Title: (Pass for Publication) 2131 51st Street Rezone Project (P16-037)

Recommendation: 1) Review a Resolution exempting the project from CEQA; 2) review an Ordinance rezoning approximately 0.08 acres from the Single-Unit Dwelling (R-1) zone to the Limited Commercial (C-1) zone; and 3) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted February 7, 2017.

Location: District 6

Contact: Garrett Norman, Assistant Planner, (916) 808-7934; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

Presenter: None

Department: Community Development Department

Attachments:
1-Description/Analysis
2-Resolution – CEQA Exemption
3-Ordinance – Rezone Ordinance
4-Exhibit A (Rezone Map)
5-Exhibit B (Site Plan)
6-Exhibit C (On-Street Parking Map)
7-Exhibit D (Traffic Count Study)
8-Exhibit E (Site Photos)
9-Exhibit F (Neighborhood Comment Letters)
Description/Analysis

Issue Detail: The applicant is requesting to rezone a 0.08± acre parcel from the Single-Unit Dwelling (R-1) zone to the Limited Commercial (C-1) zone. The parcel has an existing 1,503± square foot single-family residence with a 414± square foot detached garage. The applicant is proposing to initially occupy 733± square feet of the existing building with a real estate office. The remaining 770± square feet will remain as a one-bedroom residence. No exterior modifications are proposed.

Proposed Office Operation: If the Rezone request is approved, the applicant intends to operate a real estate office centered around client and market-listed residential properties. The owner anticipates most of the meetings and work related activities will take place offsite, as many of the owner’s current clients never visit the office. The proposed business hours will be held Monday through Friday from 9:00 am to 5:00 pm. The office will be closed on the weekends (Saturday and Sunday). The owner anticipates at any given time during normal business hours, one full-time employee and one part-time employee will occupy the office. Similarly, one or two clients may be visiting at any given time during business hours.

Table 1: Project Information

<table>
<thead>
<tr>
<th>General Plan designation:</th>
<th>Traditional Neighborhood Low Density (TNLD)</th>
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<tr>
<td>Existing zoning of site:</td>
<td>Single-Unit Dwelling (R-1)</td>
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<tr>
<td>Proposed zoning of site:</td>
<td>Limited Commercial (C-1)</td>
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<td>Existing use of site:</td>
<td>Single-Family Residence</td>
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<td>Proposed use of site:</td>
<td>Office &amp; Single-Family Residence</td>
</tr>
<tr>
<td>Property area:</td>
<td>0.08± Acres (3,485± S.F.)</td>
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</table>

Policy Considerations: The 2035 General Plan Update was adopted by City Council on March 3, 2015. The 2035 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 General Plan designation for the subject site is Traditional Neighborhood Low Density. This designation provides for moderate-intensity housing and neighborhood-support uses which includes limited neighborhood-serving commercial on lots two acres or less. These neighborhoods will experience more substantial change related to rehabilitation of units, infill development, and streetscape improvements. Changes proposed in these traditional neighborhoods will focus on preserving and restoring the quality of such areas by protecting and enhancing features such as scale and quality of housing, neighborhood character, and housing choice. It should be noted that Traditional Neighborhoods contain a wide diversity of development and thus some houses and buildings fall outside the allowed development standards. The City expects to retain this diversity.
The 2035 General Plan has identified goals and policies under the Land Use and Urban Design Element that relate to this project, including the following:

**GOAL Land Use (LU) 4.3. Traditional Neighborhoods.** Retain the pedestrian-scale, pre-automobile form, and lush urban forest that typifies traditional neighborhoods and contributes to their special sense of place.

- **Policy LU 4.3.2: Traditional Neighborhood Protection.** The City shall protect the pattern and character of Sacramento’s unique traditional neighborhoods, including the street grid pattern, architectural styles, tree canopy, and access to public transit, neighborhood services and amenities.

**GOAL LU 1.1. Growth and Change.** Support sustainable growth and change through orderly and well-planned development that provides for the needs of existing and future residents and businesses, ensures the effective and equitable provision of public services, and makes efficient use of land and infrastructure.

- **Policy LU 1.1.5: Infill Development.** The City shall promote and provide incentives (e.g., focused infill planning, zoning/rezoning, revised regulations, provision of infrastructure) for infill development, reuse, and growth in existing urbanized areas to enhance community character, optimize City investments in infrastructure and community facilities, support increased transit use, promote pedestrian- and bicycle-friendly neighborhoods, increase housing diversity, ensure integrity of historic districts, and enhance retail viability.

**GOAL LU 2.1. City of Neighborhoods.** Maintain a city of diverse, distinct, and well-structured neighborhoods that meet the community’s needs for complete, sustainable, and high-quality living environments, from the historic downtown core to well-integrated new growth areas.

- **Policy LU 2.1.2: Protect Established Neighborhoods.** The City shall preserve, protect, and enhance established neighborhoods by providing sensitive transitions between these neighborhoods and adjoining areas, and requiring new development, both private and public, to respect and respond to those existing physical characteristics, buildings, streetscapes, open spaces, and urban form that contribute to the overall character and livability of the neighborhood.

- **Policy LU 2.1.7: Good Neighbors.** The City shall encourage businesses located within and adjacent to residential developments to conduct their business in a courteous manner by limiting disturbances and nuisances from operations and patrons, and to act
as members of the community by making themselves available to respond to complaints and by participating in neighborhood/community meetings.

- **Policy LU 2.1.8: Neighborhood Enhancement.** The City shall promote infill development, reuse, rehabilitation, and reuse efforts that contribute positively (e.g., architectural design) to existing neighborhoods and surrounding areas.

This rezone is consistent with the goals and policies of the 2035 General Plan because it brings a supportive office use to a well-established neighborhood, while being sensitive to the neighborhood by maintaining the original structure’s footprint, therefore allowing the use to function harmoniously with the surrounding neighborhood. Additionally, the business owner has voluntarily agreed to post signage displaying business contact information within public view to allow neighbors to communicate with the business should any issues arise. This is consistent with the Good Neighbors General Plan Policy above. Should the site redevelop in the future where a Planning entitlement is required, a formal condition of approval will be placed on the project to require a good neighbor policy, consistent with other commercial projects. The rezone allows for an immediate investment in the property, creating a more diverse and sustainable neighborhood by reducing work related trips and offering a professional service in a walkable neighborhood.

**Fruitridge Broadway Community Plan:** The subject site is within the Fruitridge Broadway Community Plan. The Community Plan does not identify any specific opportunities, constraints, or policies that directly relate to the subject site.

**Rezone:** The current zoning of the site is Single-Unit Dwelling (R-1). The R-1 zone prohibits the use of an office, even under a Conditional Use Permit (CUP) process. Therefore, the applicant is requesting to rezone the property to Limited Commercial (C-1), which allows an office and single-family residential use by right.

The C-1 zone is a compatible zoning designation for the area. The purpose of the C-1 zone is to provide for certain offices, retail stores, and commercial service establishments that are compatible with residential development. This zone is intended to be applied to small lots that are surrounded by a residential neighborhood. The C-1 zone has a limited number of uses allowed by right. These uses include, but are not limited to, residential, retail, restaurant, office, and a community market. Additional uses are allowed through a CUP process, such as a residential care facility, bar, and assembly. It is important to note that these CUP uses would require discretionary approval and be analyzed for neighborhood compatibility. Other, more intensive uses, such as a drive-through restaurant and auto service/repair are prohibited within the C-1 zone.
The C-1 development standards are comparable to those in the R-1 zone. Table 2 compares the development standards in the R-1 and C-1 zones. As shown, both zones have similar height limitations and rear yard and interior side yard setbacks. Differences occur to the front and street side yard setbacks and lot coverage. It is important to note that if the site were to redevelop, staff would review the project’s setbacks and bulk control through the Site Plan and Design Review process to ensure it is contextually compatible with surrounding structures. If building expansion were to occur, the minimum planning entitlement application required would be a staff level Site Plan and Design Review. This entitlement would be routed to various City departments, outside agencies, and adjacent community groups for review.

Table 2: Development Standard Comparison

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<th>Development Standard</th>
<th>R-1 Zone</th>
<th>C-1 Zone</th>
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<td>Height</td>
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<td>Setbacks:</td>
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<tr>
<td>Front</td>
<td>Same as adjacent home on V Street</td>
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<tr>
<td>Rear</td>
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<td>Street Side</td>
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<td>0’ minimum; 25’ maximum</td>
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<tr>
<td>Interior Side</td>
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Planning and Development Code Section 17.808.230.C.1.d requires the City Council find that the rezoning of the property is consistent with the applicable general plan land-use designation, use, and development standards. The project is consistent with the Traditional Neighborhood Low Density General Plan land use designation in that it encourages small lot commercial serving uses that complement the surrounding neighborhood; the proposed use is consistent with the purpose of the Limited Commercial (C-1) zoning district in that it is intended to be applied to small lots surrounded by residential development to accommodate neighborhood serving uses, such as a professional office. Furthermore, the project promotes the public health, safety, convenience, and welfare of the City by maintaining the existing building footprint, therefore allowing for the use to function harmoniously with the surrounding neighborhood.

