



CITY OF SACRAMENTO

24

CITY PLANNING DEPARTMENT
927 TENTH STREET SACRAMENTO, CA 95814
SUITE 300 TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

September 5, 1984

APPROVED
BY THE CITY COUNCIL

City Council
Sacramento, California

SEP 11 1984

Honorable Members in Session:

OFFICE OF THE
CITY CLERK

SUBJECT: Diepenbrock and Washburn Structures (P84-143)
1. Ratify the Negative Declaration
2. Rezone 12,800 Square Feet from Light Density Multiple Family
(R-3A) to Residential Office (RO)

LOCATION: 2311 and 2315 Capitol Avenue

SUMMARY

Pursuant to Development Agreement No. 83070 between the City of Sacramento and the First Baptist Church, the City is required to initiate a rezoning to allow office uses in the Diepenbrock and Washburn structures. On July 26, 1984, the Planning Commission recommended approval of the rezoning.

BACKGROUND INFORMATION

In November 1983, the City entered into a development Agreement No. 83070 with the First Baptist Church to govern the uses on a majority of the block bounded by 23rd, 24th and L Streets and Capitol Avenue. Pursuant to the Agreement, upon execution of a subsequent Agreement between the church and a private developer to rehabilitate the Diepenbrock and Washburn homes, the City is required to initiate the rezoning to allow office uses in the two structures. Combined, the structures will provide a total of 8,850 square feet of office. Parking will be provided on site and off site on the adjacent church-owned property. Installation of the parking area to City standards south of the alley is required by the Development Agreement prior to the issuance of occupancy permits for office use.

VOTE OF THE PLANNING COMMISSION

By a vote of 8 ayes, one absent, the Planning Commission approved the Special Permit for offices and recommended approval of the rezone.

24

City Council

-2-

September 5, 1984

RECOMMENDATION

The Planning Commission and staff recommends that the City Council:

1. Ratify the Negative Declaration.
2. Adopt the attached ordinance to rezone the subject site from Light Density (R-3A) to Residential Office (RO).

Respectfully submitted,

Art Gee for
 Marty Van Duyn
 Planning Director

FOR CITY COUNCIL INFORMATION
 WALTER J. SLIPE
 CITY MANAGER

MVD:DP:lr
 Attachments
 P84-143

September 11, 1984
 District No. 4

24

ORDINANCE NO. 84-092

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT 2311 AND 2315 CAPITOL AVENUE FROM THE LIGHT DENSITY MULTIPLE FAMILY, R-3A ZONE(S) AND PLACING SAME IN THE RESIDENTIAL-OFFICE, R-0 ZONE(S) (FILE NO. P-84-143)(APN:007-155-13,14)

APPROVED
BY THE CITY COUNCIL

SEP 11 1984

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

SECTION 1.

The territory described in the attached exhibit(s) which is Light Density Multiple Family, R-3A zone(s), established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the Residential-Office, R-0 zone(s).

OFFICE OF THE
CITY CLERK

This action rezoning the property described in the attached exhibit(s) is adopted subject to the following conditions and stipulations:

- a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.
- b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission July 26, 1984, on file in the office of the Planning Department, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Director shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

SECTION 2.

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this ordinance.

24

SECTION 3.

Rezoning of the property described in the attached exhibit(s) by the adoption of this ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550, Fourth Series, as said procedures have been affected by recent court decisions.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

P84-143

24

LEGAL DESCRIPTION

LOT 7 OF BLOCK L - M AND 23 - 24.

P84-143

CITY PLANNING COMMISSION

927 10TH STREET, SUITE 300 - SACRAMENTO, CALIFORNIA 95814

24

APPLICANT	City of Sacramento		
OWNER	A & A Key & Builders Supply, Inc., Chas. T. Massie, Inc., David S. Garst		
PLANS BY	Leo McGlade & Associates		
FILING DATE	N/A	50 DAY CPC ACTION DATE	N/A
		REPORT BY:	DP:bw
NEGATIVE DEC	Filed 7/16/84	EIR	ASSESSOR'S PCL NO. 007-155-13 and 14

- APPLICATION:
- A. NEGATIVE DECLARATION
 - B. REZONE 12,800 sq. ft. from Light Density Multiple Family (R-3A) to Residential Office (R-0)
 - C. SPECIAL PERMIT to allow 8,850 sq. ft. of office in two structures.
 - D. VARIANCE to allow less than the required parking on site (WITHDRAWN)
 - E. VARIANCE to provide parking off site (WITHDRAWN)

LOCATION: 2311 and 2315 Capitol Avenue

PROPOSAL: Pursuant to Development Agreement No. 83070, the City of Sacramento is required to initiate the proper entitlements to allow office uses in the Diepenbrock and Washburn homes.

