

P96-088 - 15TH & W OFFICE BUILDING

- REQUEST:
- A. Special Permit to develop a 4,245± square foot office building on .14± vacant acres in the Residential Office (RO) zone.
 - B. Special Permit to reduce the required parking from 9 spaces to 7 spaces for a 4,245± square foot office building.
 - C. Variance to reduce the maneuvering area for seven parking spaces to 24 feet.
 - D. Variance to reduce the planter area adjacent to the street right-of-way from 4 feet to 1 foot.
 - E. Variance to waive the masonry wall between non-residential and residential uses on the north and west property lines.
 - F. Lot line merger to merge two lots totaling 0.14± vacant acres in the Residential Office (RO) zone.

LOCATION: Northwest corner of 15th & W Streets
009-0205-015 & 016
Central City Community Plan
Sacramento City Unified School District
Council District 4

APPLICANT:	David Cox, Gerald Wright and W.H. Swiston II, 457-0444 2400 22nd Street, Ste 100, Sacramento, CA 95818
OWNER:	David Cox, Gerald Wright and W.H. Swiston II, 457-0444 2400 22nd Street, Ste 100, Sacramento, CA 95818
PLANS BY:	McCabe Pressey, c/o Kevin Pressey 1809 19th Street, Sacramento, CA 95818
APPLICATION FILED:	8-15-96
STAFF CONTACT:	Jeanne Corcoran, 264-5317

SUMMARY/RECOMMENDATION: The applicant proposes to construct a 4,245 square foot, 2 story office building, with 7 parking spaces on 0.14 \pm vacant acres. In order to meet the applicant's objectives, the project requires the discretionary planning entitlements described above. In evaluating the project, the basic issues are the compatibility of the office use with the surrounding residential uses. **Staff recommends approval of the project.** This recommendation is based on its consistency with the policies regarding commercial uses in the Community Plan and the proximity of the site to two major streets and the W/X Freeway.

PROJECT INFORMATION:

General Plan Designation:	Medium Density Residential (16-29 du/nac)
Community Plan Designation:	Residential/Office
Existing Land Use of Site:	Vacant
Existing Zoning of Site:	RO

Surrounding Land Use and Zoning:

North: Multi-Family Residential; R3A
 South: W/X Freeway; TC
 East: Single Family Residential; R3A
 West: Multi-Family Residential; R3A

Setbacks:	Required	Provided
Front:	25' (or avg of two nearest buildings)	11'
Side(St):	5'	5'
Side(Int):	5'	5'
Rear:	15'	42'

Property Dimensions:	80' x 80' (Two 40' X 80' Lots)
Property Area:	0.14 \pm net acres
Square Footage of Building:	4,245 \pm square feet
Height of Building:	30 feet, 2 stories
Exterior Building Materials:	Stucco
Roof Material:	Concrete Tile
Parking Provided:	7 spaces
Parking Required:	9 spaces
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</u>	<u>Agency</u>
*Design Review	Design Review Board
Certificate of Compliance	Public Works, Development Services
Encroachment Permit	Public Works, Development Services
Driveway Permit	Public Works, Development Services
Building Permit	Development Services Division

*Requires a public hearing.

BACKGROUND INFORMATION: The previous use of the site was residential. The residential structure was demolished sometime before 1980. Prior to 1980 the site was zoned Multi-Family (R-4), in 1980 the site was rezoned to Residential Office (RO) with the adoption of the 1980 Central City Community Plan.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The proposed project is consistent with the General Plan and the Central City Community Plan which designates the site as Medium Density Residential and Residential Office respectively.

The Medium Density Residential designation of the General Plan permits limited commercial or office use within multiple family districts which are located along major streets (GP Sec. 2-4).

B. Zoning Requirements/Site Plan Design

1. Special Permit Office Use in the RO zone:

The Zoning Ordinance and the Central City Community Plan permit office use in the RO zone subject to a Planning Commission approval. The Special Permit allows the City to review the project to ensure that the proposed office use is compatible with the adjacent residential uses. The applicant indicates that the hours of operation for the office will be from 8 AM to 5:30 PM.

The proposed project is located at the northwest corner of 15th and W Streets, with 15th Street a one way southbound and W a one way westbound. Both streets are identified in the Central City Community Plan as major streets. A freeway on-ramp is located at the southwest corner of 15th and W Streets across from the site. The surrounding land uses are a mixture of single family and multiple family uses. Directly north of the site is a two family unit and directly to the west is a 26 unit residential structure. While the surrounding area is residential, the location of the site adjacent to two major streets and the W/X Freeway is not

conducive for residential uses. The proposed office use appears to be compatible to the surrounding residential uses. Staff therefore supports the special permit for office.

2. Site Plan Design

The submitted site plan indicates a two-story office building located on the northwest corner of 15th and W Streets. The project will be located on a 80' X 80' lot, with the merger of the two lots. Per the Zoning Ordinance the front of a lot is the narrowest portion of the lot with street frontage. Since this lot, after the merger is an 80' X 80' lot, the applicant has determined 15th Street as the front of the lot. The front setback is determined by averaging the setbacks of the two nearest buildings on the same block face on the same side of the street. The plans indicate the two buildings to the north are setback 11 feet, therefore this building must be setback 11 feet from the property line. The site plan indicates an eleven foot setback from 15th Street (east) with a two foot overhang for the second story, a five foot setback from W Street (south) and the northern property line, and a 42 foot setback from the west property line. The proposed setbacks are compatible with the streetscape of existing structures on 15th and W Streets and comply with the Zoning Ordinance standards.

