Supplemental Material

For City of Sacramento

City Council
Financing Authority
Housing Authority
Redevelopment Agency

Agenda Packet

Submitted: November 30, 2010

For the Meeting of: November 30, 2010

X Additional Material Revised Material

TITLE: PROPOSED REZONES AND LAND USE DESIGNATION AND TEXT CHANGES TO THE 2030 GENERAL PLAN (LR10-005)

Contents: Correspondence - Support and Opposition to Proposed Rezones

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Contact Information: Teresa Haenggi, Associate Planner, (916) 808-7554

Please include this supplemental material in your agenda packet. This material will also be published to the City's Internet. For additional information, contact the City Clerk Department at Historic City Hall, 915 I Street, First Floor, Sacramento, CA 95814-2604, (916) 808-7200.

From:

Gera Swanson [geraldineswanson@comcast.net]

Sent: To: Monday, November 29, 2010 6:27 PM

Cc:

Angelique Ashby; Teresa Haenggi Tom Pace; Jim McDonald; Donald Caldwell; Luis Sumpter

Subject:

Support for rezoning of property at corner of 10th and E to R-3A

Teresa, thank you for meeting with us today re. the above rezoning. Since meeting with you, Tom and Jim and getting more information about the difference between R3-A and M-1 zoning, I feel more confident that R-3A is the more desirable option as it appears to provide better protections, standards and restrictions suitable for our historic neighborhood. As a 25 year homeowner in Alkali Flat, who cares deeply about the quality of life in our area, I appreciate the planning team's efforts and expertise in helping to facilitate appropriate improvements.

Gera Swanson

From:

Donald Caldwell [doncald@hotmail.com]

Sent:

Tuesday, November 30, 2010 8:20 AM

To:

geraldineswanson@comcast.net; Angelique Ashb; Teresa Haenggi

Cc:

Tom Pace; Jim McDonald; Luis Sumpter

Subject:

RE: Support for rezoning of property at corner of 10th and E to R-3A

Ditto, now understanding 7 units max w/ 35 feet height max allowance on the rezoned 10th & E parcel w/ R3A (versus a potential 75 feet high stucture w/ light industrial), R3A seems much more restrictive for neighborhood construction.

I look forward to learning the status of the owner's fire rebuild of Tru Valu & how the neighborhood will be notified about , those plans which are also a potential for this site, regardless of this rezone. Stand by for the email I received regarding the timeline for this prospect.

Respectfully, Jennifer

Jenniter

From: geraldineswanson@comcast.net

To: ashbyangelique@yahoo.com; thaengqi@cityofsacramento.org

CC: tpace@cityofsacramento.org; jmcdonald@cityofsacramento.org; doncald@hotmail.com; luissumpter@gmail.com

Subject: Support for rezoning of property at corner of 10th and E to R-3A

Date: Mon, 29 Nov 2010 18:27:19 -0800

Teresa, thank you for meeting with us today re. the above rezoning. Since meeting with you, Tom and Jim and getting more information about the difference between R3-A and M-1 zoning, I feel more confident that R-3A is the more desirable option as it appears to provide better protections, standards and restrictions suitable for our historic neighborhood. As a 25 year homeowner in Alkali Flat, who cares deeply about the quality of life in our area, I appreciate the planning team's efforts and expertise in helping to facilitate appropriate improvements.

Gera Swanson

From:

David Barton [davidwattsbarton@gmail.com]

Sent:

Monday, November 08, 2010 12:52 PM

To: Cc: Teresa Haenggi Steve Hansen

Subject:

Public comment on central city R-3A rezone at 10th and E streets

I would like to request that the commission accept city staff recommendations for the central city (R-3A rezone at 10th and E and D streets. This is item 11.

I am fully in support of the rezoning of the two parcels at 10th and E and 10th and D for what is known as the Crystal Creamery redevelopment. I live (and own, and am a landlord) at the corner of 10th and F, and would love to see additional development in our neighborhood. I feel that more, denser development would benefit the neighborhood in myriad ways, raising public safety by increasing foot traffic, reducing environmental impact by increasing urban density and helping to mitigate the homeless problem by increasing the number of people who have a stake in the neighborhood, as well as ending urban camping in the currently-vacant lots.

I am concerned that additional development could impact parking availability, and would like to see that address. I would also like to make sure that the development is congruent with the historic design of the neighborhood (my house is an 1880 Victorian), as opposed to the suburban design of the apartments at on the south side of E Street between E and F.