PROJECT INFORMATION:

1974 General Plan Designation:	Residential
1980 Central City Plan Designation:	Residential
Existing Zoning:	R-3A
Existing Land Use:	Vacant; unoccupied dwelling unit

Surrounding Land Use and Zoning:

North:	Church; R-3A
South:	Residential; R-3A
East:	Vacant; R-3A
West:	Single Family; R-3A

Property Area: 12,800 sq. ft.

BACKGROUND INFORMATION: In November 1983 the City entered into a development agreement (No. 83070) with the First Baptist Church to govern the uses on the majority of the block bounded by 23rd, 24th, and L Streets and Capitol Avenue. Pursuant to the agreement, upon execution of a subsequent agreement between the church and a private developer to rehabilitate the Diepenbrock and Washburn homes the City, is required to initiate the necessary entitlements to allow office uses in the two structures.

24

The Washburn home, a designated Priority Structure on the City's Official Register, will be relocated to the vacant parcel immediately to the west of the Diepenbrock home and rehabilitated to provide 2,271 square feet of office space. The Diepenbrock home, a designated Essential Structure of historical and architectural significance, will be rehabilitated to provide 6,579 square feet of office space. The Design Review/Preservation Board reviewed and approved, subject to conditions, the proposed relocation and rehabilitation of the Washburn home and the rehabilitation of the Diepenbrock home in May 1984 (PB84-010, PB84-011).

A total of 22 parking spaces would be required on-site to serve the office uses. However, the development agreement recognizes the inability to satisfy the parking requirement and allows for use of the parking area to be located to the east of the two structures to assist in meeting the parking demand. Construction of the parking area to City standards south of the alley and a reciprocal parking agreement between the church and the developer, subject to the approval of the City Attorney, is required prior to occupancy of the offices.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the proposed project will not have a significant adverse effect on the environment and has filed a Negative Declaration.

STAFF RECOMMENDATION: Staff recommends the following actions:

- A. Ratification of the Negative Declaration;
- B. Recommend City Council approval of the Rezone from Light Density Residential (R-3A) to Residential-Office (R-0).
- C. Approval of the Special Permit to allow office uses, subject to the conditions listed below.

Conditions- Special Permit

- 1. The parking area south of the alley shall be installed per City standards prior to the issuance of occupancy for office use;
- 2. The perimeter landscaping of the parking areas shall be designed to screen the parking areas from public street view. The plant specimens shall be varied from one and five gallon ground covers and shrubs.

