to the property owners within a 500 foot radius of the subject site. At the time of writing of this report, staff has not received any comments, and staff is not aware of any opposition to the project.

Environmental Considerations

The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that this is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15303, New Construction or

Highway 99 Billboard Relocation Agreement (P10-009)

September 23, 2010

Conversion of Small Structures. The project consists of the installation of a new structure.

Project Setting

The site is a 1.65 acre commercial property developed with a car dealership. The site is currently zoned General Commercial (C-2). It is adjacent to Highway 99 to the west, the southbound connector ramp to the north, and the off ramp to the south and southeast. There is commercial development to the east that is in the county. There is an existing 300 square foot single face billboard (12 feet by 25 feet) on the south side of the site, south of the existing building.

Proposed Billboard Design, Height

The applicant proposes to construct a new billboard on the western most part of the site behind (west side) the existing building. The existing billboard will be removed. The new billboard will be 14 feet by 48 feet or 672 square feet of sign area per side. The billboard will have a double face for a total of 1344 square feet of sign area. The billboard will have a "V" design for the sign faces as in they are not parallel with each other. The new sign will be 45 feet high and supported by a single pole.

The Sign Code (Title 15.148) permits a maximum height of 35 feet for any detached sign in the C-2 zone. There is a provision to vary the code through the Planning Commission. The applicant is requesting variance for a height of 45 feet in order for the sign to be visible in both directions on Highway 99 as well as to be visible if the sight is redeveloped with a new commercial building. The southbound on-ramp to Highway 99 is to the north of the sight and is elevated necessitating the billboard has the proposed height to be visible to the southbound lanes of Highway 99.

Relocation Agreement

New billboards that are the subject of a relocation agreement are exempt from Ordinance No. 2007-079, which prohibits the construction and operation of new billboards within the City. Section 15.148.815 allows an applicant to apply for a billboard relocation agreement under which new billboards may be constructed in exchange for the permanent removal of existing billboards, resulting in a net reduction in both the number and total square footage of billboards then lawfully allowed. Under the proposed billboard relocation agreement, a total of 3 existing billboards of different sizes will be removed for the new billboard, resulting in a net reduction of 2 billboards and 228 square feet of existing billboard sign area. The list of signs proposed for removal is attached to the relocation agreement (Attachment 2).

Billboard relocation agreements are subject to the same procedural and hearing requirements as a city council approved special permits under Section 17.212.060. A billboard relocation agreement may be approved only if the following findings are made concerning the proposed new signage:

Highway 99 Billboard Relocation Agreement (P10-009)

September 23, 2010

1. The new billboards comply with the purpose and requirements of Sacramento City Code Chapter 15.148, including section 15.148.815.
2. The new billboards are compatible with the uses and structures on the new sites and in the surrounding areas, including parks, trails, and other public facilities and amenities.
3. The new billboards will not interfere with onsite access, circulation, or visibility.
4. The new billboards will not create a traffic or safety hazard.
5. The new billboards will not result in any undue or significant increase in visual clutter in the areas surrounding the new billboards.

Policy Considerations:

The subject site is designated Suburban Corridor on the 2030 General Plan Land Use and Urban Form Diagram. The proposed sign location is consistent with the land use designation. Allowing the billboard to be relocated on the site to the western side leaves the bulk of the site area for future redevelopment which supports General Plan policy to encourage infill and redevelopment of existing sites.

The relocation agreement meets the requirements of Section 15.148.815 and the findings can be made to support the agreement. Under both Section 15.148.815 and the provisions of the Outdoor Advertising Act (Bus. And Prof. Code §5200 et seq.), the proposed new billboard may be located only on commercial or industrial zoned property. The proposed site is zoned General Commercial (C-2).

Respectfully submitted by: Sandra L. Yope
SANDRA YOPE
Senior Planner

Approved by:

Recommendation Approved:

Joy Patterson
JOY PATTERSON
Principal Planner

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**Proposed Record of Decision
Digital Billboard Project (P09-055)**

Findings of Fact

A. Environmental Determination: Exemption

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 Planning Commission finds that the Project is exempt from review under **15303, New Construction or Conversion of Small Structures** of the California Environmental Quality Act (CEQA) Guidelines as follows:

The project consists of the installation of a new structure.

B. The Planning Commission recommends approval and forwards to the City Council the **Relocation Agreement** for the Project based on the findings as set forth in Attachment 2.

C. The **Variance** to exceed the maximum allowed 35 foot height by 10 feet for a 45 foot high billboard within the C-2 zone is approved based on the following Findings of Fact:

1. Granting the variance does not constitute a special privilege extended to an individual property owner in that other variances have been approved under similar circumstances.

2. Granting the variance will not be detrimental to the public welfare nor result in the creation of a public nuisance in that the billboard replaces and existing billboard and allows visibility from both directions on the highway.

3. Granting the variance does not constitute a use variance in that a relocated billboard on the same site is allowed in the C-2 zone with a relocation agreement.

4. The project is consistent with the General Plan Suburban Corridor Land Use Designation.

Attachment 2: DRAFT Resolution for Relocation Agreement

DRAFT RESOLUTION NO.

Adopted by the Sacramento City Council

**ADOPTING FINDINGS OF FACT AND APPROVING THE HIGHWAY 99
BILLBOARD RELOCATION AGREEMENT (CLEAR CHANNEL
OUTDOOR) (P10-009)**

BACKGROUND

- A. On September 23, 2010 the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the Highway 99 Billboard Relocation Agreement.
- B. On October 26, 2010, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(1) (a), (b), and (c) (publication and mail (500 feet), and received and considered evidence concerning the Digital Billboards Relocation Agreement 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 Highway 99 Billboard Relocation Agreement Project, the City Council approves the Relocation Agreement as attached in Exhibit A, based on the findings of fact as set forth below.

Section 2. Findings of fact:

A. Environmental Determination: 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 Planning Commission finds that the Project is exempt from review under **15303, New Construction or Conversion of Small Structures** of the California Environmental Quality Act (CEQA) Guidelines as follows:

The project consists of the installation of a new structure.

B. Relocation Agreement: The Billboard Relocation Agreement for the Project is approved based on the following findings of fact:

- 1. The new billboard complies with the purpose and requirements of Sacramento City Code Chapter 15.148, including section 15.148.815.

Highway 99 Billboard Relocation Agreement (P10-009)

September 23, 2010

2. The new billboard is compatible with the uses and structures on the new sites and in the surrounding areas, including parks, trails, and other public facilities and amenities.

3. The new billboard will not interfere with onsite access, circulation, or visibility.

4. The new billboard will not create a traffic or safety hazard.

5. The new billboard will not result in any undue or significant increase in visual clutter in the areas surrounding the new sites.

Section 3. Exhibit A is a part of this Resolution.

Exhibit A: Draft Proposed Relocation Agreement

**Billboard Relocation Agreement
City of Sacramento and Clear Channel Outdoor**

This agreement, dated October 26, 2010, for purposes of identification, is between the **City of Sacramento** (the “City”), a California municipal corporation; and **Clear Channel Outdoor, Inc.** (“CCO”), a Delaware corporation.

Background

A. On October 16, 2007, the Sacramento City Council adopted Ordinance No. 2007-079, which prohibits the construction and operation of new billboards within the City. Ordinance No. 2007-079 also provides, however, that this prohibition does not limit the City’s ability to enter into relocation agreements under which new billboards may be constructed in exchange for the permanent removal of existing billboards, as encouraged by the Outdoor Advertising Act.¹ Section 15.148.815 of the Sacramento City Code (“Section 15.148.815”) prescribes when and how the City may enter into a relocation agreement.

B. CCO desires to construct, maintain, and operate a new billboard on privately owned land within the City’s jurisdiction, at CCO’s sole expense (the “New Billboard”). The first column of **Exhibit A** to this agreement identifies the land on which CCO proposes to locate the New Billboard (the “New Billboard Site”).

C. CCO owns the existing billboards identified in the second column of **Exhibit A**, each of which is located on privately owned land within the City’s jurisdiction (the “Existing Billboards”). To fulfill the requirement that CCO remove existing billboards in return for the right to construct, operate, and maintain the New Billboard on the New Billboard Site, CCO applied to the City for a relocation agreement covering the Existing Billboards (Project No. P10-009). Removal of the Existing Billboards will result in a net reduction within the City of both (1) the total number of lawfully permitted offsite signs and (2) the total square footage of lawfully permitted offsite signage, as required by Section 15.148.815.

D. In accordance with Section 15.148.815, on September 23, 2010, the City’s Planning Commission held a public hearing on CCO’s application for a relocation agreement and then forwarded a recommendation of approval to the City Council; and on October 26, 2010, the City Council held a public hearing on the application and approved it based on the findings of fact, and subject to the conditions of approval (if any), set out in Resolution No. 2010-____.

1. ¹ Chapter 2 (beginning with section 5200) in division 3 of the California Business and Professions Code.

Highway 99 Billboard Relocation Agreement (P10-009)

September 23, 2010

With these background facts in mind, the City and CCO agree as follows:

1. Removal of Existing Billboards. In return for the City's approval of the New Billboard (Project No. P10-009), and to comply with Ordinance No. 2007-079, Section 15.148.815, and the Outdoor Advertising Act, CCO shall remove the Existing Billboards according to the schedule set forth in the second column of **Exhibit A**.

2. Compliance with Law. While removing the Existing Billboards and while constructing, operating, and maintaining the New Billboard on the New Billboard Site, CCO shall comply with all conditions of approval set out in Resolution No. 2010-___ and with valid and applicable statutes, ordinances, regulations, rules, and orders that concern the Existing Billboards, the New Billboard, or the New Billboard Site, including Section 15.148.815 and the Outdoor Advertising Act, whether enacted or issued before, on, or after the effective date of this agreement (see Section 6(i), below).

3. Waiver of Compensation. CCO hereby waives and releases all claims for compensation CCO has or may have in the future, against the City or the City's elected officials, officers, employees, and agents, that are related to, or connected with, CCO's removal of the Existing Billboards. This waiver and release includes any claims made or arising under the California Government Claims Act,² the Outdoor Advertising Act, the California Constitution, the federal Highway Beautification Act of 1965,³ or the United States Constitution.

4. Release of Claims. CCO unconditionally and forever releases and discharges the City and the City's elected officials, officers, employees, and agents from all liabilities, claims, demands, damages, and costs (including reasonable attorneys' fees and litigation costs through final resolution on appeal) that in any way arise from, or are connected with, CCO's removal of the Existing Billboards. This release and discharge covers all claims, rights, liabilities, demands, obligations, duties, promises, costs, expenses, damages, and other losses or rights of any kind, past, present, and future, whatever the theory of recovery, and whether known or unknown, patent or latent, suspected or unsuspected, fixed or contingent, or matured or unmatured. CCO hereby waives all rights it has or may have in the future under section 1542 of the California Civil Code, which provides as follows:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known to him or her must have materially affected his or her settlement with the debtor."

5. Indemnity. CCO shall indemnify, defend (upon the City's written request), protect, and hold the City and the City's elected officials, officers, employees, and agents harmless against

2. ² Parts 1 through 7 (beginning with section 810) in division 3.6 of title 1 of the California Government Code.

3. ³ Title 23 United States Code section 131.

Highway 99 Billboard Relocation Agreement (P10-009)

September 23, 2010

all liabilities, claims, demands, damages, and costs (including reasonable attorneys' fees and litigation costs through appeal) that arise in any way from either or both of the following:

The acts or omissions of CCO or CCO's officers, employees, or agents in removing the Existing Billboards.

- (a) The City's processing and approval of CCO's application for this relocation agreement. CCO's obligation under this Section 5(b) includes all claims by the owner of property from which an Existing Billboard is removed, including claims based on the California Government Claims Act, the Outdoor Advertising Act, the California Constitution, the federal Highway Beautification Act of 1965, or the United States Constitution.

5. Miscellaneous.

- (a) *Notices.* Any notice or other communication under this agreement must be in writing and will be considered properly given and effective only when mailed or delivered in the manner provided by this Section 6(a) to the persons identified below. A mailed notice or other communication will be effective or will be considered to have been given on the third day after it is deposited in the United States Mail (certified mail and return receipt requested), addressed as set forth below, with postage prepaid. A notice or other communication sent in any other manner will be effective or will be considered properly given when actually delivered. Any party may change its address for these purposes by giving written notice of the change to the other party in the manner provided in this section.

If to the City:

City of Sacramento
 Community Development Department
 Planning Division
 300 Richards Boulevard, Third Floor
 Sacramento, California 95811
 Attention:
 Sandra Yope
 Senior Planner

If to CCO:

Clear Channel Outdoor, Inc.
 1107 9th Street, Suite 500
 Sacramento, California 95814
 Attention:
 David M. McWalters
 Senior Vice President
 Real Estate & Public Affairs

- (b) *Assignment.* A party may not assign or otherwise transfer this agreement or any interest in it without the other party's written consent. An assignment or other transfer made contrary to this Section 6(b) is void.

Highway 99 Billboard Relocation Agreement (P10-009)

September 23, 2010

- (c) *Successors and Assigns.* This agreement binds and inures to the benefit of the successors and assigns of the parties. This Section 6(c) does not constitute the City's consent to any assignment of this agreement or any interest in this agreement.
- (d) *Interpretation.* This agreement is to be interpreted and applied in accordance with California law, without regard to conflict-of-law principles, subject to the following:
- (1) Sections 3, 4, and 5 of this agreement are to be interpreted so as to provide the City and the City's elected officials, officers, employees, and agents with the maximum protection possible against any obligation or liability that in any way arises from, or is connected with, CCO's removal of the Existing Billboards.
 - (2) The rule of interpretation in Civil Code section 1654 will not apply.
 - (3) "Includes" and "including" are not restrictive. "Includes" means "includes but not limited to," and "including" means "including but not limited to."
 - (4) Exhibit A is part of this agreement.
- (e) *Waiver of Breach.* A party's failure to insist on strict performance of this agreement or to exercise any right or remedy upon the other party's breach of this agreement will not constitute a waiver of the performance, right, or remedy. A party's waiver of the other party's breach of any term or provision in this agreement will not constitute a continuing waiver or a waiver of any subsequent breach of the same or any other term or provision. A waiver is binding only if set forth in writing and signed by the waiving party.
- (f) *Attorney's Fees.* The party prevailing in any litigation concerning this agreement will be entitled to an award by the court of reasonable attorneys' fees and litigation costs through final resolution on appeal in addition to any other relief that may be granted in the litigation. If the City is the prevailing party, then this Section 6(f) will apply whether the City is represented in the litigation by the Office of the City Attorney or by outside counsel.

Highway 99 Billboard Relocation Agreement (P10-009)

September 23, 2010

- (g) *Severability.* If a court with jurisdiction holds any nonmaterial provision of this agreement to be invalid, void, or unenforceable, then the remaining provisions will remain in full force.
- (h) *Counterparts.* The parties may execute this agreement in counterparts, each of which will be considered an original, but all of which will constitute the same agreement.
- (i) *Effective Date.* This agreement is effective as of the date on which both the City and CCO have signed it, as indicated by the dates in the signature blocks below.
- (j) *Time of Essence.* Time is of the essence of this agreement.
- (k) *Integration and Modification.* This agreement sets forth the parties' entire understanding regarding the matters addressed. It supersedes all prior or contemporaneous agreements, representations, and negotiations (written, oral, express, or implied) and may be modified only by another written agreement signed by both parties.

(Signature Page Follows)

Highway 99 Billboard Relocation Agreement (P10-009)

September 23, 2010

City of Sacramento

Clear Channel Outdoor, Inc.

By: _____
Gus Vina
Interim City Manager
Dated: October __, 2010

By: _____
David McWalters
Senior Vice President Real Estate
Clear Channel Outdoor
Dated: October __, 2010

Approved as to Form
Sacramento City Attorney

Approved as to Form
Remy, Thomas, Moose & Manley

By: _____
Joseph Cerullo Jr.
Senior Deputy City Attorney

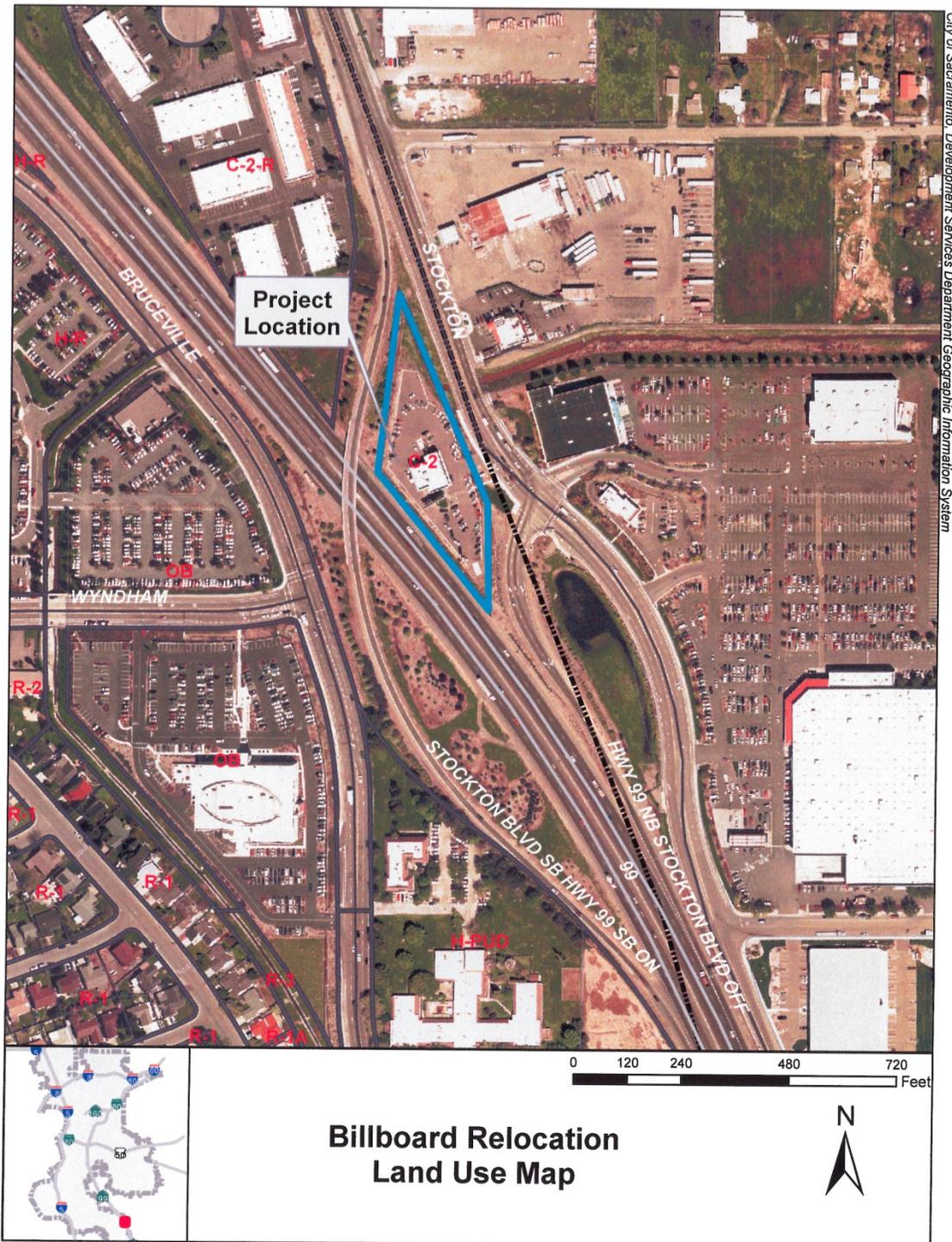
By: _____
Tina Thomas
Attorneys for Clear Channel Outdoor