But I believe that more density would serve our neighborhood well, and I fully support the rezoning of the blocks.

Thank you,

David Watts Barton 1001 F Street Sacramento, CA 95814

From:

Steve Hansen [hansen.steve@gene.com]

Sent:

Monday, November 08, 2010 1:01 PM

To:

David Barton

Cc:

Teresa Haenggi; Steve Hansen

Subject:

Re: Public comment on central city R-3A rezone at 10th and E streets

As a homeowner in Alkali Flat, I agree with my neighbor, David Barton. I support the re-zone of these parcels at 10&E.

Steve Hansen 1021 F St Sacramento, CA 95814 916-448-3274

Steve Hansen

Sent from my iPhone - please excuse any typos.

On Nov 8, 2010, at 2:51 PM, David Barton < davidwattsbarton@gmail.com > wrote:

I would like to request that the commission accept city staff recommendations for the central city (R-3A rezone at 10th and E and D streets. This is item 11.

I am fully in support of the rezoning of the two parcels at 10th and E and 10th and D for what is known as the Crystal Creamery redevelopment. I live (and own, and am a landlord) at the corner of 10th and F, and would love to see additional development in our neighborhood. I feel that more, denser development would benefit the neighborhood in myriad ways, raising public safety by increasing foot traffic, reducing environmental impact by increasing urban density and helping to mitigate the homeless problem by increasing the number of people who have a stake in the neighborhood, as well as ending urban camping in the currently-vacant lots.

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But I believe that more density would serve our neighborhood well, and I fully support the rezoning of the blocks.

Thank you,

David Watts Barton 1001 F Street Sacramento, CA 95814 To whom it may concern:

October 5, 2010

Re: Rezoning @ Carefree Natomas & Sabrina Plaza

This letter is in response to the proposed changes in Zoning that the City of Sacramento is in the process of implementing at the Carefree Natomas and Sabrina Plaza properties on North Natomas Blvd.

The Carefree Natomas property has been completely improved and a 500 unit senior apartment community currently is in operation there.

The Sabrina Plaza property is still unimproved.

When we purchased both those unimproved properties the zoning at the time was R-4. That Multi Family zoning allowed a maximum density of 58 dwelling units per acre. The proposed new zoning is called Suburban Neighborhood High Density which allows a maximum density of 30 dwelling units per acre. That equates to nearly a 50% drop in density !!! Part of the reason we purchased in that location was the allowable density. Now not only are we faced with a national economic recession that has reduced or eliminated demand for raw land and the associated drop in values, but a potential rezoning that will reduce the property value even more!

Regarding the Sabrina Plaza property, a question has arisen about the tentative map and special permit (Project #P07-035) which was requested and approved in 2007 to build a condominium project. We sold that property at the end of the economic boom cycle (2006) to another builder/developer. That buyer progressed the project just far enough along to receive the previously mentioned approvals and then defaulted on the contract signed with us forcing us to foreclose.

Our future plans for the Sabrina Plaza site are to build an affordable high density senior housing project. We are only waiting for signs of economic improvement to allow us to proceed. With the unemployment rate as high as it is in the Sacramento area, think about the construction jobs we could create when building this type of project!

In closing the owners of both the Carefree Natomas and the Sabrina Plaza properties are respectfully requesting that the proposed rezoning for these parcels not be completed. The loss in value due to rezoning is extreme and not acceptable in an already down economy.

: You,

Robert Benson



500 Capitol Mall Suite 1600 Sacramento, California 95814 main 916 447.0700 fax 916 447 4781 www.stocl.com

October 28, 2010

STACY É. GILLESPIE Direct (916) 319-4649 segillespie@stoel.com

VIA E-MAIL thaenggi@cityofsacramento.org

City Planning Commission New City Hall—Council Chambers c/o Teresa Haenggi, Associate Planner 915 I Street, First Floor Sacramento, CA 95814

Re: Proposal to Rezone APN 078-0202-006 from M-2S-SWR (Heavy Industrial) to R-2A-SWR (Medium Density Residential)

Letter of Qualified Objection

Dear Members of the Planning Commission:

The following concerns the above-noted proposed rezoning of APN 078-0202-006 (the "Subject Parcel"), and is submitted on behalf of Nancy C. Cleavinger, as trustee of the NC Cleavinger Family Trust et al., which owns (1) the Subject Parcel (APN: 078-0202-006), and (2) the property immediately south of the Subject Parcel (APN 061-0150-042), which is the Florin Perkins Disposal Site facility, located at 4201 Florin Perkins Road (the "Transfer Station"); and as trustee of the Nancy C. Cleavinger Revocable Trust, which owns the former inert landfill site located immediately to the north of the proposed rezoning, at 8597 Jackson Road (APN 078-0201-07.)