The site plan indicates a trash enclosure encapsulated within the northern portion of the building with access from outside doors. This trash enclosure should also serve for recycling materials. The applicant has not submitted a recycling plan and will be required to submit a recycling plan prior to issuance of occupancy permit. The proposed location is adjacent to the residential structure to the north, however the impact of the enclosure should be mitigated since it is located within the building.

A masonry wall is required when non-residential uses are constructed adjacent to residential uses. The applicant is requesting a waiver of the masonry wall requirement to construct a wood fence on the west and north property lines. To the west of this site is a 26 unit apartment complex. The apartment structure is located approximately 2 - 3 feet from the property line. Window openings only are provided along this side. To the north of the site is a two family structure with a garage located at the rear of the site along this property line. The masonry wall is required to alleviate noise and to provide a solid, secure, and durable fencing between non-residential and residential uses. The office building is not expected to create additional noise above that which is already produced by the adjacent streets and freeway. The adjacent property owners have also submitted letters indicating their support for waiving the masonry wall. Therefore, staff has no objections to waiving the wall. Staff would recommend that the property owner of the office building site be responsible for maintaining the fences along the west and north property lines.

3. Parking/Circulation

The proposed 4,245± square foot office building requires 9 on-site parking spaces (1:450). The plans indicates 7 parking spaces are provided on-site. The applicant is requesting to reduce the parking requirements by 2 spaces. The proposed site consist of two 40' X 80' lots. The proposed project is a small office building on a small site. Small sites are further burden when complying with Title 24, handicapped parking. A van accessible parking space requires the same amount of space as two standard parking spaces. Staff acknowledges the need to provide van accessible spaces, however, small projects (less than 10,000 square feet) on small lots (6400 s.f.) may be unable to comply strictly with the parking requirements of the Zoning Ordinance in order to comply with Title 24. Staff believes such a situation exist in this case. Staff visited the site and determined that adequate on-street parking is available on 15th Street and W Street to accommodate the two parking spaces that are being waived on-site.

Furthermore, the Zoning Ordinance does not require a project of this size to provide bicycle parking or implement a Transportation Management Plan. In order to minimize parking impacts that may occur with the reduction of the 2 parking spaces, staff recommends that a minimum of two bicycle parking spaces be provided and the owner provide a place to post information on alternative commute modes, and coordinate with the transit agency and regional ridesharing agency to maintain and provide current information.

The applicant has requested a variance to reduce the maneuvering area for seven parking space to 24 feet. Public Works has indicated that the maneuvering area may be reduced if the standard stall widths are increased to a minimum of 8.6 feet. The width on compact spaces did not need to be larger since a 24 feet of maneuvering area should be adequate for a compact space. Public Works also commented that the northern-most parking stall should have 8 feet of maneuvering area between the stall and the property line. The applicant has redesigned the plan to accommodate Public Works comments. Therefore, staff supports the request to reduce the maneuvering area.

3. Landscaping

The Zoning Ordinance requires a four foot landscaped planter adjacent to the property line abutting a public street, for all required surfaced areas. The applicant is requesting to reduce this required landscaped planter to one foot. The intent of this regulation is to prevent vehicles from overhanging or parking in the public right-of-way and to provide an aesthetic separation of private and public space. Along the south property line, the applicant proposes to provide a 3 foot high brick wall consistent with the brick columns for the fencing along 15th and W Streets, a climbing vine will be planted behind the wall which will grow up and over the wall softening the wall. Staff supports the request to waive the planter

area since the applicant proposes to comply with the intent of the ordinance by providing a separation of the surfaced area from the public right-of-way in an aesthetically pleasing manner.

The proposed project can comply with the 50% shading requirement by utilizing 35 inch diameter trees. Therefore, adequate shading is provided.

4. Signage

The applicant has not submitted detailed plans for signage. The elevation plans indicate a sign to be incorporated into the fence at the corner of 15th and W Street. However, the applicant has indicated that the owner no longer wishes to have a sign and intends only to have an address on the building. Any signage proposed for this project must comply with the Sign Ordinance.

C. Building Design

The proposed office project is a two story, 30 foot high building, developed in the architectural context of a residential structure. The exterior building materials consist of stucco with a concrete tile roof.

The proposed project is located within the Central City Design Review area and is required to be reviewed and approved by the Design Review Board. The applicant has submitted an application (DR96-198) for this review. The Design Review staff provides the following initial comments regarding massing and building entrance.

The massing of the structure relates well with the surrounding residential structures adjacent to the site, a two-story, two family structure to the north on 15th Street and a pair of apartments structures on the west, along W Street.

The main entrance to the building faces the parking lot. While the location is convenient to the on-site parking, the lack of a main building entry facing either W Street or 15th Street runs contrary to the Board's design criteria. With the one-way flow of traffic southbound on 15th Street and westbound on W Street, a building entry location on the 15th Street elevation would be the most prominent view with regard to motorist, but would well be away from the parking lot. However, the location of the lobby is such that direct access to W Street could be accommodated by turning the entry doors to W Street and providing a walkway to the parking lot and to the sidewalk. Design Review staff will be working with the applicant to address this concern.