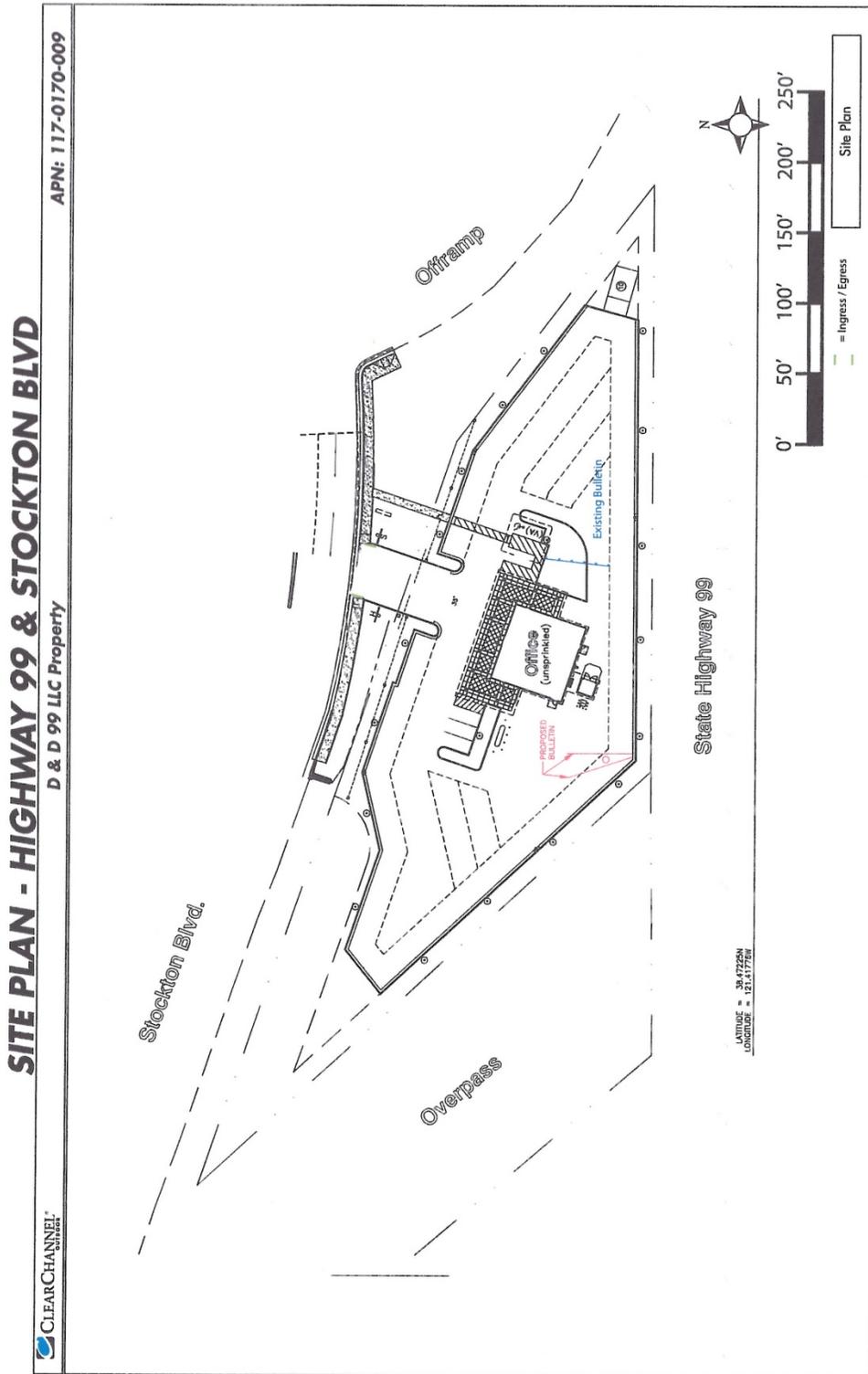
**Exhibit A to Billboard Relocation Agreement
City of Sacramento and Clear Channel Outdoor**

A. New Billboard	B. Existing Billboards
<p>New Billboard</p> <p><i>General Location:</i> 7900 Stockton Boulevard <i>APN:</i> 117-0170-009 <i>Zoning:</i> C-2 <i>General Description:</i> two-sided billboard (14' X 48') <i>Total Display Area:</i> 1344 square feet</p>	<p>CCO shall permanently remove these three Existing Billboards from the indicated locations <i>before</i> CCO begins constructing the New Billboard:</p> <p>Existing Billboard 1</p> <p><i>General Location:</i> 7900 Stockton Boulevard <i>APN:</i> 117-0170-009 <i>Zoning:</i> C-2 <i>CCO Location Number:</i> ____ <i>General Description:</i> one-sided billboard (14' X 48') <i>Total Display Area:</i> 672 square feet</p> <p>Existing Billboard 2</p> <p><i>General Location:</i> 1476 Blair Avenue <i>APN:</i> 035-0091-006 <i>Zoning:</i> M-1 <i>CCO Location Number:</i> ____ <i>General Description:</i> two-sided billboard (12' X 25') <i>Total Display Area:</i> 600 square feet</p> <p>Existing Billboard 3</p> <p><i>General Location:</i> 3218 Broadway <i>APN:</i> 010-0308-005 <i>Zoning:</i> C-2 <i>CCO Location Number:</i> ____ <i>General Description:</i> one-sided billboard (12' X 25') <i>Total Display Area:</i> 300 square feet</p>

Net Reduction in Number of Signs:	2 signs
Net Reduction in Number of Display Faces:	2 faces
Net Reduction in Display Area:	228 square feet

Attachment 3: Land Use Map



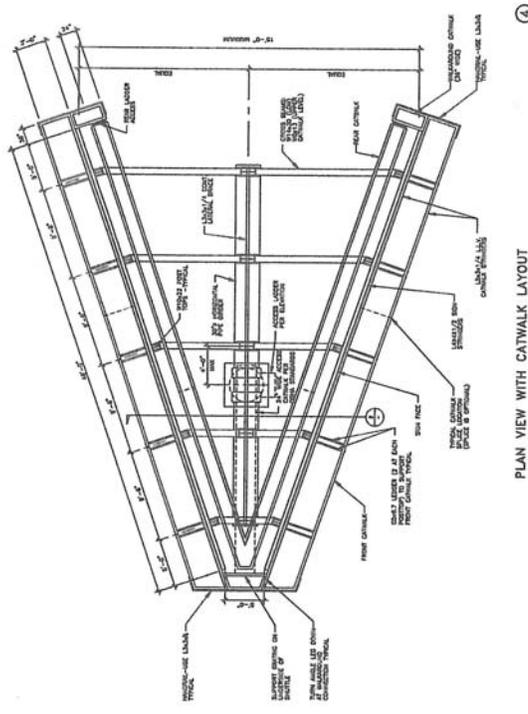


SIGN DESIGN - HIGHWAY 99 & STOCKTON BLVD

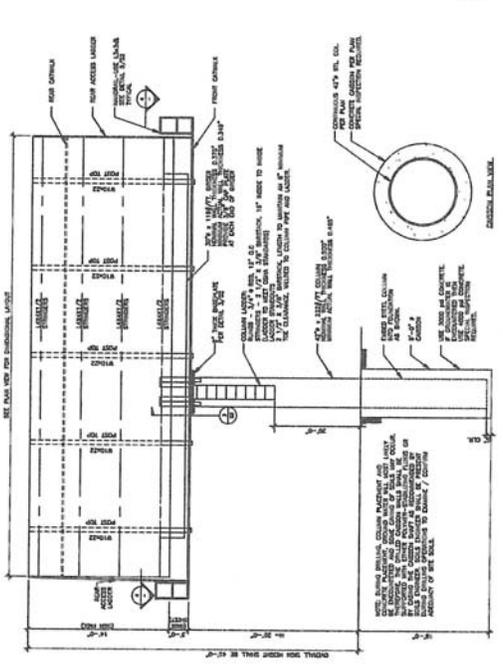
D & D 99 LLC Property

CLEARCHANNEL
DESIGN

APN: 117-0170-009



PLAN VIEW WITH CATWALK LAYOUT



FRAME ELEVATION

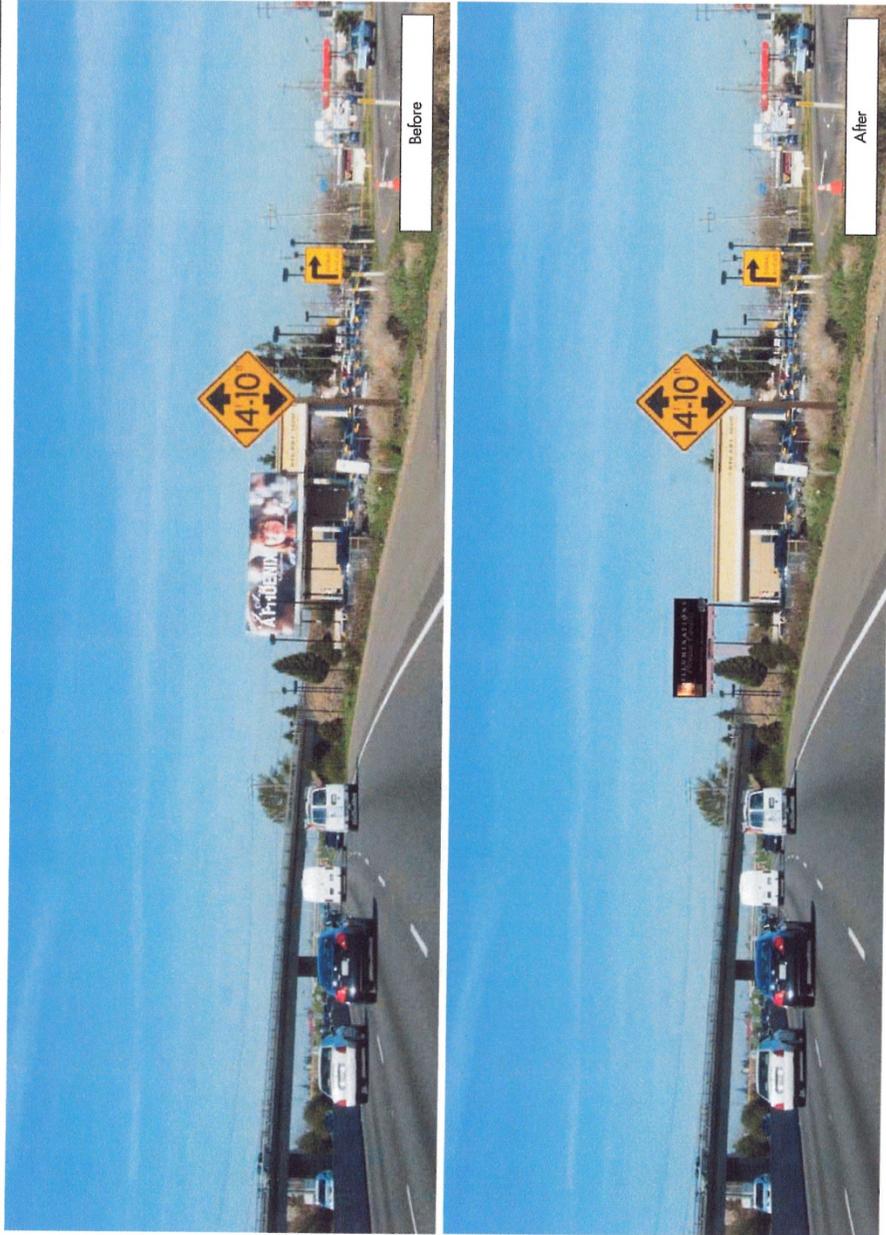
Sign Design

ARTIST RENDERING - HIGHWAY 99 & STOCKTON BLVD



D & D 99 LLC Property

APN: 117-0170-009





REPORT TO PLANNING COMMISSION City of Sacramento

5

915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
September 23, 2010

To: Members of the Planning Commission

Subject: 3820 Broadway (P10-042) Request to construct a 53,000 square foot mixed use project including 56 units of senior apartments and 4,000 square feet of retail/commercial space on approximately 1.2 acres in the Limited Commercial, Broadway/Stockton Special Planning District (C-1-SPD) zone. The project requires the following entitlements:

- A. Environmental Determination:** Exempt (per CEQA Guidelines Section 15332, Infill Development);
- B. Special Permit** to construct a building over 20,000 square feet in size in the Limited Commercial (C-1-SPD) zone;
- C. Special Permit** to reduce required parking for senior apartments;
- D. Variance** to reduce the setback from 5' to 0' along Broadway and;
- E. Variance** to reduce the setback from 20' to 0' along Martin Luther King Jr. Boulevard.

Location/Council District:

3820 Broadway, Sacramento, CA

Assessor's Parcel Number: 014-0171-001, -017, -018, -019, -020, -025

Council District 5

Recommendation: Staff recommends the Commission approve the request based on the findings and subject to the conditions listed in Attachment 1. The Commission has final approval authority over items A-E above, and its decision is appealable to City Council. At the time of writing this report, staff is not aware of any outstanding neighborhood issues.

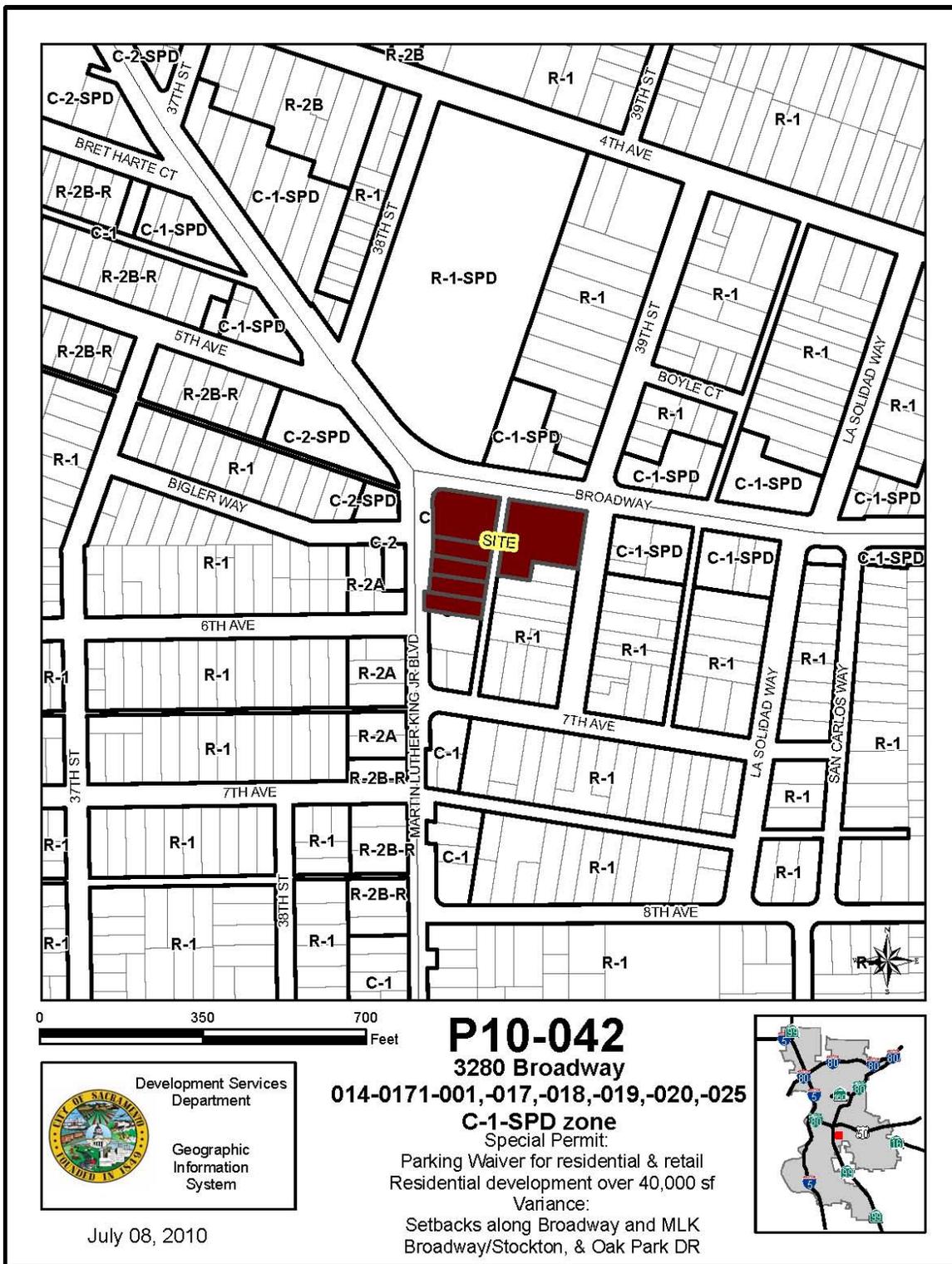
Contact: Matthew Sites, Associate AIA, LEED AP, Urban Design Staff, (916) 808-7646
Lindsey Alagozian, Senior Planner, (916) 808-2659

Applicant: Steven Oh, Related Companies, (949) 660-7272, 18201 Von Carmen Avenue, Suite 900, Irvine, CA 92612.

Subject: 3820 Broadway (P10-042)

September 23, 2010

Owner: Redevelopment Agency Of The City Of Sacramento, (916) 444-9210, 801 12th Street, Sacramento, CA 95814.



Subject: 3820 Broadway (P10-042)

September 23, 2010

Summary: The applicant is proposing to develop an approximately 53,000 square foot mixed use project including 56 units of senior apartments and 4,000 square feet of retail/commercial space on approximately 1.2 acres in the Limited Commercial, Broadway/Stockton Special Planning District (C-1-SPD) zone. The project requires two Special Permits and two Variances. Staff supports the project as it provides a mix of uses including affordable housing for seniors. The proposed senior housing development with ground floor retail, which is a lower generator of vehicular trips supports a parking reduction, as it is within walking distance of commercial services. Staff notified all property owners within 500 feet of the site for this public hearing and received no opposition from the surrounding neighborhood.

Table 1: Project Information
General Plan designation: Urban Corridor Low (20-110 dwelling units per net acre), FAR: 0.3- 3.0
Existing zoning of site: C-1-SPD; Limited Commercial, Broadway Stockton Special Planning District Zone
Existing use of site: Vacant
Property area: Approximately 1.2 acres

Background Information: The applicant is requesting entitlements to develop a 53,000 square foot mixed use project including 56 senior apartments on approximately 1.2 net acres within the Broadway/Stockton Special Planning District. This project has been through several iterations over the past several years, and the current developer and owner (SHRA) have acquired an appropriate scope and budget for this project. This building is located at a prominent corner in the Oak Park neighborhood and the proposed uses complement those of the surrounding area.

A previous planning application P06-159, was submitted in 2006 for a mixed use development consisting of retail, townhouses, and residential apartments, but was later withdrawn in 2008. The project became infeasible due to the traffic mitigations and density requirements and was ultimately withdrawn. Additional information was requested in IR09-348 regarding traffic mitigation, acoustic study, arborist survey, and a review of the Phase 1 report.

Public/Neighborhood Outreach and Comments: Staff routed the proposal to the Oak Park Neighborhood Association, Oak Park Business Association, Oak Park Redevelopment Advisory Committee and property owners within a five-hundred foot radius of the project site. Staff received comments from the Oak Park Redevelopment Advisory Committee (RAC) see Attachment 4. Comments were expressed by individual RAC members regarding the design of the project. Since the RAC meeting city staff, the applicant, and SHRA staff have been working closely to resolve the design concerns for the project. At this time, staff believes that the design of the project will be resolved before the Design Commission hearing in October, 2010.

Subject: 3820 Broadway (P10-042)

September 23, 2010

Environmental Considerations: The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that this is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15332, In-fill Development Projects. The project consists of the construction of a building that occurs in an urban area served by utilities and public services, on a site that is less than 5 acres, has no habitat value, is consistent with all applicable land uses, and would not result in any significant effects to traffic, noise, air, or water quality.

