

Item No. 3

Supplemental Material (3)
For
City of Sacramento
Planning Commission
Agenda Packet

For the Meeting of: July 28, 2011

Additional Material
Revised Material

Contact Information: David Hung, Associate Planner, 808-5530

Project Name: 24th & T Street Residences (P10-089)

Subject:

Additional information received:

1. Updated Private Agreement between applicant and neighbors.

AGREEMENT

In the interests of reaching agreement on certain terms pertaining to entitlement requests made to the City of Sacramento Planning and Design Commissions contained in application P10-089 24th/ T Residences submitted by Rosen Development LLC, (Rosen) and the neighborhood representatives (Neighbors), agree on behalf of their neighborhood as follows:

- 1) Two buildings are proposed on the site zoned R-3A: 24th St. building (24th St.) will contain 3 multi-family units and T St. Building (T St.) will contain two multi-family units.
- 2) Sizes, heights and broad design elements that have been agreed upon are reflected on p. 2 of this Agreement and when applicable will be reflected on drawings submitted to the City.
- 3) All units will be two bedroom units with the addition of offices to the T St. units. Property will remain zoned residential. A single garage structure on the alley will include 5 individual garages.
- 4) Application will be for apartments, not condominiums. Neighbors understand Rosen may convert to condos when condo market is more stable.
- 5) Neighbors agree to support the project as revised by Rosen and subject to the terms contained on p. 2 of this Agreement at the City's Planning and Design Commissions, including support for the variance for a commercial trash enclosure and side setback variance for the accessory structure.
- 6) Neighbors agree to encourage acceptance of this agreement by the neighborhood including seeking formal support from the NBNA but Rosen understands that Neighbors lack authority to limit any individuals from exercising their legal rights.
- 7) Rosen understands that support for the project is subject to Neighbors inspection of the final plans/ drawing submitted to City staff and such support will only be withheld if drawings materially fail to conform to the terms of this agreement, Subject to specifications of this agreement, the most recent set of preliminary drawings made available for neighborhood inspection during mediation are indicative of materiality. Parties acknowledge that preliminary drawings were incomplete.
- 8) Rosen agrees to provide additional project information on a go-forward basis to Neighbors concerning the items in p. 2 and any other issues that might be of concern to the neighborhood.
- 9) Each party reserves the right to reference the experience with this development to raise future policy issues before the city, including but not limited to, permitting the demolition of existing structures and the method of counting units for purposes of implementing the general plan..

**Design Elements, Materials Decisions and Consultation Process Agreement between
Newton Booth / Poverty Ridge Neighborhood (“Neighbors”) and Andrea Rosen/ Ben Rosen
 (“Rosen”)**

I. Substantive Design Element Commitments

1. Garage side setback: Will attempt to re-design garage to minimize variance setback needed.
2. Depth and dimensions in design re: building heights, setbacks etc. as shown in earlier drawings unless specified differently in this attachment. (subject to refinement of drawings).
3. Porch for each unit.
4. Pitched roofs for all buildings.
5. Vary exterior color for each of three units in 24th St. building.
6. T St. building with two units no larger than 2550 square feet interior space.
7. Install adequate safety lighting near alley and sidewalk and for pedestrian access on sidewalk adjacent to buildings. Installation of convex mirror on garage structure.
8. Craftsmen-style porch railings. (no wrought iron or closed walls).
9. Trellis with vines on west wall of T St. Bldg.
10. Drainage spouts- painted metal to complement stucco color.
11. Windows: Optimize fit with traditional architecture.
12. Landscape plan to meet City requirements.

**II. Materials Decisions Subject to Future Bids and Discussion with Neighbors Prior to
Final Purchase Decision**

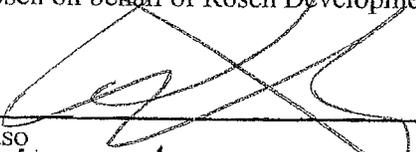
1. Use of brick as secondary material including amount and placement.
2. Whether to add planters including timing and location.

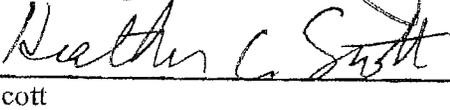
III. Process for Consultation with Neighborhood Representatives

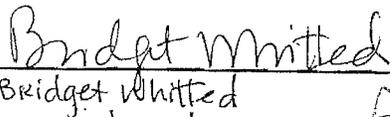
1. At time when contractor seeks bids from sub-contractors for items in Section II, Rosen seeks bids for each item in Section II in order to evaluate for inclusion.
2. Rosen will analyze and review bids in context of overall project cost to date and projected costs to complete the project to comply with permit and project requirements.
3. Parties will meet to discuss options and analyses.
4. Rosen will attempt to answer questions to the best of their ability.
5. Rosen will make good faith effort to accommodate reasonable requests by Neighbors.
6. Final decisions regarding construction and purchase of all items, including those in Section II, remain with Rosen.