Economic Impacts: None.

Environmental Considerations: The Community Development Department, Environmental Planning Services has reviewed the project for compliance with the requirements of the California Environmental Quality Act (CEQA). The 51st Street Rezone project has been deemed exempt from environmental review, subject to CEQA Guidelines Section 15303 and
15061(b)(3). Section 15303 allows for the conversion of small structures not exceeding 2,500 square feet in floor area in addition to a negligible increase in water and sewer usage. The subject project consists of minor interior tenant improvements to the existing 1,503 square foot single-family residential structure to accommodate a 733 square foot real estate office. The remaining 770 square feet will continue as a one bedroom single-family residence. Section 15061(b)(3) consists of activities covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

**Sustainability:** The proposal would allow for a small business to be integrated into the existing residential neighborhood, helping create a more walkable neighborhood, ultimately reducing vehicle trips and encouraging more pedestrian and bicycle trips.

**Commission/Committee Action:** On November 17, 2016, the Planning and Design Commission held a public hearing on the 2131 51st Street Rezone project and passed a motion to forward a recommendation of approval to the City Council. The Commission made an initial motion to approve the rezone with restricted hours of operation, but the approved Commission recommendation contained no such restrictions. The rationale behind the recommendation with no restriction on hours was that a small commercial use would; a) provide activity in the neighborhood at times when many residents are away from their homes effectively providing "eyes on the street", b) promote neighborhood serving uses that are within walking and biking distance of residents, and c) promote mixed-use neighborhoods. Though the Commission recommended approval of the rezone with no restrictions, the Council may adopt any conditions as it deems necessary in the action on the rezone.

**Rationale for Recommendation:** Staff recommends the City Council approve the requests based on the finding of fact in Attachment 3. Staff supports the project because it: a) brings a supportive professional office use to the neighborhood; b) allows for the reuse of the existing structure; and c) is consistent with the General Plan Designation of Traditional Neighborhood Low Density and the Limited Commercial (C-1) zone.

**Financial Considerations:** Not applicable.

**Local Business Enterprise (LBE):** No goods or services are being purchased under this report.
Background Information

The subject site is located at the northeast corner of V Street and 51st Street. The site is predominately surrounded by single-family residences. Immediately west of the subject property, on the northwest corner of V Street and 51st Street is a neighborhood deli/market known as Cottage Mart. The Cottage Mart has retail sales of convenience items, such as grocery and beer and wine in addition to freshly made sandwiches and salads, coffee, and Indian food. Approximately 600 feet west of the subject site, on 49th Street and V Street, is the eastern edge of the UC Davis Medical Center.

Property research indicates the site was originally utilized as a neighborhood grocery store in the 1950’s and subsequently utilized as a variety store. City records do not indicate when the structure was converted into residential; however, there have been two Home Occupation Permits on the property. One was for a business known as Laughing Moon Mercantile (HOP00-0569), which began in April 2000 and expired in March 2011. This business operated out of the detached garage and crafted a variety of clothing materials for men and women. The second Home Occupation Permit (HOP07-0183) began February 2007 and expired in December 2009. This Permit was utilized for mail orders under the company known as Sacramento City Dry Goods which was owned and operated by the same owner of Laughing Moon Mercantile.

The proposed business operation would exceed the operational limitations set forth in a Home Occupation Permit primarily because the business owner would not reside on site. Additionally, the limitations that would be problematic for the business operator prescribed in Planning and Development Code Section 17.228.230, include: The home occupation shall not exceed 10-percent of the habitable floor area of the residence, shall not employ more than three persons, of which no more than one person may be a nonresident, and on any single day there shall be no more than one client or customer per hour and no more than eight customers or clients visiting the residence in a day. The proposed office space occupies roughly 49-percent of the habitable floor area of the residence and the business will employ two persons who would be nonresidents of the existing residence.

Public/Neighborhood Outreach and Comments

As part of the application review process, the proposal was routed to the Elmhurst Neighborhood Association, Tahoe Park Neighborhood Association, Walk Sacramento, and Sacramento Area Bicycle Advocates. Staff also mailed notices to all property owners within 300 feet of the project site and posted the site prior to the public hearing.
Staff mailed an early notice to all property owners within 300 feet of the project site on August 18, 2016, informing them about the Planning application on file. Staff received several emails and phone calls in favor and opposition. Those in opposition expressed concern to parking and traffic.

**Parking:** Several nearby residences expressed concern to the potential increase in on-street parking to an already congested problem. The neighbors have voiced that the UC Davis Medical Center is a large contributor to the parking congestion in the area and the proposed project would exacerbate the problem. In response to the parking problem, the City previously enacted a neighborhood parking program known as the UC Medical Center Residential Permit Parking Area. The streets adjacent to the subject site were added to the parking program by City Council vote in 1981. This parking program requires a residential permit for on-street parking in addition to setting time restrictions. Attachment 6 shows the parking restrictions on the surrounding streets. Surrounding the project site is a two hour parking limit along 51st Street and a one hour parking limit along V Street, east of the site. Parking is prohibited between 8:00 am to 6:00 pm along V Street, west of the site; on-street parking is allowed on all adjacent streets with an issued neighborhood parking permit. These parking restrictions are enforced by the City Parking Enforcement Division within Public Works.

Pursuant to Planning and Development Code Section 17.608.020.H, nonresidential uses on parcels less than 6,400 square feet are exempt from complying with the off-street parking requirements. Thus, the change in use to accommodate an office or any subsequent nonresidential use does not require additional off-street parking. As a response to the known concerns related to parking, the proposed project site will be able to accommodate four off-street parking spaces; two in the garage and two in the driveway. In addition to the aforementioned information, the Mobility Element (M) in the 2035 General Plan provides the following policy direction for off-street parking requirements:

- **Policy M 6.1.2:** Reduce Minimum Parking Standards. The City shall reduce minimum parking standards over time and eliminate minimum parking requirements when and where appropriate to promote walkable neighborhoods and districts and to increase the use of transit and bicycles.

- **Policy M 6.1.4:** Reduction of Parking Areas. The City shall strive to reduce the amount of land devoted to parking through such measures as the elimination or reduction of minimum off-street parking requirements in selected areas or citywide, support for the development of shared public parking structures, the application of shared parking for mixed-use developments, and the implementation of transportation demand management plans to reduce parking needs.
Traffic: In addition to a lack of on-street parking, residents note a corresponding increase in traffic on the adjacent roadways, specifically those commuting to and from UC Davis Med Center and the consumers going to the Cottage Mart. Correspondingly, concerned neighbors have commented that rezoning the property to Limited Commercial (C-1) would exacerbate the traffic problem.

The Public Works Department ordered a traffic count study to determine the volume of vehicle trips per day during a normal weekday on 51st Street between U and V Streets. The study (Attachment 7) found a total of 3,069 trips were counted with the highest number southbound between 7:00 am and 8:00 am (209 trips) and northbound between 4:00 pm and 5:00 pm (229 trips). This information concludes that 51st Street is likely seeing commuter trips from UC Davis Med Center workers heading to and from work at normal commute time hours. However, 51st Street and V Street are classified as local residential roadways and can accommodate up to 4,500 vehicles per day. The numbers gathered from the study shows the current roadway volume on 51st Street is below capacity. Furthermore, based on the Institute of Transportation Engineers (ITE) trip generation analysis, a 750 square foot office use is expected to generate an additional 13 new morning peak trips (6:00 to 9:00 am), 34 new evening peak trips (4:00 to 6:00 pm), and a total of 62 vehicle trips during the weekday. Thus, the rezone of a small parcel is not expected to exceed the capacity of the adjoining roadways.

Staff Observations: Staff visited the site on several occasions to gain a sense of the parking and traffic concerns. The site was visited during weekdays in the morning, afternoon, and early evening hours. During the afternoon around 1:00 pm, roadway traffic was minimal and on-street parking was available on the adjoining streets of the subject site. The most impacted parking area was along V Street east of the site; however, at the time visited a construction job was underway, which appeared to account for additional on-street parking. During the early evening visit around 4:30 p.m. staff observed a moderate amount of traffic and minimal usage of on-street parking surrounding the subject site. During the morning visit, around 8:00 a.m., similar observations were noted to those during the early evening. Based on staff’s observations, it appears the on-street parking time restrictions imposed on the adjoining streets is working. Additionally, it is important to note the proposed real estate office’s business hours are during hours the neighborhood would see less traffic and less on-street parking from commuters and residences parking on-street.
RESOLUTION NO. 2017 –

Adopted by the Sacramento City Council

DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (P16-037)

BACKGROUND

A. On November 17, 2016, the City Planning and Design Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the 2131 51st Street Rezone (P16-037) project.

