

P98-050 - DEL PASO/FRIENZA REZONE & LOT LINE ADJUSTMENT.

- REQUEST: A. Negative Declaration;
- B. (i) Rezone of 0.52+ acre portion (2 parcels) of a 0.77+ acre vacant site (4 parcels) from Single Family Residential (R-1) zone to General Commercial (C-2R) zone;
- (ii) Rezone of the remainder 0.25+ acre parcel from General Commercial (C-2) zone to General Commercial-Review (C-2R) zone.
- C. Lot Line Adjustment to merge the parcel lines between the four (4) existing parcels.

LOCATION: 2546 Del Paso Blvd
APN: 265-0252-012
Grant Joint Union High School District
North Sacramento Community Plan Area
Council District 2

APPLICANT/OWNER:	Arthur Rinetti 2600 Q Street, Rio Linda, CA 95673 Tel. (916) 991-9625
APPLICATION FILED:	May 14, 1998
STAFF CONTACT:	Taiwo Jaiyeoba, 264-8287

SUMMARY: Planning entitlements are requested to rezone a 0.52+ acre portion of a 0.77+ acre site from Single Family Residential (R-1) zone to General Commercial - Review (C-2R) zone. The project also includes a proposal to merge the four parcels into one parcel. Applicant originally requested for the rezone of the site from R-1 zone to C-2 zone. Staff modified the requested rezone during review and included an "R" designation that would allow review of future development on the subject site.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions subject to compliance with the conditions included in the attached Notice of Decisions and Findings of Facts:

- A. Ratify the Negative Declaration;
- B. Recommend that the City Council adopt the attached Ordinance to:
 - (i) Rezone two parcels, 0.52± acre of a 0.77± acre site, from Standard Single Family (R-1) to General Commercial (C-2);
 - (ii). Rezone the remainder 0.25± acre portion of the parcel from General Commercial (C-2) to General Commercial - Review (C-2R) zone;
- C. Adopt the attached Notice of Decision and Findings of Facts approving the Lot Line Adjustment to merge the parcel lines between the four (4) existing parcels.

These recommendations are based on the project's consistency with the City's General Plan policies, North Sacramento Plan policies and objectives and the City's Zoning Ordinance regulations.

PROJECT INFORMATION:

General Plan Designation:	Neighborhood/Community, Commercial and Office,.
North Sacramento Plan Designation:	General Commercial.
Existing Land Use of Site:	Vacant.
Existing Zoning of Site:	Standard Single Family Residential (R-1) General Commercial (C-2)
Proposed Zoning of Site:	General Commercial (C-2)

Surrounding Land Use and Zoning:

North: Residential (R-1);
 South: Commercial (C-2);
 East: Residential (R-1);
 West: Commercial (C-2)

Property Dimensions:	Irregular
Property Area:	33,377 square feet (0.77 ± Acres)
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 for any development proposed for the site, including, but not limited to:

<u>Permit</u>	<u>Agency</u>
Design Review	Design Review & Preservation Board
Building Permit/ Grading Permit	Development Services
Sign Permit	Development Services

BACKGROUND INFORMATION: In 1988, the site was studied in the Sacramento General Plan Update and was re-designated for commercial uses at that time. The Sacramento General Plan and the North Sacramento Community Plan were both amended from Low Density Residential to Neighborhood/Community Commercial & Office, and General Commercial, respectively. However, ***the rezone was not included in the actions in 1988.*** The site is currently zoned for General Commercial (C-2) and Single Family Residential (R-1) uses. The project encompasses an area of 0.77± vacant acres. The C-2 portion of the site once supported a car wash, which has been demolished. The subject site also once supported a house which was in poor physical condition but was demolished prior to 1988. The site has been vacant since.

On May 14, 1998, applicant requested a rezone of the single family residential zone portion of the site to general commercial and to merge the four lots into one. Applicant did not indicate what future development is proposed for the site. During Staff review, the "R" designation was included with the General Commercial rezone request. This is in order for Staff and the Planning Commission to have opportunity to review future developments for the site and ensure its compliance with City requirements and regulations, as well as its consistency with existing development in the area.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The applicant proposes to change the residential-zoned portion of the site to conform with the 1988 General Plan and Community Plan designations of Neighborhood/Community Commercial & Office, and General Commercial, respectively. Under the proposal, the two (2) Single Family Residential parcels located on the corner of Del Paso Blvd and Evergreen Street would be changed to General Commercial to accommodate any proposed commercial development. The remaining two (2) parcels are zoned General Commercial (C-2).