D. Lot Line Merger

The subject site consist of two 40' X 80' lots. The applicant proposes to merge the two lots to construct an office building on the site. The merger will create one

lot of 6400 square feet (80' X 80'). The merger of the site will allow the site to be developed with a small office building. Staff has no objections to the lot line merger, subject to conditions as noted in the notice of decision.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15303(c) & 15305(a)).

B. Public/Neighborhood/Business Association Comments

The project has been routed for review to the Southside Park, Richmond Grove, Poverty Ridge and Upper Land Park Neighborhood Associations, as well as the Central City Alliance of Neighborhoods (CCAN) and the Sacramento Old City Association (SOCA), Broadway Business Association Broadway Corridor Task Force and the Land Park Community Association. To date the following comments have been received:

Southside Park Neighborhood Association had comments on the design and have directed their comments to the Design Review staff and the applicant.

CCAN has reviewed the project and has no comments.

C. Summary of Agency Comments

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

1. Public Works:

The applicant has revised the plan to address the Public Works comments regarding parking layout. Other comments have been noted as conditions in the Notice of Decision.

Electrical Division: There is an existing traffic signal at the intersection of 15th and W Streets. If handicap ramps are to be installed as part of this project, the traffic signal system may require modifications. If any sidewalk is to be replaced, the Electrical Engineering Section recommends that street lighting be a requirement for this project. The City is currently looking at installing ornamental type street lighting in this area, and recommends that ornamental type street lighting be the type installed. Staff notes that the existing traffic signal is topped with an existing street light. Requiring this project to replace this street light with an ornamental type street light may be very costly for this small project.

2. Utilities:

The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.

The remaining comments from Utilities have been incorporated into conditions in the Notice of Decision.

3. Police

The proposed project does not present a potential problem for law enforcement.

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve all the 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 actions:

- A. Adopt the attached Notice of Decision and Finding of Fact approving a Special Permit to develop a 4,245 \pm square foot office building in the Residential Office (RO) zone.
- B. Adopt the attached Notice of Decision and Finding of Fact approving a Special Permit to reduce the required parking from 9 spaces to 7 spaces for a 4,245 \pm square foot office building.
- C. Adopt the attached Notice of Decision and Finding of Fact approving a Variance to reduce the maneuvering area for seven parking spaces to 24 feet.
- D. Adopt the attached Notice of Decision and Finding of Fact approving a Variance to reduce the planter area adjacent to the street right-of-way from 4 feet to 1 foot.
- E. Adopt the attached Notice of Decision and Finding of Fact approving a Variance to waive the masonry wall between non-residential and residential uses on the north and west property lines.
- F. Adopt the attached Notice of Decision and Finding of Fact approving a Lot line merger merging two vacant lots totaling 0.14 \pm vacant acres.

Report Prepared By,

Report Reviewed By,

Jeanne Corcoran, Associate Planner

Steve Peterson, Senior Planner

Attachments

Attachment A	Notice of Decision and Findings of Fact
Exhibit A-1	Site Plan/Floor Plan
Exhibit A-2	Elevation Plan
Exhibit A-3	Lot Line Merger
Exhibit A-3	Legal Description to be Created
Attachment B	Letter Supporting Masonry Wall Waiver
Attachment C	Letter Supporting Masonry Wall Waiver
Attachment D	Vicinity Map
Attachment E	Land Use and Zoning Map

P96-088.SR

**NOTICE OF DECISION AND FINDINGS OF FACT FOR
(15TH AND W OFFICE BUILDING), LOCATED AT THE NORTHWEST CORNER
OF 15TH AND W STREETS, SACRAMENTO, CALIFORNIA IN THE
RESIDENTIAL OFFICE (RO) ZONE. (P96-088)**

At the regular meeting of January 23, 1997, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. Approve a Special Permit to develop a 4,245 \pm square foot office building on .14 \pm vacant acres in the Residential Office (RO) zone.
- B. Approve a Special Permit to reduce the required parking from 9 spaces to 7 spaces for a 4,245 \pm square foot office building.
- C. Approve a Variance to reduce the maneuvering area for seven parking spaces to 24 feet.
- D. Approve a Variance to reduce the planter area adjacent to the street right-of-way from 4 feet to 1 foot.
- E. Approve a Variance to waive the masonry wall between non-residential and residential uses on the north and west property lines.
- F. Approve a Lot line merger to merge two lots totaling 0.14 \pm vacant acres in the Residential Office (RO) zone.

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

Categorical Exemption: The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section 15303(c) & 15305(a) of the CEQA Guidelines.

- A. **Special Permit to develop a 4,245 \pm square foot office building:** The Special Permit to develop a 4,245 \pm square foot office building in the RO zone is approved subject to the following findings of fact and conditions of approval:
 1. The project is based upon sound principles of land use in that:
 - a. The site is adjacent to two major streets and across from the W/X Freeway on-ramp, and;

