

P94-111 - McGeorge School of Law Off-Street Parking

- REQUEST:
- A. Lot Line Adjustment to merge eight parcels into two parcels on .585± vacant acres in the General Commercial (C-2) and Multi-Family Residential (R-2B) zones.
 - B. Special Permit Modification to allow a 77-space parking lot (8 existing plus 69 proposed) at the northeast corner of 34th Street and 5th Avenue within the McGeorge Master Plan area.

LOCATION: South of Highway 50 and east of State Highway 99, on the northeast corner of 34th Street and 5th Avenue
APN: #013-0142-014; -015; -016; -017; -018; -020; -035; -036
East Broadway Community Plan Area/Oak Park Redevelopment Area
Sacramento Unified School District
Council District 5

APPLICANT:	McGeorge School of Law, University of the Pacific Attn: Sooky Lee (916) 446-3366 c/o 2022 16th Street Sacramento, CA 95818
OWNER:	McGeorge School of Law, University of the Pacific 3200 5th Avenue Sacramento, CA 95817 (916) 739-7181 Attn: Don Steed
PLANS BY :	Sooky Lee Architect
APPLICATION FILED/COMPLETE:	10-17-94 / 12-15-94

STAFF CONTACT: Colleen Carollo, 264-5691

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SUMMARY/RECOMMENDATION:

The applicant is proposing construction of a 77-space surface parking lot to be located at the northeast corner of 5th Avenue and 34th Street. This lot, owned by the McGeorge School of Law, is proposed for use by law school students and by tenants of the Muddox building (located to the immediate east of the subject site). This lot will provide additional campus parking for students and help to eliminate the need for student parking off-site along the residential streets located to the north of the campus. In order to meet the applicant's objectives, the project requires the discretionary entitlements described above. Staff recommends approval of the Lot Line Adjustment and Special Permit Modification,

subject to compliance with the conditions included in the attached Resolutions. This recommendation is based on the project's consistency with applicable City plans and policies and on the overall project goal to eliminate student parking impacts on the surrounding residential neighborhoods.

PROJECT INFORMATION:

General Plan Designation:	Medium Density Residential (16-29 du/na) & School (College)
Community Plan Designation:	N/A
Existing Land Use of Site:	Vacant and surface parking (8 existing parking spaces)
Existing Zoning of Site:	Multi-Family Residential (R-2B) and General Commercial (C-2)
Immediately Surrounding Land Use and Zoning:	
North:	Multi-Family Residential (R-2B)
South:	McClatchy Park (R-1)
East:	Muddox Building & Multi-Family Residential (C-2) & (R-2AR)
West:	McGeorge Law School (R-4)

Setbacks:

4' planter adjacent to property lines abutting a public street
6" bumper curb surrounding planter areas

Property Dimensions:	150' x 170'
Property Area:	.585 acres partially developed (8 existing parking spaces)
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

<u>Permit/Approval</u>	<u>Agency</u>
Design Review	Design Review Board
Grading Permit	Building Division
Building Permits	Building Division
Certificate of Compliance	Department of Public Works
Driveway Permit	Department of Public Works

BACKGROUND: On May 25, 1971, the Planning Commission approved a Special Permit (P4657) which established a Master Plan for the McGeorge Law School Campus. This

Master Plan included the area bounded by Donner Way, 32nd Street, 33rd Street, and 5th Avenue, as well as the two lots north of 5th Avenue (Attachment B). Since 1971, the Planning Commission has approved several Special Permits and Modifications which have expanded the school by adding additional classroom space, housing, and parking. In June of 1990, a Planning Director's Special Permit Modification was approved for a 2,594 square foot office space addition to the campus. In January, 1991, an additional Planning Director's Special Permit Modification was approved for a 973± square foot addition to the existing library facility. The most recent request (prior to P94-111) included a Planning Director's Special Permit Modification to expand the school by creating office and retail space in the existing 23,328 square foot Muddox Building and use of the adjacent paved parcel (part of the current proposal) to provide eight parking spaces.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The project site is located within the Oak Park Redevelopment Area and a Design Review area. The Sacramento General Plan designates the project site for Schools (Colleges) and Medium Density Residential (16-29 du/na) development. The applicant is requesting a Special Permit Modification to include the proposed site for a surface parking lot within the McGeorge Master Plan. The previous project (P92-202) expanded the McGeorge School of Law to include a portion of the proposed parking lot site and the Muddox Building (located immediately east of the project site) within the McGeorge School of Law Master Plan. The applicant is now proposing construction of a student parking lot on the subject site to eliminate the need for student parking along the streets in the residential neighborhoods located to the north of the campus. Conditions of approval to help achieve this goal have been included in attached Resolution (Attachment E). This proposal supports the following General Plan Policies:

- Continue to target code enforcement efforts by identifying and prioritizing neighborhoods experiencing code violations.
- Provide adequate off-street parking for new development and reduce the impact of on-street parking in established areas.
- Continue to use the preferential parking program in residential areas where traffic and on-street parking generated from non-residential projects would otherwise have a major negative impact.