Policy Considerations:

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 Update designation of the subject site is Urban Corridor Low, which provides for, "...A development pattern with moderate lot coverage, limited side yard setbacks, and buildings cited up to the corridor ... large-scale development should include a mix of nonresidential and residential uses with more intense development near major intersections." Furthermore, the proposed project would promote the following Urban Corridor Low policies:

- **Transformed Corridors.** The City shall facilitate the transformation of major thoroughfares dominated by auto-oriented strip commercial uses to include a broader mix of uses, both horizontal and vertical, that provides opportunities for medium- and higher-density housing, while also addressing local and citywide demand for retail and services. (Policy LU 6.1.2)
- **Efficient Parcel Utilization.** The City shall promote the aggregation of small and irregular shaped parcels along corridors into larger development sites to facilitate their redevelopment. (Policy LU 6.1.4)
- **Conversion to Residential.** The City shall support proposals to convert nonresidential properties along mixed-use corridors, between major intersections, to residential or mixed-use residential uses. (Policy LU 6.1.7)

The proposed project meets the 2030 General Plan goals and policies related to the Urban Corridor Low land use designation.

Project Design:

Land Use

The applicant is proposing to develop an approximately 53,000 square foot mixed use project including 56 units of senior apartments and 4,000 square feet of retail/commercial space on approximately 1.2 acres in the Limited Commercial, Broadway/Stockton

Subject: 3820 Broadway (P10-042)

September 23, 2010

Special Planning District (C-1-SPD) zone. The project requires a Special Permit to allow construction of a building over 20,000 square feet in size in the Limited Commercial C-1-SPD zone. The proposed project also requires a Special Permit to reduce the number of parking stalls for senior apartments. Variances are requested to reduce the setback from 5' to 0' along Broadway and from 20' to 0' along Martin Luther King Jr. Boulevard.

This project includes a parcel merger of six parcels into a single 1.2 acre parcel, and proposed partial alley abandonment off Broadway between Martin Luther King, Jr. Blvd and 39th Street. The parcel merger request has been reviewed and has been determined to be consistent with zoning regulations. A condition of approval is included to require that the applicant complete the parcel merger prior to commencing construction of the project. The alley abandonment is proceeding along a separate application with the Department of Transportation which ultimately requires City Council approval. The alley abandonment request is expected to be presented to City Council on October 5, 2010.

Special Permit to allow a building over 20,000 square feet in size.

According to the zoning code, Section 17.60-030 (15) a special permit is required for any building of 20,000 square feet or larger in the Limited Commercial (C-1) zone. In evaluating special permit proposals of this type, the Planning Commission is required to make the following findings:

A. Sound Principles of Land Use. A special permit shall be granted upon sound principles of land use.

In this case, staff finds that the proposed project is appropriate because it provides a housing type not found in the area and will help ensure that the City meets its objectives to provide more affordable ownership housing opportunities. Staff finds that approval of the Special Permit is appropriate due to compatibility of the proposed mixed use building with a vacant parcel zoned for limited commercial and residential uses to the east, a mini-mart and residential to the south, retail and residential uses to the west, and institutional and retail used to the north, as the retail use will serve and complement the population in the immediate area of the site. In addition, the site is surrounded by existing development and existing infrastructure.

B. Not Injurious. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance.

The approval of the Special Permit for a 53,000 square foot mixed-use project will not be detrimental to the public welfare and will not result in the creation of a public nuisance in that the uses are compatible with the surrounding community and will provide additional commercial uses for the surrounding single family community. The building has been designed on the property in such a way that minimizes any impacts to the residential uses to the south. The additional square footage allocated to the building allows for a quality mixed-use development with parking and landscaping located to the rear of the property.

Subject: 3820 Broadway (P10-042)

September 23, 2010

C. Must Relate to a Plan. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located.

The proposed project is consistent with the commercial land use and is consistent with the General Plan designation of Urban Corridor Low for the subject site.

Access, Circulation and Parking

The proposed project includes driveway access points along the east side of Martin Luther King, Jr. Boulevard. Emergency vehicle access is provided on the east side of the property along 39th Street, along the south property line at the alley, and in the parking area at the west. The proposed vehicular entries requires the construction of a median in Martin Luther King, Jr. Boulevard to prevent left in and left out maneuvers. The applicant has agreed to constructing the median and staff has included a condition of approval. The proposed development is consistent with the zoning regulations in that the safe and proper functioning of the entries will be achieved with the Department of Transportation traffic measures. A vehicular drop-off area is provided along Broadway and is located adjacent to a proposed pedestrian connection at the entry of the residential portion of the building. The applicant has the option to provide this element and will be conditioned accordingly. Staff supports the proposed drop off as it will provide greater support for the reduced number of parking spaces.

Pedestrian circulation is provided with the inclusion of walkways throughout the project site. A main pedestrian connection is proposed off Broadway and extends throughout the project, culminating at the pergola adjacent to the fountain and gathering space. In addition, ample walkways are provided throughout the site which is consistent with the Multi-Family Residential Design Guidelines. The following tables identify the total number of vehicular parking and bicycle parking spaces for the project:

Table 2: Parking			
Use	Required Parking	Proposed Parking	Difference
Apartments	88 (based on 1.5 space per unit + 1 guest space per 15 units)	31	-53
Retail, etc.	10	10	0

Table 2a: Bicycle Parking			
Total parking provided	Required bicycle parking	Provided bicycle parking	Difference
41	5	6	+1

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The project is proposing a total of 41 parking spaces, including compact spaces and accessible spaces. Ten parking spaces are required for the retail uses and are provided on the street side of the fence/gate off Martin Luther King, Jr. Blvd. A metal security gate and fence is provided for the remainder of the parking spaces for 24 hour secured parking for senior residents. According to the Zoning Code, apartment uses typically require 88 parking spaces for 56 units based upon the 1.5 parking per unit ratio plus one guest space per 15 units. The project provides a total of 31 parking spaces for the senior apartments, which requires the approval of a Special Permit to reduce the total number of parking spaces. A discussion of this entitlement is located in the subsequent section of this staff report.

The project is consistent with Multi-Family Residential Design Guidelines regarding parking in that: the surface parking areas are located away from the adjacent public roadways; and parking and vehicle access is located away from street corners.

According to the Sacramento City Code (Section 17.64.050), one bicycle parking facility is required for every twenty (20) off-street parking spaces required. Since 88 parking spaces are required, a minimum of five bicycle facilities are required. Fifty (50) percent of the required bicycle parking facilities shall be Class I; the remaining facilities may be Class I, Class II, or Class III. According to the Multi-Family Residential Design Guidelines, bicycle parking should be located close to, and with direct access to, residential buildings. The project will be conditioned such that bicycle parking spaces are located in close proximity to the building.

Special Permit for Parking Reduction

The applicant provides a total of 31 parking spaces for 56 units, and ten parking spaces for the retail uses. The project provides the required number of parking spaces for the retail uses, but does not provide the required number of parking spaces for the residential component. Typically, apartment projects provide 1.5 spaces per dwelling unit and one guest space per 15 units and the applicant provides senior residential parking at a ratio of 0.5.

Staff is in support of reduced the number of parking spaces for the project. Staff has extensively evaluated the subject site and believes that the project is feasible based on the following reasons: 1) the site is located adjacent to existing retail and commercial uses which helps to reduce trip generations; 2) the proposed high density use will be next to several Regional Transit (RT) bus routes and will support transit ridership; 3) a drop-off area (if constructed) can be provided to reduce the need for additional parking spaces for those that do not drive; 4) senior housing typically requires less parking than non-senior housing and therefore a reduction in parking is supported; 5) the project provides indoor community space and ample outdoor amenities for use by its residents; and 6) staff has supported reduced parking for senior housing projects throughout the city based on the reduced need for parking.

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The applicant has completed a parking analysis for the project and is included in the staff report as Attachment 3. Within this analysis an extensive comparison with other senior housing projects is provided demonstrating that the proposed 0.5 parking ratio is consistent with other senior housing projects in existing urban areas of Sacramento.

Staff reviewed several Senior Living projects that the Planning Commission and the Zoning Administrator approved and found that a range of 0.50 to 0.75 spaces per unit was acceptable in higher density areas, and areas with no local amenities required 1.0 to 1.25 spaces per unit. As there are a significant amount of amenities surrounding this property staff supports the parking reduction. The reduction in parking is also appropriate due to the shared use as the retail space will generally serve the residences. The applicant has indicated that the gated parking will be assigned and the rest of the parking stalls will be unmarked to be used for both retail and residential guests. The applicant will submit a Transportation Management Plan for review and approval by the City which may address alternative transportation modes such as public transit and shuttles. In conclusion, staff supports the requested parking reduction and finds the proposed parking to provide adequate parking for retail, residents and guests.

The approval of a Special Permit is required to reduce the parking for the apartment use. In evaluating special permit proposals of this type, the Planning Commission is required to make the following findings:

A. A special permit shall be granted upon sound principles of land use.

Staff finds that the parking reduction is appropriate for the project since senior housing typically requires less parking for the residents and because the site is adjacent to a Regional Transit Bus Route and commercial establishments that can be easily accessed by residents.

B. Not Injurious. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance.

Staff finds that the proposed parking will be adequate for users within the senior housing development and that the reduction will not be detrimental to the safety and welfare of its residents. The proposed parking ratio is consistent with other senior living projects in urban areas of Sacramento.

C. Must Relate to a Plan. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located.

The proposed project, in providing higher density development adjacent to a Regional Transit Bus Route is consistent with the residential land use policies and density requirements of the General Plan.

Height, Bulk and Setbacks

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Under the Special Permit to allow a building over 20,000 square feet in size, the Planning Commission has the authority to vary the setbacks. The Zoning Code requires that mixed use projects meet the required Limited Commercial (C-1) street side setbacks (5 feet) and rear setback (20 feet). The proposal requests reduced setbacks on Broadway and Martin Luther King, Jr. Boulevard to allow the building to be constructed with a strong street wall and establish an urban identity. The parcels if not merged, would have a zero foot setback along Broadway and Martin Luther King, Jr. Boulevard. The project meets the intent of the Broadway / Stockton Special Planning District which requires that buildings be located close to the public street; however, this project is constrained due to the odd configuration of the merged lots and necessitates a variance. Therefore staff supports the request to vary the setbacks as noted in the chart below.

Table 3: Height and area standards			
Standard	Required	Proposed	Deviation?
Height*	35'	33.5'	no
Front setback (39 th Street)	0'	5'	no
Side setback	5'	27'1.5"	no
Street side setback (Broadway)	5'	0'	Yes - 5'
Rear setback (MLK)	20'	0'	Yes -20'
Courtyard	n/a	n/a	n/a
Lot coverage	70% max.	30%	no
Density	20-110 d.u./n.a.	47 d.u./n.a.	no

*The height of the proposed office building is measured to the plate line. The Zoning Code allows additional height for elevator towers and mechanical appurtenances as long as the variation in height is not greater than 20% and does not cover more than 50% of the roof area.

As indicated above, the project will request entitlements to deviate from the required setback requirements. The proposed project will exceed the setback requirement by 5 feet along Broadway and 20 feet along Martin Luther King, Jr. Boulevard. Staff supports the reduction of the setbacks as it will provide a strong corner element and massing that erodes toward single family residences.

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Variance to reduce setbacks

The project involves merging six lots into one resulting in a parcel that is bordered by three public streets: Broadway, Martin Luther King, Jr. Blvd, and 39th Street. According to the Zoning Code, the shortest side of the lot adjacent to a public street is considered the front which is 39th Street. The Broadway elevation is considered the street side yard setback and Martin Luther King, Jr. Boulevard is considered the rear, for setback purposes only. The Broadway / Stockton Special Planning District encourages that buildings be located close to the major commercial corridor, which is Broadway in this case. Due to the odd configuration of the proposed merged lots, variances are required for this type of development. Therefore, the applicant is requesting approval of two setback variances along Broadway and Martin Luther King, Jr. Boulevard. According to the Zoning Code, the approval of a variance is required to reduce the required setback distance for the project building as proposed. In order to grant a variance, the Planning Commission must make the following findings:

A. A variance cannot be a special privilege extended to one individual property owner. The circumstances must be such that the same variance would be appropriate for any property owner facing similar circumstances.

No special privilege is being extended and the variance would be appropriate for any property owner, in that the parcels if not merged, would have a zero foot setback along Broadway and Martin Luther King, Jr. Boulevard. The project meets the intent of the Broadway / Stockton Special Planning District which requires that buildings be located close to the public street; however, this project is constrained due to the odd configuration of the merged lots and necessitates a variance.

B. The consideration of "use variances" is specifically prohibited. These are variances which request approval to locate a use in a zone from which it is prohibited by ordinance.

A use variance is not requested; the proposed uses are permitted subject to the approval of a special permit and compliance with City development standards.

C. A variance must not be injurious to public welfare, nor to property in the vicinity of the applicant.

The variance will not be injurious to public welfare, nor to property in the vicinity of the applicant, in that the building design utilizes zero foot setbacks at the corner of Broadway and Martin Luther King, Jr. Boulevard, and is reduced at the street edges as the building returns toward the single family residential uses both east and south of the intersection. The Zoning Code and the Broadway/Stockton Special Planning District requires activation of public streets and allowing visually accessible retail at street level, the location of the retail entry should provide transparency from one street frontage to another. **A variance must be in harmony with the general purpose and intent of the zoning code. It must not adversely affect the general plan or specific plans of the city, or the open space zoning regulations.**

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The proposed development is otherwise consistent with the zoning regulations in that the safety and aesthetic of the area is not impaired. The proposed variance does not violate any applicable general plan policies, as it promotes the aggregation of small and irregular shaped parcels along corridors into larger development sites to facilitate their redevelopment.

Because of this unique circumstance and the lack of harm to public safety, staff has no objection to the variances to reduce the setback from 5' to 0' along Broadway and to reduce the setback from 20' to 0' along Martin Luther King Jr. Boulevard.

Building design, signage and landscaping

The applicant is proposing construction of an approximately 53,000 square foot building containing 4,000 square feet of ground floor retail / commercial space and 49,000 square feet of senior apartments. The building is designed such that the commercial space is located at the corner of Broadway and Martin Luther King, Jr. Boulevard. The remaining first floor of the building is comprised of common area, access to outdoor gathering and landscaped spaces, and single bedroom apartments. The common spaces include: lounge, multi-purpose room, fitness room, and a computer room. The outdoor spaces are located to the rear of the property and include the following amenities: Rose Walk, water feature, Getaway Garden, and an outdoor seating area with an outdoor kitchen and barbeque. The parking for the project is located behind the building along Martin Luther King, Jr. Boulevard.

A total of 56 apartment units are being proposed for senior housing. 55 of the units will be single bedroom units of approximately 587 square feet. One of the units, which is projected to be for the on-site manager will be a 2-bedroom unit of approximately 720 square feet in size. The apartments are located on all three floors of the building. Bollards are located at the corner of Broadway and Martin Luther King, Jr. Blvd and the building is slightly recessed in response to the city's concerns for traffic accidents at this corner. Staff believes that the proposed bollards and location of the building at the corner will address the safety concern. As required by the Zoning Code, a six foot high CMU solid masonry wall is required along the southern and western property lines which abut residential zones and uses.

The proposed building will be three stories in height which is consistent with the goals of the general plan for Urban Corridor Low and the Limited Commercial zoning. The massing and scale of the building is appropriate for the location and is well articulated through layering of the façade and materials reducing the potential of a monolithic mass. The building design was sited to reduce localized issues of traffic views, noise from the streets, and maximize protection and ambiance of the outdoor green space at the south of the building. The building orientation also provides access to the delta breeze and southern sun exposure in the outdoor green space creating a more inviting amenity.

The building finishes include smooth finished cement plaster with reveals utilized to articulate the plaster, fiber cement horizontal lap siding, and thin brick veneer. Balconies

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have been provided at several of the second and third floor units, as well as some screened outdoor patio space at the ground level along Broadway to create further articulation and interest in the façades. A recessed open outdoor space adjacent to the retail space provides punctuation of the Broadway and Martin Luther King, Jr. Boulevard corner and the colonnade has been brought close to the street facilitating the pedestrian connection. This project requires review and approval by the Design Commission as it is located in the Broadway/Stockton and Oak Park Design Review Districts. Design Review staff supports the proposed project and will present this project to the Design Commission, this meeting is tentatively scheduled for October 13, 2010.

The building shown is schematic in design and will require refining prior to construction. The project will be conditioned at the Design Commission Hearing for staff level design review approval prior to construction. Although the building is schematic in design it does exhibit many characteristics consistent with the goals of the Design Review Districts. The buildings have been designed to integrate with the surrounding context in terms of function, scale, and massing.

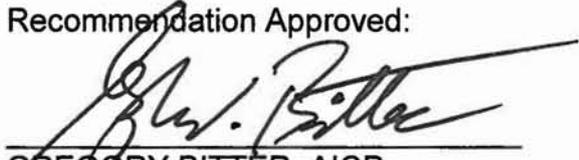
Blade signs have been proposed on the elevations as a placeholder during this phase of work. Any signs proposed shall meet the City Code and Design Review standards prior to Building Permit submittal.

Conclusion:

Staff is in support of the proposal and recommends the Planning Commission approve items A through E.

Respectfully submitted by: 
 MATTHEW SITES, Associate AIA, LEED AP
 Urban Design Staff

Approved by: 
 LINDSEY ALAGOZIAN
 Senior Planner

Recommendation Approved:

 GREGORY BITTER, AICP
 Principle Planner

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Attachments:

Attachment 1	Recommended Findings of Fact and Conditions of Approval Project Plans
Attachment 2	
Exhibit 1	Illustrative Site Plan
Exhibit 2	District Content
Exhibit 3	Site Analysis
Exhibit 4	Project Context Photos
Exhibit 5	Building Elevations
Exhibit 6	Enlarged Elevations – Option A
Exhibit 7	Enlarged Elevations – Option B
Exhibit 8	Enlarged Elevations – Building Section
Exhibit 9	Annotated Site Plan
Exhibit 10	First Floor Plan
Exhibit 11	Second Floor Plan
Exhibit 12	Third Floor Plan
Exhibit 13	Roof Plan
Exhibit 14	Prototypical Unit Plan
Exhibit 15	Preliminary Landscape Plan
Exhibit 16	Setbacks & Easements
Attachment 3	Parking Studies as provided by applicant
Attachment 4	Comments from Oak Park RAC
Attachment 5	Land Use & Zoning Map

Attachment 1
Proposed Findings of Fact and Conditions of Approval
3820 Broadway and P10-042

Findings Of Fact

- A. Environmental Determination:** Exemption - 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 Planning Commission finds that the Project is exempt from review under Section **15332, In-Fill Development Projects** of the California Environmental Quality Act (CEQA) Guidelines as follows:

The project consists of the construction of a building that occurs in an urban area served by utilities and public services, on a site that is less than 5 acres, has no habitat value, is consistent with all applicable land uses, and would not result in any significant effects to traffic, noise, air, or water quality.