- b. The proposed project is compatible with the surrounding single family and multi-family residential uses.
 2. The project will not be detrimental to the public health, safety or welfare, or result in the creation of a nuisance in that:
 - a. The proposed project will be secured after hours, and;
 - b. The proposed building's design is in keeping with the surrounding residential buildings in the neighborhood.
 3. The project is consistent with the General Plan and the Central City Community Plan in that office buildings are permitted within the Medium Density Residential and Residential Office designations of these plans.
- B. Special Permit to reduce the required parking: The Special Permit to reduce the require parking from 9 spaces to 7 spaces is **approved** subject to the following findings of fact and conditions of approval:
 1. The project is based upon sound principles of land use in that the proposed office use is less than 5,000 square feet and will contribute to the vitality of the surrounding neighborhood.
 2. Granting the special permit is not detrimental to the public health, safety or welfare, or will it result in the creation of a nuisance in that:
 - a. Adequate on-street parking is available, and
 - b. Bicycle parking will be provided.
 3. The project is consistent with the General Plan and Central City Community Plan which permit office use in the Residential Office zone.
- C. Variance to reduce the maneuvering area: The Variance to reduce the maneuvering area for seven parking spaces to 24 feet is **approved** subject to the following findings of fact and conditions of approval:
 1. Granting the variance does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances.
 2. Granting the variance will not be detrimental to the public welfare nor result in the creation of a public nuisance in that the width of the parking spaces have been increased to compensate for the reduction in rear maneuvering.
 3. Granting the variance does not constitute a use variance in that office uses are permitted in the RO zone subject to the granting of a special permit.

4. The project is consistent with the General Plan and Central City Community Plan which permit office in the RO zone.
- D. Variance to reduce the planter area: The Variance to reduce the planter area adjacent to the street right-of-way from 4 feet to 1 foot is **approved** subject to the following findings of fact and conditions of approval:
1. Granting the variance does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances.
 2. Granting the variance will not be detrimental to the public welfare nor result in the creation of a public nuisance in that a decorative separation of the parking lot and public right-of-way will be provided.
 3. Granting the variance does not constitute a use variance in that office uses are permitted in the RO zone subject to the granting of a special permit.
 4. The project is consistent with the General Plan and Central City Community Plan which permit office in the RO zone.
- E. Variance to waive the masonry wall: The Variance to waive the masonry wall between residential and non-residential uses on the north and west property lines **approved** subject to the following findings of fact and conditions of approval:
1. Granting the variance does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances.
 2. Granting the variance will not be detrimental to the public welfare nor result in the creation of a public nuisance in that the office is not anticipated to generate additional noise above that which is already present in the area due to the major streets and freeway and the owner of the office building is required to maintain the wood fence.
 3. Granting the variance does not constitute a use variance in that office uses are permitted in the RO zone subject to the granting of a special permit.
 4. The project is consistent with the General Plan and Central City Community Plan which permit office in the RO zone.
- F. The Lot Line Merger merging two lots: The lot line merger merging two 40' X 80' lots totaling 0.14_± vacant acres in the Residential Office zone is **approved** subject to the following findings of fact and conditions of approval:
1. All existing streets and utility easements of record are reserved.

2. The resulting parcel conforms with the General Plan and the regulations of the City Code, Zoning Ordinance and the Uniform Building Code.

CONDITIONS OF APPROVAL

- A. The Special Permit to develop a 4,245± square foot office building (Exhibit A-1 & A-2) is hereby approved subject to the following conditions:
 - A1. The office building shall not exceed 4,250± square feet.
 - A2. The hours of operation shall be between 7:00 a.m. and 7:00 p.m.
 - A3. The driveway shall be constructed to City standards.
 - A4. The gate located at the driveway shall be located 20 feet behind the street right-of-way or shall be open continuously during business hours.
 - A5. A standard handicap ramp at the northwest corner of 15th & W Street shall be required to the satisfaction of the Public Works Department.
 - A6. Prior to occupancy permit, the applicant shall submit a recycling plan for review and approval of the Public Works Department, Waste Removal and Planning and Development Department.
 - A7. The property owner of the office building site shall repair and maintain the fence along the north and west property lines.
 - A8. Post construction, stormwater quality water control measures shall be incorporated into the development to minimize the increase of urban runoff caused by development of the site. Since the project is in an area served by regional water quality control facility only source control measures are required. Refer to the draft "Manual of Standards for Design of New Development On-Site Stormwater Quality Control Measures" dated January 23, 1995, for appropriate source control measures.
 - A9. All on-site landscaping shall be irrigated and maintained.
 - A10. All signage shall comply with the Sign Ordinance.
 - A11. The office building project shall be reviewed and approved by the Design Review Board prior to issuance of building permit.
- B. The Special Permit to reduce the require parking from 9 spaces to 7 spaces (Exhibit A-1) is hereby approved subject to the following conditions:
 - B1. A minimum of two bicycle parking facilities shall be provided in compliance with the bicycle parking standards in the Zoning Ordinance.

- B2. The owner and/or occupant of the building shall post information on alternative commute modes, and coordinate with the transit agency and regional ridesharing agency to maintain and provide current information.
- C. The Variance to reduce the maneuvering area for seven parking spaces to 24 feet (Exhibit A-1) is hereby approved subject to the following conditions:
- C1. The standard parking stalls shall be a minimum of 8.5' in width.
- C2. The northern most parking stall shall maintain 8 feet of maneuvering area between the stall and the northern property line.
- D. The Variance to reduce the planter area adjacent to the street right-of-way from 4 feet to 1 foot (Exhibit A-1) is hereby approved subject to the following conditions:
- D1. The wall shall be consistent with the columns of the fencing around the site.
- D2. A non-deciduous climbing vine shall be planted, irrigated and maintained behind the wall.
- E. The Variance to waive the masonry wall between residential and non-residential uses on the north and west property lines (Exhibit A-1) is hereby approved subject to the following conditions:
- E1. The owner of the office building site shall be responsible in repairing and maintaining the fences along the north and west property line.
- F. The lot line merger merging two 40' X 80' lots totaling 0.14± vacant acres in the Residential Office zone (Exhibit A-3 and A-4) is hereby approved subject to the following conditions:
- F1. Prior to issuance of a building permit the lot line merger shall be recorded.
- F2. The applicant shall complete the following at the Public Works Department, Engineering Services, prior to a lot line merger being recorded.
- a. File a Certificate of Compliance, submit all required documents according to the submittal requirements checklist, and pay necessary fees.
- b. File a waiver of Parcel Map.
- c. Properly abandon any excess water services to the satisfaction of the

Utility Department (one service per lot is permitted.)

