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May 26, 2016

Sacramento City Mayor Johnson, Councilmembers, City Staff and City Planner Shirey  
Sacramento City Hall  
915 I Street  
Sacramento, CA 95814

Subject: P15-047 Yamanee (Noticed on 04-29-16)

Dear Mayor Johnson and Members of the City Council,

The Environmental Council of Sacramento (ECOS) has long advocated for less growth at urban Sacramento's fringe in favor of a greater focus on infill and redevelopment. We support land use plans that are in line with realistic growth expectations, are environmentally sensitive, and while cognizant of neighborhood values, not beholden to them. We also believe that once adopted, local governments need to follow those plans.

The ECOS Land Use Committee has reviewed the Yamanee Project at 25th and J Street, which certainly offers a bold infill project: a 14 story building with a residential density of around 300 units/acre. It is located on a well used bus route and is close to downtown Sacramento jobs.

But the project proposes a 178 foot tall structure in an area zoned for a maximum height of 80 feet (approximately 6 stories)—almost 100 feet greater than the zoning requirement. The only other structure in Midtown of comparable height is Sutter Hospital.

The zoning code does allow for a "deviation" from the zoning code height restriction if the approving body finds that the project is balanced by significant benefits. So far as we aware this is the first height deviation request since adoption of the land use and zoning plans. It is not only a significant deviation in scale, but a precedent setting deviation.

We urge that your Planning Commission carefully consider the justification for the deviation. In an earlier era this would be called a variance—an exception which state law requires findings that there is not a grant of special privilege and that there are unique and special circumstances associated with the property that justify the granting of the variance. Sacramento City's deviation language was created to avoid those mandated findings, but your Commission would be well advised to reflect on them as you make your decision.

So far the only justification for the project we have heard is that it will be LEED certified and that the architectural design will enhance the J Street corridor. But these are things your Commission should be expecting of all development—they are certainly not of and by themselves a justification for granting a right to more than double the size and density allowed by the zoning. The building would be exempt from the requirement to provide affordable housing, but this upscale project has yet to offer to contribute to affordable housing opportunity in the neighborhood.

And the argument that a building of this height only works at this location, or is not precedent setting, is disingenuous. It is not a basis for granting the exception. The rationale for granting the deviation is the important thing—it will be cited for any project that seeks a deviation whatever its height.

The decision you make will send an important message to landowners and developers in Midtown. It could well impact land values and speculative purchases in a way that changes the character of the neighborhood. If so you will have started a process that undermines implementation of a plan developed with community participation and compromise that would disserve the City and its residents.

ECOS welcomes infill and higher density, but not at the expense of effectively implementing adopted plans. We urge you to set the bar high in weighing the proffered community benefits in exchange for the “special privilege” of a precedent setting height deviation.

To this end, ECOS could support a significant project deviation if the project’s community benefit could justify it. A possible community benefit is the provision of workforce housing units. Yamanee proposes approximately 134 units, and the Sacramento Housing Alliance conservatively estimates that an ownership housing infill project such as Yamanee generates a workforce housing demand of about 15%, or 20 units for Yamanee. ECOS could support a significant project deviation if Yamanee provided mixed income housing sufficient to meet community demand, including approximately 20 units of workforce housing (or 15% of units for any final project). Other desirable community benefits should include facilities to accommodate the expected Sacramento bike sharing program and enhanced transit shelter facilities.

While ECOS commends the City’s efforts to provide housing in the Sacramento grid, to date the significant portion of it has been unaffordable even to moderate income persons. Yamanee’s deviations set a precedent for how and whether development honors existing plans and community agreements. Offsetting the deviations with community benefits that meet actual community need would help ensure the precedent places community need first.

Sincerely,

A handwritten signature in cursive script that reads "Brandon Rose".

Brandon Rose, President of the Environmental Council of Sacramento (ECOS)