B. On February 7, 2017, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Section 17.812.010 (2)(b) and received and considered evidence concerning the 2131 51st Street Rezone (P16-037) project.

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

Section 1. 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 City Council finds that the Project is exempt from review under Section 15303, New Construction or Conversion of Small Structures, and 15061(b)(3), No Significant Effect, of the California Environmental Quality Act (CEQA) Guidelines as follows:

Section 15303 allows for the conversion of small structures not exceeding 2,500 square feet in floor area in addition to a negligible increase in water and sewer usage. The subject project consists of minor interior tenant improvements to the existing 1,503 square foot single-family residential structure to accommodate a 733 square foot real estate office. The remaining 770 square feet will continue as a one bedroom single-family residence. Section 15061(b)(3) consists of activities covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
ORDINANCE NO. 2017 –

Amended by the Sacramento City Council

Amending Title 17 of the Sacramento City Code by rezoning 0.08± acres on 51st Street between U Street and V Street from Single-Unit Dwelling (R-1) to Limited Commercial (C-1) (APN: 011-0142-028-0000) (2131 51st Street)

Be it enacted by the Council of the City of Sacramento:

SECTION 1

As used in this ordinance, “Property” means the real property depicted in attached and incorporated Exhibit A and located on 51st Street between U Street and V Street (APN: 011-0142-028-0000), consisting of approximately 0.08 acres, and legally described as:


SECTION 2

Title 17 of the Sacramento City Code (“Planning and Development Code”) is hereby amended by rezoning the Property from Single-Unit Dwelling (R-1) to Limited Commercial (C-1).

SECTION 3

As required by section 17.808.230.C.1.d of the Planning and Development Code, the City Council finds that the rezoning of the property by this ordinance is consistent with the applicable general plan land-use designation, use, and development standards in that the project is consistent with the Traditional Neighborhood Low Density land use designation in the General Plan by encouraging small lot commercial serving uses that complement the surrounding neighborhood; the proposed use is consistent with the purpose of the Limited Commercial (C-1) zoning district in that it is intended to be applied to small lots surrounded by residential development to accommodate neighborhood serving uses, such as a professional office. Furthermore, the project promotes the public health, safety, convenience, and welfare of the City by maintaining the existing building footprint, therefore allowing for the use to function harmoniously with the surrounding neighborhood.

SECTION 4

The City Clerk is hereby directed to amend the City’s official zoning maps to conform to this ordinance.
Exhibits

Exhibit A: Rezone Map (1 Page) is part of this ordinance
PROPOSED REZONE

2131 51st Street

APN: 011-0142-028-000

LEGAL DESCRIPTION: LOT 3028, AS SHOWN ON THE MAP ENTITLED, "MAP NO. 1 OF ELMHURST", RECORDED DECEMBER 23, 1909, IN BOOK 9 OF MAPS, PAGE 53.

CITY OF SACRAMENTO, CA

NOVEMBER 8, 2016

EXISTING ZONING

PROPOSED ZONING

EXHIBIT A: REZONE MAP

P16-037

NOT TO SCALE:
A PROPOSED REZONE IN THE ELMHURST NEIGHBORHOOD

PROJECT NARRATIVE

At the corner of an active intersection in the Elmhurst neighborhood, new ownership of the property proposes to improve the site and buildings in overall aesthetics.

Preserving the original structure, we propose legitimizing the current non-conforming retail use through a rezone of the parcel to allow limited commercial office use in approximately half of the main structure. The existing one-bedroom residence will remain, although it has been improved for compliance with current codes.

The garage will be returned from occupied 'back of house' retail to garage use.

The new office use will be professional in nature, it will bring with it new life to the building, with fresh paint, lighting and other architectural details, providing a 'refresh' while respecting the character of the structure. In addition, the site will be softened with some new landscape plantings.

PROJECT DATA

PROJECT ADDRESS:
2131 51ST STREET
Sacramento, CA 95819

ASSESSOR'S PARCEL NUMBER:
010-042-029-000

SUBDIVISION:
Elmhurst

LOT #:
3028

CURRENT ZONING:
R-1 Single Family Residential

PROPOSED ZONING:
C-1 Limited Commercial

DESIGN REVIEW DISTRICT:
Central City

CONSTRUCTION TYPE:
V-E, Non-Sprinklered

SITE ACCREATION:
0.08 +/- A, 5,468 +/- S.F.

EXISTING MAIN STRUCTURE AREA:
1,501 +/- S.F.
(NO CHANGE IN TOTAL AREA)

EXISTING AREA OF 1-BEDROOM RESIDENCE:
770 +/- S.F

EXISTING GARAGE AREA:
414 +/- S.F
(NO CHANGE IN TOTAL AREA)

CURRENT USE - MAIN STRUCTURE:
Residential

PROPOSED USE - MAIN STRUCTURE:
Professional Office

EXISTING USE - GARAGE:
'Back of House' Retail

PROPOSED USE - GARAGE:
Garage | Storage

LEGEND

EXISTING DWELLING TO REMAIN,

EXISTING GARAGE WITH NON-CONFORMING RETAIL USE TO BE USED AS GARAGE | STORAGE SPACE.

EXISTING DWELLING WITH NON-CONFORMING RETAIL USE TO BE USED BY NEW OWNER FOR PROFESSIONAL OFFICE SPACE.
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1. Mid-week average includes data between Tuesday and Thursday.
01
Across street - extended view of shared garage and neighboring house
Across street - southwest view of shared garage and project site
Across street - full frontal view of project site
Across street - southeast view of project site
Across street - corner of 51st Street and V Street
Cottage Mart - corner of 51st Street and V Street
Southeast view of project site
Cottage Mart straight view
Southwest view of project site
Full view of Cottage Mart
Keep Elmhurst Residential
Stop the Rezoning to Commercial
of 2131 51\textsuperscript{st} St. (51st & V)

More Info: No2Rezone@gmail.com ♦ No2Rezone.wordpress.com

- Rezoning this property, which has a house and double garage, to commercial is a permanent change that negates the residential quality of our neighborhood.
- Rezoning takes away our neighborhood’s ability to control commercial uses of the site. Such uses have the ability to degrade residential areas because of incompatibility.
- The area around the property is already heavily impacted by traffic and parking. The streets are narrow and not suitable for commercial traffic. Two cars can barely pass even if cars are parked on just one side of the street. If rezoned to commercial, this property would be exempt from providing off-street parking.
- Elmhurst was not designed to be a mixed use or commercial area. Allowing commercial rezoning in our neighborhood would undo the work that went into closing of the 45\textsuperscript{th} and 48\textsuperscript{th} street accesses to V Street to reduce traffic from the UCD Medical center.
- The rezoning is being requested by realtor Rich Cazneaux, who recently bought the property. Mr. Cazneaux says he will use part of the property as his real estate office, which he claims will not bring a lot of traffic into the area. However, Mr. Cazneaux’s real estate business serves all of Sacramento, see www.eastsac.com, so relocating to 51\textsuperscript{st} & V would certainly increase parking and traffic issues.
- If the property gets rezoned to commercial, Mr. Cazneaux could: 1) use the entire building as an office with no restrictions on operating hours or number of employees; 2) lease it out for a completely different commercial use; or 3) sell it to someone else as commercial property.
- The house on this property could have a home business, as it has in the past. This is allowed by permit with restrictions so that the home business does not disrupt the residential neighborhood.
- Rezoning this property to commercial sets a negative precedent for incompatible uses potentially very harmful to the neighborhood and its residents. If this property is rezoned, another property owner could come and claim that their property should also be rezoned commercial.
- There is no other commercial zoning in our residential neighborhood. The very few non-residential uses are either grandfathered and restricted to their current use or allowed by home business permits, which gives the neighborhood control.
• Our neighborhood does not need destination commercial development. Such development should go into areas already zoned and designed for commercial.

• The reality is that in Sacramento, and our immediate area, there is no shortage of space already zoned commercial. There are ample commercial vacancies less than a mile away in the Camellia Shopping Center and other areas along Folsom Blvd. These areas were designed for commercial with wider streets and plenty of parking.

• While we don’t need more commercial zoning, we do need residential. According to the Sac Bee, residential vacancies are at an all-time low. Residential zoning should be preserved and commercial uses directed to commercial areas. This property has provided housing for decades and that should continue.

