

Supplemental Material
For
City of Sacramento
Planning Commission
Agenda Packet

Submitted: October 28, 2010

For the Meeting of: October 28, 2010

- Additional Material
- Revised Material

TITLE: Proposed Rezones and Land Use Designation and Text Changes to the 2030 General Plan (LR10-005)

Contents: Rezone Opposition Correspondence

Attachment 1: 427 10th Street/1001 E Street..... pg 1
Attachment 2: 5601/5650 Natomas Blvd..... pg 3
Attachment 3: 5999 Power Inn Road..... pg 4
Attachment 4: Jackson Highway pg 12

Contact Information: Teresa Haenggj, Associate Planner (916) 808-7554

Please include this supplemental material in your agenda packet. This material will also be published to the City’s Internet. For additional information, contact the City Clerk Department at Historic City Hall, 915 I Street, First Floor, Sacramento, CA 95814-2604, (916) 808-7200.

Teresa Haenggi

From: Gera Swanson [geraldineswanson@comcast.net]
Sent: Wednesday, October 27, 2010 3:33 PM
To: Teresa Haenggi
Subject: Public Comment on Central City R-3A rezone at 10th and E St.

I request that the Commission reject Staff recommendation for the Central City (R-3A rezone at 10th and E Street). Item #11 packet.

This is my comment for the public hearing:

I am opposed to rezoning the two parcels at 10th and E (one block from my home) and request no additional R-3A high density zoning in the historic Alkali Flat area. High density housing, such as low income or rental apartment complex housing already established, have already severely taxed community resources and law enforcement's ability to respond to increased criminal activity, such as theft, gangs, violence and drug use. Additional high density housing would simply add to this problem and impact negatively on quality of life of this neighborhood.

Please reject R.-3A zoning at 10th and E Street and restrict zoning to Urban Low Density or keep the M-2 zoning intact at this time.

Respectfully,
Geraldine Swanson
Alkali Flat resident/homeowner for 24 years.

Teresa Haenggi

From: Donald Caldwell [doncald@hotmail.com]
Sent: Wednesday, October 27, 2010 2:24 PM
To: Teresa Haenggi; Planning
Subject: public comment on Central City R-3A rezone at 10th & E St.

I ask that the Commission please reject Staff recommendation for the Central City (R-3A rezone) at 10th & E St. Item #11 packet.

My public hearing comment:

Please restrict zoning to **Urban Low Density or keep the M-1 zoning intact at this time.**

I do not want any more low income or rental apartment complex housing in my neighborhood and so request **no more R-3A high density zoning in Alkali Flat.** We are experiencing too many problems with existing high density housing and cannot endure any more of the challenges (i.e. theft, gang activity, violence, noise, scavenging, trespassing etc.) that invariably come along with these type developments in our area.

Many residents seek to see Alkali Flat represent what it has historically been - a single family neighborhood with some prosperous yet community-supportive commercial businesses. R-3A housing will not accomplish this objective. Please reject R-3A zoning at 10th & E St. now and whenever this zoning is suggested within Alkali Flat in the future.

Respectfully,
Jennifer Caldwell
Alkali Flat resident

To whom it may concern:

October 5, 2010

Re: Rezoning @ Carefree Natomas & Sabrina Plaza

This letter is in response to the proposed changes in Zoning that the City of Sacramento is in the process of implementing at the Carefree Natomas and Sabrina Plaza properties on North Natomas Blvd.

The Carefree Natomas property has been completely improved and a 500 unit senior apartment community currently is in operation there.

The Sabrina Plaza property is still unimproved.

When we purchased both those unimproved properties the zoning at the time was R-4. That Multi Family zoning allowed a maximum density of 58 dwelling units per acre. The proposed new zoning is called Suburban Neighborhood High Density which allows a maximum density of 30 dwelling units per acre. That equates to nearly a 50% drop in density !!! Part of the reason we purchased in that location was the allowable density. Now not only are we faced with a national economic recession that has reduced or eliminated demand for raw land and the associated drop in values, but a potential rezoning that will reduce the property value even more !