- B.** The **Special Permit** to allow residential development within Limited Commercial C1-SPD that is over 20,000 sf **is approved** subject to the following Findings of Fact:
- a. Granting the Special Permit is based upon sound principles of land use in that the proposed project is compatible with the surrounding area of commercial and residential and adds to the balance of housing types in the downtown neighborhood. The proposed development promotes the goals and policies of the General Plan designation of Urban Corridor Low, which provides a development with moderate lot coverage, limited side yard setbacks, and building cited up to the corridor as well as including a mix of nonresidential and residential uses with more intense development near major intersections.
 - b. Granting the Special Permit will not be detrimental to the public welfare nor result in the creation of a public nuisance in that the project will develop residential units that are oriented to provide eyes on the street and internal parking area, and provides balconies and terraces for outdoor space, and;
 - c. The proposed project is consistent with the proposed General Plan designation of Urban Corridor Low, and the proposed Limited Commercial (C-1) zone which housing is allowed by right. The project is also consistent with the General Plan policies which encourage infill development and will promote alternative modes of transportation such as bus, bike, and walking which helps air quality and reduces urban sprawl.
- C.** The **Special Permit** to reduce required parking for senior housing **is approved** subject to the following Findings of Fact:

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- a. Staff finds that the parking reduction is appropriate for the project since senior housing typically requires less parking for the residents and because the site is adjacent to a Region Transit Bus Route and retail establishments that can be easily accessed by residents., and that proposed parking ratio is consistent with other senior living projects in urban areas of Sacramento;
- b. Staff finds that the proposed parking will be adequate for users within the senior housing development and that the reduction will not be detrimental to the safety and welfare of its residents; and
- c. The proposed project, in providing high density development adjacent to existing RT Bus Routes, is consistent with the residential land use policies and density requirements of the General Plan and Broadway/Stockton Special Planning District.

D & E. The **Variances** to reduce the setbacks from 5' to 0' along Broadway and to reduce the setback from 20' to 0' along Martin Luther King Jr. **is approved** subject to the following Findings of Fact:

- a. Granting the variance does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances where the parcels if not merged, would have a zero foot front setback along Broadway and Martin Luther King, Jr. Boulevard;
- b. No use variance is requested; the proposed use is permitted subject to the approval of a special permit and City development standards;
- c. Granting the variance will not be injurious to public welfare, nor to property in the vicinity of the applicant, in that the building design utilizes zero foot setbacks at the corner of Broadway and Martin Luther King, Jr. Boulevard, and is reduced at the street edges as the building returns toward the single family residential uses both east and south. The use of bollards and the recently completed Capital Improvement Project of the Broadway and Martin Luther King, Jr. Boulevard intersection should provide enough protection for public welfare at the corner.
- d. The proposed development is otherwise consistent with the zoning regulations in that the safety and aesthetic of the area is not impaired. The proposed variance does not violate any applicable general plan policies, as it promotes the aggregation of small and irregular shaped parcels along corridors into larger development sites to facilitate their redevelopment.

Conditions Of Approval

B. The **Special Permit** to allow construction of a building greater than 20,000 square

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feet within the Limited Commercial C-1-SPD zone **is approved** subject to the following conditions:

Planning

- B1. This approval is for the construction of 56 apartment units and 4,000 square feet of retail shown on attached exhibits. Development of this site shall be in compliance with the attached exhibits except as conditioned. Final plans shall be submitted to Current Planning for review prior to the issuance of building permits.
- B2. The applicant shall obtain all necessary building permits prior to commencement of construction; any modification to the project shall be subject to review by Current Planning staff prior to the issuance of building permits. Any significant modifications to the project may require subsequent entitlements.
- B3. The third story plate line shall not exceed 35 feet in height per the report and exhibits. The building and mechanical parapet shall not exceed the height as provided in the report and exhibits.
- B4. Landscaping, Walls and Fencing:
- a. The project shall comply with the City's Tree Shading Ordinance which requires 50 percent shading of the parking area within 15 years.
 - b. All landscaping and planting shall conform to City standards for sight line requirements at intersections and driveways.
 - c. All mechanical equipment shall be located within enclosed cabinets or screened by landscaping and/or screening/fencing and meet Design Review Conditions of Approval.
 - d. Continuous concrete curbing shall be provided around all planter areas within or adjacent to parking lots and driveways.
 - e. Landscaping plans shall be submitted to the Building Division – Landscape Architecture Section of the Parks & Recreation Department. The scope of the review shall include plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met.
 - f. Walls and fences shall be consistent with the Broadway/Stockton Special Planning District guidelines and shall conform to City standards for sight line requirements at intersections and driveways.
 - g. Fencing shall be decorative wrought iron or tubular steel painted to complement the buildings.

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- B11. Prior to the issuance of any building permits, the applicant shall provide the City with a copy of the certificate of payment of school fees for the applicable school district(s).
- B12. The project shall reasonably maintain the buildings and landscaping.
- B13. The community amenities shall be used by tenants and their guests only.
- B14. The project shall meet all of the Design Review conditions of P10-042 as approved by the Design Commission.
- B15. Historic Acorn street lighting shall be required for all new street lights.

Development Engineering

- B16. Construct standard improvements as noted in these conditions pursuant to chapter 18 of the City Code. Improvements shall be designed and constructed to City standards in place at the time that the Building Permit is issued. All improvements shall be designed and constructed to the satisfaction of the Department of Transportation. Any public improvement not specifically noted in these conditions shall be designed and constructed to City Standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk fronting the property along Martin Luther King, Broadway and 39th Street per City standards and to the satisfaction of the Department of Transportation;
- B17. The applicant shall dedicate (If necessary) and construct full frontage improvements along the site's frontage on Martin Luther King JR. Boulevard. Improvements along MLK shall consist of a separated sidewalks, street lights and repair/reconstruction of the existing curb and gutter as shown on the site plan per City standards and to the satisfaction of the Department of Transportation;
- B18. The site plan shall conform to A.D.A. requirements in all respects. This shall include the replacement of any curb ramp that does not meet current A.D.A. standards. The affected ramps are located along the site's frontage at Broadway and 39th and MLK Jr. Boulevard;
- B19. The applicant shall repair/reconstruct any deteriorated portions of the existing alley fronting the property per City standards (in Concrete) and to the satisfaction of the Department of Transportation;
- B20. The design of walls fences and signage 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.

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Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Department of Transportation;

- B21. The project design is contingent upon the City Council's approval of the abandonment of the northern portion of the existing alley;
- B22. A parcel merger is required to facilitate the current project design. The applicant shall apply for a parcel merger prior to obtaining any building permits;
- B23. A revocable encroachment permit will be required for any doors, canopies, awnings, or any projections into the right of way. The projections cannot be permanent in nature and should be removable within a 24-hour notice to accommodate any City service work within the right-of-way;

Police

- B24. A 180 degree viewing device, such as a peephole, shall be installed in:
 - a. All solid doors.
 - b. Any office which contains a safe.
- B25. There shall be no video/arcade machines maintained upon the premises at any time.
- B26. Building Security
 - a. Alarms
 - 1. All alarm plans shall be approved by The Sacramento Police Department's Alarm Unit.
 - 2. Immediate access to detailed building and floor plans shall be made available to the Sacramento Police Department.
 - b. Surveillance Cameras
 - 1. Closed-circuit color video cameras shall be employed to monitor high risk areas such as the entrances and parking lot. Parking lot cameras often make an immense difference during the investigation of a crime. Additional cameras should also be placed to monitor patio areas.
 - 2. The recording device shall be a digital video recorder (DVR) capable of storing a minimum of 7 days worth of activity. (A DVR capable of storing 30 days worth of activity is preferable.) The camera recording system with monitors shall be controlled in the buildings fire control room.
- B27. Adequate signage shall be installed prohibiting trespassing, loitering, and noise in accordance with Section 602(k) of the California Penal Code and Section 9.16.140 of the Sacramento City Code.
 - a. The property should be posted for "No Trespassing" and sign an

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agreement with the Police Department to prosecute all violators.

- b. This agreement shall be kept on file on the premises and in the Police Department.

Fire

- B28. All turning radii for fire access shall be designed as 35' inside and 55' outside. The turning radius shall apply to driveways located off MLK. The alley isn't required for an access point; however, the entrance from the alley shall be kept clear and accessible.
- B29. Provide the required fire hydrants in accordance with CFC 508 and Appendix C, Section C105.
- B30. 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.
- B31. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 508.4
- B32. The furthest projection of the exterior wall of a building shall be accessible from within 150 ft of an approved Fire Department access road and water supply as measured by an unobstructed route around the exterior of the building. (CFC 503.1.1) This condition must be met by providing clear access from the parking lots, MLK, Broadway and 39th Streets. Man gates with access walkways will be required from all access points. In addition, dry standpipes may be required to meet the 150' hose pull.
- B33. Provide appropriate Knox access for site
- B34. Roads used for Fire Department access that are less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; roads less than 36 feet in width shall be marked on one side.
- B35. An automatic fire sprinkler system shall be installed in any portion of a building when the floor area of the building exceeds 3,599 square feet.
- B36. Locate and identify Fire Department Connections (FDCs) on address side of building no further than 50 feet and no closer than 15 feet from a fire hydrant.
- B37. Per 2007 California Fire Code Amendments; City Code 15.36.050 section 903.8 Fire control room, an approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. Fire control rooms shall be located within the building at a location approved by the Chief, and shall be provided with a means to access the room directly from the exterior. Durable

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signage shall be provided on the exterior side of the access door to identify the fire control room. CFC 903.8.

- B38. Provide at least 5 foot setback for second story and 8 foot setback for 3 third story bedroom windows to allow for fire ladder rescue operations. Provide clear access to buildings openings, free to landscaping and other obstructions. Exterior doors and openings required by this code or the Building Code shall be maintained readily accessible for emergency access by the Fire Department. CFC 504.1 This shall apply to all emergency escape windows for bedrooms no matter the location. These areas shall be kept clear of air conditioning units, shrubs on any other devices that may impede ladder access. This doesn't apply to actual street frontage property lines as long as clear access is available.
- B39. Minimum vehicle gate width shall provide 20 foot clear access. Gates across roads serving residential occupancies shall be AC powered operated and provided with Key override switch Knox and Radio Operated controller Click2Enter. Pedestrian gates shall be provided with a 4 foot minimum width and be capable of use with the Sacramento Fire Department Key Box key. Use of a key box to provide a key is acceptable. In addition, a pedestrian gate with a minimum 4' wide sidewalk shall also be provided on 39th for emergency access. Placement of this gate and access path shall be to the satisfaction of the Fire Department.

Utilities

- B40. Per City Code 13.04.070 and the Departments current Tap Policy, commercial lots may have more than one (1) domestic tap. All domestic water taps shall be metered. Excess services shall be abandoned to the satisfaction of the Department of Utilities.
- B41. Common area landscaping shall have a minimum of one (1) separate tap from the public distribution system for a metered irrigation service.
- B42. Multiple fire services are allowed per parcel and may be required.
- B43. Per City Code, the point of service for water, sewer and storm drain service is located at the back of curb for separated sidewalks or at the back of sidewalk for attached sidewalks. The onsite water, sewer and storm drain systems shall be private systems maintained by the association.
- B44. There is an existing sewer main in Martin Luther King Blvd and 39th St Alley. The sewer main in the alley shall be relocated to the satisfaction of the DOU. No service connections will be allowed to the relocated sewer main. Existing sewer services shall be re-connected to a public sewer main in Broadway or Martin Luther King Blvd.
- B45. The applicant shall provide a minimum of 20-foot wide easement for the new

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sewer main to the satisfaction of the DOU.

- B46. If required by the DOU, the applicant shall enter into and record a Hold Harmless Agreement, in a form acceptable to the City Attorney, for any permanent structure (including without limitation concrete slabs, fences, decorative pavement, and similar structures) that will be constructed on top of the combined sewer system.
- B47. This project is served by the Combined Sewer System (CSS). Therefore, the developer/property owner will be required to pay the Combined Sewer System Development Fee (per City Council Resolution 2005-162) prior to the issuance of any building permit. The impact to the CSS due to the Equivalent Single-Family Dwelling (ESD) unit is estimated to be 44 ESD. The Combined Sewer System fee at time of building permit is estimated to be \$56,536.39 plus any increases to the fee due to inflation and credit for existing sanitary sewer flows from the site. The fee will be used for improvements to the CSS.
- B48. Prior to or concurrent with the submittal of improvement plans, a combined sanitary sewer study is required and shall be approved by the DOU. The study shall provide an analysis of the pre and post development condition of both the sewer and drainage flow that is contributing to the combine system. Based on the analysis, the applicant may be required to provide onsite storage or upsize the existing 8" combined sanitary main in the Alley. Sufficient off-site and on-site spot elevations shall be provided in the study to determine the direction of storm drain runoff.
- B49. Onsite sewer and drainage mains shall be separate systems.
- B50. If the paved area is greater than 6,000 square feet, then an onsite surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap. All onsite systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual) (Note: Onsite drainage systems for lots fronting Martin Luther King Blvd. (MLK Blvd.), should connect to the existing drainage main in MLK Blvd.)
- B51. Lot pad elevations shall be a minimum of 1.5 feet above the controlling overland release elevation and a minimum of 1.2 feet above the highest adjoining back of sidewalk elevation. Finished lot pad elevations shall be accepted by the Department of Utilities.
- B52. The applicant may not develop the project in anyway that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses the property. The project shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the DOU. If private infrastructure is constructed to handle off-site runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the

Subject: 3820 Broadway (P10-042)

September 23, 2010

applicant shall enter into and record and Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.

- B53. 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.
- B54. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
- B55. Post construction, storm water quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is in the combined sewer system area, only source control measures are required. Storm drain message is required at all drain inlets. Improvement plans must include the source controls measures selected for the site. Refer to the latest edition of the "Stormwater Quality Design Manual", dated May 2007 for appropriate source control measures.

Advisory Notes for the Project:

Utilities

- B56. The applicant shall comply with the abandonment process.
- B57. If there is a gate for this development, then the DOU may require the applicant to provide an access key for maintenance and repair of the existing underground utilities.
- B58. Many projects within the City of Sacramento require on-site booster pumps for fire suppression and domestic water system. 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 on-site domestic, irrigation and fire suppression systems.
- B59. The applicant is responsible for the protection and repair of the existing City combined sanitary sewer and water mains in Alley during construction of the proposed structure. Contact Underground Service Alert at 1-800-642-2444, 48 hours before work is to begin.
- B60. The proposed project is located in the 100-year floodplain, designated as Shaded X zone on the Federal Emergency Management Agency (FEMA)

Subject: 3820 Broadway (P10-042)

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Federal Insurance Rate Maps (FIRMs). Within the Shaded X zone, there are no requirements to elevate or flood proof.

Building

- B61. It appears that the building will need to be of Type V-A construction.
- B62. Provide an elevator lobby per CBC Section 707.14.1.
- B63. The central stair is open to more than two stories. It must comply with CBC Sections 1020 and 707.2 which require an exit enclosure with limited exception.
- B64. It appears that the top landing at the Southwest stair is too small. Please review and revise accordingly.
- B65. Provide accessibility per CBC Chapter 11A. This will require all of the units to be adaptable and all public and common use areas to be accessible. Identify the accessible path of travel on the plans. It doesn't appear that the rose walk is currently accessible. Please review and revise accordingly.
- B66. The plans are not currently detailed sufficiently to provide complete comments.

Parks

- B67. As per City Code, the applicant will be responsible to meet his/her obligations regarding Title 18, 18.44 Park Development Impact Fee (PIF), due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$80,372. This is based on 56 multifamily residential units at the specified infill rate of \$1,425 per unit and 3,362 square feet of commercial retail at the specified infill rate of \$0.17 per square foot. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.

C. The Special Permit to reduce required parking for senior housing is approved subject to the following conditions:

Planning

- C1. Prior to issuance of a Building Permit the applicant will submit a Transportation Management Plan for review and approval by the City's Alternate Modes Coordinator and Planning Director or show compliance with an existing AQTMP.
- C2. Vehicular parking shall be provided per section 17.64.030 of the Zoning Ordinance. A total of 41 parking spaces shall be provided per the report and exhibits.

Subject: 3820 Broadway (P10-042)

September 23, 2010

- C3. Bicycle parking facilities shall be provided per section 17.64.050 of the Zoning Ordinance. A total of 5 bicycle facilities are required for this project and shall be located in close proximity to each of the apartment buildings and the community building.
- C4. The applicant shall provide a minimum of two stripped turn around parking spaces along the street side of the fence and automatic gate.
- C5. Auto repairs are not permitted at any time, except in emergencies, such as flat tire or dead battery.
- C6. Visitor parking shall be strictly enforced.

Development Engineering

- C7. The applicant shall construct a raised median along Martin Luther King Boulevard to restrict the two proposed driveways movements to right-in and right-out only as shown on the site plan per City standards and to the satisfaction of the Department of Transportation. This shall include any needed restriping of MLK Jr. Boulevard to accommodate the median;
- C8. The applicant may construct a curb cut-out along the building's frontage on Broadway to act as an optional drop-off area for the residents. The drop off area shall be a minimum length of 35-feet and shall have a curb ramp in the middle to be ADA compliant per City standards and to the satisfaction of the Department of Transportation;
- C9. The applicant shall provide appropriate signage to restrict parking for a minimum distance of 20-feet south of the southern-most driveway along Martin Luther King Boulevard to facilitate driveway movements to the satisfaction of the Department of Transportation;
- C10. All proposed vehicular gates along Martin Luther King Jr. Boulevard must be located a minimum of 20-feet behind the right-of-way and shall be equipped with a Knox lock for Fire Department access. The applicant shall hatch out one parking space immediately adjacent to the gate in the southern most parking lot to act as a turn around to prevent vehicles from backing out onto MLK Jr. Boulevard;
- C11. The site plan shall conform to the parking requirements set forth in chapter 17.64.030 of City Code (Zoning Ordinance). If the applicant proposes any off-site parking, an **ADA compliant path** shall be provided between the two sites to the satisfaction of the Department of Transportation;
- C12. All new and existing driveways shall be designed and constructed to City Standards and to the satisfaction of the Department of Transportation;

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Fire

- C13. Roads used for Fire Department access shall have an unobstructed width of not less than 20' and unobstructed vertical clearance of 13'6" or more.
- C14. Fire Apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. CFC 503.2.3

D & E. The **Variances** to reduce the setbacks from 5' to 0' along Broadway and to reduce the setback from 20' to 0' along Martin Luther King Jr. are **approved** subject to the following conditions:

Planning

- D&E1. The setback shall be reduced from 5' to 0' along Broadway per the report and exhibits to be consistent with the Broadway/Stockton Special Planning District guidelines.
- D&E2. The setback shall be reduced from 20' to 0' along Martin Luther King, Jr. Boulevard per the report and exhibits to allow for greater outdoor amenities.