8

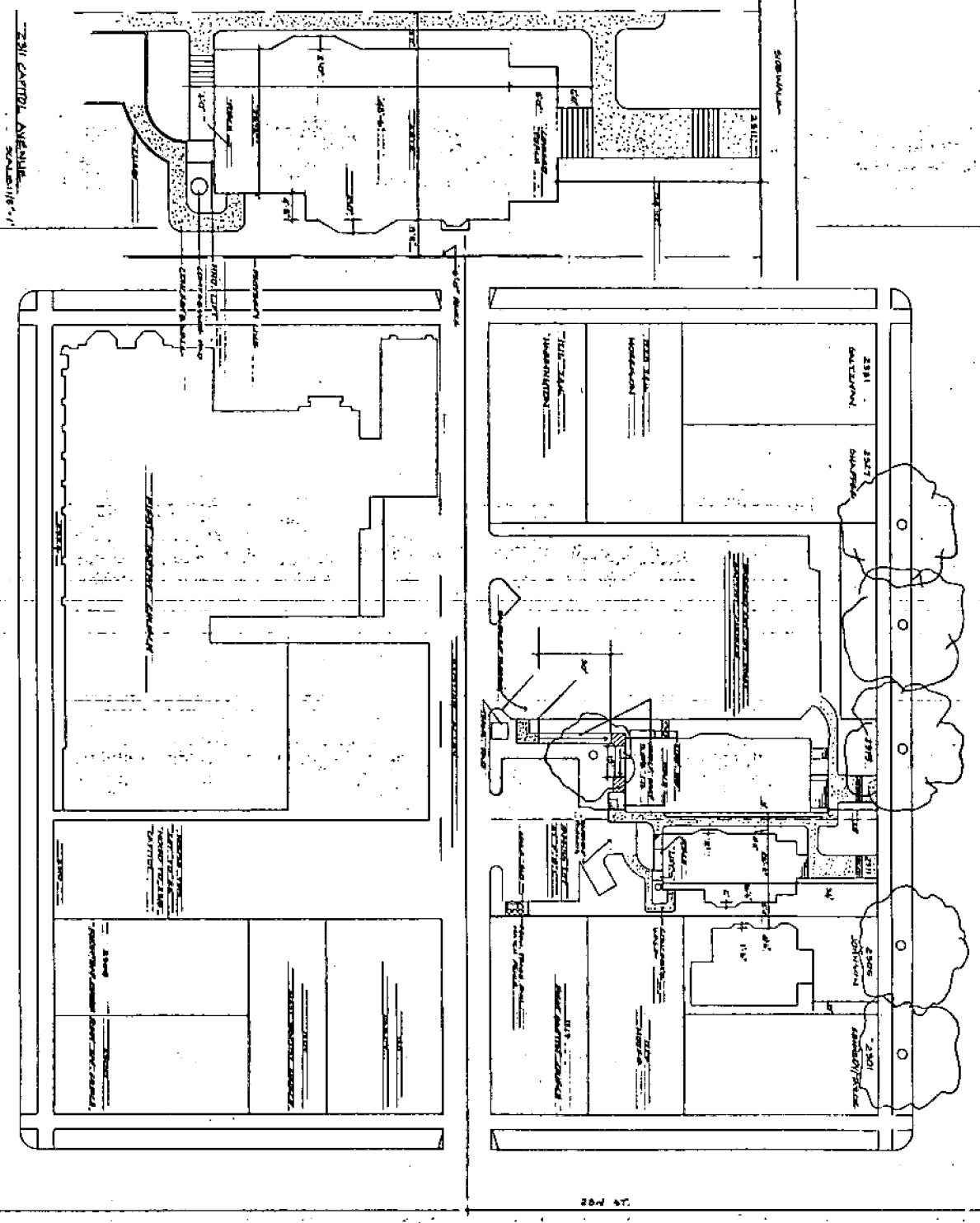
- 3. The applicant shall submit detailed landscaping and irrigation plans for the review and approval of the City Planning Director prior to issuance of any building or parking facilities permits.
- 4. The parking areas shall be constructed to City standards and shall meet the City's solar shade requirements. As close to 30% of the total parking stalls shall be compact spaces to maximize the land area.
- 5. To reduce off-site light and glare, all exterior lights shall be shielded.
- 6. To buffer residential from non-residential uses, a wood or wrought iron fence with landscaping, subject to staff approval, shall be provided along project property lines abutting residentially zoned or used parcels.
- 7. To assure aesthetic compatibility with the neighborhood, a wrought iron fence with landscaping, subject to staff approval, shall be provided in the parking areas facing street side.
- 8. A certificate of occupancy for the offices shall not be issued unless the parking area is provided in the southern portion of the block per the site plan.
- 9. During periods of on-site construction, the applicant shall control dust by watering down the site.
- 10. All street trees and the existing on-site tree adjacent to the Diepenbrock shall be retained unless deemed unhealthy by the City Arborist or, due to a house move must be removed. Removed street trees shall be replaced.

Findings of Fact - Special Permit

- 1. The proposal is based upon sound principles of land use in that:
 - a. The uses will ensure the retention of two structures of historical/architectural significance;

- b. Parking is provided on-site and on property adjacent to the offices.
- 2. The proposed project will not be injurious to the general public in that, parking will be provided on-site and adjacent to the subject sites.
- 3. The proposed uses are consistent with the General Plan in that they conform with the Land Use Element Goal No. 1 to "Allocate residential, commercial, industrial and other land uses in such a manner as to result in a desirable urban environment which satisfies the needs of the total community."