In addition to the redevelopment goals that promote developing the economic vitality of the area by attracting new business, assisting existing business and enhancing property values, there are a number of policies in the General Plan's Commercial Land Use Element that promote commercial development such as that intended in the request for a rezone by this application. The following goals and policies are examples of those:

- Section 4-1, Goal D: "Promote economic vitality and diversification of the local economy."
- Section 4-16, Goal A: "Ensure that all areas of the city are adequately served by neighborhood/ community shopping districts."
- Section 4-1, Goal B: "Promote the reuse and revitalization of existing developed areas, with special emphasis on commercial and industrial districts."

The site is currently vacant and has been so for more than 10 years. The C-2 portion used to support a car wash which was demolished. A building which was also once constructed on the

site was demolished due to its poor physical conditions prior to 1988. A proposal to re-use the site for economic oriented purpose is consistent with City policies.

Thus, Staff finds the overall goals and objectives of the project to be consistent with those of the Sacramento City General Plan and the North Sacramento Community Plan. Proposed commercial developments will serve the community and promote economic vitality in the area.

B. Staff Analysis

The application includes a request to rezone the Residential portion of the lot to General Commercial in order to accommodate a new commercial development. Staff has requested the applicant to include a "R-Review" designation with the General Commercial (C-2) zone so as to make it possible for Staff and Planning Commission to review any future physical development on the site. Applicant has agreed to this (see the attached letter, Attachment 4).

Such a review would be routed to the appropriate public agencies and community groups and would include analysis of the site plan, setback requirements, building design, materials, parking requirements and hours of operation. Such a review will also indicate that any commercial development shall erect a masonry wall along the property lines where the subject site abuts residential uses. Other analysis, such as traffic study may be required at such time if the future development is determined to generate more trips that may adversely affect traffic flow in the area.

PROJECT REVIEW PROCESS:

A. Environmental Determination

It has been determined that the project, as proposed, will not have a significant impact on the environment; therefore, a Negative Declaration has been prepared. There were no mitigation measures necessary for incorporation into the project plans as there are no identified impacts to mitigate against.

Environmental Documents prepared for any future development will identify areas of potential significant impact and include necessary mitigation measures to reduce any identified impacts to points of less-than-significance.

B. Public/Neighborhood Association Comments

The project was routed for review to the North Sacramento Project Area Committee, North Sacramento Congress of Neighborhoods and the North Sacramento Chamber of Commerce. Staff presented the project to the North Sacramento Project Area Review Committee (North Sac PAC) on May 29, 1998. The Committee indicated their desire to have the subject site used for commercial purposes in the future. They indicated that a "R-Review" designation should be included with the C-2 zoning so as to have the opportunity to review future project use and building design.

Any comments received after the writing of this staff report will be presented orally at the Planning Commission meeting.

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 Department -Development Services - requested a "R" designation which will offer the chance of review of future project applications for site.
2. Utilities Department: Comments and conditions are incorporated into the conditions of approval for the project.
3. Police Department: Comments provided by the Police address future use of the site and also requested an "R" designation. The Police Department has also indicated that any future use of the site shall be restricted to uses that **operate between 8.00am and 10.00pm daily and there shall be no sale of alcohol on the premises.**

PROJECT APPROVAL PROCESS: The Planning Commission's actions on the lot line merger may be appealed to the City Council within 10 days of their action on the project. The City Council will hear the Rezoning and take action on these items as the legislative body of the City of Sacramento.

RECOMMENDATION: Staff recommends the Planning Commission to take the following action:

- A. Ratify the Negative Declaration;
- B. Recommend that the City Council adopt the attached Ordinance to:
 - (i) Rezone two parcels, 0.52± acre of a 0.77± acre site, from Standard Single Family (R-1) to General Commercial (C-2);
 - (ii). Rezone the remainder 0.25± acre portion of the parcel from General Commercial (C-2) to General Commercial - Review (C-2R) zone;
- C. Adopt the attached Notice of Decision and Findings of Fact for a Lot Line Merger to merge four (4) parcels into one (1) parcel.