Regarding the Sabrina Plaza property, a question has arisen about the tentative map and special permit (Project #P07-035) which was requested and approved in 2007 to build a condominium project. We sold that property at the end of the economic boom cycle (2006) to another builder/developer. That buyer progressed the project just far enough along to receive the previously mentioned approvals and then defaulted on the contract signed with us forcing us to foreclose.

Our future plans for the Sabrina Plaza site are to build an affordable high density senior housing project. We are only waiting for signs of economic improvement to allow us to proceed. With the unemployment rate as high as it is in the Sacramento area, think about the construction jobs we could create when building this type of project !

In closing the owners of both the Carefree Natomas and the Sabrina Plaza properties are respectfully requesting that the proposed rezoning for these parcels not be completed. The loss in value due to rezoning is extreme and not acceptable in an already down economy.

Thank You,

Robert Benson

Teresa Haenggi

From: JK Leason [jkleason@pcpipe.com]
Sent: Tuesday, October 26, 2010 2:59 PM
To: Teresa Haenggi
Cc: Tom Pace; Lucy Hall
Subject: FW: APN 02703600160000 at 5999 Power Inn Road from M-2S to M-1S
Attachments: Sacto Zoning June 22 2010 Letter.pdf;
CITY_OF_SACRAMENTO_CONFIRMATION_OF_ZONING_08_25_2010_4_PAGES.pdf

<<CITY_OF_SACRAMENTO_CONFIRMATION_OF_ZONING_08_25_2010_4_PAGES.pdf>> Hi
Teresa and Tom

I see that I sent the below e-mail to a .com address rather than a .org address. So please see my letter below.

Thanks,

JK Leason
President
Pacific Corrugated Pipe Co.
949-650-4555
949-650-0781 (fax)

Statement Of Confidentiality:

This electronic message transmission, and all attachments, contains information from W.E. Hall/Pacific Corrugated Pipe Company and Pacific Corrugated plastic Pipe Comapny, which is confidential and privileged. The information is for the exclusive viewing or use of the intended recipient. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify the sender immediately by a "reply to sender only" message and destroy all electronic and hard copies of the communication, including attachments.

-----Original Message-----

From: JK Leason
Sent: Tuesday, October 26, 2010 9:35 AM
To: thaenggi@cityofsacramento.com
Cc: Lucy Hall
Subject: APN 02703600160000 at 5999 Power Inn Road from M-2S to M-1S

Hi Teresa --

We have received notice of the Planning Commission -- Public Hearing for this Thursday, October 28, 2010 at 5:30 pm regarding the zoning change for our property from M-2S to M-1S. Although we will not be able to attend this meeting, we wish to notify you and the City Planning Commission that we are still opposed to this rezoning action.

As you know, thru various meetings, phone calls, letters and e-mails we had asked you for a confirmation of use of our property in light of the new proposed zoning. Attached is our e-mail to you of June 22, 2010 outlining our concerns about the proposed zoning in which we asked for a clarification letter from the City. On August 25, 2010 you responded with the attached "Confirmation of Zoning" letter which really only amounts to a statement of the current Sacramento City Zoning Codes.

Since we had asked for verification from you that with the proposed change in zoning from M-2S to M-1S that we would be able to continue all aspects of our manufacturing, distribution and storage activities (both inside buildings and outside of buildings) exactly as we have for the past 50 plus years, and that the City's proposed zoning change would not affect this as well as not require us to modify our property. In other words, a letter that "Grandfathers" us. Additionally we had asked you to document that secondary uses of the land in the normal course of operating a business would not disqualify the business use within the zone. We requested that you include verbiage showing that intent in the Zoning Code/General Plan so that future planners would not reinterpret the code to the contrary.

Your attached letter August 25, 2008 does not address our concerns and hence we still remain in opposition to the proposed zoning change.

We ask you to please read this e-mail and make sure it and the two attachments become a part of the minutes for the October 28, 2010 hearing. I would also appreciate your acknowledgement of receipt of this letter.

Thank you,

JK Leason
President

Pacific Corrugated Pipe Co.

