



# REPORT TO COUNCIL

## City of Sacramento

915 I Street, Sacramento, CA 95814-2604  
[www.CityofSacramento.org](http://www.CityofSacramento.org)

**Public Hearing**  
**March 2, 2010**

**Honorable Mayor and  
Members of the City Council**

**Title: 4300 8<sup>th</sup> Avenue Rezone (P09-044)**

**Location/Council District:** 4300 8<sup>th</sup> Avenue; Assessor's Parcel Numbers: 014-0221-001-0000; Council District 5

**Recommendation:** Conduct a public hearing and upon conclusion adopt 1) a **Resolution** determining the project is exempt from environmental review; and 2) an **Ordinance** rezoning a 0.12± acres parcel from Limited Commercial (C-1) zone to Standard Single Family Residential (R-1) zone.

**Contact:** Elise Gumm, LEED AP, Associate Planner, (916) 808-1927; Lindsey Alagozian, Senior Planner, (916) 808-2659

**Presenters:** Elise Gumm

**Department:** Community Development

**Division:** Planning

**Organization No:** 21001221

### **Description/Analysis**

**Issue:** The applicant is proposing to rezone an approximately 0.12 acre parcel from the Limited Commercial (C-1) zone to the Standard Single Family Residential (R-1) zone within the Oak Park neighborhood. The project site is located at the southeast corner of 8th Avenue and 43rd Street, within the Sacramento Oak Park Redevelopment Project Area.

The site was originally developed in 1922 as a ground floor grocery store and an upper floor residential unit. A two-car garage was constructed in 1923 and then was subsequently demolished in 1940. The original building, which included a convenience market with a residential unit above, is an example of a common type of structure found in Sacramento neighborhoods throughout the Old City area. The most common type was a structure that combined ground floor retail with residential units above – often housing the owner of the store. The subject site is an example of that type of development was planned in advance to fulfill a

combination of needs. Over the years, the subject site became problematic due to its small lot size, lack of parking, and local criminal activities. The building was demolished in 2009 based upon the problems facing the property owner. The project site then was sold to the current owner, and the current owner has partnered with Sacramento Housing Redevelopment Agency (SHRA) to improve the conditions on the site. The proposed rezone would allow for future single family development and rectify many of the problems associated with the commercial use in the past.

**Policy Considerations:** The 2030 General Plan, adopted by City Council in March 2009, designates the subject site as Traditional Low Density Residential. This designation provides for moderate-intensity housing and neighborhood-support uses including the following: Single-family detached dwellings, duplexes, triplexes, townhomes, etc. The minimum density is 3 dwelling unit (du) / net acre (na), and the maximum density is 8 du/na. The proposed rezone is consistent with the land use diagram in the 2030 General Plan and the residential land use is compatible with surrounding land uses.

**Environmental Considerations:**

**California Environmental Quality Act (CEQA):** The Community Development Department, Environmental Planning Services has reviewed the project and has determined that the proposed project is exempt under CEQA Guidelines Class 32, Section 15332. Projects exempted under this section consist of infill development that occur within city limits, are no more than five acres substantially surrounded by urban uses, have no value for habitat, would not result in any significant effects relating to traffic, noise, air quality or water quality, and are adequately served by all required utilities and public services.

**Sustainability Considerations:** The proposed rezone project is consistent with Sustainability Master Plan goals to improve energy efficiency and help to meet air quality standards. If approved, the project would help to appropriately reusing a Brownfield site and reducing energy uses by use higher efficiency heating and cooling system for the new home.

**Commission/Committee Action:** On January 28, 2010, the Planning Commission, with all aye, recommended approval and forwarded to City Council the rezone of an approximately 0.12 acre parcel from the Limited Commercial (C-1) zone to the Standard Single Family Residential (R-1) zone. No one objected the proposed rezone.

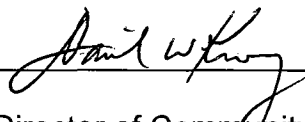
**Rationale for Recommendation:** Staff recommends approval of the rezone because future redevelopment of this site will improve the neighborhood environment, will provide additional ownership housing opportunities, and is consistent with the City of Sacramento's General Plan designation. Staff notified

all property owners within 500 feet of the site for this public hearing and received no opposition at the time of writing of this report.


**Financial Considerations:** There are no financial considerations associated with this report.

**Emerging Small Business Development (ESBD):** No goods or services are being purchased under this report.

Respectfully Submitted by:   
David Kwong  
Planning Director

Approved by:   
David Kwong  
Acting Director of Community Development

Recommendation Approved:

  
Ray Kerridge  
City Manager

**Table of Contents:**

Report	Pg 1
<b>Attachments:</b>	
1 Draft Resolution for CEQA Exemption	Pg 4
2 Draft Resolution for Rezone	Pg 5
Exhibit A Rezone Exhibit	Pg 6

Attachment 1 - Resolution for CEQA Exemption

**RESOLUTION NO. 2010**

Adopted by the Sacramento City Council

March 2, 2010

**DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (P09-044)**

**BACKGROUND**

- A. On January 28, 2010, the Planning Commission conducted a public hearing on the 4300 8<sup>th</sup> Avenue Rezone Project, and
- B. On March 2, 2010, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Section 17.200.010(C)(2)(a) and (c)(publication and mail 500'), and received and considered evidence concerning the 4300 8<sup>th</sup> Avenue Rezone Project.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

This project consists of an approval of rezoning the property from Limited Commercial (C-1) to Standard Single Family Residential (R-1) to allow for residential development.

Section 1 Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the City Council finds that the Project is exempt from review under Section 15332 Infill of the California Environmental Quality Act Guidelines as follows:

The project complies with all applicable policies of the General Plan, as well as with the applicable zoning regulations on a vacant infill parcel that is less than five acres and surrounded by urban uses. The project site also has no value as habitat and can be adequately served by all required utilities and public services. The project would also not result in any significant effects relating to traffic, noise, air quality, or water quality.

**ORDINANCE NO. 2010-**

Adopted by the Sacramento City Council

March 2, 2010

**AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) BY  
REZONING CERTAIN REAL PROPERTY FROM LIMITED COMMERCIAL (C-1)  
ZONE TO STANDARD SINGLE FAMILY RESIDENTIAL (R-1) ZONE  
4300 8<sup>TH</sup> AVENUE (P09-044) (APN: 014-0221-001-0000)**

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

- Section 1 Title 17 of the Sacramento City Code (the Zoning Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known, and referred to as 4300 8<sup>th</sup> Avenue (APN: 014-0221-001-0000) and consisting of approximately 0.12 net acres, from Limited Commercial (C-1) to Standard Single Family Residential (R-1) zone.
- Section 2 Rezoning of the property shown in the attached Exhibit A, by the adoption of this Ordinance, will be considered to be in compliance with the requirements for the rezoning of property described in the Zoning Code, as amended, as those procedures have been affected by recent court decisions.
- Section 3 The City Clerk of the City of Sacramento is directed to amend the official zoning maps, which are part of the Zoning Code, to conform to the provisions of this Ordinance.

Table of Contents:

Exhibit A – Rezone