- d. Notice: Property to be merged in accordance with this certificate of compliance may be subject to flooding. Interested parties should ascertain whether and to what extent such flooding may occur. The applicable base flood elevations for the property should be reviewed. Base flood elevations are shown on the preliminary Flood Insurance Rate Maps available for review at 1231 I Street, Room 200.

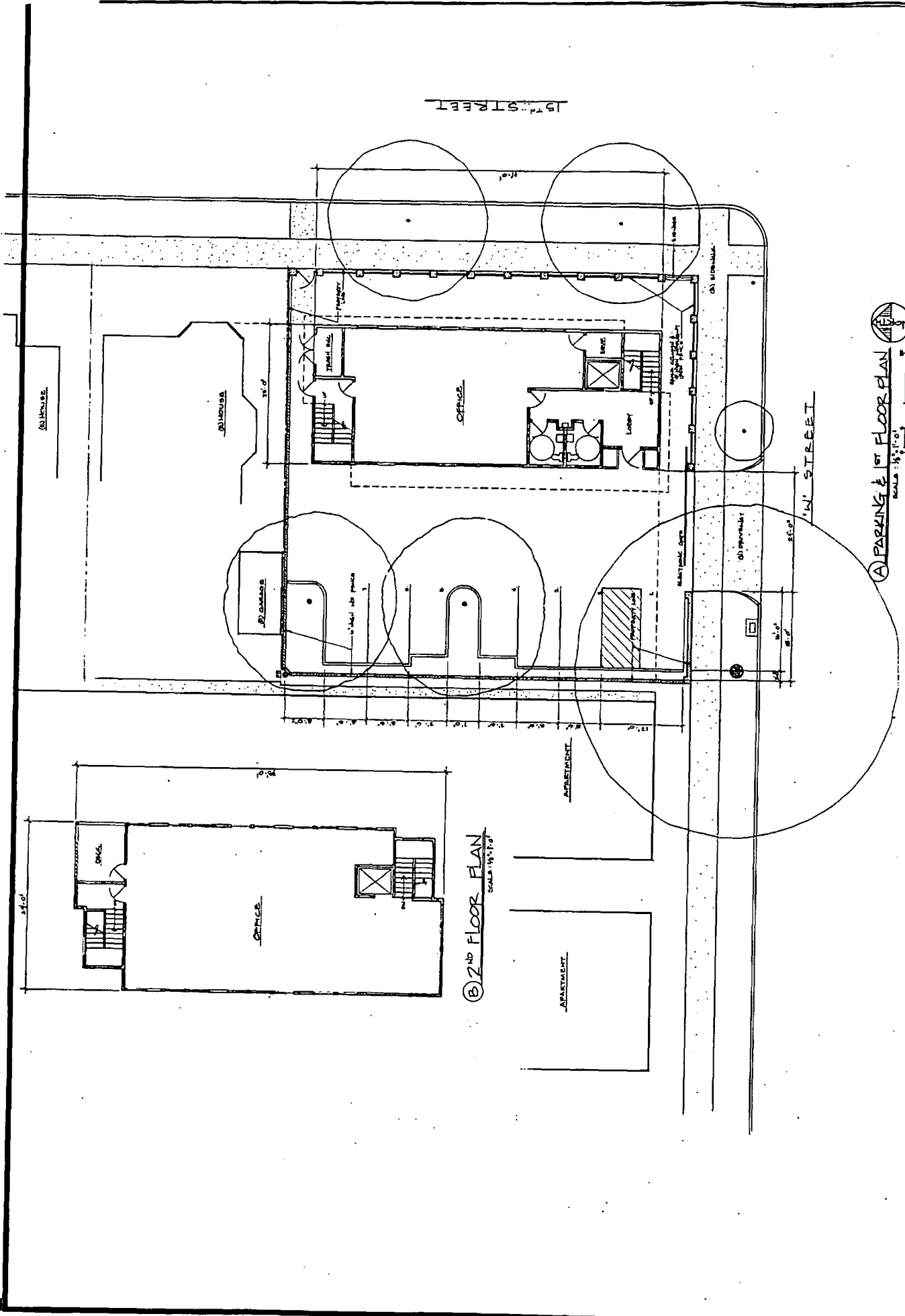
CHAIRPERSON

ATTEST:

SECRETARY TO CITY PLANNING COMMISSION

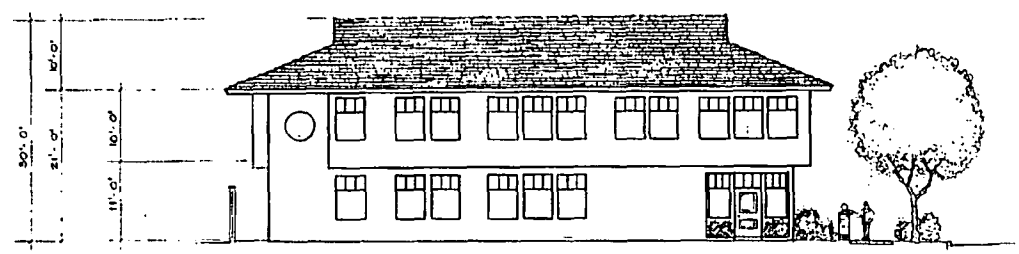
DATE (P96-088)