24



P84-143

7-26-84

No. 15

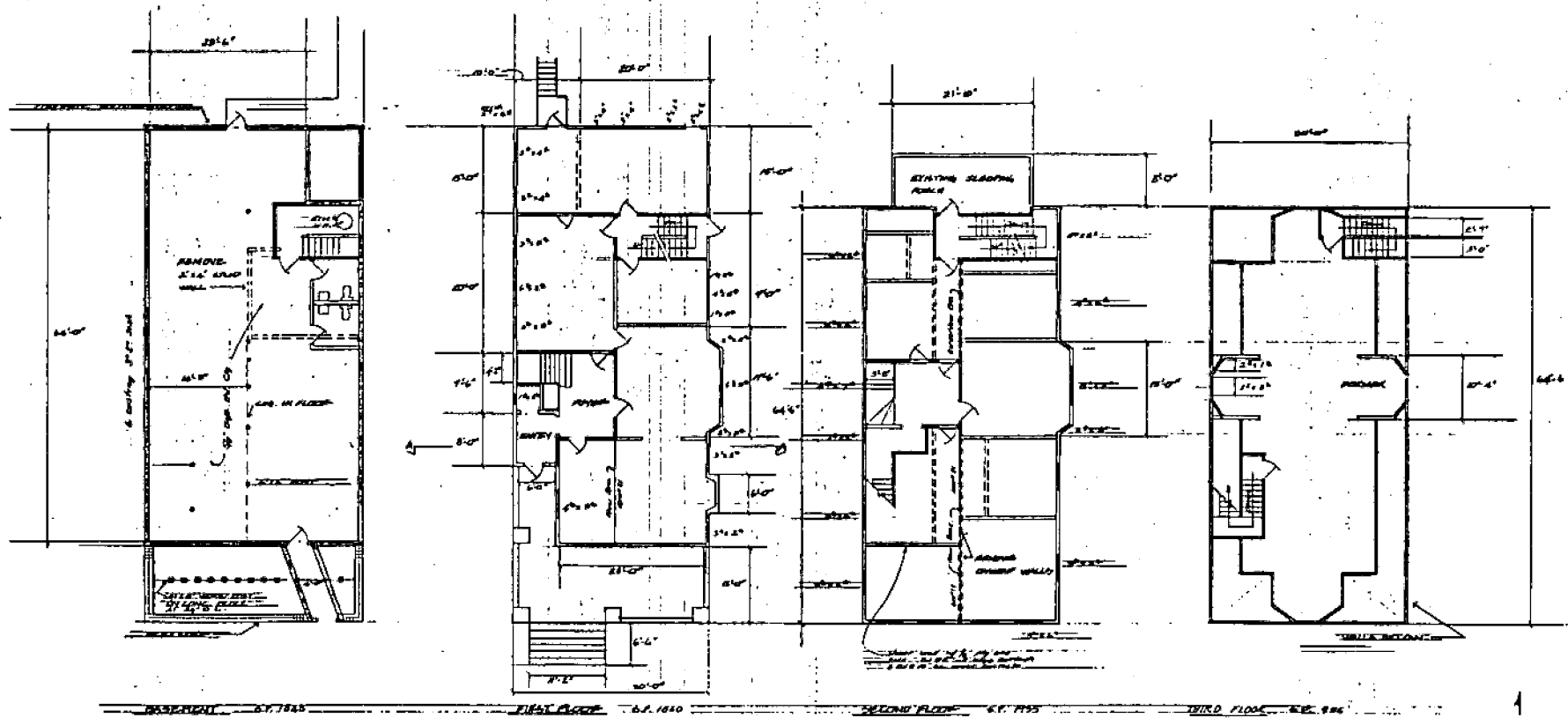
DATE	12/15/84
BY	LEO M. MCCLIDE
CHECKED BY	LEO M. MCCLIDE
SCALE	AS SHOWN

SITE PLAN
12

M Leo McClide & Associates
 2417 Arden Way, Suite A, Sacramento, CA 95825 (916) 484-4340

NO.	1
DATE	12/15/84
BY	LEO M. MCCLIDE
CHECKED BY	LEO M. MCCLIDE
SCALE	AS SHOWN

PK



LEGEND:
 - - - - - EXISTING WALL TO BE REMOVED
 = = = = = EXISTING WALL TO REMAIN

*Remove brick fireplace & chimney
 inside of 2nd floor room facing street
 in garage.*