5999 Power Inn Road, Sacramento, Calif. 95824-2306 Mailing address: PO Box 2450, Newport Beach, Calif. 92658

949-650-4555

949-650-0781 (fax)

This message has been scanned for malware by Websense. www.websense.com

JK Leason

From: Lucy Hall [luann.hall@sbcglobal.net]
Sent: Tuesday, June 22, 2010 2:03 PM
To: thaenggi@cityofsacramento.org
Cc: JK Leason
Subject: rezone hearing Power Inn Road

Dear Teresa Haenggi and Planning Commission,

When JK Leason and I met with you and many staff members on January 26, 2010, you and all the staff members assured us that land uses which were not specifically excluded were included in the zoning. You indicated that our current manufacturing operation is a permitted use under the M1S zone. You all indicated that only the primary use of the property was considered as the land use of the property and that secondary uses in the normal course of operating a business would not disqualify the business use within the zone. We requested that you include verbage showing that intent in the Zoning Code/General Plan so that future planners would not reinterpret the code to the contrary. We have not received anything in writing showing that you have done so. Could you please provide a copy of the statement to be included? If no statement is included, I request that one be included in association with this zone change to our property and those of other property owners in the area. On June 17 th we received a fax notification of a Planning Commission meeting June 24,2010 on the rezoning and land use designation changes. We will not be able to attend that meeting since we had previously scheduled other commitments.

Sincerely,
Lu Ann Hall
W.E. Hall Company
Pacific Corrugated Culvert

Click [here](#) to report this email as spam.



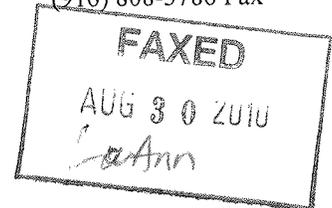
Community Development
Department

CITY OF SACRAMENTO
CALIFORNIA

300 Richards Blvd., 3rd Fl.
SACRAMENTO, CA 95811
(916) 808-5656 Phone
(916) 808-5786 Fax

August 25, 2010

Pacific Corrugated Pipe Company
Attn: Lu Ann Hall
P.O. Box 2450
Newport Beach CA, 92658



SUBJECT: CONFIRMATION OF ZONING

This letter is in response to your request for clarification that manufacturing is an allowed use in the M-1S zone for parcels APN# 027-0360-015 and 027-0360-016.

Title 17.24.040B of the Sacramento City Zoning Code states that manufacturing is allowed by right in the M-1S zone. Your development – manufacturing of pipe – is considered manufacturing and is therefore allowed by right. The only development restriction for M-1S zone is indicated by the “S” in the zoning, and can be found in M-2S as well. The restriction, found in Footnote #20 of Title 17.24.050, states, “all uses shall be conducted wholly within a completely enclosed building or within an area enclosed on all sides by a solid fence or wall at least six feet in height. No materials or supplies shall be stored within the required front or street side yard setback area, nor shall any building, parking stall, structure, fence, or wall extend into said area. All street frontages must have a twenty-five (25) foot setback which is to be developed and maintained as open landscaped area. The landscaped area shall include a combination of trees, mounded turf and/or live ground cover and shrubs. A fully automatic irrigation system shall be provided. The landscaped area must be twenty-five (25) feet clear, excluding curbs. Sidewalks are allowed in this area only when necessary for handicapped access. When vehicles overhang and no wheel stops are provided, the landscaped area must be increased to twenty-seven (27) feet. A six-inch raised concrete curb is required at the back of sidewalk; however, if turf is used and extends farther than fifteen (15) feet from the property line, this curb is not required. If there is less than fifteen (15) feet of turf, this requirement may be modified subject to the review and approval of the development services department.”

Please contact me at (916) 808-7554 or thaenggi@cityofsacramento.org if I can assist you with any further questions.