B. Lot Line Adjustment

The proposed Lot Line Adjustment merges the eight existing parcels into two parcels. This creates two separate parcels and preserves the individual zoning of each with General Commercial (C-2) and Multi-Family Residential (R-2B) (See Exhibit D-1). Parking lots are allowed to be located on more than one adjacent parcel (crossing property lines). Planning Staff believes that merging the eight

parcels into two parcels (rather than one parcel with dual zoning) and preserving the separate zoning is appropriate for the site. Staff, therefore, recommends approval of the Lot Line Adjustment.

C. Site Plan Design/Zoning Requirements

1. Parking/Circulation

The current project is being proposed as an effort to alleviate student parking along the streets in the residential neighborhood located to the north of the McGeorge School of Law campus. In order to further prevent this occurrence in the future, a condition has been included in the attached Resolution which requires the applicant to ensure that student parking will not occur in the adjacent residential neighborhoods (Attachment E). One possible solution included in this condition is for the applicant to work with the neighborhood and City Parking staff in setting up the Residential Permit Parking Program for this area.

The addition of the proposed 77 parking spaces brings the total number of off-street parking spaces provided at the McGeorge School of Law campus to 550 (481 existing, 69 proposed). The Zoning Ordinance requirement for school parking is one space for each employee and the remaining number of spaces to be determined by Planning Commission. The school has approximately 193 employees and approximately 800+ students (various time schedules). The school is into the fourth year of its Transportation Management Plan (TMP) with the Department of Public Works, Transportation Division. Items included in this TMP (to reach an overall trip reduction of 35% by year 5) include the following: sale of subsidized bus passes; incentive programs for employees who use alternative methods of commuting; preferred parking for carpooling (employees/students); and a guaranteed ride home program for those who rideshare.

The proposed 77-space parking lot is comprised of 50 standard stalls, 23 compact stalls, and 4 handicapped stalls (Exhibit D-1). These stalls are located around the north and west perimeters of the site, adjacent to the alley, and within the center of the site. Access to/from the site is provided by one driveway (ingress/egress) located on 5th Avenue and from the alley (located along the eastern border of the site).

The Department of Public Works had concerns relating to the original site plan which included provision for two driveways on 5th Avenue. The current site plan (Exhibit E-1) includes the elimination of one driveway in compliance with Public Works comments. With the inclusion of the Department of Public Works comments and compliance with conditions included the attached Resolution (Attachment E), Staff believes this parking facility will help eliminate student parking impacts on the residential neighborhoods surrounding the campus.

Therefore, staff recommends approval of the Special Permit Modification.

2. Landscaping

The subject site consists of $.585 \pm$ acres to be developed as a 77-space surface parking lot. The Zoning Ordinance requires that parking areas with property lines abutting public streets provide a planter, landscaped with screening shrubs. This planter is to be surrounded by a 6" raised concrete curb. The minimum width of this planter, excluding curbing, shall be 4 feet.

The current site plan (Exhibit E-1) includes a 4-foot planter adjacent to the 6-foot concrete wall along the northern property line; a 5-foot planter along the western property line; an 11-foot planter along the south property line; and a 6-foot planter between the eight parking spaces and utility enclosure (adjacent to the alley) and the interior parking spaces along this eastern aisle. The project, therefore, meets the City's landscaping requirements.

Pole lighting for the lot is also provided within these planter areas. This pole lighting consists of the ACORN III type globe with pole designs ranging from 10 feet to 12 feet in height. This lighting design has been incorporated in the project's Design Review.

3. Design Review Board Comments

Design Review Board had comments relating to the design of the proposed parking lot. These comments, from Design Review Board hearings held on November 16 and December 7, 1994, consisted of the requirement for providing planters of adequate width which incorporate landscaping of vehicle overhang areas and for providing additional finger planters. The current site plan (Exhibit E-1) reflects these revisions. After approval by Planning Commission, the Design Review Board will once again review the project proposal at a public hearing.

PROJECT REVIEW PROCESS:

A. Environmental Review

1. Environmental Determination

The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared.

In compliance with Section 15070 (B) 1 of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point

where clearly no significant impacts will occur. The mitigation measures are listed in the attached Mitigation Monitoring Plan (Exhibit C-1).