• Good planning and zoning create commercial and residential areas for a reason. The City’s general plan provides for residential neighborhoods, like this one, for commercial areas, and for mixed use areas. The General Plan requires the city to “protect the pattern and character of Sacramento’s unique traditional neighborhoods.” Elmhurst is a residential neighborhood for those of us who live here and for future generations.

   Please take these important actions to help stop this proposed rezoning:

   1) Write and call our City Council Member Eric Guerra and tell him to commit to opposing this rezoning. Phone: 916-808-7006; email eguerra@cityofsacramento.org

   2) Cc the above message to City Planner Garret Norman GNorman@cityofsacramento.org and tell him you want to be notified as soon as this item is scheduled to go to the City Council.

   3) Ask the Elmhurst Neighborhood Association to go on record in opposition: Board@ElmhurstNA.com

   4) Ask Rick Cazneaux to withdraw his rezoning request for this property: rich@eastsac.com, 1209 42nd Street, Sacramento, CA 95819

   5) Attend the City Council meeting when this rezoning is heard.

   6) Sign the petition at the Cottage Mart to go on record opposing the rezoning and to be kept informed of activities to stop this rezoning.

   7) Put up a “Keep Elmhurst Residential: Stop the 51st & V Rezone” sign in your yard or window. Window signs: No2Rezone@gmail.com

   8) Talk to your neighbors about this & ask them to do all of the above! For more info, contact Elmhurst Neighbors at No2Rezone@gmail.com
Garret Norman  
300 Richards Boulevard  
Sacramento, CA 95811

Dear Mr. Norman,

I am writing to voice my opposition to a proposed zoning variance for commercial use of a home located at 2131 51st Street. I am opposed to the variance for two reasons: philosophical and practical.

In my opinion, residential areas should remain residential and should be protected by zoning. Commercial enterprises interspersed in residential areas degrade quality of life within a neighborhood. Both Stockton Boulevard and Folsom Boulevard are commercial areas located nearby. Either street would afford much more visibility and customers for a real estate enterprise.

In practical terms, the intersection where the home is located at 51st Street and V is already impacted by heavy traffic to and from UCD Medical Center, the Mind Institute and the Department of Justice. The streets are narrow and were never designed for the amount of traffic they and the people who live there must endure. Parking is limited. Where would the real estate customers and staff park?

If the variance is approved, what are the ramifications? What plans does the City have to mitigate the impact of increased traffic and parking needs for a new business in the neighborhood? Will street parking regulations need to be altered, and if so how? What regulations will apply to the business signage? Would variances be required or does anything go? Are neon signs acceptable?

Thank you for your attention to this matter. I look forward to your response to my concerns.

Sincerely,

[Signature]
Dear Dale-

Neighbors opposed to this rezoning have no issue with Mr. Cazneaux, the problem is that if the property is rezoned, there is no legal requirement that Mr. Cazneaux use a portion of it for his office as he says he plans to do. If it is rezoned, he could 1) use the entire building as an office with no restrictions on operating hours or number of employees; 2) lease it out for a completely different commercial use; or 3) sell it to someone else as commercial property. If this property is rezoned to commercial, there are many issues allows by right that would be incompatible with our residential neighborhood. These uses, which have no restriction on hours of operation OR neighborhood input include. Athletic club; fitness studio; Bed and breakfast inn; Commercial service; Laundromat, self-service; Library; Museum; Office; Restaurant; Retail store less than 40,000 square feet; School—dance, music, art, martial arts; Theater. Multifamily units are allowed up to 30 units per acre and up to 35 feet high.

If this property is rezoned it also sets a negative precedent for the neighborhood, so that others could ask for commercial rezoning. This could result in a strip of commercial which would very negatively affect the residential character of our neighborhood.

Once this property is rezoned, it is rezoned – it does not revert back to residential in ten years. We are curious as to where you heard that?

There are ample commercial vacancies nearby including in the Camellia Shopping Center – we should be supporting these centers, not competing with them. Sacramento needs housing, not more commercial.

Sincerely,
Dave Rygg
Co-Chair Elmhurst Neighbors

On Mon, Jan 2, 2017 at 11:00 AM, Dale Dodson <ddodson@surewest.net> wrote:

Dear Eric,

As a resident of Elmhurst for the past 42 years, to my way of thinking the controversy around Rich Cazneaux's request for rezoning of the property at 51st and V is a bit of a "tempest in a teapot".

For starters, I have always been impressed by Mr. Cazneaux's commitment to the community of East Sacramento, Elmhurst and surrounding neighborhoods. Secondly, it is not the first business to come to Elmhurst given the long-standing grocery store across the street which adds much to our neighborhood.
A real estate office is not a high-traffic proposition. I for one think, given Mr. Cazneaux's character and contributions, it would actually be a plus for Elmhurst. My understanding is that this is a 10 year rezone. Is that correct? If so, it's not as if we're talking about something permanently locked in.

Thank you for your consideration of this perspective.

Sincerely,

Dale Dodson

4651 U St.

Sacramento, CA 95817
Dear Mr. Norman:

Thank you for your response to my letter dated November 28, 2016 regarding rezoning of 2131 51st Street, P16-037. I have read the staff report and have further questions, comments and concerns.

My first concern is with the traffic study which examined traffic for only 1 block, 51st between U and V Street. However, residence is located at the corner of 51st Street and V Street and the new business would affect traffic on both streets. It would affect traffic on 51st Street from T Street to V and traffic on V Street between 49th Street to at least 52nd Street. V Street is heavily travelled and would be affected by rezoning. An important part of the traffic problem at the 51st and V Street intersection was not studied. The missing information is needed in order to make a fully informed decision about the impact of rezoning. We cannot know the full impact without that information.

It is unknown how much additional traffic a real estate office might attract, but the 51st Street and V Street intersection is already heavily impacted by traffic. A commercial business at this location would only aggravate problems, not ameliorate them. Not only that, there is no guarantee that the property would remain a real estate office. As you know, with C1 zoning, any number of different types of businesses could go in there, including a bar, without neighborhood input.

We also have no guarantee that further development of the property is not in the works. The report states, “…should the site redevelop in the future where a Planning entitlement is required, a formal condition of approval will be placed on the project to require a good neighbor policy.” Does this mean that C1 rezoning is only a prelude to further development? If there are long range plans for development for this property, what are they?

I would like to note a couple of inaccuracies in the report. It states that “the proposed real estate office’s business hours are during hours the neighborhood would see less traffic.” This is not completely true. The stated business hours are 9 to 5 p.m, which included the period of peak traffic flow from 4 to 5 p.m, as well as increased traffic over the noon hour. We don’t know what the peak hours are for V Street. Business hours could change if the business changes.
The report states that rezoning will reduce work-related trips. If it is rezoned commercial, there will be tenants, employees and customers of the business coming and going, as compared to a single family living in the unit. It is more likely that there will be more trips, not fewer.

In your summary, you stated that “… the project promotes the public health, safety, convenience and welfare of the City.” Please help me understand what you mean. It seems to me that increasing traffic congestion in the neighborhood would diminish, not promote public health, etc.

In the staff report, there are three letters in support of rezoning. Two of the letter writers do not live in the neighborhood. The one who does live in the neighborhood does not live in the vicinity of the property in question and is not affected by the proposed rezone. The letters appeared to be letters of personal recommendation for Mr. Cazneaux and did not directly address the impact of rezoning on the neighborhood.

In my original letter, I did ask you about regulations for business signage, but you did not answer my question.

I can’t help but wonder whether or not there is a financial incentive for the city to rezone to commercial. If so, it will make it ever more difficult to preserve neighborhoods and protect them from commercial encroachment. With such a tight market for housing, I am surprised that the City would want to rezone a residential property to commercial. I don’t see how rezoning the property is consistent with City Policy LU 1.1, enhancing the community character and ensuring the integrity of historic districts. How does commercial zoning which encroaches upon a residential neighborhood ensure the neighborhood’s character and integrity?

In summary, I am opposed to rezoning. There is no compelling reason to rezone the residence to commercial. There is no urgent need in the neighborhood for a real estate office, especially when there are so many more appropriate locations available on Stockton Boulevard, Folsom Boulevard and Broadway, all of which are commercial corridors. All of these locations would afford more visibility and attract more customers to a thriving real estate business than the 51st Street location.

I am interested in appealing the Planning Commission decision regarding this property. How can I go about doing so?

I appreciate your attention to this matter, and look forward to your response.

Sincerely,
Dear Eric,

As a resident of Elmhurst for the past 42 years, to my way of thinking the controversy around Rich Cazneaux's request for rezoning of the property at 51st and V is a bit of a "tempest in a teapot".

For starters, I have always been impressed by Mr. Cazneaux's commitment to the community of East Sacramento, Elmhurst and surrounding neighborhoods. Secondly, it is not the first business to come to Elmhurst given the long-standing grocery store across the street which adds much to our neighborhood.