Exhibit	A-1	Site Plan/Floor Plan
Exhibit	A-2	Elevation Plan
Exhibit	A-3	Lot Line Merger
Exhibit	A-4	Legal Description to be Created

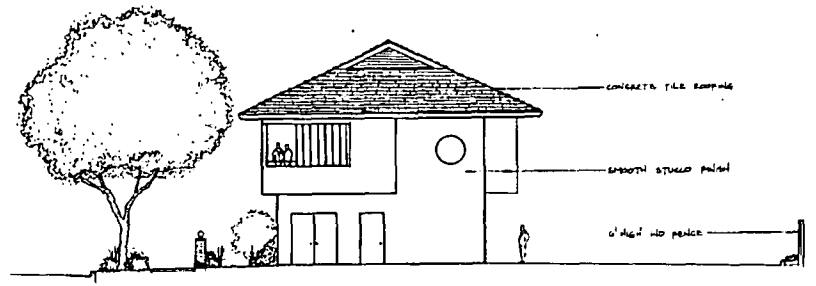


(B) 2nd FLOOR PLAN
SCALE: 1/8" = 1'-0"

(A) PARKING & 1ST FLOOR PLAN
SCALE: 1/8" = 1'-0"



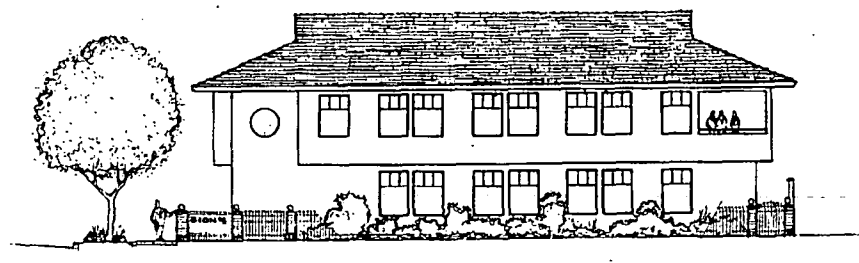
Ⓐ WEST ELEVATION



Ⓒ NORTH ELEVATION

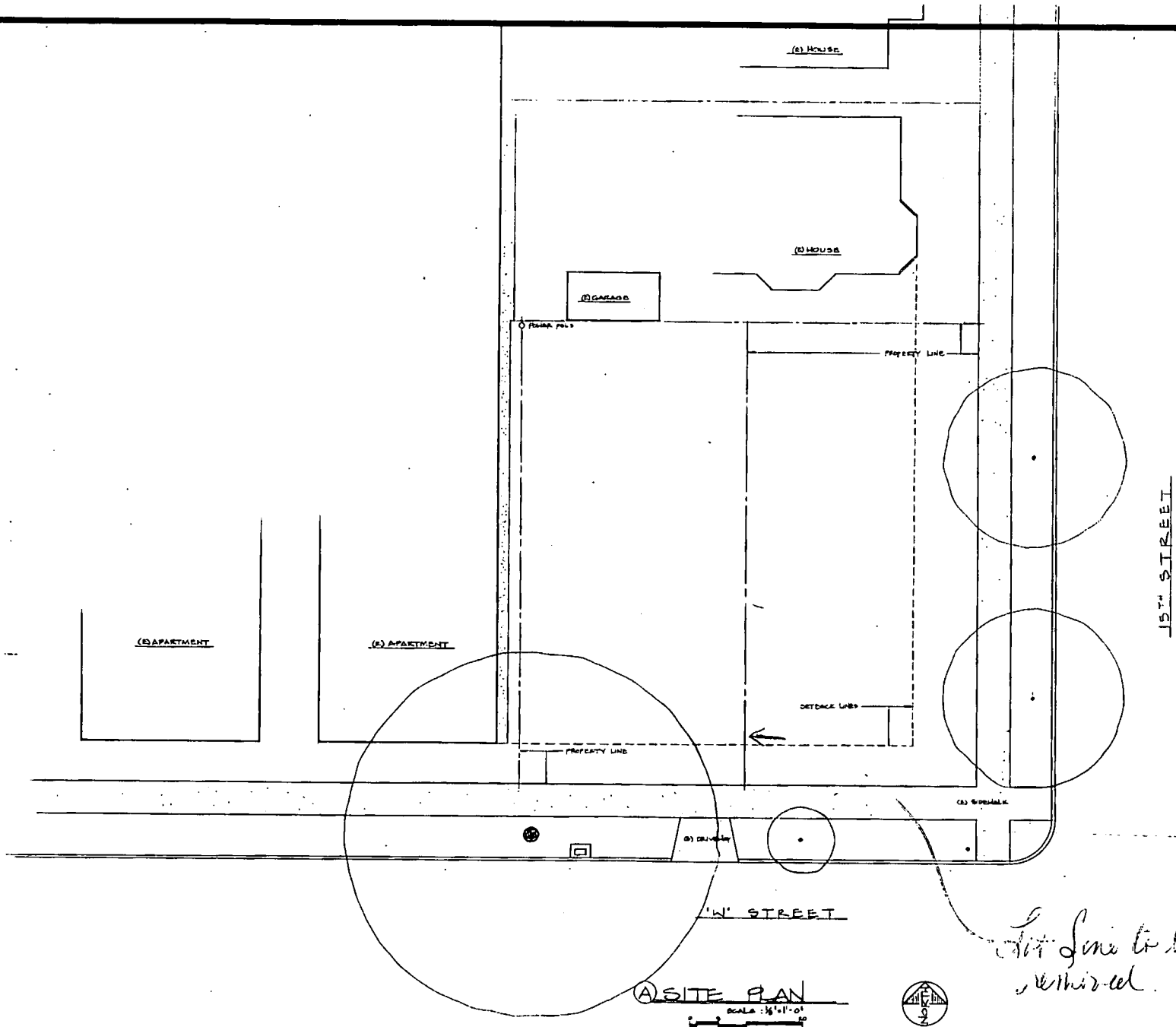


Ⓑ SOUTH ELEVATION



Ⓓ EAST ELEVATION

EXTERIOR ELEVATIONS
SCALE 1/8" = 1'-0"



Lot Line to be revised.

EXHIBIT A-4

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**NEW LEGAL DESCRIPTION
NORTHWEST CORNER OF 15TH & W STREETS
SACRAMENTO, CA**

That real property situated in the City of Sacramento, County of Sacramento, State of California, described as follows:

PARCEL 1:

The south one half of lot 5, in the block bounded by V and W, 14th and 15th Streets, of the City of Sacramento, according to the map or plan thereof.

796-088

ATTACHMENT B



W.H. SWISTON & CO., INC. INSURANCE



2400 22nd Street, Suite 100
Sacramento, CA 95818
916-457-0444

5025 Carbondale Rd.
Plymouth, CA 95669
209-245-3299

RECEIVED

OCT 25 1996

W. H. SWISTON CO. INC

September 3, 1996

Buck Ngin Yee Family Trust
909 U Street
Sacramento, CA 95818