PROJECT INFORMATION

56	DWELLING UNITS
42	PARKING SPACES
3,000 - 4,000 SF	RETAIL/COMMERCIAL

DRAWING INDEX

01	ILLUSTRATIVE SITE PLAN
02	DISTRICT CONTENT
03	SITE ANALYSIS
04	PROJECT CONTEXT PHOTOS
05	BUILDING ELEVATIONS
06	ANNOTATED SITE PLAN
07	FIRST FLOOR PLAN
08	SECOND FLOOR PLAN
09	THIRD FLOOR PLAN
10	PRELIMINARY LANDSCAPE PLAN
11	REQUIRED SETBACKS & EASMENTS



BROADWAY AND STOCKTON BLVD. SHOPPING DISTRICT/GROCERY STORE/PHARMACY

SACRAMENTO COUNTY PRIMARY CARE CLINIC

UCD MEDICAL CENTER

HISTORIC OAK PARK SHOPPING AND BUISNESS DISTRICT

CURTIS PARK

AMERICAN LEGION HIGH SCHOOL

BANK OF AMERICA

MCCLATCHY PARK

OAK PARK CENTER



DISTRICT CONTENT
26.AUGUST.2010

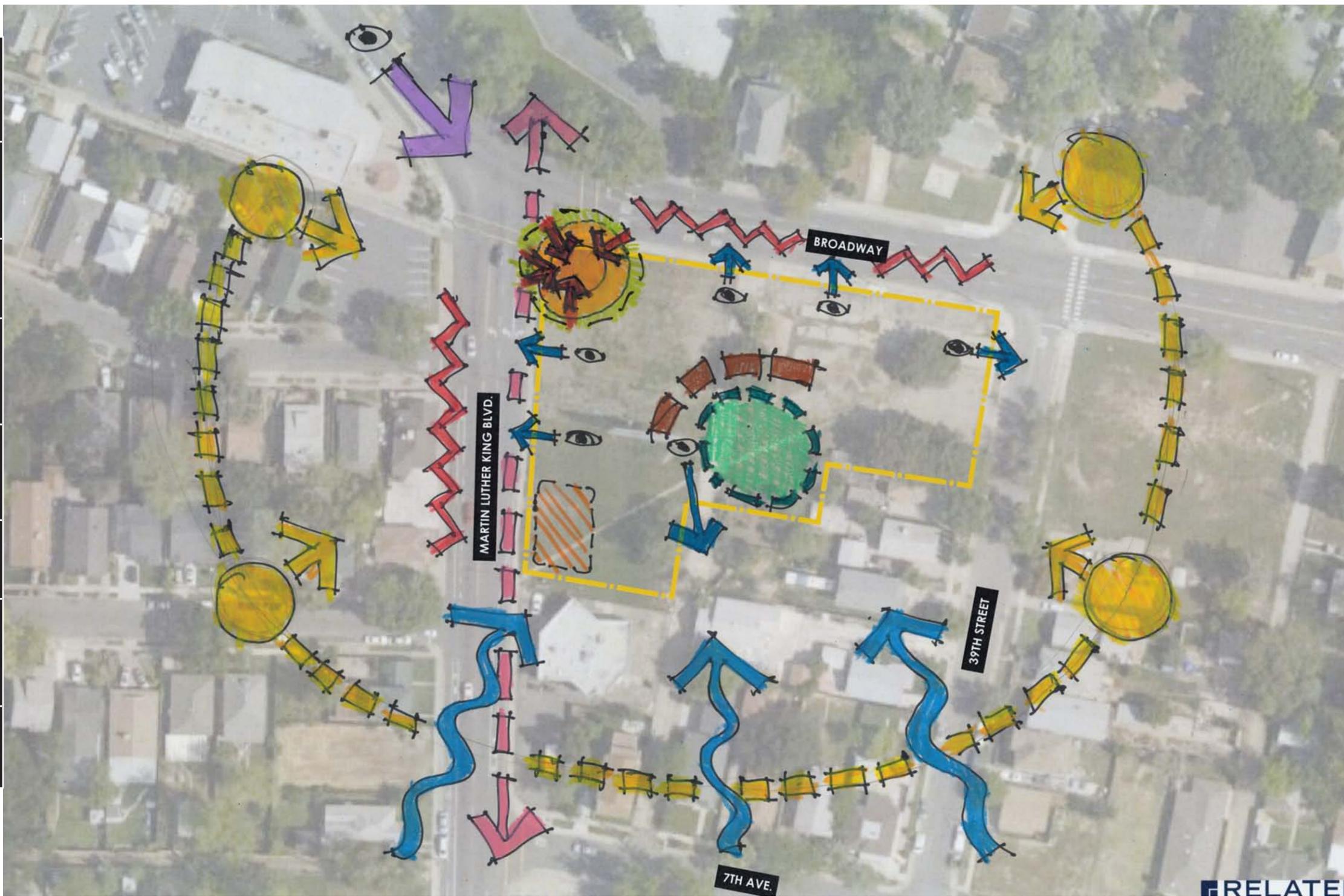
OAK PARK MIXED USE DEVELOPMENT



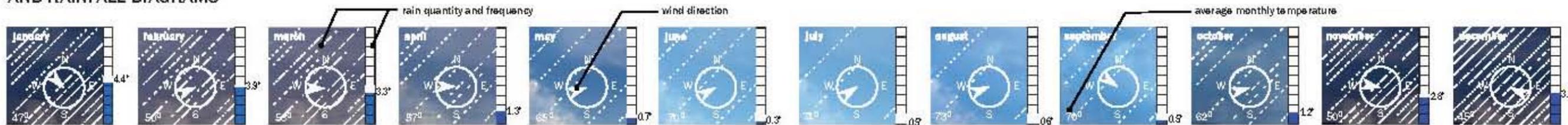


LEGEND

	MAJOR AUTOMOTIVE VIEW
	AUTOMOBILE PATH OF TRAVEL
	NOISE FROM STREET
	PRIVATE ENCLOSED GREEN SPACE
	PUBLIC PLAZA
	VIEW TO THE STREET
	PATH OF SUN
	COOLING DELTA BREEZE



AVERAGE TEMPERATURE WIND AND RAINFALL DIAGRAMS





1 MLK looking north from 7th Ave.



2 MLK looking north from 7th Avenue



3 Bigler Way looking east to project site



4 From project site looking west to Bigler Way



5 From project site looking north down Broadway



6 From project site looking north to Americal Legion High School (on the left)



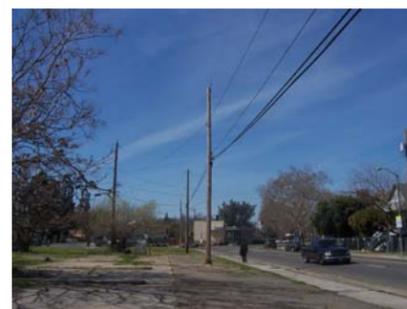
7 Broadway looking southeast to corner of project site



8 American Legion High School looking south to site



9 View south to center of project site



10 39th Street and Broadway looking east



11 39th Street looking southeast to the project site



12 39th Street and Broadway looking northwest



13 39th Street looking south to project site



14 Broadway at mid-site looking east



15 39th Street and Broadway looking southwest to project site



16 39th Street looking east



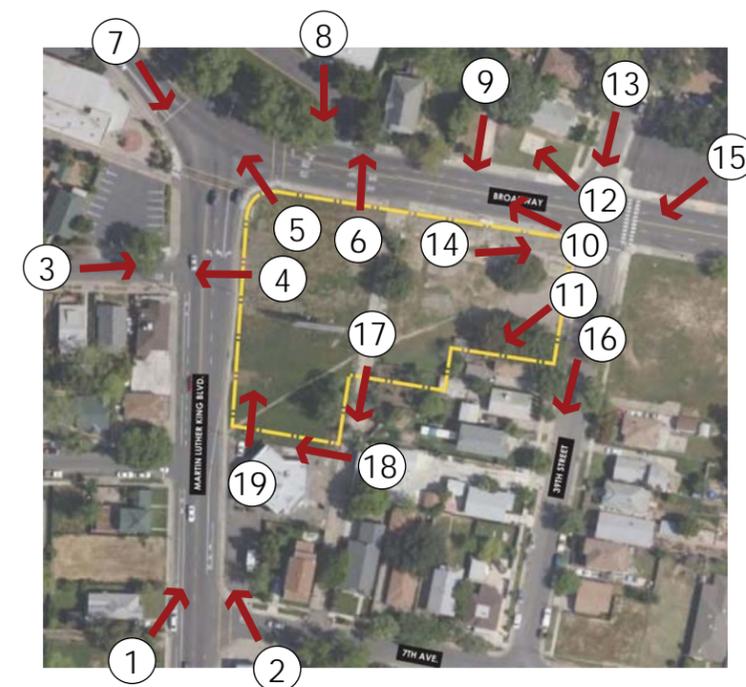
17 View down Alley looking south



18 South property line looking west



19 South corner of site looking north on MLK

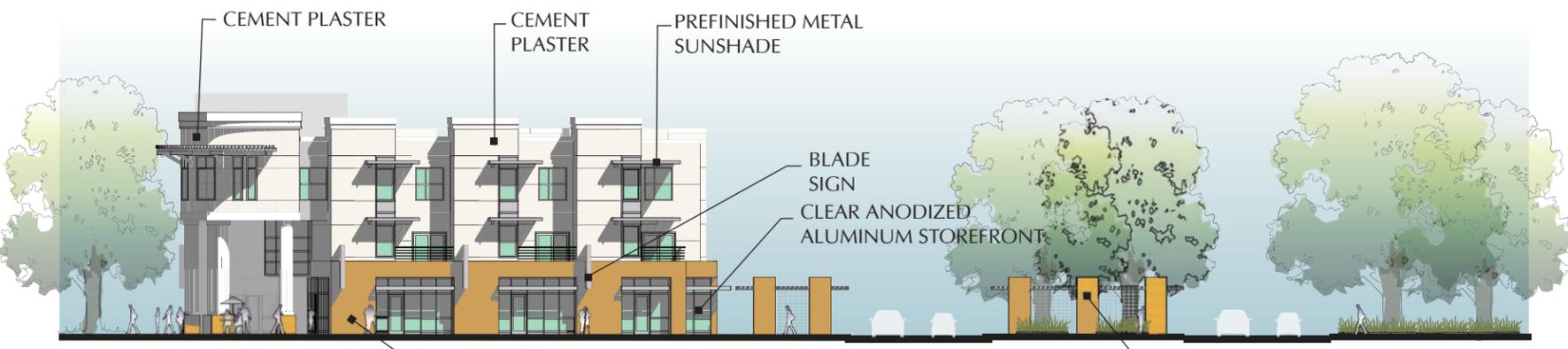




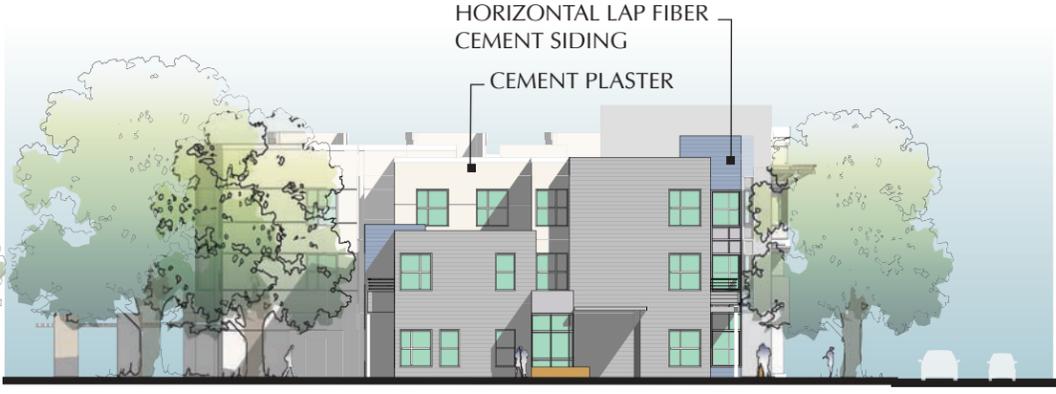
BROADWAY ELEVATION



NOTE: ALUMINUM STOREFRONT WILL BE USED AT RETAIL AND RESIDENTIAL COMMON AREAS ONLY; THE REST WILL BE VINYL SINGLE-HUNG RESIDENTIAL WINDOWS.



MARTIN LUTHER KING ELEVATION



39TH STREET ELEVATION



COURTYARD ELEVATION



BUILDING ELEVATIONS
26.AUGUST.2010

OAK PARK MIXED USE DEVELOPMENT



BROADWAY ENLARGED ELEVATION - CORNER PLAZA | OPTION A



MARTIN LUTHER KING ENLARGED ELEVATION - CORNER PLAZA | OPTION A





BROADWAY ENLARGED ELEVATION - CORNER PLAZA | OPTION B



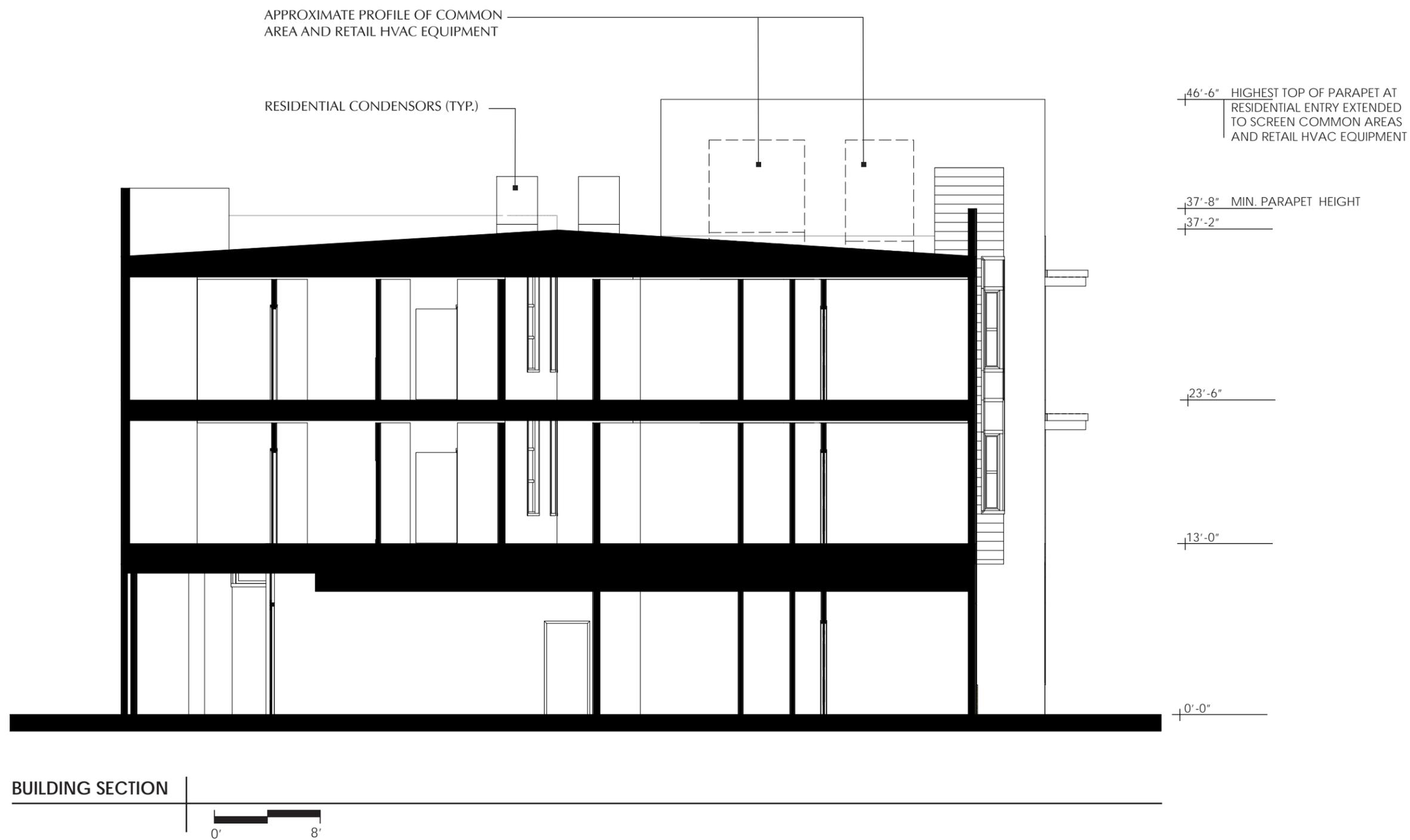
MARTIN LUTHER KING ENLARGED ELEVATION - CORNER PLAZA | OPTION B