Thank you,

Teresa Haenggi
Associate Planner

Attachments: Title 17.24.040 and 17.24.050

cc: Joy Patterson, Zoning Administrator
Jim McDonald, Senior Planner

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Title 17 ZONING

Division II. Zoning Districts and Land Use Regulations
 Part 1. Zoning Districts and Land Use Regulations Generally
 Chapter 17.24 LAND USE REGULATIONS

17.24.040 Industrial and agricultural land use charts.

Table 17.24.040A

Use	R E	R 1	R 1 A	R 1 B	R 2	R 2 A	R 2 B	R 3	R 3 A	R 4	R 4 A	R 5	R M X	R O	O B
Agriculture—General uses															
Agriculture—No structures															
Animal or poultry slaughter															
Antenna/communication tower *	58	58	58	58	58	58	58	58	58	58	58	58	58	58	58/18
Assembly of electrical &/or electronic equipment															
Assembly of plastic &/or rubber items															
Auto dismantler *															
Beverage bottling plant															
Billboard manufacture															
Boat building (small)															
Concrete batch plant															
Cement or clay products manufacturing															
Contractor's storage yard															
Dairy processing plant															
Electrical transmission facilities	61	61	61	61	61	61	61	61	61	61	61	61	61	61	61/18
Food processing plant															
Fuel storage yard *															
Garment shop															
Hazardous waste facilities *															
Hog ranch															
Ice manufacture—Cold storage plant															
Junk yard *															
Laboratory—Research, experimental															
Livestock sales yard															
Lumber yard—Retail															
Machine shop															
Manufacturing, assembly, and treatment of merchandise															
Mining operations—Surface *	46				46	46	46	46	46	46	46	46		46	46/18
Monument works, stone															
Planing mill															
Public utility yard															

Table 17.24.040A (Continued)

Use	R E	R 1	R 1 A	R 1 B	R 2	R 2 A	R 2 B	R 3	R 3 A	R 4	R 4 A	R 5	R M X	R O	O B
Railroad ROW, use of															
Railroad yard or shops															
Reclamation or disposal operation	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5/18
Receiving facilities															
Riding stables															
Solid waste landfill	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5/18
Solid waste transfer station	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5/18
Terminal yard, trucking															
Track and tractor repair															
Warehouse *															

and schematic plan have been approved for such development.

c. Notwithstanding the provisions of Sections 17.212.070 and 17.220.050, a special permit modification or plan review modification shall not be required for additions, remodeling, reconstruction, or other alterations to an existing single-family detached dwelling in the R-1A zone if the addition, remodeling, reconstruction, or other alteration complies with the setback, height, lot coverage, and parking standards of the R-1 zone or if the addition, remodeling, reconstruction, or other alteration complies with the setback, height, lot coverage, and parking standards originally approved with the special permit or plan review for the single-family dwelling.

18. Development in the OB Zone. This use is permitted subject to the approval of a plan review in accordance with Chapter 17.220 of this title.

19. Development in the F Zone. This use is permitted subject to compliance with the F zone chapter, Chapter 17.48 of this title, and with the approval of a special permit by the planning commission in accordance with Chapter 17.212.

20. Development in the M-1S and M-2S Zones. All uses shall be conducted wholly within a completely enclosed building or within an area enclosed on all sides by a solid fence or wall at least six feet in height. No materials or supplies shall be stored within the required front or street side yard setback area, nor shall any building, parking stall, structure, fence, or wall extend into said area. All street frontages must have a twenty-five (25) foot setback which is to be developed and maintained as open landscaped area. The landscaped area shall include a combination of trees, mounded turf and/or live ground cover and shrubs. A fully automatic irrigation system shall be provided. The landscaped area must be twenty-five (25) feet clear, excluding curbs. Sidewalks are allowed in this area only when necessary for handicapped access. When vehicles overhang and no wheel stops are provided, the landscaped area must be increased to twenty-seven (27) feet. A six-inch raised concrete curb is required at the back of sidewalk; however, if turf is used and extends farther than fifteen (15) feet from the property line, this curb is not required. If there is less than fifteen (15) feet of turf, this requirement may be modified subject to the review and approval of the development services department.

21. Hotel/Motel. A special permit is required to locate a hotel or motel containing more than one hundred twenty-five (125) rooms in this zone, provided, however, that no special permit shall be required for any site if a redevelopment plan adopted by the city provides that a hotel or motel may be located upon such site and the redevelopment agency has entered into a contract with a developer which governs the requirements for development of the site.