OCTOBER 16, 1996 *** 2ND REQUEST ***

Re: Proposed Office Building
15th & W Street
Sacramento, CA

Gentlemen:

I am one of the partners in the proposed office building project on the corner of 15th and W street, Sacramento, CA. We are currently having our construction and permit applications reviewed by the City of Sacramento for their approval of the project. We anticipate that once our project is approved, we will begin construction and have it completed by this time next year. We plan to build a building that will blend into the existing neighborhood, using architectural designs on our building that currently exist in the area.

The City of Sacramento requires us to build a fence between our two properties. They require that the fence be a block fence unless the neighboring properties agree otherwise. We propose to put up an up scale wooden fence that is more usual to the area and more in contrast with looks of our building.

If this is acceptable to you, please sign at the space provided below and return to me in the envelope provided. If you need more information, please feel free to give me a call at the number above.

Best Regards,

Bill Swiston

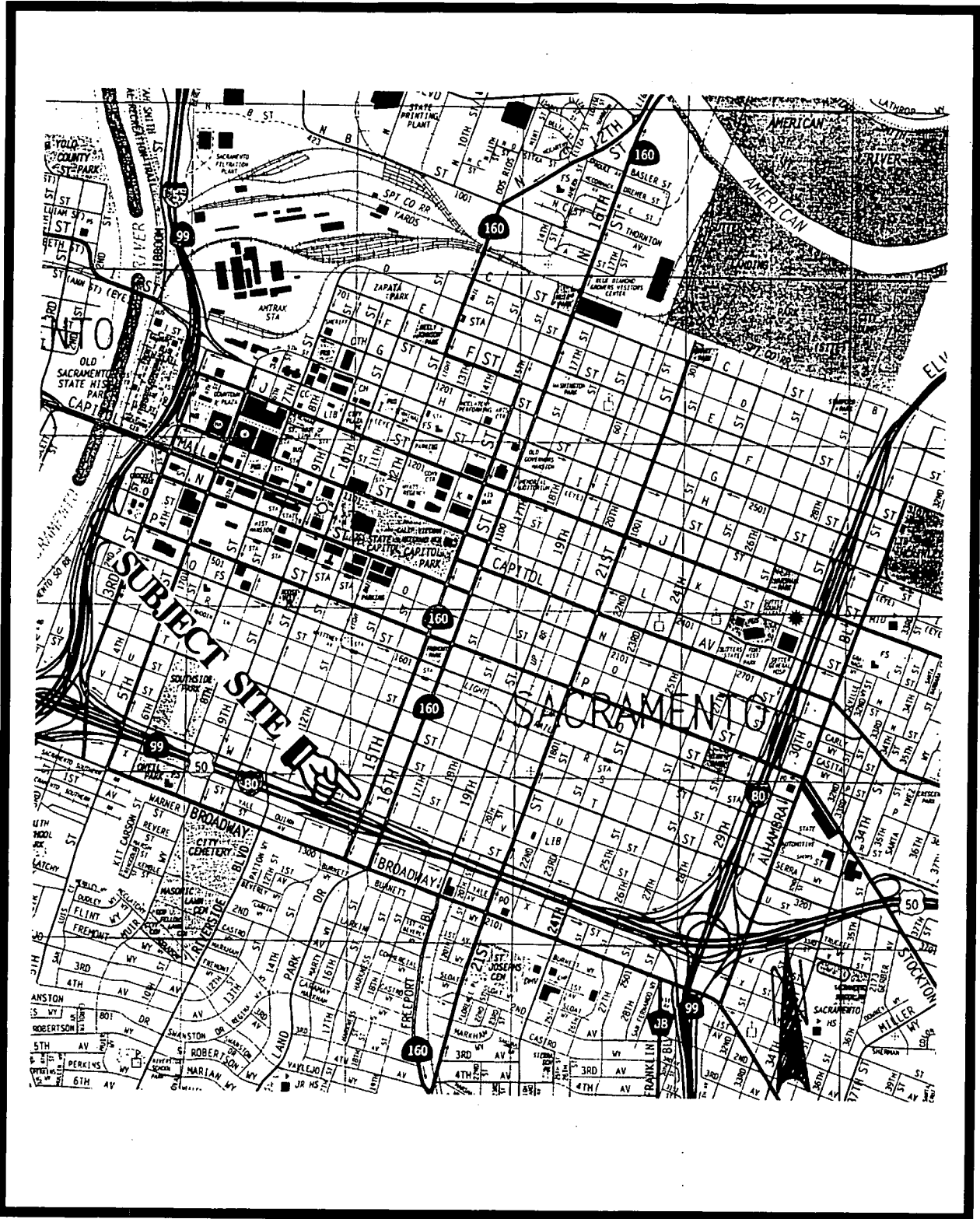
Buck Yee 10-20-96
Accepted Date:

