

RESOLUTION NO. 89-016

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF

February 21, 1989

PERMITTING A VARIATION FROM SETBACK REQUIREMENT FOR 111 CAPITOL MALL PROJECT

WHEREAS, Section 425 of the Amended Redevelopment Plan for the Merged Downtown Sacramento Redevelopment Project (hereinafter "the Plan") establishes that the minimum building line setback for the parcels identified as the site of the 111 Capitol Mall project shall be 90 feet from the centerline of the street; and

WHEREAS, Section 424 of the Plan provides that, under certain conditions, the Agency is authorized to permit variation from the limits, restrictions and controls established by the Plan; and

WHEREAS, Stagen Realty and Management, Inc. has requested permission for variation from the setback requirement to allow two structural encroachments into the Capitol Mall setback; and

WHEREAS, the Agency held a public hearing on February 21, 1989, on the requested variation, in the City Council Chambers, City Hall, 915 "I" Street, Sacramento, California; and

WHEREAS, a notice of said hearing was duly and regularly published in the Sacramento Union, a newspaper of general circulation in the City of Sacramento, days prior to the date of said hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO:

Section 1. The Agency does hereby specifically find and determine that:

a. There are exceptional conditions applicable to the proposed project at 111 Capitol Mall. The existing building, which is to be retained and integrated into the proposed project, constitutes a legal intrusion into the setback, as the building was constructed prior to adoption of the present setback requirement. It is set back approximately 65 feet from the centerline of the street. The new building adjacent exiting to the existing building is proposed to be 75 feet from the centerline.

b. The application of the 90 foot setback requirement would result in practical difficulties and unnecessary hardships inconsistent with the general purpose and intent of the Plan. The proposed project is expected to improve the economic health of the Old Sacramento area and generate tax increment funds. The proposed project would vertically enlarge and would upgrade the appearance of the existing building, in addition to constructing a new building immediately adjacent thereto. Without permission for a variation, functional and aesthetic integration of the existing building and the new construction would face severe and possibly insurmountable obstacles.

c. Permitting a variation would not be detrimental to the public welfare or injurious to property or improvements in the area. The project is expected to provide a general benefit to the area. Additionally, permission for the requested variation will not further impair the view of the Capitol Mall landscaped corridor or significant structures on the Mall, inasmuch as the proposed project would be located west of Interstate 5 and the new construction would intrude no further into the setback than does the existing building.

d. Permitting a variation would not be contrary to the objectives of the Plan or of the General Plan of the City. Permitting this variation would not be contrary to any objective stated in the Plan or in the General Plan of the City. Permitting this variation would, in fact, further several of the purposes stated in the preamble of the Plan including, but not limited to:

- i. The elimination of environmental deficiencies such as small and irregular vacant lots, and obsolete aged building types.
- ii. The assembling of land into parcels suitable for modern integrated development.

- iii. The redesign and development of undeveloped areas which are stagnant.
- iv. The strengthening of the retail market in Old Sacramento.
- v. The provision of opportunities for the revitalization of properties within the merged plan area.

Section 2. That the Agency hereby grants to Stagen Realty and Management, Inc. permission for a variation from the Plan so that Stagen Realty and Management, Inc. may:

a. Add approximately 30 feet in height to the entire existing building at 111 Capitol Mall while maintaining the building setback line of approximately 65 feet from the Capitol Mall centerline.

b. Construct a new building immediately east of such existing building with the south face of the new building approximately 75 feet from the Capitol Mall centerline.

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CHAIR

ATTEST:

William H. Edger
SECRETARY

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