A real estate office is not a high-traffic proposition. I for one think, given Mr. Cazneaux's character and contributions, it would actually be a plus for Elmhurst. My understanding is that this is a 10 year rezone. Is that correct? If so, it's not as if we're talking about something permanently locked in.

Thank you for your consideration of this perspective.

Sincerely,

Dale Dodson
4651 U St.
Sacramento, CA 95817
Mr. Guerra,

I am emailing you regarding the proposed rezoning of 2131 51st Street, Sacramento CA 95817.

As a homeowner in the Elmhurst Neighborhood I am respectfully asking that rezoning of this property from residential to commercial be stopped.

Rezoning this property to commercial conflicts with the residential infrastructure, character and charm of this neighborhood. It opens the door to many commercial uses that could have a very negative impact on the neighborhood.

The current proposal for a real estate office here, or any commercial building in the future, would greatly exacerbate the existing traffic and parking problems not only at 51st & V but on surrounding streets.

In addition this approved rezoning could mean:

1) using the entire building as an office with no restrictions on operating hours or parking;

2) leasing it out for a completely different commercial use; or

3) selling it to someone else as commercial property.

I have lived in this neighborhood for thirty years with my family. I would hate to see the residential quality changed by this change.

Thank you for taking the time to read my request.

Danielle Dass
I want to express my disagreement with any attempt to rezone the 51st area. In particular this parcel set at the T intersection of 51st and V Street which is a terrible intersection due to it being one of the few direct streets to the UCD Med Center. Any additional Parking because of this rezone to Commercial would have a dramatic effect on the ability to navigate that intersection safely and would be a danger to the pedestrian traffic in the area.

Until the City can persuade the UCD Med Center to give their employees free parking and get them off the residential streets in the surrounding area, no rezoning of properties in the area should be considered that would potentially aggravate the already serious Parking problem.

As noted in your letter I am requesting an electronic copy of the project plan be sent via email to the senders address.

Thank You!

--
David B. Rygg

Cell = 916/425-1033
Garrett Norman

From: David J. Sandeers <syogidawg@aol.com>
Sent: Wednesday, August 24, 2016 1:44 PM
To: Garrett Norman
Subject: P16-037

Garrett-

Got early notice in mail of possible re-zone of parcel. Not sure if this is the place to comment but I will.

This parcel is on a very busy intersection already. With the Cottage Market and the UC Med Center traffic, this intersection is already an accident waiting to happen. Cottage Market has deliveries all day long and the Med Center traffic is quite heavy. Parking is a constant issue in this location. Any added commercial traffic would just add fuel to this fire.

Thanks
Dave Sanders
5012 V st
Sacramento, CA 95817
To our City decisionmakers:

I respectfully request that the city not permit rezoning **2131 51st Street** (51st and V Streets) from a residential to commercial zone. Such a change is not conducive to retaining our close-knit neighborhood. Choosing one of the many other options for commercial space in the Tahoe/Oak Park areas seems to be more appropriate; it provides close proximity to the home at 51st and V Sts while supporting needed business development in those commercial areas. That choice would be a win-win-win for Elmhurst, Oak/Tahoe Park and the business owner proposing this zoning change.

Allowing this zoning change to a parking-impacted neighborhood is detrimental to Elmhurst. It opens the door for future businesses that have even more foot and car traffic and potentially longer work hours that interrupt a quiet neighborhood. Please listen to the residents of this neighborhood.

Thank you,
Dominique Ritley
Dear Councilmember Guerra;

I am writing to you to ask for your support in opposing the rezoning of 2131 51st St (at 51st and V St) from a residential zone to a commercial zone. I am aware that you have already received letters from residents in the Elmhurst Neighborhood so you understand how important it is to us to keep our area free of commercial use.

Sincerely,

Donna Taylor
5621 2nd Ave, Sacramento, CA 95817
Garrett Norman

From: Janie McDowall <lovenanajanie@gmail.com>
Sent: Wednesday, November 23, 2016 3:39 PM
To: Garrett Norman
Subject: Fwd: Please STOP the rezoning of 2131 51st Street (51st & V) Sacramento

Dear Mr. Norman,

Please see above message sent today to City Council Member Eric Guerra asking him to oppose the rezoning of 2131 51st Street.

Please notify me as soon as this item is scheduled to go to the City Council.

Sincerely,

Jane McDowall
Property Owner 2224 51st Street

---------- Forwarded message ----------
From: Janie McDowall <lovenanajanie@gmail.com>
Date: Wed, Nov 23, 2016 at 3:37 PM
Subject: Please STOP the rezoning of 2131 51st Street (51st & V) Sacramento
To: eguerra@cityofsacramento.org

Dear Mr. Guerra,

As a property owner in this wonderful neighborhood (owner of 2224 - 51st Street), I am writing to you to ask that you commit and use your influence to oppose this rezoning. There are SO MANY reasons that we do not want this rezoning to Commercial to go through, including but not limited to:

* Rezoning this property from residential to commercial is essentially permanent. Once it is rezoned, the neighborhood has no way to protect itself from future incompatible commercial uses or the traffic or parking problems associated with those issues.
* Though the current owner says he will use this property for his real estate office, there is nothing requiring he do this AND he could turn around and sell it to someone else as commercial property.
* Our lovely old neighborhood is already heavily impacted by traffic parking, largely due to U C Davis Med Center and Shriners Hospital. The street is narrow and not suitable for commercial zoning. Any further commercial use would negatively impact the surrounding streets which are also burdened with parking related to the Med Center.
* There is no other commercial zoning in the residential neighborhood. All other non-residential uses are either grandfathered in or allowed by home business permits, which gives the neighborhood control to ensure compatibility. The customer base of the grandfathered Cottage Mart is the local neighborhood.
* Rezoning this property to commercial violates the City of Sacramento General Plan which requires that the City "shall protect the pattern and character of Sacramento's unique traditional neighborhoods." Elmhurst is a residential neighborhood, not a mixed residential/commercial neighborhood.
* The Planning staff report says this property was used as a store in the 1950s, which is over 60 years ago. Since then, it has been residential. According to planning staff there have been two home business permits
on the property; these permits retain the essential residential nature of the property and provide for neighborhood input.

* The current residential designation and use is consistent and compatible with the neighborhood and helps meet local housing needs.

* THERE IS NO NEED FOR COMMERCIAL ZONING IN THE NEIGHBORHOOD. THERE IS VACANT COMMERCIAL SPACE LESS THAN A MILE AWAY IN THE COMMERCIAL AREA ALONG FOLSOM BLVD., INCLUDING AT LEAST 2 VACANCIES IN THE CAMELLIA SHOPPING CENTER, WHICH IS SERVED BY WIDER STREETS AND HAS AMPLE PARKING.

PLEASE protect our neighborhood by opposing the rezoning of 2131 51st Street.

Sincerely,

Jane A. McDowall
Property Owner in Elmhurt (just 3 houses from this proposed rezoning!)
Dear Mr. Norman,

I am writing to express my strong opposition to the rezoning of this home which is in the neighborhood of my own property (2224 - 51st Street). The biggest reason that I purchased my home on 51st Street was because of the residential feel of 51st Street. Any increase in commercial development that would add a professional office would be detrimental to the neighborhood both to quality of our neighborhood as well as property values. Additionally, we are already impacted by parking issues from the hospitals and to add an office which would bring more traffic and parking to this sweet neighborhood would be a mistake.

Please support our neighborhood and vote against this application. There are plenty of commercial zones where an office would be appropriate, but 51st and V Streets is NOT one of them.

Sincerely,

Jane A. McDowall, Property Owner
(916) 233-5263
Dear Garrett,
Thank you for the opportunity to give feedback on the application to change zoning on the property on 51st across from the cottage market.

I have lived across the street from Cottage Market on V street for 11 years. During this time traffic from the UC Medical Center has increased multifold creating major traffic throughout the day. The corner of 51st and V street is greatly impacted. The streets are narrow and there are cars parked on each side from residents, ostly renters, and patrons of the Cottage Market.

It is very difficult for a pedestrian to even cross at this intersection.

It would unfairly add commercial property to this impacted intersection.

This is a residential neighborhool.

The Cottage market has co-existed nicely for many years and it is the only commercial building that this area can safely support.