NOTE:
 EXCEPT ALL MEASUREMENTS IN FIELD.
 SPRINKLER ENTIRE BUILDING
 FINISH FINISHES ALL SIDES
 DRIVEWAY SHALL BE 20' x 10' x 4"
 PAV. SHALL NOT BE BUILT DOWN TO

P84-149 7-26-84 do. 15

FLOOR PLAN - DIETENBECK
 2315 CAPITOL AVE.
 Denver, Colorado

NO.	DATE	REVISION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Leo McCracken & Associates
 2417 North West 10th St., Suite 100
 Fort Lauderdale, Florida 33309
 Phone: (305) 447-1111

X3



CITY OF SACRAMENTO

24 (15)

CITY PLANNING DEPARTMENT
927 TENTH STREET
SUITE 300
SACRAMENTO, CA 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

August 28, 1984

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Rezone from Light Density Multiple Family, R-3A to Residential-Office, R-0 zone.

LOCATION: 2311 and 2315 Capitol Avenue

SUMMARY

This item is presented at this time for approval of publication of title pursuant to City Charter, Section 38.


BACKGROUND

Prior to publication of an item in a local paper to meet legal advertising requirements, the City Council must first pass the item for publication. The City Clerk then transmits the title of the item to the paper for publication and for advertising the meeting date.

RECOMMENDATION

It is recommended that the item be passed for publication of title and continued to September 11, 1984.

Respectfully submitted,


Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:lao
attachments
P84-143

PASSED FOR
PUBLICATION
& CONTINUED
TO 9-11-84

September 4, 1984
District No. 4

15
24

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE
COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES,
AS AMENDED, BY REMOVING PROPERTY LOCATED AT 2311 AND
2315 CAPITOL AVENUE
FROM THE LIGHT DENSITY MULTIPLE FAMILY, R-3A ZONE(S)
AND PLACING SAME IN THE RESIDENTIAL-OFFICE, R-0 ZONE(S)
(FILE NO. P-84-143)(APN:007-155-13,14)

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

SECTION 1.

The territory described in the attached exhibit(s) which is in the Light Density Multiple Family, R-3A zone(s),
established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed
from said zone and placed in the Residential-Office, R-0
zone(s).

This action rezoning the property described in the attached exhibit(s) is adopted
subject to the following conditions and stipulations:

- a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.
- b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission July 26, 1984, on file in the office of the Planning Department, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Director shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

SECTION 2.

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this ordinance.

15
24

SECTION 3.

Rezoning of the property described in the attached exhibit(s) by the adoption of this ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550, Fourth Series, as said procedures have been affected by recent court decisions.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

P84-143

18
24

LEGAL DESCRIPTION

LOT 7 OF BLOCK L - M AND 23 - 24.

P84-143



CITY OF SACRAMENTO

RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO

AUG 22 8 17 AM '84

P84-143
15
24

CITY PLANNING DEPARTMENT
927 TENTH STREET
SUITE 300
SACRAMENTO, CA 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

August 21, 1984

MEMORANDUM

TO: Lorraine Magana, City Clerk
FROM: Leslie Oldridge
SUBJECT: REQUEST FOR CONTINUANCE

Staff is requesting a continuance of P84-143 from the September 4, 1984 City Council Meeting to the September 11, 1984 Meeting. I will PFP this item on September 4, 1984.

Thanks.

9-4
Consent = PFP
HRG = cont

9-11
HRG

6. P84-245 Amend 1965 Sutterville Heights Community Plan for a .25+ acre parcel from Light Density Residential to Shopping Commercial for property located at the north side of Claudia Drive, South of Fruitridge Road. (D4) (APN: 025-033-22,24,25)

7. P84-237 Tentative Subdivision Map to divide 39+ vacant acres into 237 single family lots and one 11.5 acre lot in the Townhouse, R-1A and Garden Apartment-Review, R-2B-R zone to be known as Villa Royale Units 2-6 for property located on the northeast corner of Union House Creek and Franklin Boulevard. (D7) (APN: 117-646-19; 117-011-38)

8. P84-244 Tentative Subdivision Map to create one lot condominium subdivision to be developed in seven phases to be known as Franklin Village for property located at the northwest corner of Mack Road and Franklin Boulevard. (D7) (APN: 119-070-38,39)

