



# Minutes City of Sacramento Planning Commission

## COMMISSION MEMBERS:

Joseph Contreras  
Joseph Yee, AIA  
Michael Notestine, Vice Chair

Darrel Woo, Chair  
Jodi Samuels  
Michael Mendez, MCP

Barry Wasserman  
Chris Givens  
Panama Bartholomy

## CITY STAFF:

Gregory Bitter, Planning Manager  
Sabina Gilbert, Senior Deputy City Attorney

New City Hall  
915 I Street, 1st Floor – Council Chambers

March 12, 2009 – 5:30 P.M.

The City Planning Commission was created by the City Council. Its powers and duties include: to develop and maintain the General Plan; to make recommendations to the City Council on amendments to the General Plan and the City's zoning code and on zoning changes; to act upon applications for tentative subdivision maps, special permits and variances; and to make environmental determinations associated with these actions.

## NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken (3 minutes maximum) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the end of the meeting as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

**Notice to Lobbyists:** When addressing the Commission you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code 2.15.160).

**Speaker slips are located in the lobby of the hearing room and should be completed and submitted to the Commission Secretary.**

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations.

The order of agenda items is for reference; agenda items may be taken in any order deemed appropriate by the Commission. The agenda provides a general description and staff recommendations; however, the Commission may take action other than what is recommended. The agenda is available for public review on the Friday prior to the meeting. Hard copies of the agenda, synopsis, and staff reports are available from the Development Services Department at 300 Richards Blvd, 3<sup>rd</sup> Floor (.25 cents per page), during regular business hours or can be downloaded at [www.cityofsacramento.org/dsd](http://www.cityofsacramento.org/dsd).

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Development Services Department at (916) 808-5908 at least 48 hours prior to the meeting.



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(916) 264-5011

# MINUTES

**March 12, 2009**

*New City Hall  
915 I Street – 1st Floor, Council Chambers*

All items listed are heard and acted upon by the Planning Commission unless otherwise noted.

## Call to Order – 5:30 p.m.

**Roll Call – All commissioners present except Bartholomy.**

### Consent Calendar

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request that an item be removed for separate consideration.

#### 1. **Approval of Minutes for February 26, 2009**

**Location:** (Citywide)

**Recommendation:** Approve Commission Minutes from February 26, 2009.

**Contact:** David Kwong, Planning Manager, 916-808-2691

**Action: Moved, seconded, and carried (Mendez/Samuels; 8:0:0) to approve minutes.**

### Public Hearings

Public hearings may be reordered by the Chair at the discretion of the Commission. If you challenge the decision of this Commission you may be limited to raising only those issues that are raised in this hearing or in written correspondence received by the Commission prior to the hearing.

#### 2. **Z08-144 Appeal of 403 38th Street Tentative Map** (Continued from 10/23/08) (Noticed on 10/10/08 and 2/27/09)

**Location:** 403 38th Street (East side, south of McKinley Boulevard), District 3, 004-0232-027-0000

**Recommendation: Approve- Item A:** Environmental Exemption (Per CEQA 15315); **Item B:** Tentative Map to divide one (1) parcel of approximately 0.43 acres into two (2) parcels in the Standard Single-Family (R-1) zone; **Item C:** Tentative Map-Subdivision Modification to create one (1) interior lot of less than 52 feet in width (at the front building setback line).

**Contact:** Robert W. Williams, Associate Planner, 916-808-7686; Sandra Yope, Senior Planner, 916-808-7158

**Public comment made by the applicant, Jordan Magill, and the appellant, Deane Dana. Motion: Moved, seconded (Wasserman/Samuels; 2:6:0 No-Mendez, Contreras, Yee, Samuels, Notestine, Woo) to deny staff recommendation. Motion fails.**

**Motion: Moved, seconded, and carried (Yee/Contreras; 7:1:0 No-Wasserman) to approve staff recommendation.**

3. **P07-094 Church of Scientology** (Noticed on 2/27/09)  
**Location:** 600 J Street (and 1001-1007 6th Street), District 1, 006-0087-031-0000, 006-0087-033-0000, 006-0087-034-0000, 006-0087-035-0002, 006-0087-036-0001, 006-0087-036-0002, 006-0087-036-0003, 006-0087-037-0002, 006-0087-038-0000, 006-0087-039-0000, 006-0087-040-0000, 006-0087-041-0000, 006-0091-001-0000, parking facility bounded by 2<sup>nd</sup>, 3<sup>rd</sup>, I and K Streets  
**Recommendation: Approve- Item A:** Environmental Exemption (Per CEQA 15301); **Item B:** Special Permit to establish church and allied facility use within the Central Business District (C-3-SPD) zone; **Item C:** Special Permit to allow off-site parking in the C-3-SPD zone.  
**Contact:** David Hung, Associate Planner, 916-808-5530; Stacia Cosgrove, Senior Planner, 916-808-7110  
**No public comment. Action: Continued to April 23, 2009.**
4. **P08-098 Victory Auto Dismantler** (Noticed on 2/27/09)  
**Location:** 8590 Unsworth Avenue, District 6, 062-0020-022-0000  
**Recommendation:** Continue to March 26, 2009.  
**Contact:** Mark Kraft, Associate Planner, 916-808-8116; Joy Patterson, Principal Planner, 916-808-5607  
**No public comment. Action: Continued to March 26, 2009.**
5. **P08-106 La Valentina Station** (Noticed on 2/27/09)  
**Location:** East of 12th Street, between the C Street/ D Street Alley and E Street, District 3, 002-0082-016-0000, 002-0082-024-0000, 002- 0121-002-0000, 002-0121-027-0000, 002-0121-032-0000, 002-0121-034-0000, 002-0121-036-0000, 002-0121-038-0000  
**Recommendation: Forward Recommendation of Approval to City Council- Item A:** Mitigated Negative Declaration; **Item B:** Mitigation Monitoring Plan; **Item C:** Rezone/ Prezone approximately 0.87 acre from Residential Mixed-Use (RMX) zone to Multi-Family (R-5) zone; **Item D:** Development Plan Review-New Site Plan to allow the development of apartment units in the R-5 zone; **Item E:** Special Permit to allow office and commercial retail use on the ground floor within building in the R-5 zone; **Item F:** Special Permit to allow reduction in required parking; **Item G:** Special Permit-Gated Development to establish gates at vehicular entrances in the R-5 and C-2 zones; **Item H:** Special Permit to allow building to exceed maximum height; **Item I:** Variance to reduce building setbacks within the R-5 and C-2 zones; **Item J:** Variance to allow a roof structure to exceed the maximum allowable height ; **Item K:** Variance to allow compact stalls to exceed the maximum of 40%; **Item L:** Variance-Setback to reduce interior side yard; **Item M:** Variance to allow reduced vehicular gate setback; **Item N:** Variance to allow reduction in maneuvering width; **Item O:** Variance to allow a distance of more than 250 feet from each residential unit to the trash disposal area.  
**Contact:** David Hung, Associate Planner, 916-808-5530; Stacia Cosgrove, Senior Planner, 916-808-7110

