

City of Sacramento

Legislation Text

File #: 2019-01128, **Version:** 1

Title:

Third Party Appeal of I & 23rd Multi-Family Development Project: A Seven Dwelling-Unit Development (PB17-067) [Noticed 08/16/2019]

File ID: 2019-01128

Location: District 4, 2226 I Street; APNs 007-024-028 & 007-0024-011

Recommendation:

Conduct a public hearing and upon conclusion, adopt a Resolution: 1) determining the project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15332, related to infill development and the project will not result in a substantial adverse change to the significance of a historical resource (CEQA Guidelines section 15300.2(f)); 2) approving with conditions a Tentative Subdivision Map to divide the existing 0.22-acre site into seven residential lots with deviations for less than 20 feet of public street frontage; 3) approving with conditions Site Plan and Design Review of the tentative subdivision map and for the construction of seven single-unit dwellings with deviations for lot size, width, and depth on a vacant 0.22-acre site within Multi-Unit Dwelling (R-3A-SPD) zone, Central City Special Planning District, and Boulevard Park Historic District; and 4) approving a Tree Permit for non-standard pruning of five city street trees.

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Presenter: Sean de Courcy, Associate Preservation Planner, (916) 808-2796, Community Development Department

Attachments:

- 1-Description/Analysis
- 2-Background
- 3-Resolution Adopting Findings of Fact and Conditions
- 4-Exhibit A: Project Plans
- 5-Public Comments
- 6-Appeal

Description/Analysis

Issue Detail: This project was previously approved by the Preservation Commission and has been appealed to City Council by Trees for Sacramento. The original project included removing a 47-inch private protected black walnut tree on the site. After the appeal, the applicant redesigned the project and incorporated the protected tree into the site plan. Trees for Sacramento has indicated they support the revised project but have not withdrawn their appeal. While the original project proposed seven three-story apartment units, the revised project includes a Tentative Subdivision Map to divide the 0.22-acre site into seven residential lots and construct seven single-unit dwelling units (townhomes) with Tentative Map deviations for reduced public street frontage (Lots 2, 3, and 6) and deviations from development standards that include lot size (Lots 1-4 and 6), lot width (Lots 2-4 and 6), lot depth (Lots 1-4), and setbacks (Lots 1-7). A Tree Permit is required for non-standard pruning of five city street trees.

Policy Considerations:

General Plan

The 2035 General Plan was adopted by City Council on March 3, 2015. The 2035 General Plan's goals, policies, and implementation programs define a roadmap to achieving Sacramento's vision to be the most livable city in America. The project site is designated in the General Plan as Traditional Neighborhood Medium Density (TNMD). The TNMD designation provides for higher-intensity, medium-density housing, and neighborhood-supporting uses which may include small-lot, single-unit, attached/detached dwellings, multi-unit dwellings, limited neighborhood-serving commercial uses, and compatible public, quasi-public, and special uses. The TNMD designation establishes a residential density range between eight and 36 dwellings units per acre. The seven dwelling units on a 0.22-acre project site results in a residential density of 31.8 dwelling units per acre, consistent with the density range of this designation. In addition to the project's consistency with the TNMD designation, the project is consistent with the following General Plan goals and policies:

Goal HCR 2.1 Identification and Preservation of Historic and Cultural Resources. Identify and preserve the city's historic and cultural resources to enrich our sense of place and our understanding of the city's prehistory and history.

Policy HCR 2.1.11 Compatibility with Historic Context. The City shall review proposed new development, alterations, and rehabilitation/remodels for compatibility with the surrounding historic context. The City shall pay special attention to the scale, massing, and relationship of proposed new development to surrounding historic resources.

The design of the project compliments the material composition of the district, while maintaining the spaces and spaces relationships that define the district. The Preservation Commission reviewed and approved the original project which shared many similarities with

the revised project in terms of design. As such, the project complies with the Secretary of Interior Standards for the Treatment of Historic Properties and would not result in a substantial adverse change to a historical resource as defined in the CEQA Guidelines section 15064.5(b)(3).

Goal LU 2.1 City of Neighborhoods. Maintain a city of diverse, distinct, and well-structured neighborhoods that meet the community's needs for complete, sustainable, and high-quality living environments, from the historic downtown core to well-integrated new growth areas.

LU-2.1.8 Neighborhood Enhancement. The City shall promote infill development, reuse, rehabilitation, and reuses efforts that contribute positively (e.g., architectural design) to existing neighborhoods and surrounding areas.