2. Environmental Issues

Two primary environmental issues associated with the proposed project and discussed within Attachment A of the Negative Declaration relate to:

- City Street Trees
- Potential for Noise to Adjacent Residential Property (north of site)

City Street Trees

There are two City Street Trees located along the west side of the project site (within the City Parkstrip). Protection measures have been included as mitigation for these trees. The applicant will be required to place a 6-foot chain link construction barrier along the parkstrip around the dripline of these trees. No parking of vehicles, storage of materials, trenching, or grade changes shall occur within this area.

Noise to Adjacent Residential

Noise impacts created by the use of the parking lot are not anticipated to impact the residential uses located to the north of the project site. The project site is located in an area where noise levels are anticipated to exceed the 60 dB Ldn in 2006, as identified in the 1986-2006 SGPU (EIR, AA-14). The Sacramento City Code (Noise Control - Article 3) indicates that notwithstanding any other provisions of the chapter, it shall be unlawful for any person to make or continue to cause to be made or continued any loud, unnecessary or unusual noise which disturbs the peace and quiet of any neighborhood or which causes a discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

The immediately adjacent land uses are developed with institutional and residential uses. Although noise produced by the proposed project may have the potential to impact land uses adjacent to the site, noise created by the project site is not anticipated to exceed the noise duration levels as specified in the Sacramento City Code (Noise Control - Article 3). The project also includes construction of a 6-foot concrete wall along the north boundary of the site. Therefore, the proposed project is not anticipated to impact the residential property to the north of the site nor will it add to the anticipated SGPU noise level.

B. Public/Neighborhood/Business Association Comments

The project was routed to the following neighborhood associations: Tahoe Park

Neighborhood Association; Oak Park Neighborhood Association; Oak Park PAC; Elmhurst Neighborhood Association; Med Center Neighborhood Association; Rosa Del Rio Howowners Association; and Sierra Curtis Neighborhood Association. As of the date of this report, no written comments have been received from the neighborhood associations. The Oak Park PAC (Jim Hare) contacted the City with verbal comments relating to their review of the project proposal. Based upon their verbal comments and review by their organization, they are not opposed to the proposal for the parking lot (written comments to follow per Jim Hare).

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. The following sections summarize the comments received:

1. Building Division/Fire Department

Comments received from the Building Division and the Fire Department referred to compliance with the Uniform Building Code and the Uniform Fire Code as they relate to permits and accessibility. In the event of future gating of the lot, a condition of approval has been included in the attached Resolution (Attachment E) that the gates be designed subject to review and approval by the Fire Department and by the Transportation Division.

2. Police Department

Comments received from the Police Department related to adequate visibility and lighting. Conditions have been included in the attached Resolution (Attachment E) requiring that landscaping not prevent adequate lighting or visibility to and within the lot.

3. Department of Public Works (Transportation Division)/Department of Utilities

The Transportation Division reviewed the proposed site plan and made comments on site access and adequate maneuverability for parking space locations. Based upon these comments for site access, the attached site plan (Exhibit E-1) incorporates driveway access changes. Conditions have been included in the attached Resolutions addressing the issue of parking space maneuverability.

The Department of Utilities indicated that the project was located within the service area of the Combined Sewer System; however, it has not been determined that the project exceeds the levels of increased sanitary or storm flows that are considered to have significant impacts to the Combined Sewer System. Mitigation Measures have been included in the project addressing this potential impact. Other comments from the

Department of Utilities relate to on-site grading and drainage. These comments have been included as conditions of approval for the project (Attachments D & E).

PROJECT APPROVAL PROCESS: The Planning Commission has the authority to approve or deny the project entitlements. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

RECOMMENDATION:

Staff recommends the Planning Commission take the following action:


- A. Ratify the Negative Declaration;
- B. Adopt the attached Resolution approving the Mitigation Monitoring Plan;
- C. Adopt the attached Resolution approving the Lot Line Adjustment merging eight parcels into two parcels; and
- D. Adopt the attached Resolution approving the Special Permit Modification to allow a 77-space parking lot (8 existing and 69 proposed) at the northeast corner of 34th Street and 5th Avenue, within the McGeorge School of Law Master Plan.