We understand that, in concept, the proposed action is intended to make the Subject Parcel's zoning consistent with the Traditional Residential Medium Density land use designation in the 2030 General Plan.

However, the current zoning for the Subject Parcel is Heavy Industrial and the zoning for the parcels immediately south are zoned Light Industrial. The current uses of the Subject Parcel and the parcels immediately south are consistent with the current industrial zoning. The current uses are not in any way consistent with a Residential Medium Density land use designation.

Our client is concerned that the rezoning does not comport with what is currently existing at and near the subject site. The Subject Parcel is an excavated site resulting from rock quarrying operations in the past. Portions of the Subject Parcel being proposed for rezoning were a part of



City Planning Commission New City Hall—Council Chambers c/o Teresa Haenggi, Associate Planner October 28, 2010 Page 2

the previous Florin Perkins Inert Landfill and those portions will undergo closure in the future. Portions of the Subject Parcel have been filled with inert debris from the previous Florin Perkins Landfill operations. The proposed rezoning should not be approved insofar as it would interfere with the owner's intention to bring the Subject Parcel to grade.

The parcel immediately south to the Subject Parcel include the former Florin Perkins Landfill. The Transfer Station is a large volume material recovery and transfer station comprising 10 acres located south of the Subject Parcel. In April 2010, the Transfer Station was re-opened and is operated by Zanker Road Resource Management, LTD. The County of Sacramento, as the Local Enforcement Agency for the California Department of Resources, Recycling and Recovery, has recently approved the maximum daily tonnage to the Phase 2 level pursuant to the facility's Solid Waste Facility Permit. Insofar as the proposed rezoning would impede the effort to continue existing and foreseeable operations of the waste Transfer Station, the proposed rezoning should not be approved.

In summary, our client objects to the proposed rezoning if it effectively would limit existing uses that are compatible with the current zoning (Heavy Industrial) and existing uses on the Subject Parcel and adjacent parcels.

Very truly yours,

Stacy Gillespie

SEG:aph

From: Sent: JK Leason [jkleason@pcpipe.com]
Tuesday, November 16, 2010 5:55 PM

To: Cc: Teresa Haenggi LuAnn Hall External

Subject:

APN 02703600160000 at 5999 Power Inn Road from M-2S to M-1S

Attachments:

Sacto Zoning June 22 2010 Letter.pdf;

CITY OF SACRAMENTO CONFIRMATION OF ZONING 08 25 2010 4 PAGES.pdf

<<CITY_OF_SACRAMENTO_CONFIRMATION_OF_ZONING_08_25_2010_4_PAGES.pdf>>
Hi Teresa --

We have received notice of the City Council -- Public Hearing for Tuesday, November 30, 2010 at 6:00 pm regarding the zoning change for our property from M-25 to M-1S. Although we will not be able to attend this meeting, we wish to notify the City Council (and once again advise you) that we are still opposed to this rezoning action.

As you know, thru various meetings, phone calls, letters and e-mails we had asked you and the Planning Department for a confirmation of use of our property in light of the new proposed zoning. Attached is our e-mail to you of June 22, 2010 outlining our concerns about the proposed zoning in which we asked for a clarification letter from the City. On August 25, 2010 you responded with the attached "Confirmation of Zoning"

letter which really only amounts to a statement of the current Sacramento City Zoning Codes. Since we had asked for verification from you that with the proposed change in zoning from M-2S to M-1S that we would be able to continue all aspects of our manufacturing, distribution and storage activities (both inside buildings and outside of buildings) exactly as we have for the past 50 plus years, and that the City's proposed zoning change would not affect this as well as not require us to modify our property. In other words, a letter that "Grandfathers"

us. Additionally we had asked you to document that secondary uses of the land in the normal course of operating a business would not disqualify the business use within the zone. We requested that you include verbiage showing that intent in the Zoning Code/General Plan so that future planners would not reinterpret the code to the contrary.

Your attached letter August 25, 2008 does not address our concerns and hence we still remain in opposition to the proposed zoning change.