**Public comment made by Bill Masters and Bruce Manighan. Action: Moved, seconded, and carried (Mendez/Yee; 8:0:0) to forward recommendation of approval to City Council with amendments to staff recommendation.**

6. **P09-004 Mueller Pet Medical Center Signage** (Noticed on 2/27/09)  
**Location:** 7625 Freeport Boulevard (Pending Parcel Number is 052-0290-004), District 4, 035-0102-011-0000  
**Recommendation: Approve- Item A:** Environmental Exemption (Per CEQA 15311); **Item B:** Development Plan Review-Major Modification to increase the height of one monument sign from a maximum height of 8' to 18' in the Shopping Center (SC) zone; **Item C:** Variance to install two additional attached signs and one additional 4' monument sign in the Shopping Center (SC) zone.  
**Contact:** Kimberly Kaufmann-Brisby, Associate Planner, 916-808-5590; Lindsey Alagozian, Senior Planner, 916-808-2659  
**No public comment. Action: Moved, seconded, and carried (Samuels/Notestine; 8:0:0) to approve Items A and B.**  
**Motion: Moved, seconded (Notestine/Samuels) to deny Item C.**  
**Substitute motion: Moved, seconded, and carried (Yee/Contreraz; 7:1:0 No-Notestine) to approve Item C with amended conditions.**
7. **Z08-236 Appeal of 1718 Capitol Parking**  
**Location:** 1718 Capitol Avenue and 1310 18th Street, District 3, 006-0176-003-0000, 006-0176-006-0000  
**Recommendation: Approve- Item A:** Environmental Exemption (Per CEQA 15301, 15303, and 15311); **Item B:** Special Permit to locate four required parking spaces off-site on an adjacent parcel under different ownership for a basement conversion to office space on approximately 0.12 acres in the General Commercial (C-2)(NC) zone; **Item C:** Special Permit for attended parking of four required parking spaces on 0.15 acres in the General Commercial (C-2)(NC) zone; **Item D:** Variance to waive the solid masonry wall requirement on the east and portion of the west property lines for any non-residential use abutting residentially-zoned or used parcels.  
**Contact:** Jennifer Glen, Assistant Planner, 916-808-4771; Sandra Yope, Senior Planner, 916-808-7158  
**Public comment made by Chris Ferrigno, Steve Caretto, Tim Fallis, Steve Brooks, and Doug Clarke, and Arnie Lerner. Action: Moved, seconded, and carried (Mendez/Samuels; 8:0:0) to approve staff recommendation.**

### Staff Reports

Staff reports include oral presentations including those recommending receive and file.

8. **Director's Report (Oral)**  
**Location:** (Citywide)  
**Recommendation: Receive and File-** report to commission on department updates.  
**Contact:** Greg Bitter, Principal Planner, 916-808-7816

**Action: Received and Filed. Commission requested that staff report back on date for the paperless agenda materials presentation at Planning Commission. Chair Woo asked staff to consider a 1000 foot radius notice for the Church of Scientology project.**

### **Public Comments- Matters Not on the Agenda**

**9. None.**

### **Questions, Ideas and Announcements of Commission Members**

- 10. Commissioner Mendez reported on the Check Cashing Ordinance heard at the Law and Leg Committee.**
- 11. Commissioner Yee will not attend the next Planning Commission meeting on March 26, 2009. He also mentioned that in fairness to the public and applicants, commissioner support for a project should be shown only after all public comment has been heard.**
- 12. Commissioner Samuels noted the Preservation Round Table which will be held this Saturday from 9am-noon at 1409 R Street. There will be a DOC presentation at this meeting.**
- 13. Commissioner Givens thanked Greg Bitter for the Director's Report item and also thanked Commissioner Mendez for suggesting it.**
- 14. Commissioner Mendez asked about putting together an Ad Hoc Committee to discuss Green Alleys. This topic will be agendized for the next Planning Commission meeting on March 26, 2009.**
- 15. Chair Woo mentioned that the doors were locked for the March 2, 2009 DOC meeting at 300 Richards Boulevard. No one was stationed at the door after the meeting started to let people in. Staff has worked to correct that problem for future meetings.**

**Adjournment – 10:00 pm**