I am strongly against adding any commercial element to the residential zoning of that existing building.

thank you, Julie DeHart
my husband and I oppose the rezoning of the property at 2131 51st street. we have been homeowners in Elmhurst for over 30 years, and strongly oppose changing any residential property to a commercial property. besides setting a precedent for other neighbors to change their residential property to commercial, there are parking issues, and traffic issues around that particular property. Dottie and Kenneth Magee
Here was my email:

From: Maggie Coulter [mailto:mcoulter@dcn.org]
Sent: Sunday, November 13, 2016 11:25 AM
To: 'Eric Guerra'; 'Bodipo50@gmail.com'; 'cburke.realestate@gmail.com'; 'wangconnellypdc@gmail.com';
'dcovill@cbnorcal.com'; 'wdfarrell@hotmail.com'; 'todd.s.kaufman@gmail.com'; 'lynnlenzi2@gmail.com';
'ALofaso@sbcglobal.net'; 'darryl.lucien@gmail.com'; 'aogilvie.sacpdc@gmail.com'; 'phil.pluckebaum@gmail.com';
'matt@mrpe.com'; 'jyeepdc@gmail.com'
Subject: Vote no on proposed rezoning to Commercial

To Sacramento City Planning Commission and Councilmember Eric Guerra-
I urge you to vote against the proposed rezoning of 2131 51st Street, 011-0142-028-0000, which is item 10
on this week’s Planning Commission agenda.

It took years for the Elmhurst Neighborhood to get traffic control in this area by speed bumps on V and finally
restricting access to the UC Davis medical center. Zoning this property for commercial use that will bring in
outside traffic contradicts all this effort. The Cottage Mart, which is across the street from this property caters to
the neighborhood with predominated foot and bike traffic.

I understand this property is to become a realtor office, there is a residential neighborhood and this kind of
commercial use belongs in commercial areas such as in the Camellia shopping center or along Folsom Blvd.
M. Coulter
Elmhurst
Sacramento
Dear City Planner Norman,

I am writing to urge you to OPPOSE the rezoning of 2131 51st. St. Elmhurst residents will not benefit from a commercial building and this would undermine all the progress made in regards to traffic calming from UCDMC.

Thank you for your work.

Mieke Lisuk
1850 45th. St.
916-452-0616
I am in opposition to rezone the property at 2131 51st Street in Elmhurst.

Pam Porteous-Hunt
2301 50th Sreet
Sacramento, CA 95817
pamhunt@surewest.net
897-4491
Dear Mr. Garrett Norman,

I am contacting you regarding the planning application of Mr. Jeffery Stowell for his property located at 2131 51st St. Sacramento, application # P16-037, APN # 011-0142-028.

I reside very near to the intersection of 51st St. and V St. Currently there is an enormous amount of traffic generated by the UCDMC employees going to and coming from the UCD Medical Center. Also there is traffic generated by the parents at the intersection of 51st. and V Sts who take their children from the neighborhood and beyond to and from school at Kit Carson Middle school. There is also traffic generated by the Cottage Mart market located at the intersection of 51st and V Sts.

Given the large amount of traffic already in the neighborhood I am thoroughly opposed to another new business in the neighborhood. There is also the issue of on-street parking of cars that would be generated by a business located at 2131 51st St. The neighborhood already has restricted preferential parking for residents and many people from outside the neighborhood violate the restricted parking Monday thru Friday. The city's parking enforcement department is already overwhelmed trying to enforce the preferential neighborhood restrictions.

And there is the issue of pollution from large number of cars and trucks that drive through the neighborhood which can adversely affect the neurological development of children living in the neighborhood and adversely impact residents with respiratory disease such as asthma.

I hope you consider the negative impact on the quality of life a new business would have on our neighborhood. Thank you for your time.

Sincerely,
Mr. Rick Henry

Sent from my iPad
Dear Mr Guerra and Mr Norman,

It has come to the attention of myself and other Elmhurst residents that a rezoning request has been requested for 2131 51st Street. I am writing to express my opinion strongly opposing this request. Mr Cazneaux was well aware of the zoning restrictions on the property when he purchased it, and should be made to operate within those restrictions.

I am a relatively new resident to Elmhurst (just over a year) and I am truly in love with the neighborhood, largely due to the charm of its residential character. I believe that the rezoning of this property would be the start down a "slippery slope" for the area. It clearly sets a negative precedent. I would hate to see other properties in the neighborhood purchased under the current residential zoning laws only to have the property changed to commercial after the fact, or to see this property resold to another commercial venture should it be rezoned.

In addition, I have the following concerns about rezoning this property:

1. Parking and traffic is already extremely heavy in the area. I personally find it necessary to contact 311 at least once a month for parking problems.
2. The rezoning could negatively impact the residential quality of our darling neighborhood.
3. Allowing commercial rezoning in the neighborhood would seemingly go against the work done to reduce traffic and vehicle congestion by closing the 45th and 48th street access to UCD Medical Center.
4. There is no need for destination commercial development in the neighborhood. There are plenty of nearby suitable commercial properties for a real estate (or any other) business.
5. The city of Sacramento is already in a housing crisis. To rezone any residential property to commercial seems to go against the needs of the city. In addition, it goes against the city's general plan, which requires the city to "protect the pattern and character of Sacramento's unique traditional neighborhoods". I would say Elmhurst is one of the finest examples of such a neighborhood.

I would ask that you do what is necessary to keep Elmhurst a residential neighborhood for those of us who live here, and for future generations.

I would also like to be notified as soon as this item is scheduled to go to the City Council, so that I may attend the meeting when this rezoning is heard.

Many Thanks,

Sally Guess
Mr. Norman,

I am a 25 year resident of the Elm Hurst neighborhood in Sacramento. I recently employed Rich Cazneaux to sell my home at 1900 53rd st. Rich was a true professional and continually demonstrated that he cared about the welfare of my neighborhood. He was a pleasure to work with, efficient, professional and provided me with excellent customer service and a truly satisfactory sales experience.

One of the reasons I really appreciated Rich as a salesman is that he rarely made me come to his office, and in fact nearly always met me at my home. His staff was a pleasure to work with and were truly diligent in their handling of the entire sales transaction. His office even provides a weekly newsletter of interesting and important happenings in the area. That is a true plus!

I recommend Rich as a permanent part of this neighborhood as I think he will hold the future best interests of the entire area at heart. It takes a special type of agent to represent such a special area and I truly believe Rich is that kind of agent.

Please let me know if you have any further questions or concerns. I would be happy to chat with you about them.

Thank you,
Patrick Novak

> On Sep 2, 2016, at 6:17 PM, Mark&Patrick <maniptheboys@yahoo.com> wrote:
> 
> > <Garrett Norman.vcf>
Dear Mr. Norman,

My name is Kerry Freeman. I have owned and lived on T Street for 28 years. I was the Elmhurst Neighborhood Association Board President for twelve of those years and remained on the Board for many years after. I have been through a few variance processes over the years as well. I am writing as a matter of public record that I am completely IN FAVOR of the project at 2131 51st Street. This project including the approval of rezoning this property to commercial is in sync with the growing diversity and flavor of business plans of Sacramento. Retail and residential is a win/win for the community.

I am familiar with the property as I continue to watch the applicant, Rich Cazneaux, make beautiful enhancements to his property and I absolutely believe Rich will bring to Elmhurst a vital business and responsible stewardship of his rental and real estate endeavor.

This being said, I also understand and know projects always bring up concern relating to traffic, parking and the property use in the future. I am sure the Commissioners, as well as your self, have looked at the property and have seen the scope of business will not present a huge influx of traffic. Small business of two employees and the other half of the duplex being rented out as a residence. It is my belief this intersection has always been a challenge due to the offsetting of streets, The Cottage Market (including large truck deliveries) and the fact big businesses being just South of V Street brings in a lot of traffic. Having a small office on the corner will not impact this intersection any more than renting it to two couples that potentially could have 4 cars parked in driveway and street.

This opportunity is a benefit to Elmhurst given the applicant’s desire to enhance the property and continue his relationship with Elmhurst as a generous businessperson and community member.

I encourage you to vote to approve the variance. Thank you for your consideration and time on this matter.

Sincerely,

Kerry Freeman, Elmhurst
September 4, 2016

Dear Garrett Norman:

I grew up on 44th and T Streets. My daughter and her family own a home near the property in question. I continue to spend considerable time in the area. It is evident that this neighborhood would benefit from more considerate, caring property owners. Unquestionably, Rich Cazneaux would be just that.

I have had many dealings with Rich over the last six years and only once did I visit one of his previous offices to pick up a legal document. As is customary with realtors, Rich has always come to my home or to potential properties to be inspected. Much of our business is conducted by phone. I have never visited his present office.

I wholeheartedly believe that Rich Cazneaux would be a great asset to the neighborhood. He is very professional in every way, and shares the best interests of the street with its neighbors. One only has to see his personal family home to realize that he greatly values a fine looking yard and surroundings.

I do not believe that the area traffic will be impacted by his office location at 2131 51st Street. Essentially, there would be minimal additional traffic. As is obvious, UC Davis hospital employees have the major impact on traffic.

With regards,
Bernard R. Brust
Hello Garrett-
I'm writing this letter on behalf of Rich Cazneaux and the property he purchased at 2131 51st street. I couldn't be more pleased that he is moving his office in to our neighborhood!