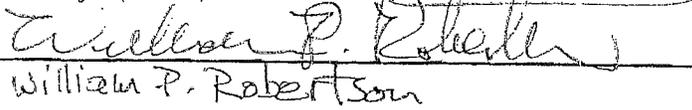
SIGNATURE PAGE

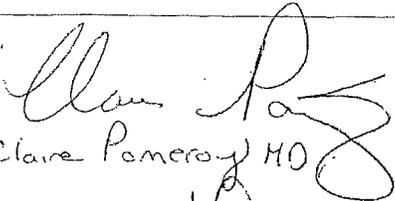

Andrea Rosen on behalf of Rosen Development LLC


Alan LoFaso


Heather Scott

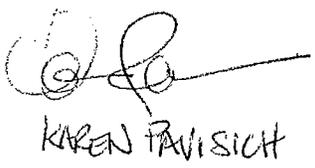

Bridget Whitted


William P. Robertson


Claire Pomeroy HO


Robert McCartney

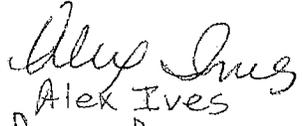

Michael Pavisich

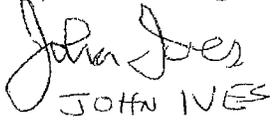

KAREN PAVISICH

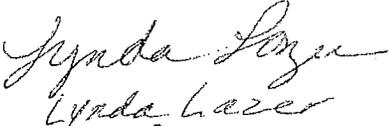
Ellen Shinfuku

 YUJI P. SHINFUKU


Demise Henderson

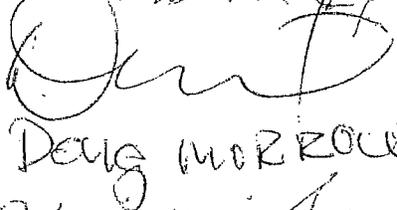

Alex Ives

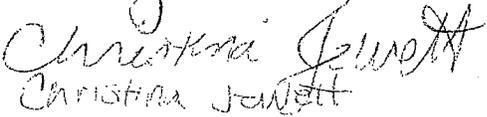

JOHN IVES


Lynda Lazer


TIM LAZER


PAT MELARKEY


DOUG MORROW


CHRISTINA JEWETT

John

JOHN HAGAR

Margellen Burns

Margellen Burns

~~ROBIN SAUNDERS~~

ROBIN SAUNDERS

~~ALEX SABELIN~~

~~P.S. WADE~~

P.S. WADE

John W. Lane

John W. Lane

Hull E. Dicks

John Gee

JOHN GEE

Don P. Wieland

Dennis P. Wieland

Sharon Wieland

Sharon Wieland

Item No. 3

Supplemental Material (2)
For
**City of Sacramento
Planning Commission
Agenda Packet**

For the Meeting of: July 28, 2011

Additional Material
Revised Material

Contact Information: David Hung, Associate Planner, 808-5530

Project Name: 24th & T Street Residences (P10-089)

Subject:

Additional comment letters received by staff:

1. From Danny and Mary Gomez dated 7/27/2011.
2. From Susan Woodward dated 7/27/2011.

David Hung

From: Mary Gomez [marygomez1@sbcglobal.net]
Sent: Wednesday, July 27, 2011 12:36 PM
To: David Hung
Cc: marygomez1@sbcglobal.net
Subject: Re: Development at 24th and T (P10-089)

Dear David,

Unfortunately, we are unable to attend the Planning Commission meeting July 28, 2011, as we are out of town attending our son's wedding. Please share these final thoughts on our behalf:

- 1) We acknowledge and appreciate all of the time and effort of many individuals who have worked towards a resolution. Our sincere thanks to you, Councilman Rob Fong, Lisa Nava, our fellow neighbors and the developer.
- 2) We have been and remain opposed to this project for two major reasons: (a) density; (b) nuisance, health and safety. Our opposition is well documented in letters to you dated: October 18, 2010, May 24, 2011 and July 12, 2011.
- 3) We have reviewed the Staff Report to Planning Commission and respectfully disagree with the findings and recommendations, as follows:

On Page 4. **Public/Neighborhood Outreach and Comments** number 3 it states, "The project is consistent with the General Plan goals for density goals and diversity in housing" and Page 6. Number 1. "Staff Recognizes that a survey of the block results in 48 units, however not all of these units were documented through the extensive research."