22. Adult-entertainment businesses is a permitted use in this zone, subject to compliance with the locational standards set forth below; and subject further, to compliance with the permitting requirements, development and operational standards and other requirements set forth in Chapter 5.06 of this code.

a. Locational Requirements. No permit shall be issued or approved for an adult-entertainment business unless the proposed location satisfies all of the following locational requirements:

i. Proximity to Adult-Entertainment Businesses or Adult-Related Establishments. No adult-entertainment business shall be established or located within one thousand (1,000) feet, measured from the nearest property lines of each such use, of any other adult-entertainment business or an adult-related establishment.

ii. Proximity to Agricultural or Residential Zones or Residential Uses. No adult-entertainment business shall be established or located within one thousand (1,000) feet, measured from the nearest property lines of each of the affected parcels, of any existing agricultural zone, residential zone or residential use.

iii. Proximity to Certain Specified Uses. No adult-entertainment business shall be established or located within one thousand (1,000) feet, measured from the nearest property lines of each parcel containing such use, of any existing park, church, school, gymnasium for children, roller skating rink or ice skating rink. For purposes of this requirement, the following definitions shall apply:

“Church” means a structure or place which is used primarily for religious worship and related religious



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October 28, 2010

STACY E. GILLESPIE
Direct (916) 319-4649
segillespie@stoel.com

VIA E-MAIL thaenggi@cityofsacramento.org

City Planning Commission
New City Hall—Council Chambers
c/o Teresa Haenggi, Associate Planner
915 I Street, First Floor
Sacramento, CA 95814

**Re: Proposal to Rezone APN 078-0202-006 from M-2S-SWR (Heavy Industrial) to
R-2A-SWR (Medium Density Residential)
Letter of Qualified Objection**

Dear Members of the Planning Commission:

The following concerns the above-noted proposed rezoning of APN 078-0202-006 (the “Subject Parcel”), and is submitted on behalf of Nancy C. Cleavinger, as trustee of the NC Cleavinger Family Trust et al., which owns (1) the Subject Parcel (APN: 078-0202-006), and (2) the property immediately south of the Subject Parcel (APN 061-0150-042), which is the Florin Perkins Disposal Site facility, located at 4201 Florin Perkins Road (the “Transfer Station”); and as trustee of the Nancy C. Cleavinger Revocable Trust, which owns the former inert landfill site located immediately to the north of the proposed rezoning, at 8597 Jackson Road (APN 078-0201-07.)

We understand that, in concept, the proposed action is intended to make the Subject Parcel’s zoning consistent with the Traditional Residential Medium Density land use designation in the 2030 General Plan.

However, the current zoning for the Subject Parcel is Heavy Industrial and the zoning for the parcels immediately south are zoned Light Industrial. The current uses of the Subject Parcel and the parcels immediately south are consistent with the current industrial zoning. The current uses are not in any way consistent with a Residential Medium Density land use designation.

Our client is concerned that the rezoning does not comport with what is currently existing at and near the subject site. The Subject Parcel is an excavated site resulting from rock quarrying operations in the past. Portions of the Subject Parcel being proposed for rezoning were a part of



City Planning Commission
New City Hall—Council Chambers
c/o Teresa Haenggi, Associate Planner
October 28, 2010
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the previous Florin Perkins Inert Landfill and those portions will undergo closure in the future. Portions of the Subject Parcel have been filled with inert debris from the previous Florin Perkins Landfill operations. The proposed rezoning should not be approved insofar as it would interfere with the owner's intention to bring the Subject Parcel to grade.

The parcel immediately south to the Subject Parcel include the former Florin Perkins Landfill. The Transfer Station is a large volume material recovery and transfer station comprising 10 acres located south of the Subject Parcel. In April 2010, the Transfer Station was re-opened and is operated by Zanker Road Resource Management, LTD. The County of Sacramento, as the Local Enforcement Agency for the California Department of Resources, Recycling and Recovery, has recently approved the maximum daily tonnage to the Phase 2 level pursuant to the facility's Solid Waste Facility Permit. Insofar as the proposed rezoning would impede the effort to continue existing and foreseeable operations of the waste Transfer Station, the proposed rezoning should not be approved.

In summary, our client objects to the proposed rezoning if it effectively would limit existing uses that are compatible with the current zoning (Heavy Industrial) and existing uses on the Subject Parcel and adjacent parcels.

Very truly yours,

Stacy E. Gillespie

SEG:aph