ENLARGED ELEVATIONS
26.AUGUST.2010

OAK PARK MIXED USE DEVELOPMENT



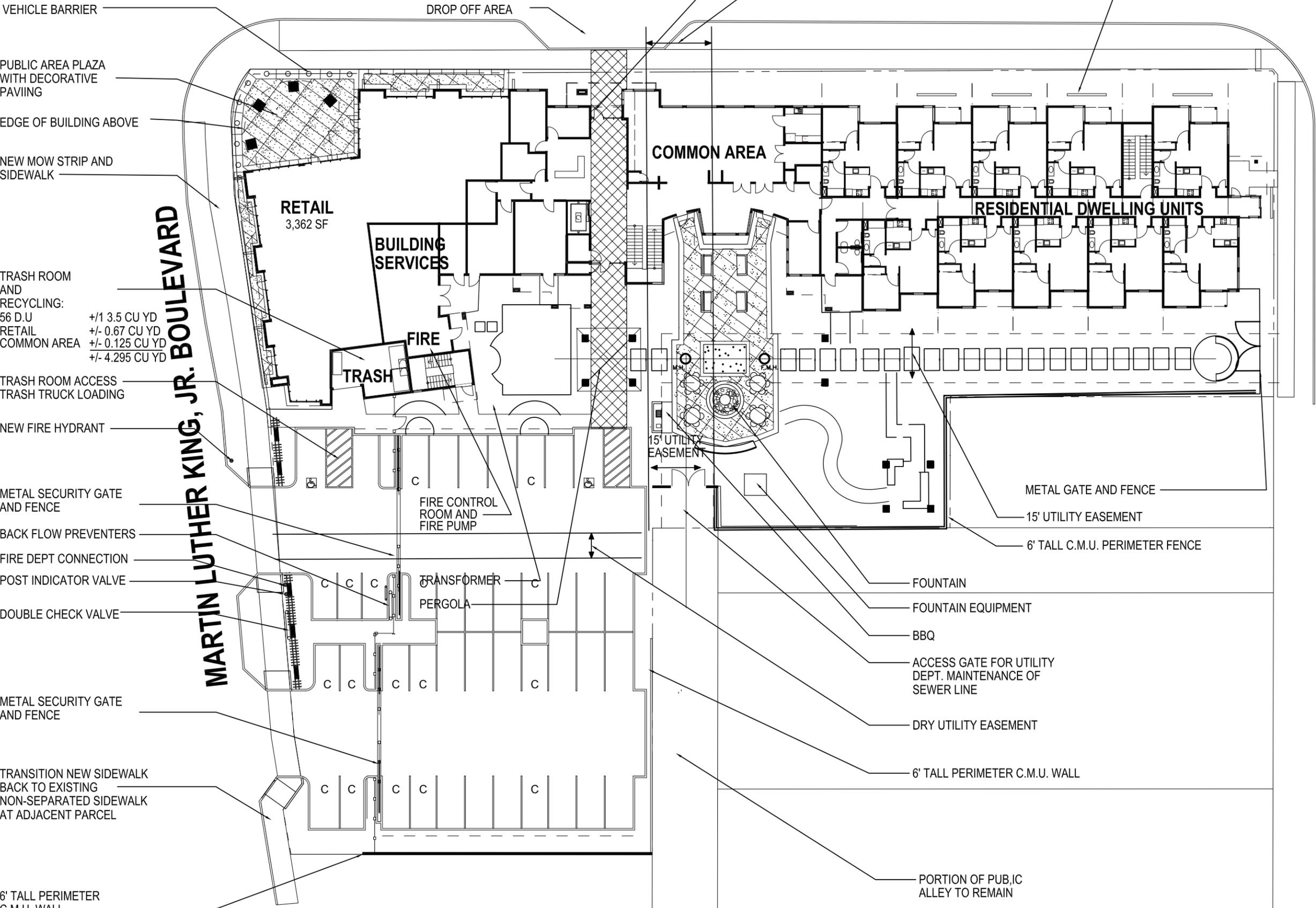


ENLARGED ELEVATIONS

26.AUGUST.2010

OAK PARK MIXED USE DEVELOPMENT

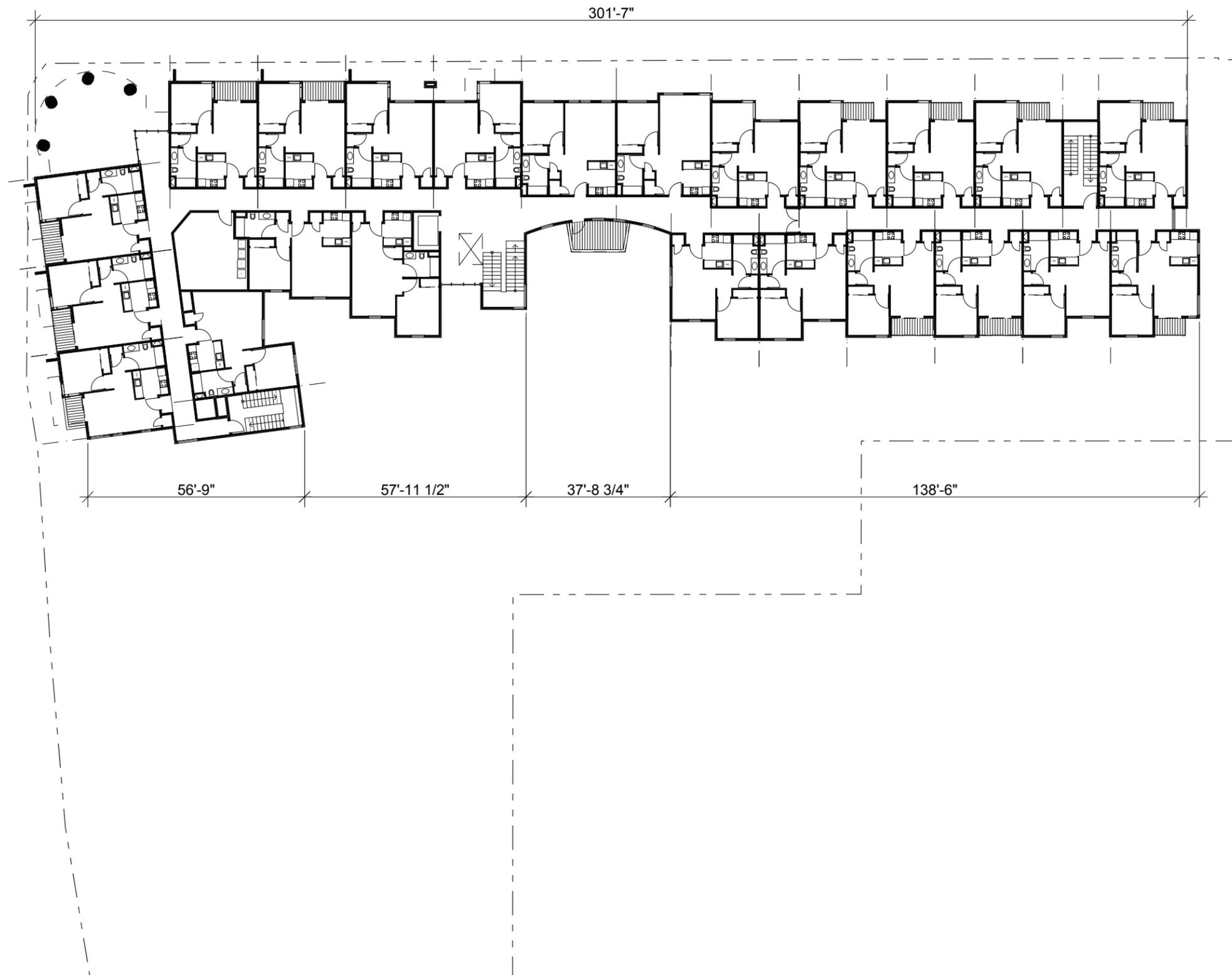
BROADWAY



TRASH ROOM AND RECYCLING: 56 D.U.
 RETAIL +/- 0.67 CU YD
 COMMON AREA +/- 0.125 CU YD
 +/- 3.5 CU YD
 +/- 4.295 CU YD

ANNOTATED SITE PLAN





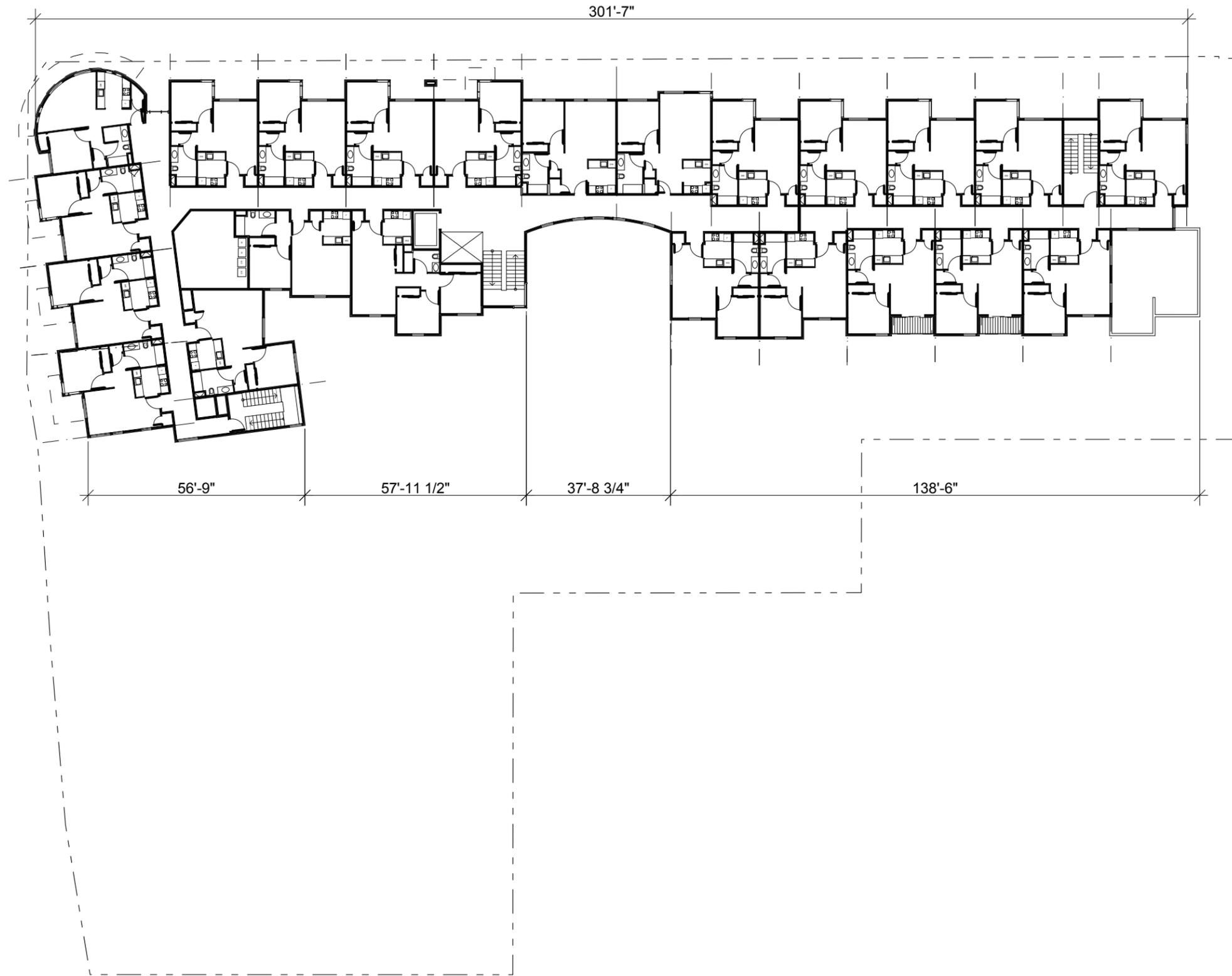
SECOND FLOOR PLAN

Attachment 2 30'
 Exhibit 11

SECOND FLOOR PLAN
26.AUGUST.2010

OAK PARK MIXED USE DEVELOPMENT





THIRD FLOOR PLAN



Attachment 2
Exhibit 12

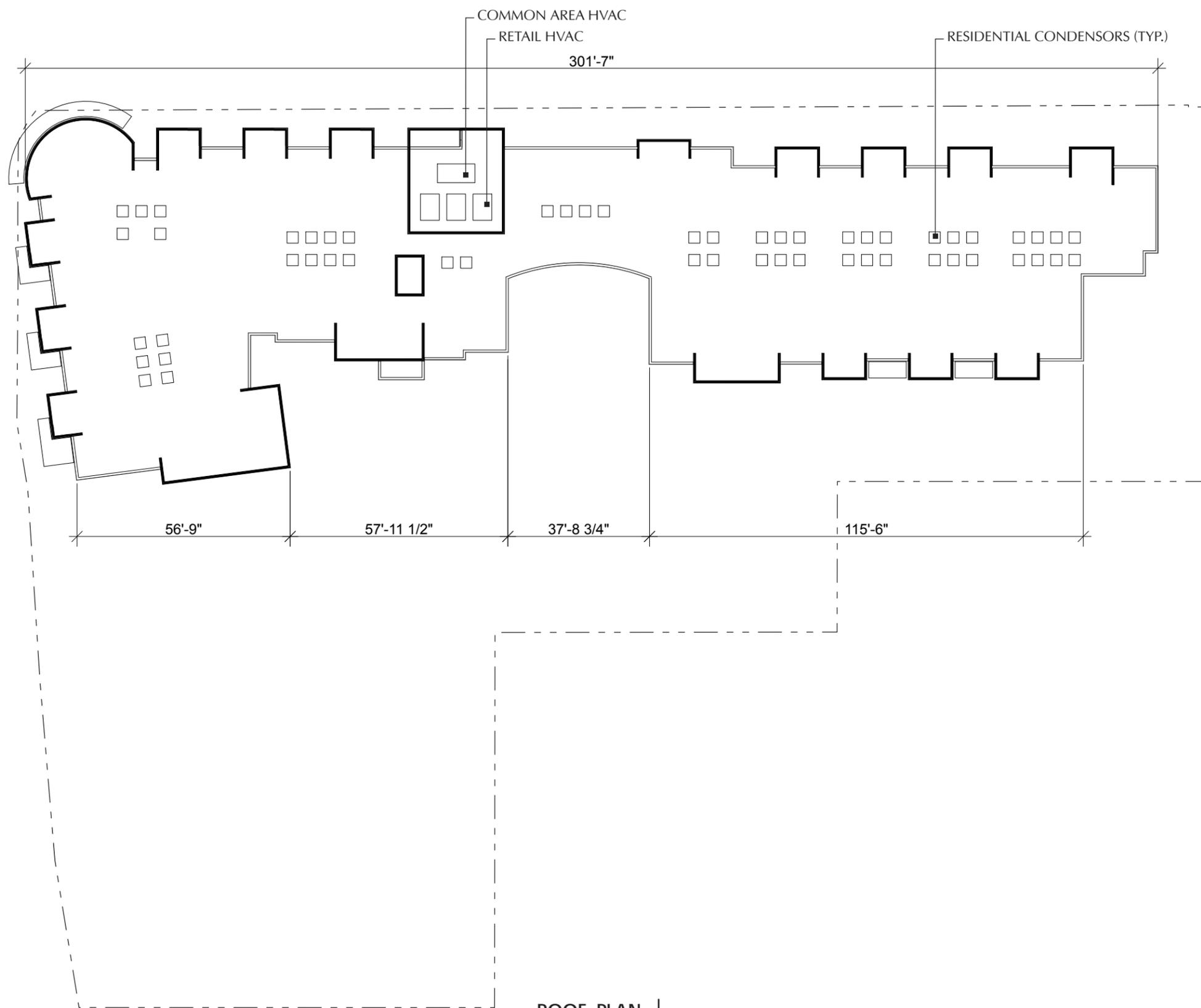


Item #5

THIRD FLOOR PLAN
26.AUGUST.2010

OAK PARK MIXED USE DEVELOPMENT





ROOF PLAN

0' 30'

Attachment 2
Exhibit 13

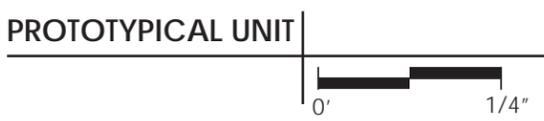
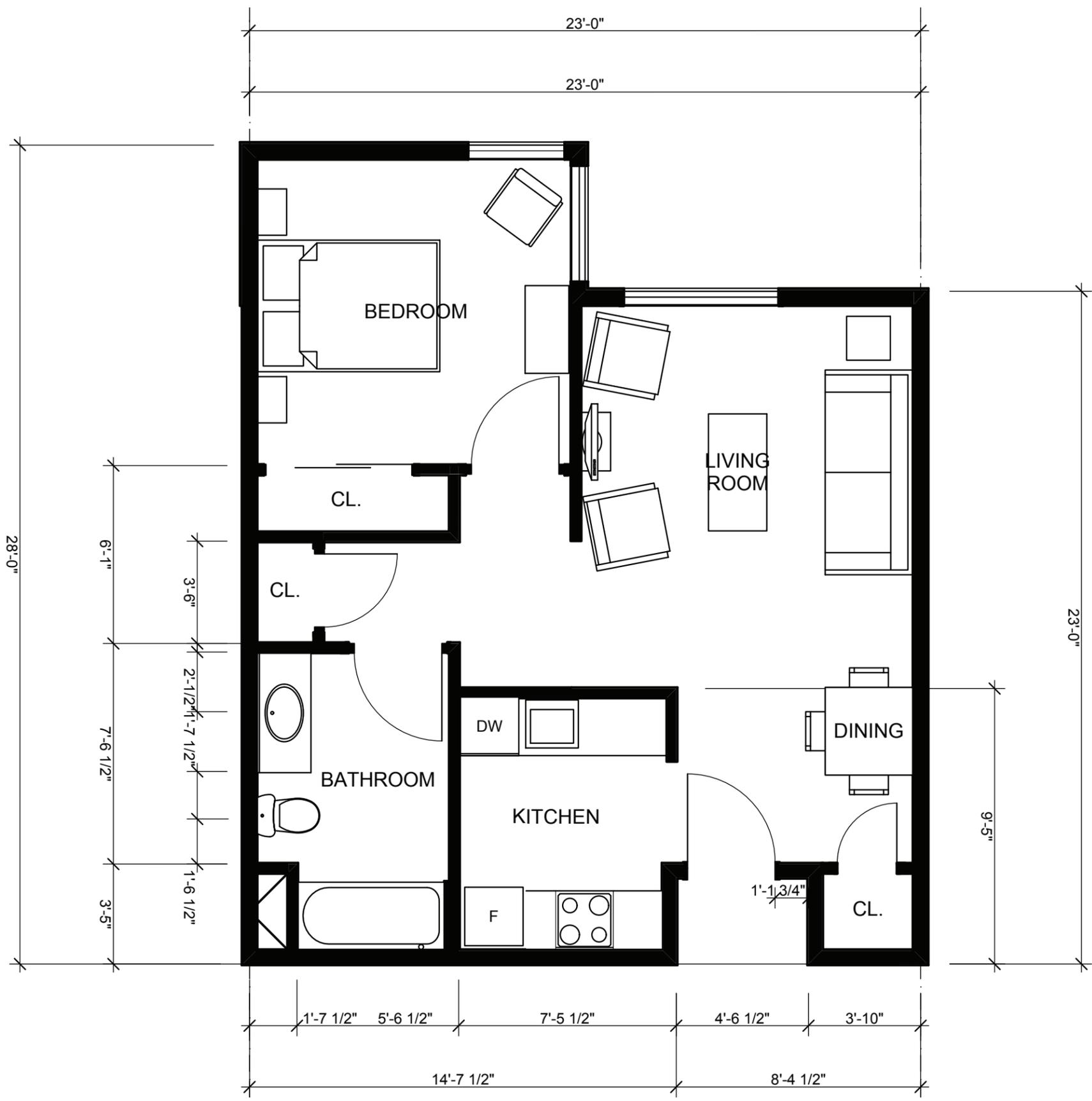


Item #5

ROOF PLAN
26.AUGUST.2010

OAK PARK MIXED USE DEVELOPMENT





Attachment 2
Exhibit 14





POTENTIAL PLANT LIST

- TREES**
- VERTICAL TREE ALLE' OVER CARPET ROSES
 - 15 GAL. CB CARRINUS BETULUS 'COLUMNARIUS', COLUMNAR EUROPEAN HORNBREAM
 - 15 GAL. CB CARRINUS BETULUS 'COLUMNARIUS', COLUMNAR EUROPEAN HORNBREAM
 - STREET TREE IN LAWN STRIP
 - 15 GAL. PL. PLATANUS ACERIFOLIA 'YARWOOD' SYCAMORE OR
 - 15 GAL. PL. QUERCUS MACROCARPA, BURK OAK
 - PARKING SHADE TREE
 - 24" box PS PISTACHIA CHINENSIS, CHINESE PISTACHE OR
 - 24" box ZS ZELKOVA SERRATA, ZELKOVA
 - PATIO TREE IN TREE GRATES OVER PAVING
 - 15 GAL. PK PYRUS KARAKAMI, EVERGREEN PEAR
 - 15 GAL.
 - SMALL ACCENT TREE
 - 15 GAL. AC ACER PALMATUM PURPUREUM, PURPLE LEAF JAPANESE MAPLE
 - 15 GAL. RM RAPHIOLEPIS 'MAJESTIC BEAUTY' - STANDARD
 - 15 GAL. CB CARRINUS BETULUS 'COLUMNARIUS', COLUMNAR EUROPEAN HORNBREAM
- SHRUBS**
- 5 GAL. AZ AZALEA SOUTHERN INDICA - 'FELDERS WHITE'
 - 2 GAL. BG BERGENIA CORDIFOLIA
 - 5 GAL. CA CAMELLIA JAPONICA 'OLEOPATRA'
 - 5 GAL. OR GARDENIA VICTORIS
 - 5 GAL. LO LOROPETALUM CHINENSE 'PURPUREA'
 - 5 GAL. PK PACHYRIZOM TENUIS 'TOM THUMB' FLAX
 - 2 GAL. RC ROSA, PINK, RED, YELLOW AND WHITE CARPET ROSE
 - 5 GAL. RA RAPHIOLEPIS INDICA 'ENCHANTRESS' INDIAN HAWTHORNE
 - 5 GAL. RT ROSEMARINUS 'TUSCAN BLUE, ROSEMARY'
 - 5 GAL. SY SYRINGA VILGANS, LILAC 'LAVENDER LADY'
 - 5 GAL. VT VIBURNUM THUNIS, DWARF LAURESTINUS
- GROUNDCOVERS**
- 1 gal @ 30" o.c. M MYOPORIUM PARVIFOLIUM
 - 1 gal @ 18" o.c. V VINCA MINOR
- LAWN AREA**
- 500 L 95% 'SHORT STOP' TURF TYPE - 5% MERT KENTUCKY BLUE GRASS

WATER USE CALCULATIONS

Estimated areas of water usage, for compliance with Water Conservation Ordinance Requirements.

Water Use	Area	Subtotal	Total
Low	15,250 S.F.	X .4 =	6,100 S.F.
MEDIUM	3,400 S.F.	X .6 =	2,040 S.F.
HIGH	4,950 S.F.	X 1 =	4,950 S.F.
Total:	23,600 S.F.		13,090 S.F.

(Site area greater than)

SHADE CALCULATIONS for less than 50 car parking lot

Total Paving:	12,360 S.F.
Paving Requiring Shade:	6,180 S.F.
Minimum 50% Shading Req:	6,252 S.F. (50.5%)
Plan Shows:	6,252 S.F.