Report Prepared By,

Report Reviewed By,



Colleen Carollo
Associate Planner



Barbara L. Wendt
Senior Planner

Attachments

Attachment A	Vicinity Map
Attachment B	Land Use and Zoning Map
Attachment C	Resolution Adopting Mitigation Monitoring Plan
Exhibit C-1	Mitigation Monitoring Plan
Attachment D	Resolution Adopting Lot Line Adjustment
Exhibit D-1	Lot Line Adjustment Plan
Attachment E	Resolution Adopting Special Permit Modification
Exhibit E-1	Site Plan

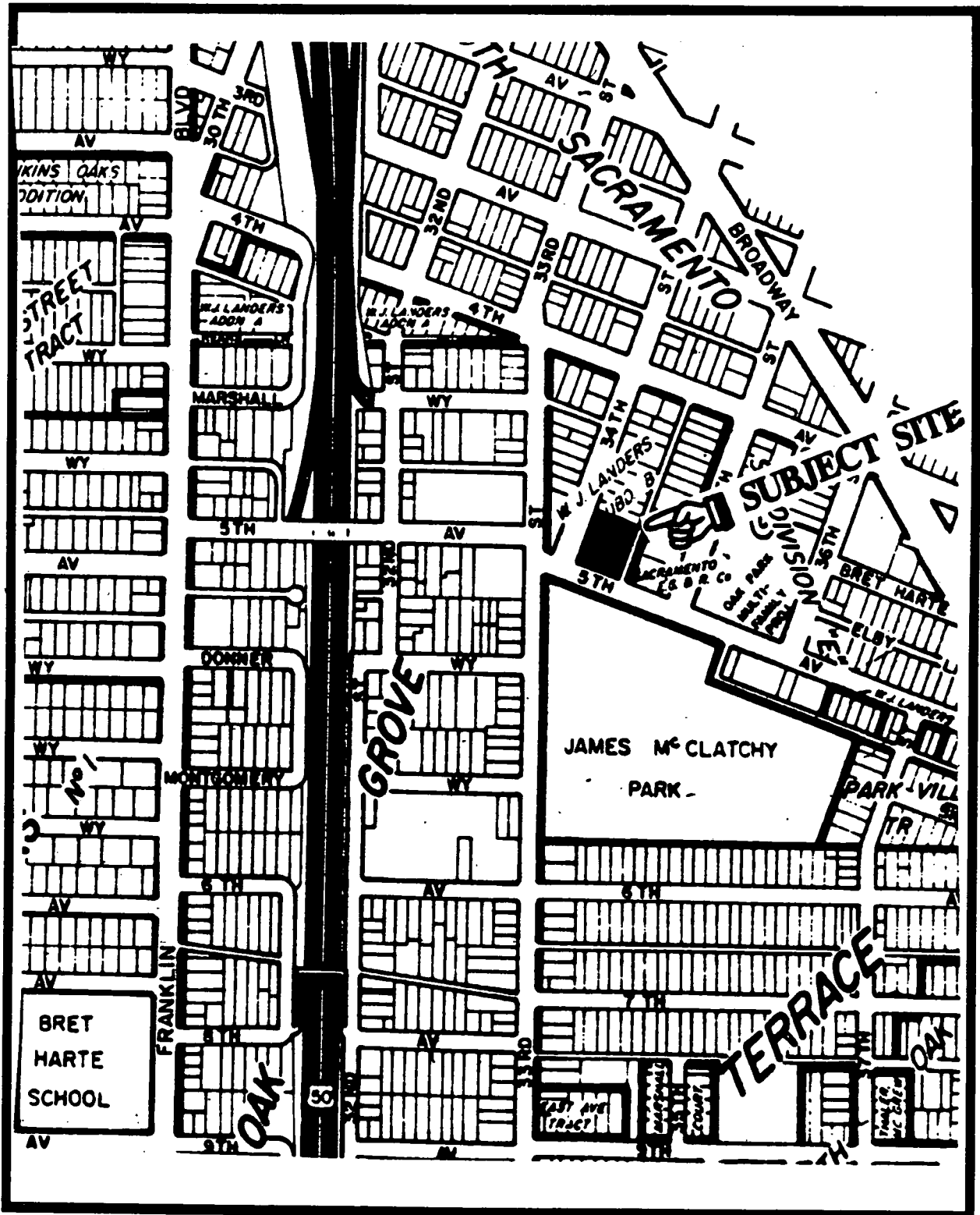
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ATTACHMENT A