I have lived in Elmhurst for over 16 years, and have known Rich Cazneaux for 25. His office on 51st appeals to me because it adds value to our neighborhood in the form of a pretty, tasteful, updated structure, without adding unnecessary noise or traffic. A real estate office usually sees a few employees a day. From my personal real estate dealings with Rich, I can say that every meeting took place in either my home or the home I was buying/selling. I am not worried that a flurry of people will be parking on 51st. I care about my neighborhood maintaining property values through upkeep, as well as keeping a friendly feel. Having one of the region's top businessmen select our area for a discreet home base is gratifying. And if his past and current home(s) are any indication, this office will be the most well cared for spot on the block!

We have charm to spare in our area tucked in to the trees and T Street Parkway. I appreciate Rich wanting to be a part of our cozy family on this edge of East Sacramento. Rich has built his business on hard work and customer service; flashiness has never been his calling card. He has supported our community and will make an excellent addition.

Thank you
Alicia Kerr
5309 S Street
Sacramento CA 95819
January 6, 2017

Re: 51st Street Rezone (P16-037)
Assessor’s Parcel No. 011-0142-028-0000
Keep Elmhurst Residential
No to the Rezone at 2131 51st Street (51st and V Streets)
http://no2rezone.wordpress.com

Dear Mayor Steinberg, Councilmember Guerra, and members of the Sacramento City Council,

We live in Eric Guerra’s district and have lived in the Elmhurst Neighborhood for 28 years; however, we are contacting all of you about an issue that will be voted on by the entire City Council. The Planning Commission has told us that it will be heard on January 24, 2017.

When a rezone notice was first posted on the property, we were not terribly concerned. A small real estate office will bring in a bit more traffic and parking, but would it really have a significant impact? The property had been a home business for many years. However, the request is for a rezone to C-1 Commercial. Thus the issue is not merely the currently proposed use. After a group of concerned neighbors met with Councilmember Guerra, several of us reviewed the City Codes and the Planning Commission report (Public Hearing November 17, 2016, Item #10). We found that once a property is zoned C-1, pursuant to Sacramento City Code section 17.216.610, subdivision A, the owner has a planning entitlement, i.e. the right to use the property for certain commercial uses. Some of these uses include, but are not limited to an office, athletic club, fitness studio, restaurant, self-service laundromat, commercial service, school (for dance music, art, martial arts), retail store (under 40,000 square feet) or a theater.

Uses that are allowed “by right” in section 17.216.610, subdivision A are not reviewable by the City Planning Commission or the City Council. There is no notice or input from the neighbors. Thus the owner of the rezoned property, a lessee, or a future owner has the right to convert the property to any of the allowable uses. A decision to rezone this property would place a Trojan horse in our historic, residential neighborhood.

The Planning Commission report analyzed the effects of Mr. Cazneaux’s (the owner) proposed use – a real estate office with certain hours and a certain number of employees – on the existing neighborhood. The report does not analyze the future effects of such a rezone, should the property be put to one of the uses set forth in Sacramento City Code section 17.216.610, subdivision A. Obviously, a restaurant, bakery, coffee shop, commercial service such as a hair or nail salon, dance studio or fitness club could generate considerable traffic and parking issues compared to a small real estate office where most of the business is conducted online; the hours of
operation for other permitted uses could be greatly expanded compared to the hours
given in the proposal; and other permitted uses may present noise issues.

We asked the Elmhurst Neighborhood Association (ENA) to revisit its position (neutral,
due to differing opinions among the board members as to the rezone), and at its January 3 meeting, it voted, with a tie vote, not to revisit this issue. Some of the ENA Board members believe that if the property is zoned C-1 Commercial and the commercial use is changed from a real estate office, the ENA and the neighborhood will have some say in the matter. Due to the city codes, this belief appears to be erroneous, and the Planning Commission report discusses,

“a limited number of uses allowed by right. These uses include, but are not limited to, residential, retail, restaurant, office, and a community market.”
(Planning Commission Report, at p. 8, emphasis added.)

The Planning Commission report also states that the “current zoning is a Single-Unit Dwelling (R-1)” and discusses that, unfortunately, the “R-1 zone prohibits the use of an office, even under the Conditional Use Permit (CUP) process.” This is unfortunate for both sides in this issue, as commercial zoning and unknown, future uses are a deal killer for the neighbors who signed the petition.

We are a small, narrow slice of residential paradise, if you will. The commercial corridors of Folsom Boulevard are to the north, Broadway to the south, Stockton Boulevard to the west, and 65th Street to the east. There is no good reason to turn our historic residential neighborhood into a mixed-use neighborhood with commercial property available nearby. In addition, we are impacted by the UC Davis Medical Center and its medical school. We must deal with the existing traffic that is the result of such proximity. Since we moved to the neighborhood in 1988, UC has been in a continual state of expansion.

The market (Cottage Mart) across the street from the proposed rezone is not zoned commercial, but has been grandfathered in and has been operating since 1909. (If the market ceases to operate, the property will revert to residential.)

The streets at 51st and V are narrow. The traffic, at times, is horrendous. We have traffic from UC Medical Center, UC Medical School, Shriner’s Hospital, the Mind Institute, Ronald McDonald House, EDD, DOJ and DMV coming through that intersection and our neighborhood. A 4-way stop became necessary at the intersection of V and 51st Streets. There is traffic to the market, and parking needed near the market, including delivery trucks for the market itself and in its role as a village post office (US Post Office, UPS, FedEx, OnTrac). Any new commercial use could become a destination for many of the people who pass through, especially a business that would provide food and beverages.
Once there is one commercial business allowed, others will surely follow. Homes can easily become offices or provide commercial services if rezoned. We understand that if the property is zoned C-1 commercial it will raise its value for Mr. Cazneaux and in so doing, provide more revenue in property tax for the city. We get that. But that is not a good enough reason to start rezoning a historic, residential district. If there is some type of permit the city could give Mr. Cazneaux to operate his business, without a rezone, we would be open to that, depending upon the conditions.

For the sake of the peace and enjoyment of our neighborhood, we urge the Mayor and City Council to reject this rezone proposal.

Sincerely,

Francesca Reitano
Mark Hunerlach
2500 54th Street
Sacramento, CA 95817-1633
(916) 737-0279
freitano@gmail.com
Hello, Councilman Guerra:

I am writing to express my opposition to the rezoning of 2131 51st Street from residential to commercial.

After studying the matter, I have reached the conclusion that this would NOT be good for the residents of the neighborhood, creating unnecessary traffic burdens and possible compromises to public safety in the area.

Thank you for taking my input,

Linda Sneed
1931 55th St.
home: 916-451-0558
cell: 812-325-2595
From: No Rezone <no2rezone@gmail.com>
Sent: Wednesday, January 11, 2017 1:33 PM
To: Garrett Norman
Cc: ALofaso@sbcglobal.net; Eric Guerra; Erin Teague; Alejandro Cabrera; No Rezone; David Rygg; Rick Henry
Subject: Concerns with staff report on 2131 51st Street rezone

Elmhurst Neighbors Committee
No2Rezone@gmail.com

January 11, 2017

Garrett Norman
Planning Department
City of Sacramento
gnorman@cityofSacramento.org

Dear Mr. Norman:

We are very concerned that the 11/17/2016 Staff Report to the Planning Commission on the proposed rezoning of 2131 51st Street from residential to commercial contains several significant errors and misrepresentations, enumerated below. Many of these seem to stem from an approach that incorrectly viewed this application as a request for a conditional use permit, which it is not, instead of as a request for permanent rezoning, which it is.

We want to see these errors and misrepresentations corrected in the staff report for the City Council. Because the Planning Commission relied on the information in this report, it may also be appropriate to refer this matter back to them before it goes to the Council.

Errors and misrepresentations:

_Staff Report, page 3:_ “The applicant is proposing to occupy 733+- of the existing residence with a real-estate office. The remaining 770+- will remain as a one-bedroom residence.”

_Correction:_ If the property is rezoned, there is no requirement or legal provision that any of it “will remain” as a residence. If rezoned, the entire property can be used for any of the purposes specified in the C-1 zone.

_Staff Report, page 3:_ “The owner intends to utilize the property as a live-work unit.”

_Correction:_ The owner does not intend to utilize the property as a “live-work” unit. [This was corrected verbally at the Planning Commission meeting.]

_Staff report, page 3:_ “Property research indicates the site was originally utilized as a neighborhood grocery store in the 1950s… City records do not show when the property was converted to residential.”
Correction: This property was not “converted to residential.” As long as the property has been in the city, our understanding is that it has been zoned residential. Like the Cottage Mart, the retail use was non-conforming and grandfathered in as long as it was continually operated. When it ceased to be a store, some 50 years ago, that use expired. Since then it has had at least two home businesses, which are residential uses allowable by permit under R-1 zoning.

