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NEIGHBORHOODS, PLANNING AND
DEVELOPMENT SERVICES DEPT.

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August 27, 1998

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Withdrawal of Councilmember Call-up of Portola Way Second Residential Unit Project (Z97-026)

LOCATION: 2728 Portola Way

RECOMMENDATION: For Council information - no action required.

CONTACT PERSON: Sandra Yope, Associate Planner, 264-7158

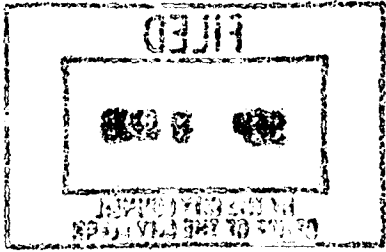
FOR COUNCIL MEETING OF: September 8, 1998

SUMMARY:

On October 7, 1997 the City Council reviewed the request for a special permit for a second residential unit at 2728 Portola Way under the Council member call-up provisions of the Zoning Ordinance. There were several neighbors in opposition to the project and the Council referred the project to mediation in an attempt to find agreement between the neighbors and the property owner. On March 25, 1998 Council member Hammond received a letter from the McGeorge School of Law mediation center indicating that attempts at medication were unsuccessful. Council member Hammond requested that the call-up of the project be withdrawn from the City Council agenda.

BACKGROUND:

On March 13, 1997 the applicant applied for a special permit for a second residential unit at the project site. The 620 square foot structure was an accessory building that had been illegally converted from a garage/artist's studio to a garage/400 square foot second residential unit. On June 4, 1997 the Zoning Administrator denied a Special Permit to allow the second residential unit. The decision of the Zoning Administrator was appealed to the Planning Commission. On August 28, 1997, the Planning Commission overturned the decision of the Zoning Administrator and approved the special permit for the second residential unit, subject to conditions. The Council member for District 5, Lauren Hammond, requested that this approval be reviewed by the City Council under the Council member call-up



provisions of the Zoning Ordinance. The project was reviewed by the Council on October 7, 1997 and the parties involved referred to the mediation center at McGeorge School of Law. On March 25, 1998, Glendalee Scully of McGeorge School of Law informed Council member Hammond that the mediation was not successful.

On August 13, 1998 Council member Hammond withdrew her request to call-up of the project. The decision of the Planning Commission to approve the project will stand and the applicant will be required to abide by the Planning Commission's conditions of approval. The effective date of the approval is the date that the item is withdrawn from the City Council agenda, September 8, 1998. The property owners in the vicinity of the subject site will be noticed that the call-up of the project to City Council has been withdrawn.

FINANCIAL CONSIDERATIONS:

None.

ENVIRONMENTAL CONSIDERATIONS:

This project will not have a significant effect on the environmental and is exempt from environmental review pursuant to State EIR guidelines (California Environmental Quality Act, Section 15303[a]).

POLICY CONSIDERATIONS:

The project is consistent with the General Plan land use designation of Low Density Residential (4-15 du/na).

MBE/WBE:

None.

Respectfully submitted,


GARY STONEHOUSE, PLANNING DIRECTOR

APPROVED:


JACK CRIST, DEPUTY CITY MANAGER
NEIGHBORHOODS, PLANNING AND
DEVELOPMENT SERVICES

FOR CITY COUNCIL INFORMATION:
WILLIAM H. EDGAR, City Manager