

# Petrovich wants to move on from gas station battle

By [Ben van der Meer](#) – Staff Writer, Sacramento Business Journal  
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After winning [a court decision](#) on the commercial development in his Crocker Village project, developer [Paul Petrovich](#) said he wants to move on.

“The council has another chance to get it right,” Petrovich said Wednesday, after Sacramento County Superior Court Judge [Michael P. Kenny](#) ruled that Sacramento City Councilman [Jay Schenirer](#)’s actions before a 2015 hearing should have prompted him to recuse himself before the vote.

Schenirer motioned at that meeting for what was [ultimately a 7-2](#) vote denying Petrovich a conditional-use permit for a gas station at Crocker Village, leading Petrovich to file suit.

Kenny’s ruling states the council needs to vote on the matter again, with Schenirer recusing himself. Petrovich said he could get to work on the commercial center at Crocker Village’s southern end within 60 days, awaiting the final vote on the gas station.

“I just want this to end,” he said. Kenny’s ruling, Petrovich added, didn’t leave much room for the city to appeal.

The city attorney’s office did not return a call seeking comment on the ruling, which Kenny released Wednesday.

Petrovich said the ruling shows that Sacramento city government needs to get its house in order. Kenny was apparently persuaded by electronic communications, from before the conditional use permit hearing, between Schenirer, other council members, city staff and members of a community group in the Curtis Park neighborhood who opposed the gas station.

Some of those communications indicated the council planned to deny the permit before the hearing took place, including a “talking points” memo of how the votes would go.

By denying the permit and prompting the suit, Petrovich said, the city has paid \$500,000 in attorney fees and missed out on millions of dollars in sales taxes by delaying the center's development. The [Safeway](#) that would go with the gas station also would hire from nearby Oak Park, meaning lost income over the last two years for residents there as well, he said.

"I'm hoping this is a moment that the political system can adjust itself," Petrovich said.