ITEM # 10
PAGE 9

P94-111

JANUARY 12, 1995



VICINITY MAP

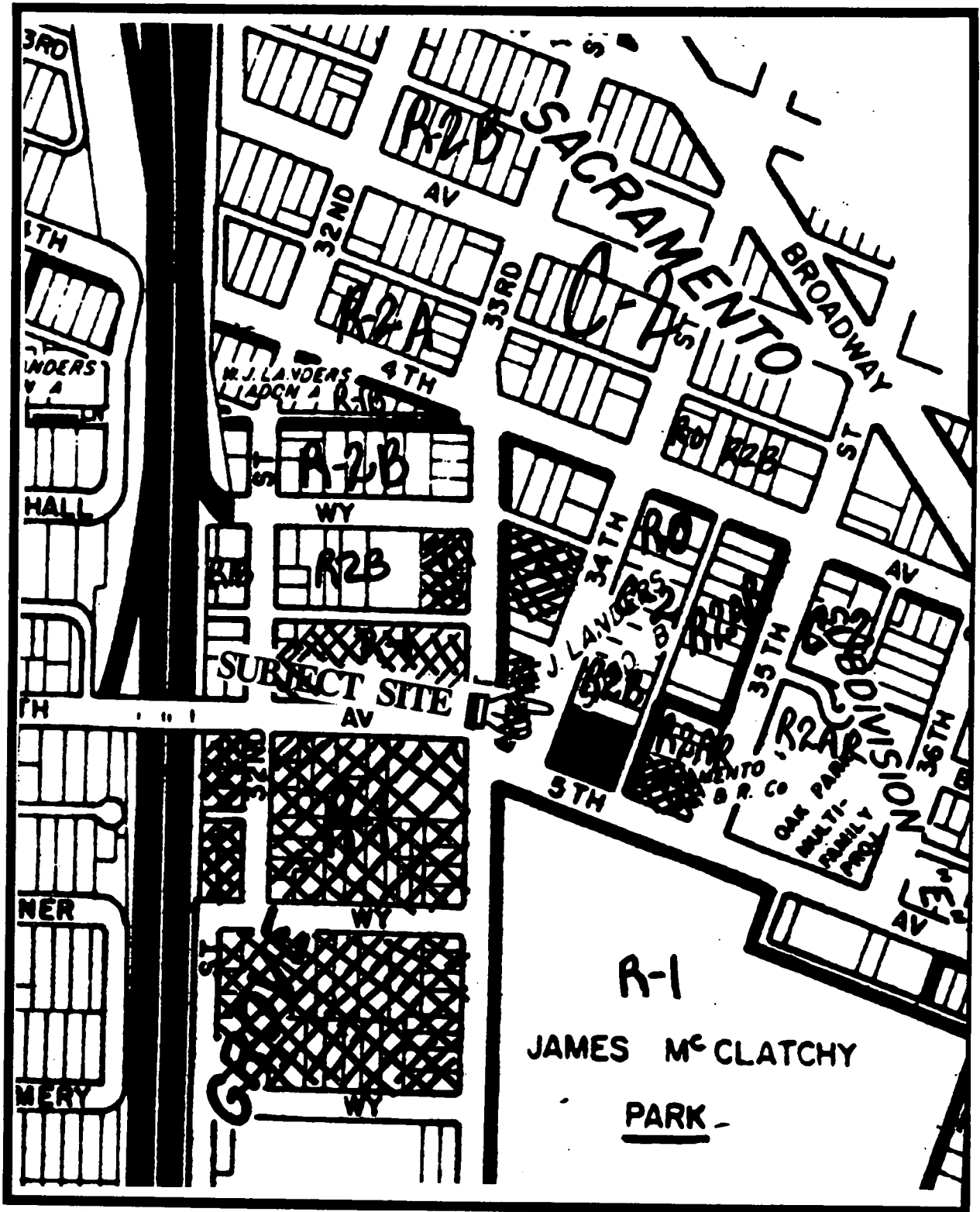
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ATTACHMENT B

P94-111

JANUARY 12, 1995

ITEM # 10
PAGE 10



 McGeorge
Campus

LAND USE AND ZONING MAP

01743

EXHIBIT C-1

Recording
Not
Required

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-
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MITIGATION MONITORING PLAN

FOR

McGeorge Off-Street Parking/P94-111

Initial Study

Prepared By:
City of Sacramento Planning Division
December 8, 1994

Adopted By:
City of Sacramento Planning Commission

Date: _____

CHAIRPERSON

Secretary to Planning Commission

01744

CITY OF SACRAMENTO**MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan has been required and prepared by the Department of Planning and Development, 1231 I Street, Suite 200, Sacramento, CA 95814, (916) 264-5604, pursuant to California Environmental Quality Act Guidelines Section 21081.

SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: McGeorge Off-Street Parking/P94-111
Owner/Developer- Name: McGeorge School of Law, University of the Pacific
Address: 3200 5th Avenue,
Sacramento, CA 95817

Project Location / Legal Description of Property (if recorded):

Northeast corner of 34th Street and 5th Avenue

SECTION 2: GENERAL INFORMATION

The project as approved includes mitigation measures placed on the Combined Sewer and Plant/Animal Life. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer identified above.