We ask you to please give/forward this e-mail and the two attachments to the City Council and make sure they become a part of the minutes for the November 30, 2010 City Council meeting. I would also appreciate your acknowledgement of receipt of this letter as well as advice on anything else we need to do to protest this zoning change.

Thank you,

JK Leason
President
Pacific Corrugated Pipe Co.
5999 Power Inn Road, Sacramento, Calif. 95824-2306 Mailing address: PO Box 2450, Newport
Beach, Calif. 92658
949-650-4555
949-650-0781 (fax)

1

JK Leason

From: Lucy Hall [luann.hall@sbcglobal.net]

Sent: Tuesday, June 22, 2010 2:03 PM

To: thaenggi@cityofsacramento.org

Cc: JK Leason

Subject: rezone hearing Power Inn Road

Dear Teresa Haenggi and Planning Commission,

When JK Leason and I met with you and many staff members on January 26, 2010, you and all the staff members assured us that land uses which were not specifically excluded were included in the zoning. You indicated that our current manufacturing operation is a permited use under the M1S zone. You all indicated that only the primary use of the property was considered as the land use of the property and that secondary uses in the normal course of operating a business would not disqualify the business use within the zone. We requested that you include verbage showing that intent in the Zoning Code/General Plan so that future planners would not reinterpret the code to the contrary. We have not received anything in writing showing that you have done so. Could you please provide a copy of the statement to be included? If no statement is included, I request that one be included in association with this zone change to our property and those of other property owners in the area. On June 17 th we received a fax notification of a Planning Commission meeting June 24,2010 on the rezoning and land use designation changes. We will not be able to attend that meeting since we had previously scheduled other commitments.

Sincerely, Lu Ann Hall W.E. Hall Company Pacific Corrugated Culvert

Click here to report this email as spam.



Community Development Department

CITY OF SACRAMENTO CALIFORNIA

300 Richards Blvd., 3rd Fl. SACRAMENTO, CA 95811 (916) 808-5656 Phone (916) 808-5786 Fax

FAXED
AUG 3 0 ZUIU

August 25, 2010

Pacific Corrugated Pipe Company Attn: Lu Ann Hall P.O. Box 2450 Newport Beach CA, 92658

SUBJECT:

CONFIRMATION OF ZONING

This letter is in response to your request for clarification that manufacturing is an allowed use in the M-1S zone for parcels APN# 027-0360-015 and 027-0360-016.

Title 17.24.040B of the Sacramento City Zoning Code states that manufacturing is allowed by right in the M-1S zone. Your development – manufacturing of pipe – is considered manufacturing and is therefore allowed by right. The only development restriction for M-1S zone is indicated by the "S" in the zoning, and can be found in M-2S as well. The restriction, found in Footnote #20 of Title 17.24.050, states, "all uses shall be conducted wholly within a completely enclosed building or within an area enclosed on all sides by a solid fence or wall at least six feet in height. No materials or supplies shall be stored within the required front or street side yard setback area, nor shall any building, parking stall, structure, fence, or wall extend into said area. All street frontages must have a twenty-five (25) foot setback which is to be developed and maintained as open landscaped area. The landscaped area shall include a combination of trees, mounded turf and/or live ground cover and shrubs. A fully automatic irrigation system shall be provided. The landscaped area must be twenty-five (25) feet clear, excluding curbs. Sidewalks are allowed in this area only when necessary for handicapped access. When vehicles overhang and no wheel stops are provided, the landscaped area must be increased to twenty-seven (27) feet. A six-inch raised concrete curb is required at the back of sidewalk; however, if turf is used and extends farther than fifteen (15) feet from the property line, this curb is not required. If there is less than fifteen-(15) feet of turf, this requirement may be modified subject to the review and approval of the development services department."

Please contact me at (916) 808-7554 or thanggi@cityofsacramento.org if I can assist you with any further questions.

Thank you,

Teresa Haenggi Associate Planner

Attachments: Title 17.24.040 and 17.24.050

ce: Joy Patterson, Zoning Administrator Jim McDonald, Senior Planner

Teresu Haux

W.E. HALL CO.

AUG 30 2010

and schematic plan have been approved for such development.