Report Prepared By,



Taiwo Jaiyeoba, Assistant Planner

Report Reviewed By,



Scot Mende, Senior Planner

Attachments

Attachment 1

Exhibit 1

Attachment 2

Attachment 3

Attachment 4

Attachment 5

Notice of Decision

Site Plan

Vicinity Map

Land Use and Zoning Map

Letter from Applicant

Ordinance Approving the Rezone

P98-050.cpc

ATTACHMENT 1**NOTICE OF DECISION AND FINDINGS OF FACT FOR 2546 DEL PASO BLVD REZONE PROJECT, LOCATED ON THE SOUTHEAST CORNER OF DEL PASO BOULEVARD AND FRIENZA AVENUE, SACRAMENTO, CALIFORNIA. (P98-050).**

At the regular meeting of August 27, 1998, 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. **Ratified the Mitigated Negative Declaration;**
- B. **Recommend approval of the following and forward to City Council:**
 - (i). **Rezone of two parcels, 0.52+ acre of a 0.77+ acre site, from Standard Single Family (R-1) to General Commercial (C-2R);**
 - (ii). **Rezone of the remaining 0.25+ acre portion of the parcel from General Commercial (C-2) to General Commercial - Review (C-2R) zone;**
- C. **Approved the lot line merger of Lot Line Merger to merge four (4) parcels into one (1) parcel.**

These actions were made based upon the following findings of fact:

FINDINGS OF FACT

- A. **Negative Declaration:** The City Planning Commission approves the Negative Declaration based upon the following findings:
 - 1. The Negative Declaration was prepared and circulated for the above-identified project pursuant to the requirements of CEQA;
 - 2. The proposed Negative Declaration and comments received during the public review process were considered prior to action being taken on the project; and
 - 3. Based upon the Initial Study and the comments received during the public review process, there is no substantial evidence that the project will have a significant effect on the environment.
- C. **Lot Line Merger:** To adjust the common property line between the four parcels is approved subject to the following Findings of Fact and conditions of approval:
 - 1. The lot line merger will not result in the abandonment of any street or utility easement of record;
 - 2. The lot line merger will not result in the elimination or reduction in size of the access way to any resulting parcel.


These actions were made based upon the following conditions of approval:

CONDITIONS OF APPROVAL

- C. The Lot Line Merger to adjust the common property lines between four (4) parcels at 2546 Del Paso Blvd subject to the following condition.
1. Only one domestic water service per parcel is allowed. The excess domestic water services must be abandoned to the satisfaction of the Utility Department. The applicant is advised that the tap record research and verification of tap locations by the field crews involved prior to sign-off of this condition may take a considerable amount of time, therefore, all requests should be submitted in a timely manner. (This condition shall be approved by the Dept. of Utilities prior to recordation of a certificate of compliance).
 2. File a Certificate of Compliance, submit all required documents according to the submittal requirements checklist, and pay necessary fees.
 3. File a waiver of parcel map.
 4. Notice: Property to be adjusted/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.

Advisory Note:

A lot merger exhibit must be submitted as part of the certificate of compliance process. Contact 264-5367 for any assistance.