SACRAMENTO CITY PLANNING DEPARTMENT

Application Information

Application taken by/date: _____

Project Location N side Capitol Avenue, bet. 23rd & 24th Streets PP 8414

Assessor Parcel No. 007-155-13 & 14

Owners A & A Key Builders Supply, Inc., (Chas Massie & David Garst Phone No. _____

Address 4266 Horn Rd, Sacto, CA 95823

Applicant City of Sacramento Phone No. _____

Address _____

Signature _____ C.P.C. Mtg. Date _____

REQUESTED ENTITLEMENTS

- Environ. Determination Neg Dec
- General Plan Amend _____
- Community Plan Amend _____
- Rezone 12,800 sq. ft. from R-3A to R-0
- Tentative Map _____
- Special Permit to convert 2 existing residential structures into 9,000± sq. ft. of office space
- Variances to waive some of the required parking VARIANCE to locate some of the required parking off site
- Plan Review _____
- PUD _____
- Other _____

ACTION ON ENTITLEMENTS

Commission date	Council date	Filing Fees
July 26, 1984		\$ _____
		\$ _____
	Res. _____	\$ _____
		\$ _____
RA	Res. _____	\$ <u>N/A</u>
	Ord. _____	\$ _____
	Res. _____	\$ <u>N/A</u>
AC		\$ <u>N/A</u>
Withdrawn		\$ <u>N/A</u>
		\$ _____
		\$ _____
		\$ _____

Sent to Applicant: _____ Date _____

By: _____ Sec. to Planning Commission

FEE TOTAL \$ N/A
 RECEIPT NO. _____
 By/date DP 7/2/84

Key to Entitlement Actions

- | | | |
|------------------------------------|---|--|
| R - Ratified | D - Denied | IAF - Intent to Approve based on Findings of Fact |
| Cd - Continued | RD - Recommend Denial | AFF - Approved based on Findings of Fact |
| A - Approved | RA - Recommend Approval | RPC - Return to Planning Commission |
| AC - Approved W/conditions | RAC - Recommend Approval W/conditions | CSR - Condition Indicated on attached Staff Report |
| AA - Approved W/amended conditions | RMC - Recommend Approval W/amended conditions | |

NOTE: There is a thirty (30) consecutive day appeal period from date of approval. Action authorized by this document shall not be conducted in such a manner as to constitute a public nuisance. Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezonings, special permits and variances.

PP 84143

MEETING DATE July 26, 1984
 ITEM NO. 5B FILE # 84143
 M _____

- GENERAL PLAN AMENDMENT TENTATIVE MAP
- COMMUNITY PLAN AMENDMENT SUBDIVISION MODIFICATION
- REZONING LOT LINE ADJUSTMENT
- SPECIAL PERMIT ENVIRONMENTAL DET.
- VARIANCE OTHER #24

Location: N side Capital ave bet 23rd & 24th sts.

Recommendation:
 Favorable
 Unfavorable
 Petition Correspondence

<u>PROPOSERS</u>	
<u>NAME</u>	<u>ADDRESS</u>

<u>OPPOSERS</u>	
<u>NAME</u>	<u>ADDRESS</u>

MOTION NO. _____

	YES	NO	MOTION	SECOND
Augusta	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Ferris	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Fong	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Goodin	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Hunter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Ishmael	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Ramirez	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Simpson	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Holloway	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

- MOTION**
- TO APPROVE
 - TO DENY
 - TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
 - TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
 - INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE _____
 - TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
 - TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
 - TO RATIFY NEGATIVE DECLARATION
 - TO CONTINUE TO _____ MEETING
 - OTHER _____

24
9-11-1984

September 14, 1984

A & A Key Builders Supply, Inc., (Chas Massie & David Garst)
4266 Florin Road
Sacramento, CA 95823

Dear Gentlemen:

On September 11, 1984, the Sacramento City Council took the following action(s) for property located on the north side of Capitol Avenue, between 23rd and 24th Streets:

Adopted Ordinance 84-092 rezoning 12,800 sq. ft. from Light Density (R-1A) to Residential-Office (R-O) zone. (P-84143)

Enclosed, for your records, are fully certified copies of the above referenced documents.

Sincerely,



AM Lorraine Magana
City Clerk

LM/kmn/24

Enclosure(s)

cc: Planning Department