The applicant is proposing a Special Permit Modification to allow a 77-space parking lot on .585± vacant acres in the General Commercial (C-2) and Multi-Family Residential (R-2B) zone and a Lot Line Adjustment to merge eight parcels into two parcels. The site is located at 3405 5th Avenue. The Sacramento General Plan designation for the site is School and Residential (11-21 du/na).

SECTION 3: PLAN CONTENTS**A. Combined Sewer System**

1. The applicant agrees to pay such lawful fees, taxes or assessments imposed through the sue of development fees, impact fees, fee districts, community facilities districts, assessment districts, or other fair, equitable, and appropriate mechanisms designed to address project impacts on the existing combined stormwater sewer system, and shall execute an agreement satisfactory tot he City Attorney and suitable for recordation which obligates the applicant to pay fair, equitable and appropriate development or related fees, impact fees, or assessments or taxes as and when enacted, imposed, or levied.

01745

ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE

Department of Planning and Development, City of Sacramento
City Attorney's Office

MONITORING PROGRAM

Prior to the issuance of a Notice to Proceed by the Department of Public Works, and

prior to issuance of any building permits by the Building Division, the applicant shall execute an agreement as described above subject to approval by the City Attorney. The two City Entities shall be provided a copy of the executed agreement from the applicant prior to issuance of a Notice to Proceed or any Building Permits.

B. Trees

2. Prior to construction, place a 6-foot chain link construction barrier along the parkstrip around the City Street trees located along 34th Street. No parking of vehicles, storage of materials, trenching, or grade changes shall occur within this area. These trees and protection methods shall also be noted on all site plans for the project.
3. Any fill, concrete, and trash shall be removed from around these City Street trees along 34th Street.
4. If during construction or grading, tree roots of 2" in diameter or greater are encountered, work shall stop immediately and the City Arborist (433-6345) shall be contacted for a root inspection. Root cutting of any roots over 2" in diameter must have approval of the City Arborist.
5. Alternative preservation methods may be substituted with the prior approval of the City of Sacramento Arborist.

ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE

Department of Parks and Community Services, City of Sacramento
Department of Planning and Development, City of Sacramento

MONITORING PROGRAM

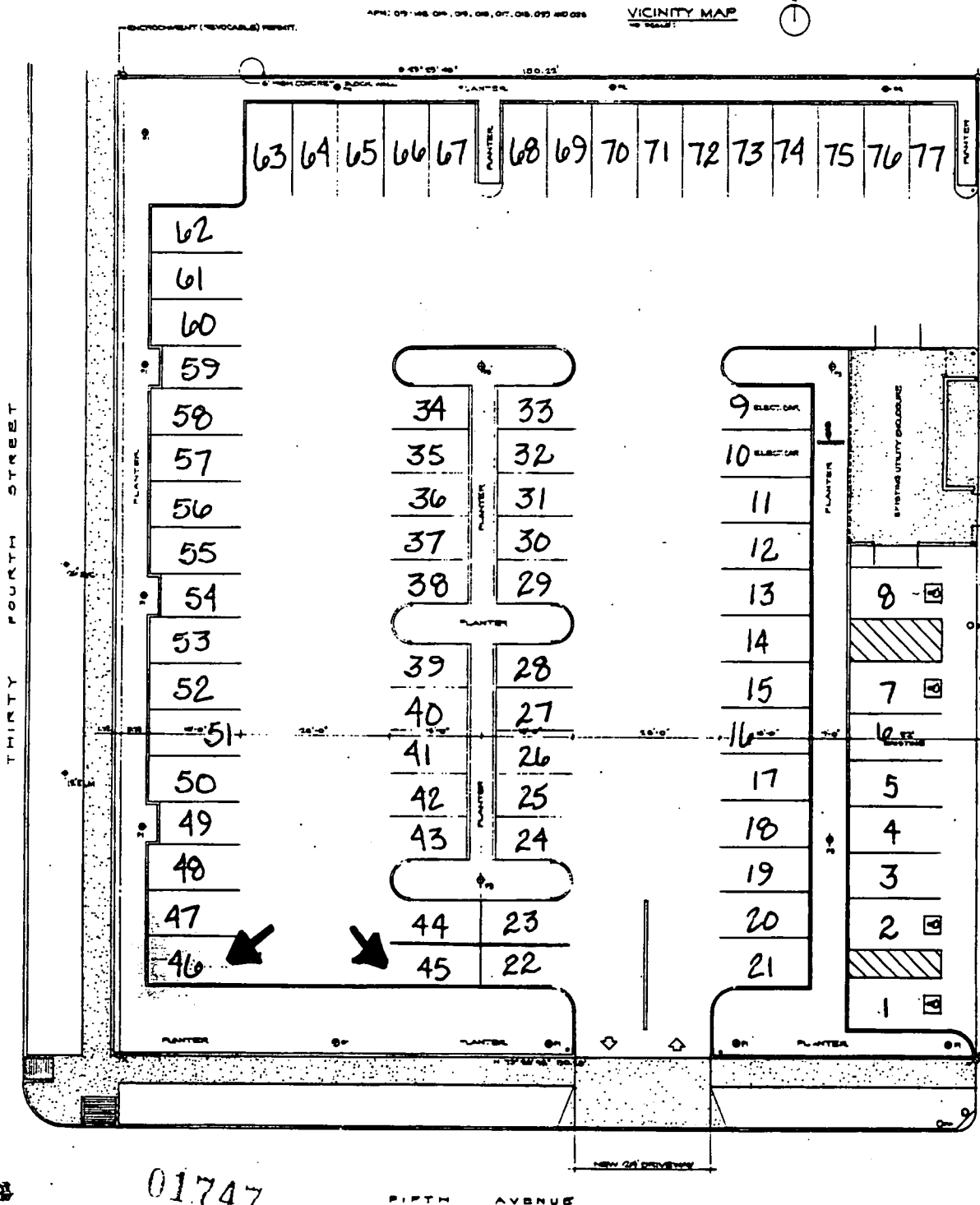
Prior to the issuance of any Building Permit, the Building Division shall require that the project plans incorporate tree protection measures as specified above and by the above mitigation measures 2-5. In the event that any protective measures are violated, as described above, the responsible City department shall require that all work within the dripline of affected trees, as shown on the original project plans, be ceased. The responsible City department shall verify the accuracy of any arborist report by referring the report to the Environmental Services Division for review. If the tree is determined to be damaged or removed as a result of the construction activities, the Building Division shall require that alternative mitigation measures be developed and implemented subject to approval by the Environmental Services Division. the Building Division shall require the approved alternative measures to be incorporated into the project plans, prior to resumption of work within the affected area.