Currently, there are 48 units, counted on more than one occasion by neighbors and City staff. No where does the General Plan specify when an existing unit is **not** counted or refer to "documented" units. Therefore, the developers proposed 5 unit apartment complex exceeds the City's General Plan on density.

Should the Planning Commission agree with the development of a two-unit project, in accordance with the General Plan, we believe the issues of public health, safety and nuisance will be resolved. Specifically, the developer will not need a special permit to reduce the required street side setback from five feet to two feet for an accessory structure; and she will not need a variance to waive the required trash enclosures for a multi-family development. And finally, there will be no need for the three shared trash cans and three shared recycling cans.

In closing, we again want to thank you and acknowledge the many hours spent by you and the City staff. We are hopeful that all of our efforts will result in a project that enhances the quality and safety of our neighborhood.

From: David Hung <DHung@cityofsacramento.org>
To: "marygomez1@sbcglobal.net" <marygomez1@sbcglobal.net>
Sent: Mon, July 25, 2011 10:58:07 AM
Subject: Development at 24th and T (P10-089)

David Hung

From: 2006sew@comcast.net
Sent: Wednesday, July 27, 2011 12:53 PM
To: David Hung
Cc: Kelley Woodward
Subject: Planning Commission Agenda (July 28, 2011; 5:30 p.m.) and the proposed "24th & T Residences" project (P10-089)

Hello, David Hung -

Just in case we don't have a chance to talk before COB today, I wanted to e-mail you the neighbors' status on the proposed "24th & T Residences" project (P10-089).

I have thoroughly reviewed the staff report to the Planning Commission, particularly page 6, page 7, and page 8. I have been out talking with the neighbors to let them know what all of this means before we go to the Planning Commission hearing tomorrow evening (July 28).

The neighbors along 24th Street (between "S" and "U" Streets) and in the Mirabella apartments (on "T" Street, adjacent to the proposed project) are still concerned about having 53 housing units on the 23-S-24-T block. The neighbors had been hearing that the Zoning guidelines that would allow up to 7 more residences overrides the General Plan that would allow up to 4 more residences. I showed them page 7 of the staff report so they could see the real reason that the City is allowing 5 more residences (housing units) on the 23-S-24-T block. I specifically pointed to LU4.3.2 for the City's authority ("... where proposed residential development on a parcel within a Traditional Neighborhood block would exceed the maximum allowed density for the block to be exceeded ..."). At this time, I don't know if any of the neighbors plan to further address this concern at the hearing tomorrow to ask for a reasonable consideration on what this fine historic neighborhood represents for the heritage of Sacramento for future generations.

The neighbors along 24th Street and in the Mirabella apartments are not assured that "more eyes on the street" should help to reduce nuisances or that "... being within the maneuvering requirements of the zoning code ..." guarantees safety and reduces liability claims for neighbors and properties on the S/T alley at 24th Street. We all feel that a retaining wall (designed to deter graffiti) would be both a preventive measure and a visible assurance for the neighbors. We would like the Planning Commission to reconsider their decision "... to not recommend that a wall be built on the north side of the alley since the maneuvering width is being met ..."

For myself, I just wanted to talk about the process for addressing the Planning Commission tomorrow evening (Speaker Slip; 3-minute limit; etc.) if you have time to do so.

Thank you,

Susan Woodward ("Kelley")
2006 24th Street

(916) 837-8991

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 Revised Material

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Subject:

The Design Commission took the following action on July 20, 2011:

Forward Recommendation of Approval to the Planning Commission with amended conditions:

10. Windows shall be **either** aluminum clad as shown on the plans, **composite wood window frames such as Andersen 100 Series or equal**. Smooth wood trim/sill shall be installed at windows and doors. Final window specifications shall be reviewed and approved by Design Review staff prior to Building Permit submittal. **(Amended by Design Commission on July 20, 2011)**

15. Garage doors shall be metal sectional with carriage door style; ~~some glazing shall be incorporated into each door~~. Door ~~and glazing~~ material, along with color specifications, shall be reviewed and approved by Design Review staff prior to Building Permit submittal. **(Amended by Design Commission on July 20, 2011)**