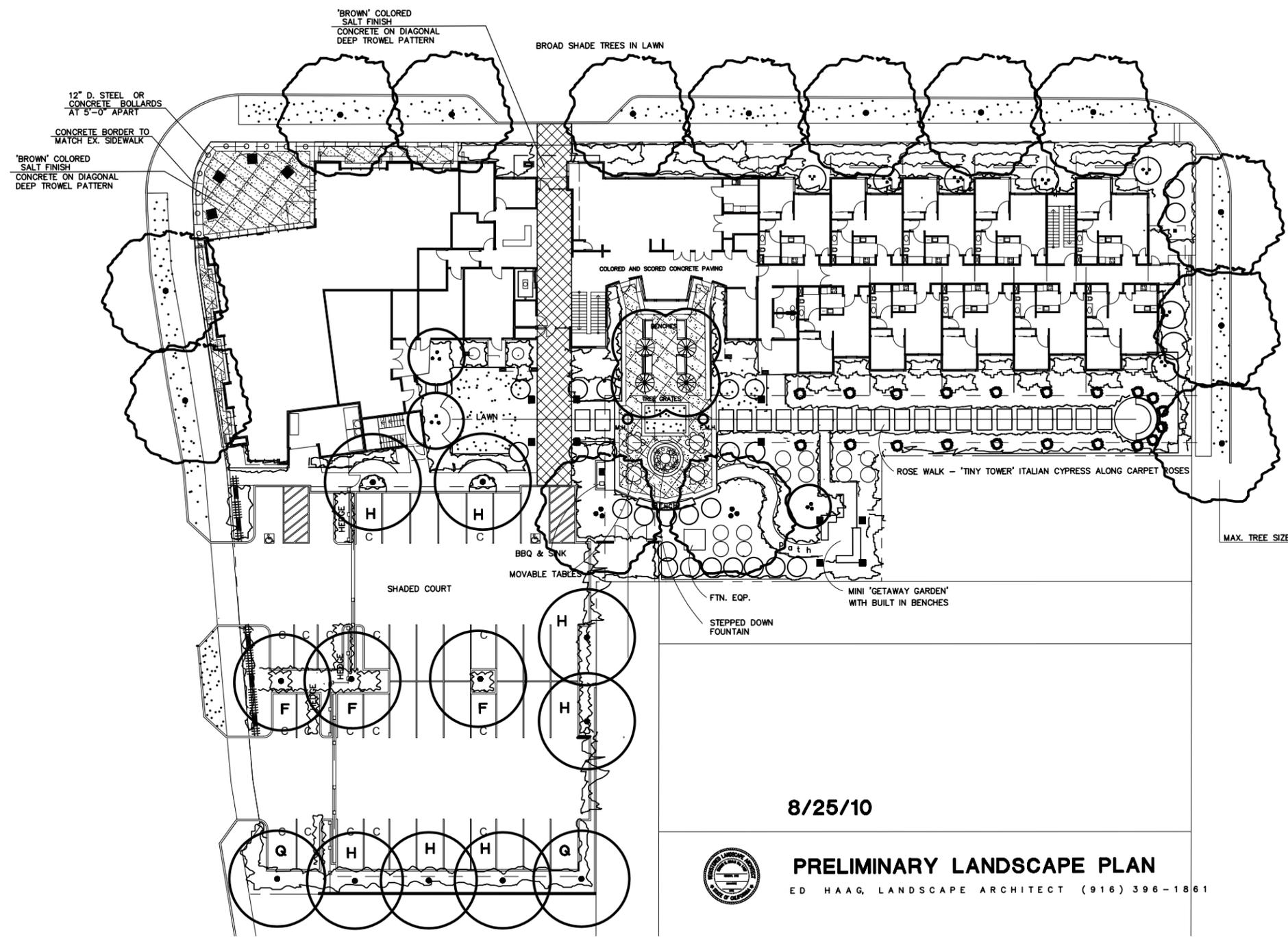
PISTACHE OR ZELKOVA

3 F @ 962 S.F.	=	2,886 S.F.
6 H @ 481 S.F.	=	2,886 S.F.
2 Q @ 240 S.F.	=	480 S.F.
TOTAL	=	6,252 S.F.

PLANTING NOTES

- An automatic irrigation system shall be fully operational, and coverage approved prior to installation of planting.
- Finish grade at edge of all planting areas shall be 2" below top of adjacent curbs, walls or paving.
- All shrub and groundcover areas shall receive 2" layer of shredded bark mulch topdressing as specified.
- Fertilize individual plants after installation with Osmocote time release formula granulated fertilizer, per manufacturer's instructions.
- Pre-planting soil preparation shall include cultivating all planted areas down to 12 inch depth, and incorporating the following amendments:

Amendment or fertilizer	Application Rate
Nitrogen stabilized compost	4 cu. yds. per 1,000 s.f.
Ammonium Phosphate (6-20-0)	10 lbs. per 1,000 s.f.
- GUARANTEE PRODUCTS AND INSTALLATION OF PLANTING AND IRRIGATION FOR A PERIOD OF ONE YEAR AFTER ACCEPTANCE OF THE 90 DAY MAINTENANCE PERIOD.

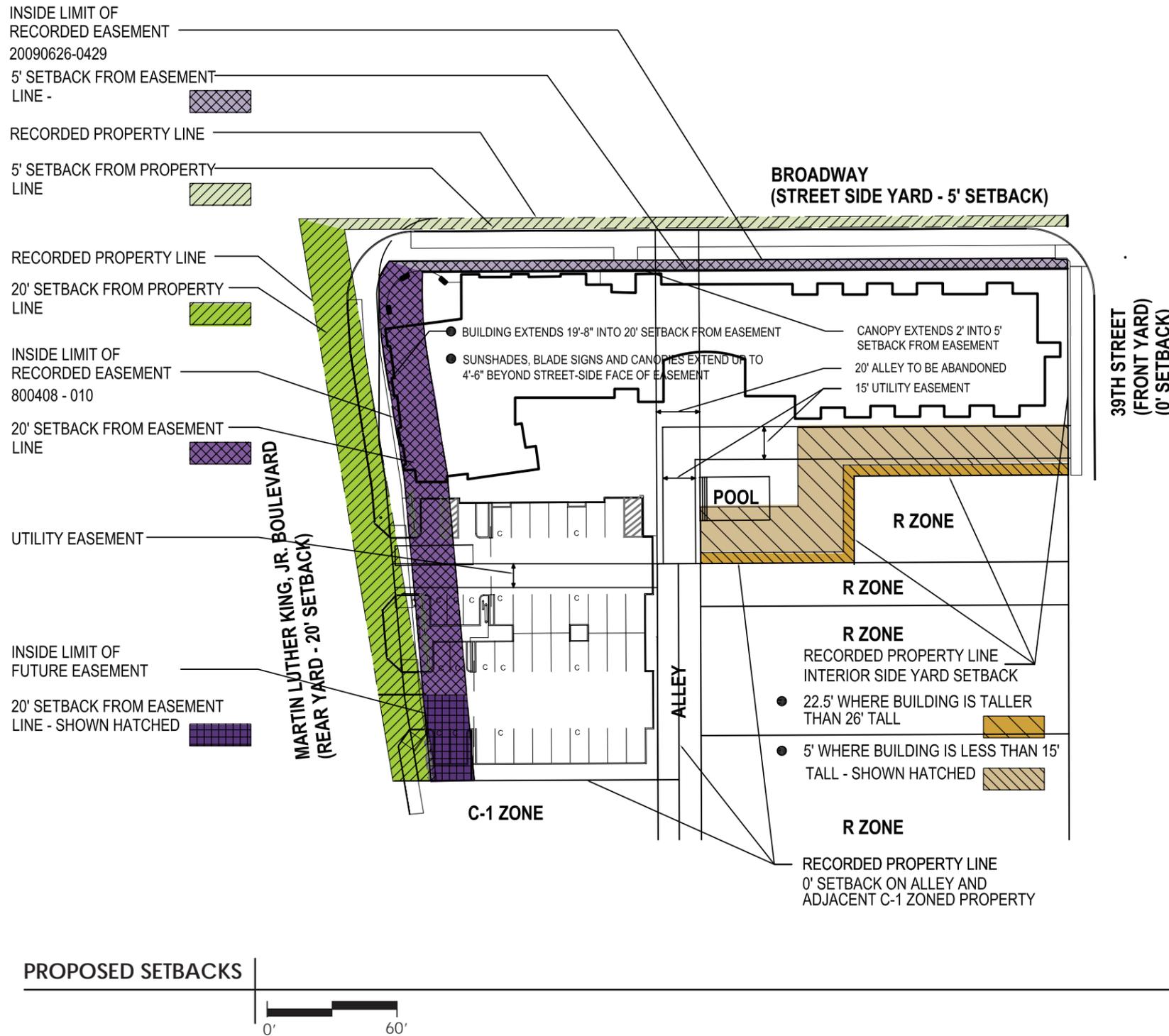


LANDSCAPE PLAN
0' 40'

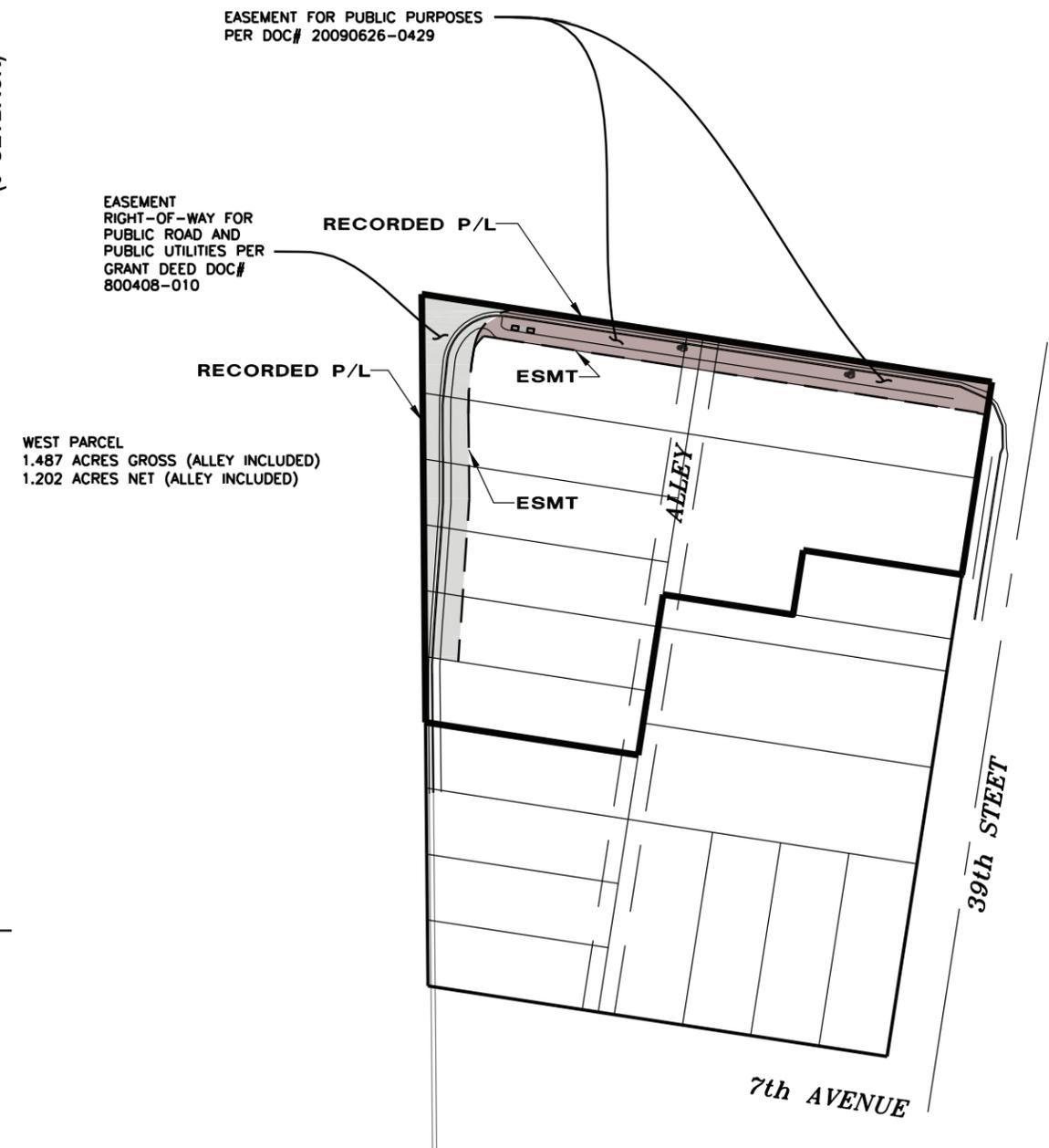
8/25/10



PRELIMINARY LANDSCAPE PLAN
ED HAAG, LANDSCAPE ARCHITECT (916) 396-1861



EXISTING PROPERTY LINE & EASMENTS



August 30, 2010

Lindsey Alagozian
City of Sacramento
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

RE: Supplemental Information in Support of Retail Parking Reduction
Oak Park Mixed Use Senior Development

Dear Lindsey:

Per our conversation on July 28th, I am submitting this supplemental information in support of my request for a reduction in the retail parking requirements at the Oak Park Mixed-Use Development. The information within this document augments the parking reduction application that was submitted to you previously, dated May 19th, 2010.

The Project is requesting that the retail parking requirements be reduced to 1 parking space per 1,000 square feet of net rentable retail space. This request is based upon the following salient facts:

1. Retail is Neighborhood Serving

Given the Project's location and the types of retail within the vicinity of the project, the retail at the Project is anticipated to be neighborhood service (vs. destination retail) and the vehicular demands are expected to be significantly reduced. Most of the customers to the retail will be predominantly neighbors residing within a brisk walk of the Project. Attracting customers from much farther than a quarter mile radius is improbable.

2. Market Competitiveness of Project's Proposed Levels of Parking

A survey of the existing retail within close vicinity of the project shows that the vast majority of the existing retail in the area doesn't have dedicated retail parking and relies almost entirely on street parking. Examples of this include:

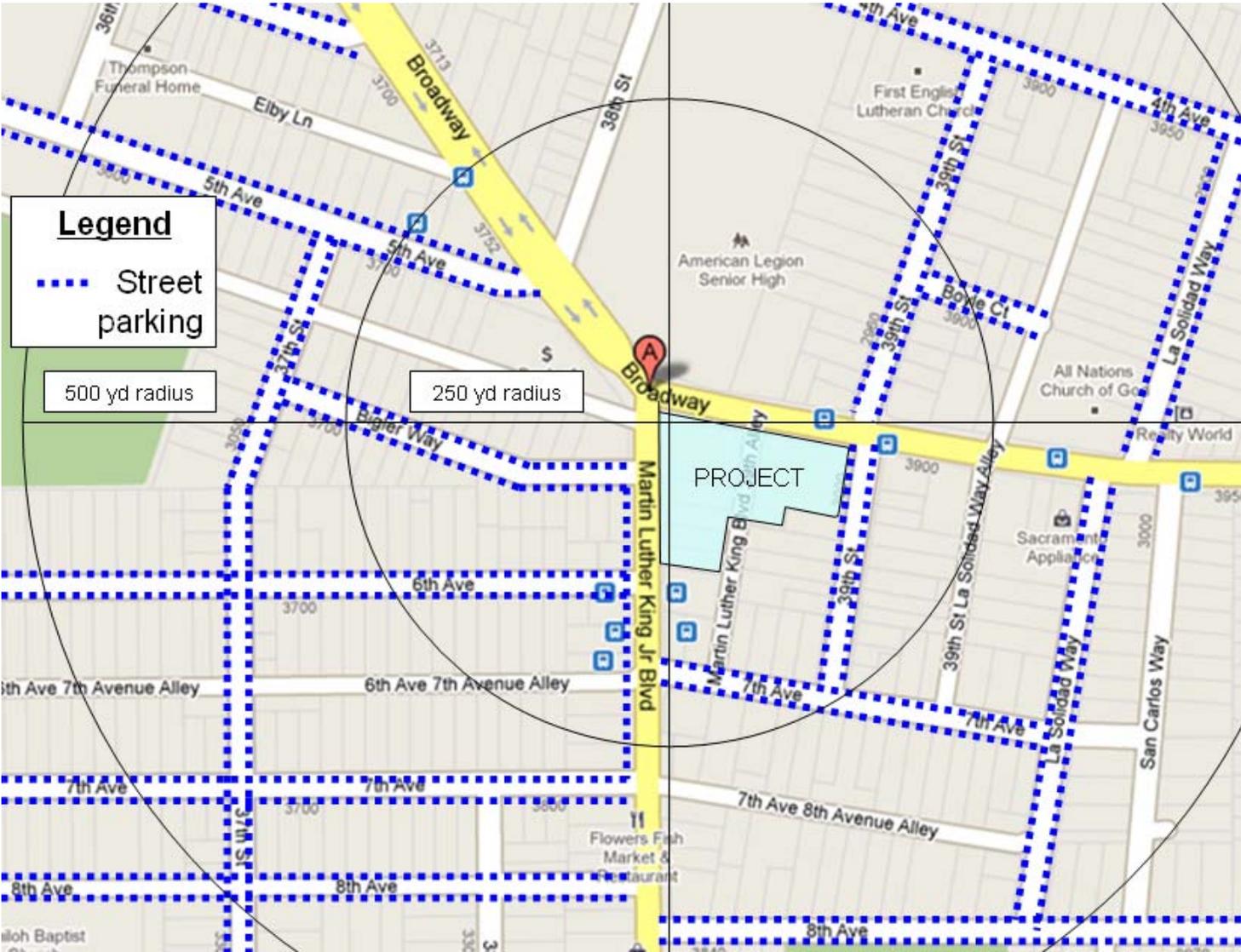
- Old Soul Café at 3456 3rd Avenue has no dedicated off-street retail parking.
- Broadway Soul Food at 3515 Broadway has no dedicated off-street retail parking.
- BFD at 3528 Broadway has no dedicated off-street retail parking.
- US Bank at 3418 Broadway has no dedicated off-street retail parking.
- Underground Books at 2814 35th street has no dedicated off-street retail parking.
- The Guild Theater at 2828 35th street has no dedicated off-street parking.
- Smoochum's BBQ at 3060 Martin Luther King has no dedicated off-street parking.
- Dry Clean Today at 3519 Broadway has no dedicated off-street parking.
- Thom's Cyclery at 3401 2nd Avenue has no dedicated off-street parking.
- Robin's Nest at 3230 Broadway has no dedicated off-street parking.

The Project's positioning with dedicated parking at 1 stall per 1,000sf is above and beyond what other retailers offer in this local market and provides our property a competitive advantage. Discussions with retail brokers indicate that our project will be well positioned (from a parking standpoint) to attract the retail tenants we are seeking with parking provided at 1 stall per 1,000sf we are proposing.

3. Abundant and Convenient Street Parking

In addition to the proposed dedicated parking on our Project site, the Project's retailers also benefit from an abundance of easily accessible and convenient street parking around the project. The location of where street parking is available nearby the project is shown in the figure below. Most notably, street parking is available on:

- **39th Street.** Street parking is available on both sides of 39th street.
- **Martin Luther King Jr.** Street parking is available on the west side of Martin Luther King Jr. Blvd, between Bigler Way and 7th Avenue, immediately across the street from the Project. This stretch of parking is approximately 500 linear feet long.
- **Bigler Way.** Street parking is available on both sides of Bigler Way.
- **5th Avenue.** Street parking is available on both sides of 5th Avenue.
- **6th Avenue.** Street parking is available on both sides of 6th Avenue.
- **7th Avenue.** Street parking is available on both sides of 7th Avenue.
- **38th Street.** Street parking is available on both sides of 38th street.



4. Planning District Objective - Pedestrian and Bicycle Oriented Retail

One of the Project's objectives is to encourage pedestrian oriented and bicycle oriented retail. This goal is consistent with the Stockton Broadway Planning District's own objectives which state:

- "Encourage reduction of motor vehicle parking requirements for new commercial development as allowed by this title as a means of attracting desirable businesses"
- "Enhance the bike and pedestrian connections and accessibility between the commercial uses on Broadway and Stockton Boulevard and the surrounding residential neighborhoods

Bicycle stalls are planned as part of the Project. Please refer to our letter dated May 19th, 2010 for a detailed description of the number of bicycle stalls we are proposing.