Documentation of completion of the required mitigation measures shall be placed in the project record by the applicable City Entity as follows:

-The Building Division shall document implementation of all mitigation measures prior to issuance of final building permits, a Certificate of Occupancy or a Certificate of Compliance for the project.

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EXHIBIT D-1



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PROPOSED: MUDDOX PARKING LOT PLAN

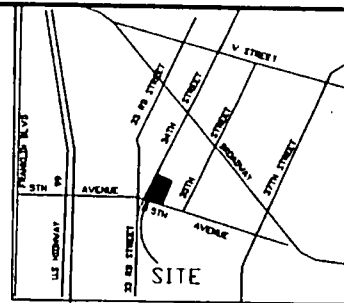
SCALE: 1/8" = 1'-0"

REVISIONS:

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UNIVERSITY OF THE PACIFIC, SACRAMENTO SCHOOL OF LAW
DOCKY LEE ARCHITECT AND ASSOCIATES TEL: 916 444-8888

3400 FIFTH AVE. SACRAMENTO, CA 95817
5022 16TH STREET SACRAMENTO, CA 95818



VICINITY MAP

OWNER OF RECORD

UNIVERSITY OF THE PACIFIC
 McGEORGE SCHOOL OF LAW
 3200 6TH AVENUE
 SACRAMENTO CALIFORNIA
 95817

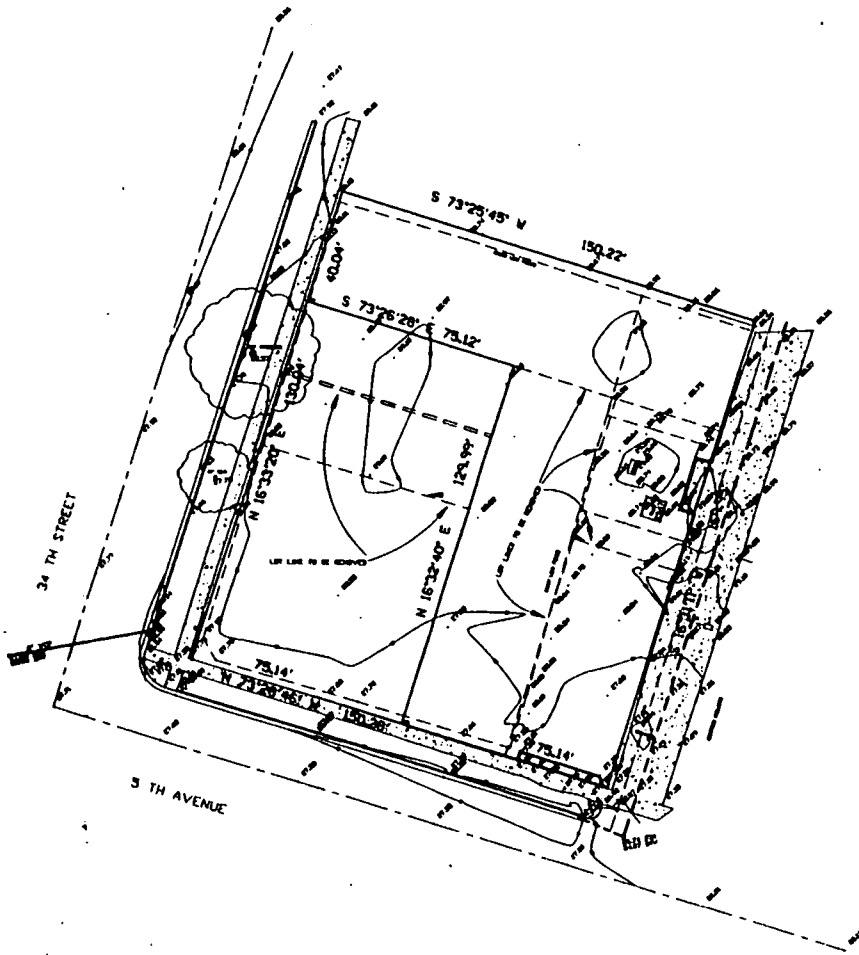
SURVEYOR

VARNEY LAND SURVEYS
 2285 66TH AVENUE
 SACRAMENTO CALIFORNIA
 95822
 (916)395-2822



TO MERGE THE FOLLOWING

- PARCEL ONE= 013-0142-017,018,035&036
0.224 ACRES
- PARCEL TWO= 013-0142-014,015,016&020
0.362 ACRES



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EXHIBIT E-1

<p>VARNEY LAND SURVEYS 2285 66TH AVENUE SACRAMENTO, CALIFORNIA 95822 (916) 395-2822</p>	DESIGNED BY: <u>DR.V.</u> DRAWN BY: <u>DR.V.</u> CHECKED BY: <u>DR.V.</u> SUBMITTED: <u>RICHARD A. VARNEY #LS 3030</u>	SCALE: <u>1" = 80'</u>	JOB NO: <u>9288-11</u>	I. <u> </u> / <u> </u> / <u> </u> NO. DATE REASON BY	<p>REVISED TENTATIVE LOT MERGER McGEORGE SCHOOL OF LAW 34TH STREET AND 5TH AVENUE CITY OF SACRAMENTO STATE OF CALIFORNIA</p>	