ATTACHMENT D

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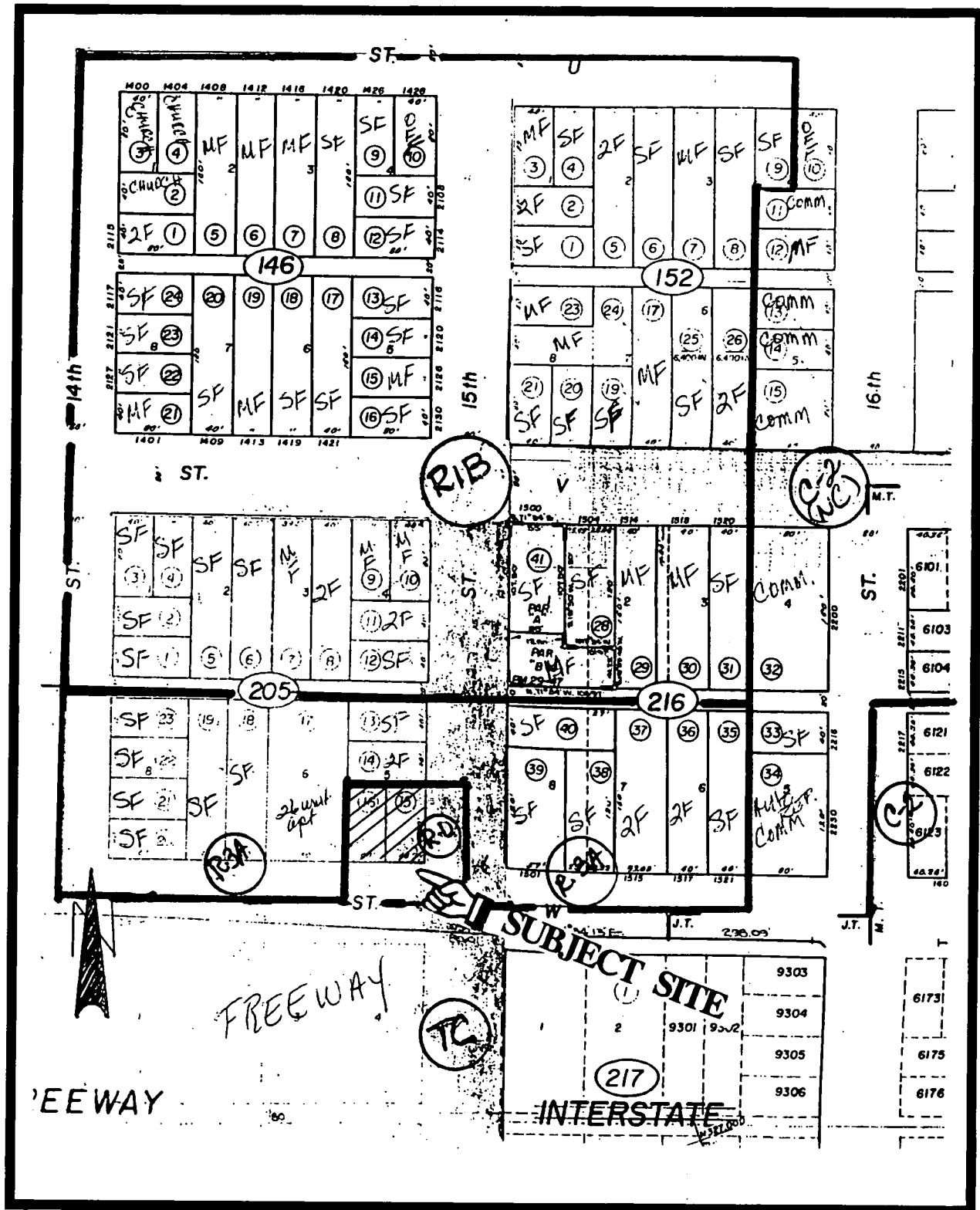
VICINITY MAP

ATTACHMENT E

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LAND USE AND ZONING MAP