The project develops a vacant property to create a residential subdivision with a site layout and architectural design that complements and enhances existing development in the surrounding historic neighborhood.

Goal LU 2.6 City Sustained and Renewed. Promote sustainable development and land use practices in both new development, reuse, and reinvestment that provide for the transformation of Sacramento into a sustainable urban city while preserving choices (e.g., where to live, work, and recreate) for future generations.

LU-2.6.1 Compact Neighborhoods. The City shall promote compact development patterns, mixed use, and higher-development intensities that use land efficiently, reduce pollution and automobile dependency and the expenditure of energy and other resources; and facilitate walking, bicycling, and transit use.

The project is a dense duplex development which makes efficient use of the land. The project also facilitates walkability and alternative transportation by siting residential development near a mixed-use commercial corridor (J Street) that is serviced by a high frequency bus line. The project takes advantage of recent amendments to the Central City Special Planning District by creating lots smaller than 3200 square feet, and as such provides no parking which will encourage use of alternative means of transportation. Finally, the project incorporates the protected tree on the site, reducing the energy requirements of the new units, and enhancing the general livability of the surrounding area.

LU-2.6.6 Efficiency Through Density. The City shall support an overall increase in average residential densities throughout the City consistent with the Adopted General Plan Land Use & Urban Form Diagram, as new housing types shift from lower-density, large lot developments to higher-density, small lot and multifamily developments as a means to increase energy efficiency, conserve water, and reduce waste.

The project achieves a higher density, and smaller units (1,040 sq. ft.) to reflect current market demand for urban residential development through reduced lot sizes and higher lot coverage. This design maximizes land use efficiency with successful urban infill character by incorporating elements such as front stoops, large private patios, no new curb cuts, and preservation of a large protected tree.

Central City Community Plan

The subject property is located within the Central City Community Plan Area. The Community Plan acknowledges that area as the city's core with government and corporate offices, high-rise residences, historic neighborhoods, parks, nightlife, restaurants and shops, schools, and industrial and manufacturing complexes within a tree-lined street grid. The policies contained in the Community Plan supplement and amplify citywide goals and policies contained in the 2035 General Plan. The project is consistent with and supports the following Community Plan policy:

Policy CC.LU 1.2 Interrelated Land Uses. The City shall provide for organized development of the Central City whereby the many interrelated land use components of the area support and reinforce each other and the vitality of the community.

The General Plan recognizes infill sites within the Central City as opportunities to support increased density and livability for residents. The project site is located within an area that has a mix of land uses. The project supports infill development and growth in existing urbanized areas. Future residents of this development are likely to support public transit, promote pedestrian- and bicycle-friendly transportation options, while ensuring the continued use and vibrancy of the Boulevard Park Historic District.

Central City Specific Plan

The subject property is located within the Central City Specific Plan. The Specific Plan serves as a bridge between individual development projects and the City's General Plan and Community Plan. The project is consistent with and supports the following Specific Plan policies:

Policy LU.4.1 Creative and Flexible Design Solutions. Allow for creative and flexible architectural and other design solutions that acknowledge contextual design through emulation, interpretation, or contrast in character.

Policy LU.8.2 Established Neighborhoods. Preserve and protect established neighborhoods by providing appropriate transitions in building bulk, form, and intensity for uses adjoining these neighborhoods.

Policy H.1.1 Preservation, Revitalization and Development. Meet housing needs through

preservation, revitalization and new development.

Encouraging new housing developments is a key component of the Specific Plan. The project supports infill development and expands housing opportunities by adding to the variety of housing types found in the area. The design of the project draws inspiration from surrounding historic buildings and complements the cultural and historic contexts of the Boulevard Park Historic District.

200-Year Flood Protection

State Law (SB 5) and Planning and Development Code chapter 17.810 require that the City must make specific findings prior to approving certain entitlements for projects within a flood hazard zone. The purpose is to ensure that new development will have protection from a 200-year flood event or will achieve that protection by 2025. The project site is within a flood hazard zone and is an area covered by SAFCA's Improvements to the State Plan of Flood Control System, and specific findings related to the level of protection have been incorporated as part of this project. Even though the project site is within a flood hazard zone, the local flood management agency, SAFCA, has made adequate progress on the construction of a flood protection system that will ensure protection from a 200-year flood event or will achieve that protection by 2025. This is based on the SAFCA Urban level of flood protection plan, adequate progress baseline report, and adequate progress toward an urban level of flood protection engineer's report that were accepted by City Council Resolution No. 2018-0445 on November 20, 2018.

Economic Impacts: Not applicable.