CHAIRPERSON

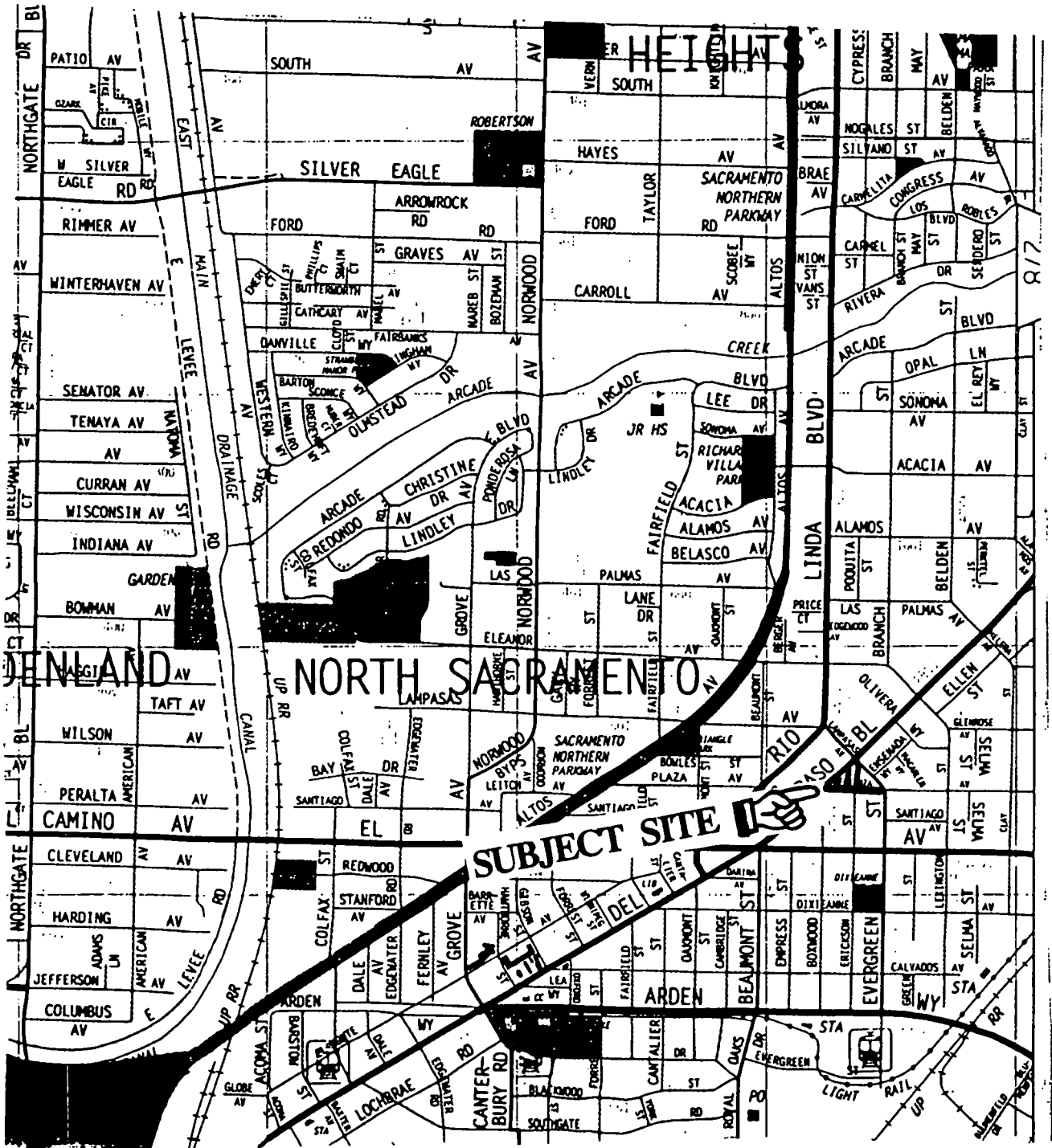
ATTEST:


SECRETARY TO CITY PLANNING COMMISSION

8-28-98
DATE (P98-050)

Exhibit 1: Site Plan

Attachment : VICINITY MAP



ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED ON 2546 DEL PASO BLVD. IN THE NORTH SACRAMENTO COMMUNITY PLAN AREA FROM THE RESIDENTIAL (R-1) AND GENERAL COMMERCIAL (C-2) ZONE AND PLACING THE SAME IN THE GENERAL COMMERCIAL - REVIEW (C-2R) ZONE OR MORE RESTRICTIVE ZONE.

(P98-050) (APN: 265-0252-012).

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

SECTION 1

The territory described in the attached exhibit which is located on 2546 Del Paso Blvd., 0.77± acres in the Residential (R-1) and General Commercial (C-2) zones established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from the said zones and placed in the General Commercial - Review (C-2R) zone.

This action rezoning the property described in the attached exhibit 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 parcels which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission on August 27, 1998, on file in the office of the Planning Division, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Division shall report the matter to the Planning Commission as provided for in Ordinance No. 2550, Fourth Series.
- c. Any future use of the site shall be restricted to uses that operate between 8.00am and 10.00pm daily and there shall be no sale of alcohol on the premises.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

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.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

P98-050.

Attachment 3: LAND USE & ZONING MAP