- c. Notwithstanding the provisions of Sections 17.212.070 and 17.220.050, a special permit modification or plan review modification shall not be required for additions, remodeling, reconstruction, or other alterations to an existing single-family detached dwelling in the R-1A zone if the addition, remodeling, reconstruction, or other alteration complies with the setback, height, lot coverage, and parking standards of the R-1 zone or if the addition, remodeling, reconstruction, or other alteration complies with the setback, height, lot coverage, and parking standards originally approved with the special permit or plan review for the single-family dwelling.
- 18. Development in the OB Zone. This use is permitted subject to the approval of a plan review in accordance with Chapter 17.220 of this title.
- 19. Development in the F Zone. This use is permitted subject to compliance with the F zone chapter, Chapter 17.48 of this title, and with the approval of a special permit by the planning commission in accordance with Chapter 17.212.
- 20. Development in the M-1S and M-2S Zones. All uses shall be conducted wholly within a completely enclosed building or within an area enclosed on all sides by a solid fence or wall at least six feet in height. No materials or supplies shall be stored within the required front or street side yard setback area, nor shall any building, parking stall, structure, fence, or wall extend into said area. All street frontages must have a twenty-five (25) foot setback which is to be developed and maintained as open landscaped area. The landscaped area shall include a combination of trees, mounded turf and/or live ground cover and shrubs. A fully automatic irrigation system shall be provided. The landscaped area must be twenty-five (25) feet clear, excluding curbs. Sidewalks are allowed in this area only when necessary for handicapped access. When vehicles overhang and no wheel stops are provided, the landscaped area must be increased to twenty-seven (27) feet. A six-inch raised concrete curb is required at the back of sidewalk; however, if turf is used and extends farther than fifteen (15) feet from the property line, this curb is not required. If there is less than fifteen (15) feet of turf, this requirement may be modified subject to the review and approval of the development services department.
- 21. Hotel/Motel. A special permit is required to locate a hotel or motel containing more than one hundred twenty-five (125) rooms in this zone, provided, however, that no special permit shall be required for any site if a redevelopment plan adopted by the city provides that a hotel or motel may be located upon such site and the redevelopment agency has entered into a contract with a developerwhich governs the requirements for development of the site.
- 22. Adult-entertainment businesses is a permitted use in this zone, subject to compliance with the locational standards set forth below; and subject further, to compliance with the permitting requirements, development and operational standards and other requirements set forth in Chapter 5.06 of this code.
- a. Locational Requirements. No permit shall be issued or approved for an adult-entertainment business unless the proposed location satisfies all of the following locational requirements:
- i. Proximity to Adult-Entertainment Businesses or Adult-Related Establishments. No adult-entertainment business shall be established or located within one thousand (1,000) feet, measured from the nearest property lines of each such use, of any other adult-entertainment business or an adult-related establishment.
- ii. Proximity to Agricultural or Residential Zones or Residential Uses. No adult-entertainment business shall be established or located within one thousand (1,000) feet, measured from the nearest property lines of each of the affected parcels, of any existing agricultural zone, residential zone or residential use.
- iii. Proximity to Certain Specified Uses. No adult-entertainment business shall be established or located within one thousand (1,000) feet, measured from the nearest property lines of each parcel containing such use, of any existing park, church, school, gymnasium for children, roller skating rink or ice skating rink. For purposes of this requirement, the following definitions shall apply:

"Church" means a structure or place which is used primarily for religious worship and related religious

Sacramento City Code

Up Previous

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Main

Search Pri

Division II. Zoning Districts and Land Use Regulations Part 1. Zoning Districts and Land Use Regulations Generally Chapter 17.24 LAND USE REGULATIONS

17.24.040 Industrial and agricultural land use charts.

Table 17,24,040A

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Lab—Research	53						۲	, 	20	N	20	53	53							
Lavestock sales yard							. 5	_ 5_	5/20	5	5/20	53	53				5/72	5/72	5/19	
Lumber yard—Retail							5	X.	20	x -	20									
Machine shop							X	N N	20	N	20	53							\neg	
Manufactur's, assembly treatment-Merch	53							Α	20	N	20	53	53						\neg	
Mining operations *	46/53	46/16	46/15	46	46	46	46	46	46/20	46	46/20	46/53	46/53	46	46/70	46/71	46/72	46/72	46/19	~
Monument works, stone							X		20	×	20			l					\Box	
Planing mill								5	5/20		20									
Public utility yard							5	5	5/20	X	20					×			$\overline{}$	
Railroad ROW, use of							63	63	63/20	63	63/20									
Railroad yard or shops										N.	20							I		
Reclamation operation	5/53	5/16	5/15	- 5	5	5	5	5	5/20	5	5/20	5/53	5/53	- 5	5/70	5/71	5/72	5/72	5/19	