5. Public Transportation

The proposed project has great access to public transit. Bus route 51 stops directly in front of the project on Broadway. This bus lines run along Broadway and connects to the Light Rail Stop at Broadway and 19th. The accessibility of public transportation will reduce the parking demand on the Project.

We believe the salient points highlighted above provide solid grounds for our request to reduce the parking requirements. Thank you Lindsey, please do not hesitate to contact me should you have any questions.

Respectfully,



Steven S. Oh
The Related Companies of California



May 19, 2010

Lindsey Alagozian
 City of Sacramento
 300 Richards Blvd., 3rd Floor
 Sacramento, CA 95811

RE: Request for Parking Reduction
 Oak Park Mixed Use Senior Development

Dear Lindsey:

For your consideration and response, we are submitting this request for staff's determination of our application to reduce the required parking ratios for the Oak Park Mixed-Use Senior Project (the "Project") – located at the southeast corner of Broadway Avenue and Martin Luther King Jr. Boulevard.

The proposed project is a mixed-use development consisting of affordable senior rentals and retail. We are requesting that the parking requirements be reduced to the following:

- Residential Rental Units: 0.5 parking spaces per unit
- Visitors: 1 parking space per 15 units
- Commercial: 1 parking space per 1,000 square feet of net rentable retail space.

In summary, our request is based upon the following salient facts:

1. Affordable Senior Tenant Demographics

The proposed residential parking ratios reflect the anticipated residential usage by the senior tenants (55 years and older) with incomes below 50% of Area Median Income.

2. Proximity and Accessibility to Amenities and Services

The Project's proximity and accessibility to amenities and services support the tenant's reduced need for cars and the project's application for reduced parking ratios.

3. Market Data

A survey of other local, affordable, senior projects clearly demonstrates that a reduced parking ratio of 0.5 spaces per unit is appropriate.

4. Planning District Objectives

The Stockton Broadway Special Planning District has an identified goal to reduce motor vehicle parking as a means of attracting desirable businesses. Our project's request to reduce the required parking levels both for retail and residential is consistent with the Special Planning District's objective.

We believe that this request for reduced motor vehicle parking is appropriate based on the tenant demographics, project location, City planning objectives and market data.



We would appreciate a timely response from Staff to this request and will call tomorrow to discuss a timeframe. Thank you Lindsey, please do not hesitate to contact me should you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Steven S. Oh". The signature is fluid and cursive, with a long horizontal stroke at the end.

Steven S. Oh
The Related Companies of California



INTRODUCTION

The Oak Park Mixed-Use Senior Development will contain approximately 53 one-bedroom rental units and 1 two-bedroom manager’s unit. The development also contains a community room, fitness center, theater and approximately 3,000 to 4,000 square feet of pedestrian-oriented retail. The residential rental units in the Project shall be restricted to tenant with incomes no greater than 50% of Area Median Income. Funding requirements will ensure that the facility remains affordable to seniors (age 55 and older) for 55 years.

The Project is located on the corner of Broadway and Martin Luther King, Jr. Boulevard within the Broadway/Stockton Special Planning District (SPD) (City Code Title 17.94.010).

PARKING REDUCTION REQUEST

The following tables show the required and our proposed parking ratios for this Project.

Use	Vehicular Parking			
	Current Requirements		Project Proposal	
Residential	1.5 spaces/DU	81.0 spaces	0.5 spaces/DU	27 spaces
Visitors	1 space /15 DU	3.6 spaces	1 space /15 DU	3.6 spaces
Retail	1 space per 250 gross sf	12 spaces	1 space per 1,000 gross sf	3 spaces
Total		97 spaces		34 spaces

Use	Bicycle Parking			
	Current Requirements	Proposed Bicycle Parking		
			Class 1	Class 2,3
Residential	1 bicycle for every 20 vehicular parking stalls	4 spaces	2 spaces	2 spaces
Visitors		1 space	-	1 space
Retail		1 space	1 space	0 spaces
Total		6 spaces	3 spaces	3 spaces

Our request for a reduction is based upon the following salient facts:

1. **Affordable Senior Tenant Demographics**
 The proposed residential parking ratios reflect the anticipated residential usage by the senior tenants (55 years and older) with incomes below 50% of Area Median Income. The combination of the tenant age and income profiles, a residential parking ratio of 0.5 spaces per unit is appropriate.
2. **Proximity and Accessibility to Amenities and Services**
 The proposed project is located within close proximity to many amenities and services including supermarkets, banks, clinics, hospitals, parks and community centers. Additionally, the project has great access to public transit. A detailed list of key amenities and services follows:
 - **Public Transportation Access**
 Bus route 51 stops directly in front of the project on Broadway and connects to the Light Rail Stop at Broadway and 19th. Bus 51 also travels to Broadway and Stockton where supermarkets/pharmacies and other services are located.



- **Park**
McClatchy Park is one block away from the Project.

- **Hospital and Clinics**
UC Davis Medical Center is within 1/2-mile from the site.

Oak Park Community center and the Community Health Center is located within 1/4-mile from the site on Martin Luther King Jr. Boulevard.

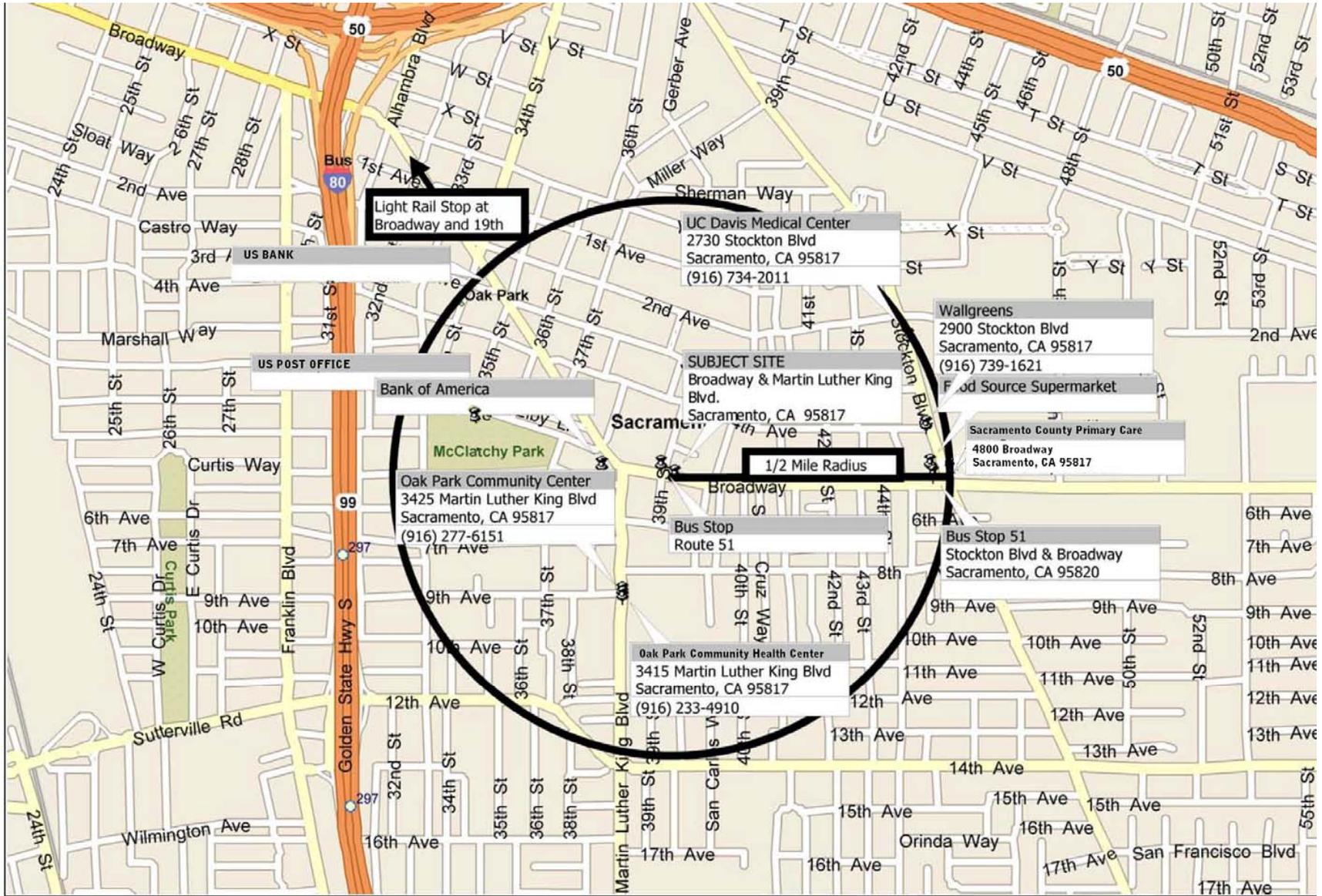
Sacramento Primary Care Center is located at the intersection of Stockton Boulevard and Broadway, 1/2-mile from the project site and on Bus Route 51.

- **Pharmacy**
Walgreens is located at the intersection of Stockton Boulevard and Broadway, 1/2-mile from the project site and on Bus Route 51.

- **Groceries, Restaurants and Other Retail**
A full-service supermarket (Food Source), restaurants, a café, and other retail services are located at the intersection of Stockton Boulevard and Broadway, 1/2-mile from the project site and on Bus Route 51.

- **Financial Services**
Bank of America is located directly across Martin Luther King Jr. Boulevard from the project site.

The project's proximity to this array of amenities and services, in addition to the Project's access to multiple forms of public transit, greatly reduces the tenant's need for cars. Below is a map showing the Project's location with respect to the aforementioned amenities and services.



Amenities and Services Proximity Map

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3. Market Data

A survey of the parking usage at other local, affordable senior projects clearly demonstrates that a reduced parking ratio of 0.5 spaces per unit is appropriate. The survey data is show below. Please note that the ratios presented below are inclusive of guest parking.

- **The Terraces**

Address: 1615 O Street, Sacramento

of units: 59 units

% of units ≤ 50% AMI: 100%

Occupancy: 100%

of parking spaces: 23 spaces (0.39 spaces/DU)

Current usage: 21 spaces used by tenants (0.36 spaces/DU)

- **Globe Mills**

Address: 1131 C Street, Sacramento

of units: 112 units

% of units ≤ 50% AMI: 81%

Occupancy: 93%

of parking spaces: 54 spaces (0.48 spaces/DU)

Current usage: 54 spaces used by tenants (0.48 spaces/DU)

- **Pioneer Tower**

Address: 515 P Street, Sacramento

of units: 198 units

% of units ≤ 50% AMI: 100%

Occupancy: n/a

of parking spaces: 50 spaces (0.25 spaces/DU)

Current usage: 50 spaces used by tenants.

Manager reports they could use 10 more parking spaces to accommodate guest and staff parking for a total of 60 spaces (0.30 spaces/DU)

- **Sky Parkway Terrace**

Address: 5414 Sky Parkway, Sacramento

of units: 58 units

% of units ≤ 50% AMI: 98%

Occupancy: 100%

of parking spaces: 58 spaces (1.0 spaces/DU)

Current usage: 30 spaces used by tenants (0.52 spaces/DU)

- **Los Victorianas**

Address: 505 10th Street, Sacramento

of units: 40 units

% of units ≤ 50% AMI: not applicable

Occupancy: 100%

of parking spaces: 24 spaces (0.6 spaces/DU)

Current usage: 15 spaces. Manager quotes usage is “never at capacity.”

Property reports no additional demand for parking. There are no residents on the parking waitlist.

(0.375 space/DU)



- **Riverview Plaza**
 Address: 600 I Street, Sacramento
 # of units: 123 units
 % of units ≤ 50% AMI: 99%
 Occupancy: 95.1%
 # of parking spaces: 52 spaces (0.42 spaces/DU)
 Current usage: 52 spaces.
 Manager reports property could use 10 more spaces for residents and guests for total of 62 spaces including guest parking. (0.50 spaces/DU)

- **Greenfair Towers**
 Address: 701-702 Fairgrounds Dr., Sacramento
 # of units: 388 units
 % of units ≤ 50% AMI: 99%
 Occupancy: 100%
 # of parking spaces: 143 spaces (0.37 spaces/DU)
 Current usage: 143 spaces.
 Property report that there are 10 people on the waitlist for parking. Manager reports property could use 70 more spaces for guest and residents.
 (0.55 space/DU)

4. Planning District Objectives

The Stockton Broadway Special Planning District has an identified goal to reduce motor vehicle parking as a means of attracting desirable businesses. The Broadway/Stockton SPD states:

“Encourage reduction of motor vehicle parking requirements for new commercial development as allowed by this title as a means of attracting desirable businesses.”

“Enhance the bike and pedestrian connections and accessibility between the commercial uses on Broadway and Stockton Boulevard and the surrounding residential neighborhoods.”

“Encourage the use of bicycle parking in accordance with designs preferred by the Sacramento city/county bicycle advisory committee.”

The project is requesting a reduction for the retail motor vehicle parking. The intention is to provide parking primarily for Business owners and Employees only. This strategy would increase pedestrian activity to enliven the area and encourage pedestrian friendly retail tenants. This would also serve to implement the Zoning Code goal of “Encouraging reduction of motor vehicle parking requirements for new commercial development as allowed by this title as a means of attracting desirable businesses.” The Project’s request to reduce the required parking levels both for retail and residential is consistent with the Special Planning District’s objective.

Conclusion

We believe that this request for reduced motor vehicle parking is appropriate based on the tenant demographics, project location, City planning objectives and market data.

We would appreciate a timely response from Staff to this request and will call tomorrow to discuss a timeframe. Thank you Lindsey, please do not hesitate to contact me should you have any questions.

Comments from The Oak Park RAC from the July RAC Meeting.

From: Matt Hertel [mailto:mhertel@shra.org]
Sent: Tuesday, September 14, 2010 11:52 AM
To: Matthew Sites; Lindsey Alagozian
Cc: Celia Yniguez
Subject: RE: Oak Park Redevelopment Advisory Committee Comments on Broadway/MLK Project

Hello Matt and Lindsey,

At the July 14th, 2010 Oak Park RAC meeting, the developer and architect presented the proposed design and site plan for the project. Comments were made by individual RAC members or members of the public in attendance of the meeting. These individual comments made by RAC members or residents were forwarded to Matt Sites on July 15th are reflected in the list below. SHRA staff has reviewed the September 15, 2010 Report to Design Commission regarding the proposed development at 3820 Broadway (P10-042). The Design Commission and Design Review staff recommendations as outlined in the staff report adequately address the comments made at the July 14, 2010 Oak Park Redevelopment Advisory Committee meeting. Additionally, the parking studies conducted by the developer and the adequate amount of on street parking also address the question about sufficient parking.

Thank you,

Matt Hertel
Associate Redevelopment Planner
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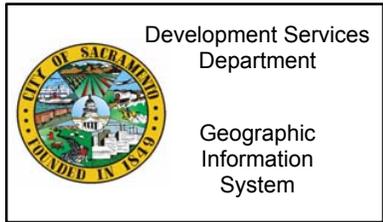
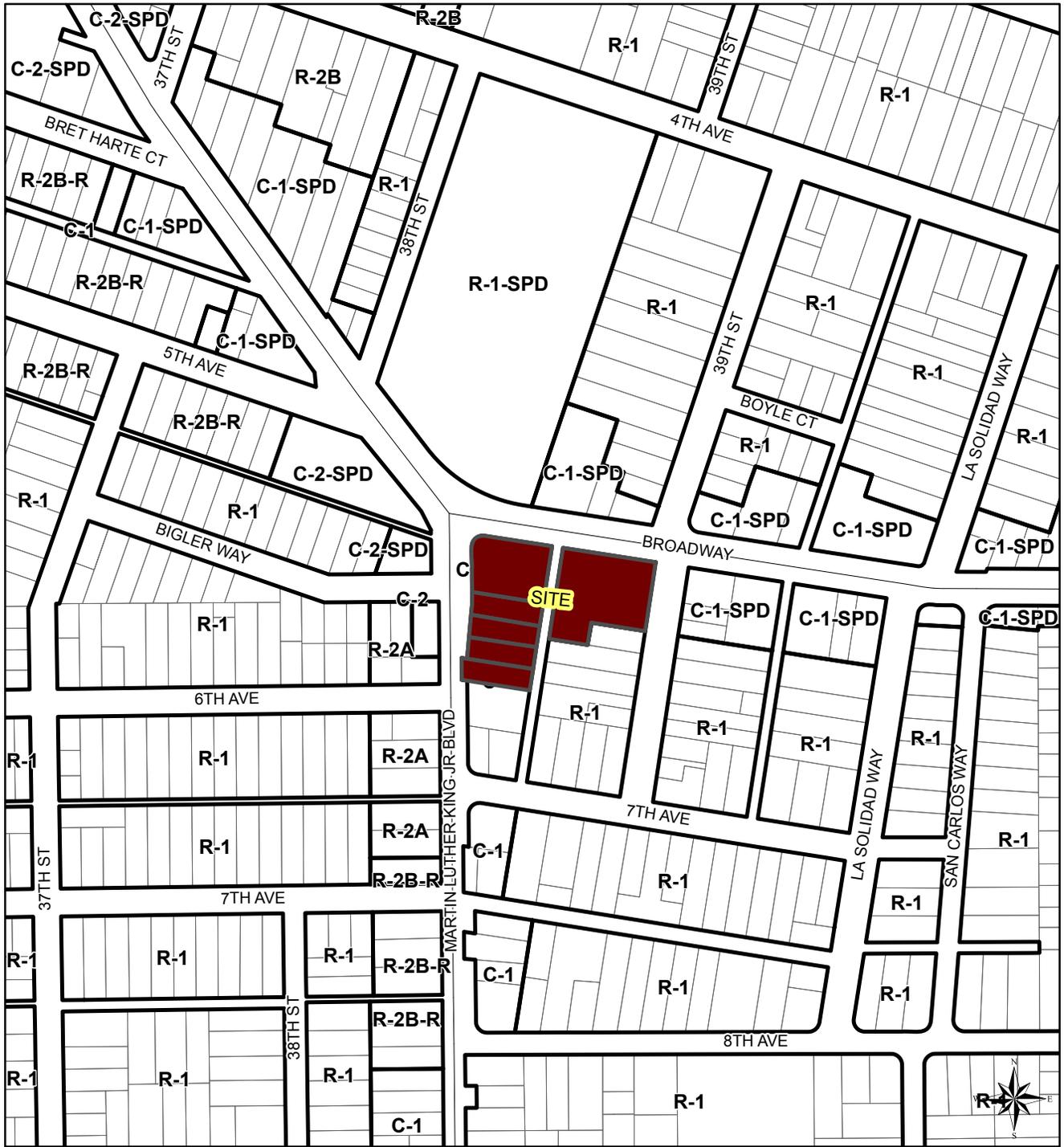
From: Matt Hertel [mailto:mhertel@shra.org]
Sent: Thursday, July 15, 2010 11:18 AM
To: Matthew Sites
Cc: Yniguez, Celia; Marsh, Richard
Subject: Oak Park Redevelopment Advisory Committee Comments on Broadway/MLK Project

Hello Matt,

Here are the comments RAC and Community members had about the design and site plan of the project.

- 1) Explore possibility of a drop-off area on Broadway in front of the project
- 2) Concern about the number of retail parking spaces
- 3) Continue to examine whether more parking spaces are required for the residents
- 4) Supportive of bollard component at corner near retail
- 5) Continue to explore consistency of materials
- 6) Corner entrance way over hang is too high

Celia and Richard please let me know if I missed anything.



July 08, 2010

P10-042

3280 Broadway

014-0171-001,-017,-018,-019,-020,-025

C-1-SPD zone

Special Permit:

Parking Waiver for residential & retail
Residential development over 40,000 sf

Variance:

Setbacks along Broadway and MLK
Broadway/Stockton, & Oak Park DR