Environmental Considerations: The City's Environmental Planning Services Manager, has reviewed this project and determined that it is exempt from review under the California Environmental Quality Act (CEQA), consistent with CEQA Guidelines section 15332 (related to infill development).

Section 15332 of the CEQA Guidelines provides a categorical exemption for infill development projects that meet the following criteria:

1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
2. The proposed development occurs within the city limits on a project site of no more than five acres substantially surrounded by urban uses.
3. The project site has no value as habitat for endangered, rare or threatened species.
4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
5. The site can be adequately served by all required utilities and public services.

Staff has analyzed this project and determined the project meets all required criteria for a categorical exemption pursuant to CEQA Guidelines section 15332. First, as described in this report, the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations for the site. Second, the project site is within the city limits, 0.22 acres in area, and is surrounded by urban uses. Third, staff has visited the site on multiple occasions during different times of the year, including nesting season, and has seen no evidence the site has value as habitat for endangered, rare or threatened species. Fourth, the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Specifically, the City's Department of Public Works has worked with the project proponent to ensure the design will not result in any significant traffic effects. The urban environment can easily accommodate this sort of dense development without creating any significant noise effects. The project provides advanced water retention features, and mandatory best management practices during construction, to ensure no significant effects to water quality. Lastly, the City's Department of Public Utilities has confirmed the site can be adequately served by all required utilities and public services.

The project will not result in a substantial adverse change in the significance of a historical resource. The project site is currently vacant, and the construction of the proposed project does not involve the demolition, destruction, relocation, or alteration of any historical resources. And while the project is within the Boulevard Park Historic District, it has been designed to complement the material composition of the district, while maintaining the spaces and spatial relationships that define the district. As such, the project complies with the Secretary of Interior Standards for the Treatment of Historic Properties and would not result in a substantial adverse change to a historical resource as defined in the CEQA Guidelines section 15064.5(b)(3). A project that complies with the Secretary of the Interior Standards for the Treatment of Historic Properties (the Standards), normally would not result in a substantial adverse change to a historical resource.

Sustainability: Not applicable.

Commission/Committee Action:

Preservation Commission

On September 5, 2018, the Preservation Commission passed a motion that the original project: 1) is exempt per CEQA Guidelines section 15332, related to infill development and would not result in a substantial adverse change in the significance of a historical resource (CEQA Guidelines section 15300.2(f)); 2) approved with conditions Site Plan and Design Review for the construction of two residential apartment buildings, with one building containing three units and the other containing four units, and a separate seven-stall parking garage, with deviations for height and setbacks and authorizing the use of trash bins in-lieu of an enclosure; and 3) approved a Tree Permit for non-standard pruning of five city street trees, and removal of one private protected tree (a 47-inch DSH

black walnut). The project approved by the Preservation Commission was appealed and has since been redesigned by the applicant to address the appellants concerns about the Tree Permit. The proposed project is substantially similar in terms of design, but now includes a seven-lot Tentative Subdivision Map, preservation of the private protected tree, two-story buildings, and no garage.

Subdivision Review Committee

On August 7, 2019 the Subdivision Review Committee, with all ayes, voted to recommend approval of the proposed Tentative Subdivision Map subject to the conditions of approval found in Attachment 3.

Rationale for Recommendation: Staff is recommending approval of the proposed project based on the conclusion that the proposed project: a) is consistent with the goals and policies of the 2035 General Plan, the Central City Specific Plan, the R-3A-SPD zone, and the Central City Special Planning District; b) is consistent with the development standards of the R-3A-SPD zone and Central City Neighborhood Design Guidelines; c) is consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties; d) meets all necessary findings required by City code.

Financial Considerations: Not applicable.

Local Business Enterprise (LBE): Not applicable.

Public/Neighborhood Outreach and Comments: On January 19, 2018, staff sent an early notice of an application to develop the site at 2226 I Street to all property owners within 300-feet of the project site, and all neighborhood groups in proximity to the project. On August 1, 2018, notice of the Preservation Commission Hearing, was provided to all property owners within 300 feet and the site was posted with a notice of the hearing in accordance with City Code. Staff sent hearing notices to Midtown Association, Marshall-New Era Neighborhood Association, Boulevard Park Neighborhood Association, and Preservation Sacramento. The original project generated 12 email comments (Attachment 5) and two phone calls, related to removal of the private protected tree located on the parcel, and one commenter requested that the project include more housing. Since the redesign the City Council hearing was noticed and the site posted in accordance with City Code, and two comments have been received supportive of the project. One comment questioned why the approved project was revised.