Staff Report, page 3: “If the rezone request is approved, the applicant intends to operate a real estate office centered around client and market-listed residential properties. The owner anticipates most of the meetings and work related activities will take place offsite. …The proposed business hours will be held Monday through Friday from 9:00 am – 5:00 pm. The office will be closed on weekends (Saturday and Sunday). The owner anticipates …“one full-time employee and one part-time employee.”

Correction: This application is for a rezoning, not a use permit, therefore the above comments about the owners’ intent are irrelevant and misleading. If the property is rezoned to C-1, there is no restriction on operating hours or numbers of employees.

Staff Report, page 4: “As part of the application review process, the proposal was routed to the Elmhurst Neighborhood Association, Tahoe Park Neighborhood Association, Walk Sacramento and Sacramento Area Bicycle Advocates.”

Clarification needed: There is no information provided about whether these groups even looked at the proposal. If they did not, it is misleading to include them in the report. In reality, rezoning residential to commercial in the heart of established residential neighborhoods will meet substantial opposition, as it has in Elmhurst, where over 300 people have now signed petition against the rezoning (and more continue to sign). Similar opposition would be expected from an established neighborhood like Tahoe Park. The intersection is already dangerous and hostile to pedestrians and bicyclists.

Staff Report, page 4: “Staff mailed an early notice to all property owners within 300 feet of the project site … received several emails and phone calls in favor and opposition.”

Clarification needed: This statement makes it appear as though support and opposition are equal. The report should quantify how many property owners were notified and, of those, how many wrote or called in support and how many in opposition. The emails attached to the staff report did not reflect all opposition raised at the time this went to the Planning Commission and certainly does not apply now.

It is also critical that the opposition and support of those living in the neighborhood be noted separately from other support or opposition. Of the letters in support of the proposed rezoning, two appear to be personal references for Cazneaux and do not address the rezone per se and two were written by people who don’t live in the neighborhood.

Further, notice to a handful of nearby residences for a change that will affect an entire neighborhood is woefully inadequate. For a rezoning, use permit, or other changes that can affect an entire neighborhood, at least all properties within a mile should be notified.

Staff Report, page 4: “…the change in use to accommodate an office or any subsequent nonresidential use not does require additional off-street parking.”

Clarification needed: While the property does not have to provide off-street parking if rezoned to C-1, the staff report does need to specify whether the property is eligible to receive B permits to allow employees or clients to park in the adjacent restricted parking zones.
Staff Report, page 5: “The Public Works Department ordered a traffic count study to determine the volume of vehicle trips per day during a normal weekday on 51 Street between U and V Streets… The numbers gathered from the study shows the current roadway volume on 51st Street is below capacity.”

Clarification needed: An important part of the traffic problem at 51st and V Streets was not studied. The study analyzed only 1 block on 51st Street at a busy 3-way intersection. A business at that corner would also affect traffic on V Street, which is heavily travelled and would be affected by the rezoning.

The report on traffic makes NO note of the narrowness of 51st Street and how traffic congestion is affected by the fact that two cars cannot pass if cars are parked on both sides of the street. This is needs to be addressed in assessing capacity.

A more thorough analysis is needed in order to make a fully informed decision about the impact of rezoning on traffic.

Staff Report, page 5: “It is important to note the proposed real estate office’s business hours are during hours the neighborhood would see less traffic and on-street parking from commuters and residences parking on-street.”

Correction: This statement is factually incorrect as the proposed office is in fact open during peak hours which include noon and 4-6pm. Again, this proposal is for a rezoning to commercial, a zoning designation that carries NO operating hour restrictions. There is no legal requirement that, if rezoned, this property be used as a real estate office or that it be open only certain hours.

Staff Report, page 7: “The rezone is consistent with the goals and policies of the 2015 General plan because it brings a supportive office use to a well-established neighborhood, while being sensitive to the neighborhood by maintaining the original structure’s footprint, therefore allowing the use to function harmoniously with the surrounding neighborhood.”

Correction: Again, once rezoned, there is NO requirement that this property be an office. Again, the staff report seems to be written for a conditional use permit, NOT a permanent rezoning change which would bring any number of commercial uses allowed by right.

It is inappropriately subjective and vague to call this a “supportive” office which would function “harmoniously”. Those may be claims of the developer who is proposing this rezoning, but are not the views of a significant, very likely overwhelming, number of neighbors.

Contrary to the assertion of the staff report, this rezoning is NOT consistent with the city’s policy to protect the “pattern and character” of Sacramento’s traditional neighborhoods. Rather, this proposed rezoning is a threat to the pattern and character of the neighborhood.

Elmhurst is a residential neighborhood, it is not a mixed use neighborhood and residents do not want it to become that – nor does it need to be. Inserting commercial zoning in the middle of Elmhurst violates its residential character. Elmhurst is zoned residential and has very limited non-residential uses, all restricted to assure compatibility with the neighborhood. Rezoning property to commercial precludes any assurance of compatibility.

Staff Report, page 7: “Additionally, the business owner has voluntarily agreed to post signage displaying contact information within public view to allow neighbors to communicate with the business should any issues arise.”

Correction: The voluntary posting of signage is irrelevant as it is NOT required and there is no provision in the rezoning that this information either be posted or that the property owner respond to any neighborhood concerns.

Staff Report, page 7: “Should the site redevelop in the future where a Planning entitlement is required, a formal condition of approval will be placed on the project to require a good neighbor policy.”
Correction: This statement is misleading, ignoring the fact that if rezoned, there would be many uses allowed BY RIGHT on this site. No planning entitlement or good neighbor policy would be required.

Staff report, page 7: “The rezone allows for an immediate investment in a live-work property, creating a more diverse and sustainable neighborhood by reducing work related trips and offering a professional service in a walkable neighborhood.”

Correction: As previously noted, this is NOT a live-work property, in fact, tenants, employees, and customers will be coming and going, the office will increase car trips, not reduce them. The developer’s real estate business serves all of Sacramento. Any commercial use of this property, including the proposed office, would be destination commercial, meaning dependent on business coming from outside of the neighborhood.

The staff report wrongly implies that all neighborhoods must be mixed use to be sustainable. As a residential neighborhood, Elmhurst, the focus of a historic house tour last fall, is part of Sacramento’s diversity and is sustainable as it is. There are many stores and businesses within walking distance of Elmhurst. These are in commercial areas that have wider streets and adequate parking.

Elmhurst provides badly needed housing; residential vacancy rates are very low. Commercial vacancies on the other hand, are not low. In fact, by allowing leap-frog commercial development that competes with nearby commercial centers that have vacancies, this rezoning is actually detrimental to the viability of those commercial centers, which can become blighted and negatively affect the community.

Unlike the proposed rezoning, the use of this property for home businesses, allowable under the current R-1 zoning, reduces work trips and fits in with the walkability of the neighborhood. It is sustainable and consistent with the General Plan - the proposed rezoning to commercial is not.

Please let us know how you will be addressing the errors and misrepresentations outlined above as well as changing the misleading approach of this staff report with its focus on the use proposed by the developer and not on the reality of rezoning. Again this is an application for rezoning that would allow BY RIGHT many uses potentially incompatible with the residential character of the neighborhood; it is not a use permit application which can legally restrict and obligate the developer to provisions that would protect the neighborhood.

We are also available to meet with you to answer any questions or provide more information.

Sincerely,

David Rygg
Richard Henry
Co-Chairs Elmhurst Neighbors Committee

cc Alan LoFaso; Eric Guerra, Erin Teague, Alejandro Cabrera; No2Rezone@gmail.com
Dear Council Member Gurrera, District Director Teague, District Representative Cabera and City Planner Norman:

I am sending you this email to request your actions to keep Elmhurst neighborhood residential. Please vote no to the proposed rezone of 2131 51st Street to commercial use. My neighbors and I are significantly concerned that a vote to rezone will lead to future commercial uses that our community has no say in. Presently the corner of 51st and V Streets is already very congested with traffic to and from UC Davis Medical Center, in addition to our own neighborhood traffic. There have been serious injury accidents, and I believe even a fatality pedestrian vs. MVA accident at that intersection previously. Zoning that property commercial will increase the traffic and risk to the safety of our elders, children and pets as well as preoccupied vehicle operators. It is remarkable to see how many people use hands-on electronic devices in their cars as they drive through our neighborhood and that intersection. The property worked fine in its previous zoning of a home business and I will be urging Mr. Czneaux to withdraw his request in favor of a home occupation permit.

Thank you for your time and advocacy in this matter.

Sincerely,
Ingrid N. Leckliter, PhD
5241 V Street
Sacramento, CA
95817
(916) 454-4941