	<p>2285 66TH AVENUE SACRAMENTO, CALIFORNIA 95822 (916) 395-2822</p>			JOB NO: <u>9288-11</u>	I. <u> </u> / <u> </u> / <u> </u> NO. DATE REASON BY	<p>REVISED TENTATIVE LOT MERGER McGEORGE SCHOOL OF LAW 34TH STREET AND 5TH AVENUE CITY OF SACRAMENTO STATE OF CALIFORNIA</p>



DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

BUILDING INSPECTIONS
916-449-5716

PLANNING
916-449-5604

January 4, 1995

Mr. Sooky Lee
2022 16th Street
Sacramento, CA 95818

SUBJECT: P94-111, McGeorge Parking Lot Project Conditions of Approval

Dear Mr. Lee:

With reference to our previous conversations, I am enclosing copies of the Draft Resolutions containing conditions of approval for the Lot Line Adjustment and Special Permit Modification you are requesting. Please review these conditions to be sure that you (McGeorge School of Law) understand and agree to them. If you have any questions, please contact me at (916) 264-5691. Because we have had no controversy associated with this project, I am planning on putting the item on "consent" for the January 12, 1995 Planning Commission hearing. Unless taken off of "consent", all "consent" items are approved as a group at the beginning of the Planning Commission hearing (approx. 5:30 - 5:45 p.m.). If you contest any of the conditions and would like to have your project listed as a "hearing" item (rather than "consent"), please contact me.

Copies of the entire staff report for your project will be available on Friday, January 6, 1995. A copy of this report will be available at the Planning Counter (2nd floor, 1231 I St).

It has been a pleasure working with you. I look forward to working with you again in the future.

Sincerely,

DEPARTMENT OF PLANNING AND DEVELOPMENT
DEVELOPMENT SERVICES

Colleen Carollo

Colleen Carollo
Associate Planner

cc: file copy P94-111

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