

SACRAMENTO CITY PLANNING COMMISSION
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT <u>Robert M. Van Slambrouck, 4308 E Street, Sacramento, CA 95819</u>	
OWNER <u>Robert M. Van Slambrouck, 4308 E Street, Sacramento, CA 95819</u>	
PLANS BY <u>Robert M. Van Slambrouck, 4308 E Street, Sacramento, CA 95819</u>	
FILING DATE <u>5-9-91</u>	ENVIR. DET. <u>Negative Declaration</u> REPORT BY <u>Jeanne Corcoran</u>
ASSESSOR'S PCL. NO. <u>004-0244-005</u>	

- APPLICATION:
- A. Negative Declaration
 - B. Mitigation Monitoring Plan
 - C. Special Permit to construct a 640 square foot second residential unit on 0.14± acres in the Standard Single Family (R-1) zone.
 - D. Variance to reduce the 10 foot courtyard requirement to five feet.
 - E. Variance to reduce the required maneuvering area from 26 feet to 23 feet for a parking pad on 0.14± acres in the Standard Single Family (R-1) zone. (Withdrawn)

LOCATION: 4308 E Street

PROPOSAL: The applicant is requesting the necessary entitlements to construct a 640 square foot second residential unit

PROJECT INFORMATION:

General Plan Designation:	Residential (4-15 du/ac)
Existing Zoning of Site:	R-1
Existing Land Use of Site:	Single Family Residence

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Single Family; R-1	Front:	25'	24' (existing)
South: Single Family; R-1	Side(E):	5'	8'
East: Single Family; R-1	Side(W):	10'	5'
West: Single Family; R-1	Rear:	15'	21'

Parking Required:	2
Parking Provided:	2
Property Dimensions:	40' X 159'
Property Area:	0.14± acres
Density of Development:	14
Square Footage of Building:	640 sq. ft.
Height of Building:	12'8"
Topography:	Flat

APPLC. NO. P91-113

MEETING DATE September 26, 1991

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000920

Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Stucco & Wood
Roof Materials:	Composition Shingle

Project Evaluation: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of a 0.14+ acres in the Standard Single Family (R-1) zone. The site is an interior lot developed with a single family home and a storage shed on the rear. The site is designated low density residential (4-15 du/ac) in the General Plan. The surrounding land uses and zones are single family, R-1 to the north, south, east and west.

B. Applicant's Proposal

The applicant is proposing to demolish the existing structure at the rear of the lot and construct a 640 square foot second residential unit. The unit will be located 21 feet from the rear property line. The entrance to the unit will be located off the west side of the property. The applicant proposed to locate a 15' X 21' parking pad at the rear of the site.

C. Site Plan

The subject site is developed with a single family residence on the northern portion of the lot. The existing home is setback from the side property lines five feet seven inches on the east property line and five feet on the west property line. The second residential unit will be located 21 feet from the raised deck of the existing house and 21 feet from the rear property line. The side setbacks for the second unit will be five feet from the west property line and eight feet from the east property line. The main entrance will be at the rear of the unit facing the west property line. A 15' X 21' parking pad is located at the rear of the unit with access from the unimproved alley.

The Zoning Ordinance requires a minimum ten foot courtyard between buildings and property line to allow for adequate access, light and air. The applicant is requesting a variance from this regulation. Since the front unit is existing the applicant is unable to provide the required ten feet. Staff finds the five feet adequate to provide light and air to the main unit and recognizes that the residents of the second unit will access the rear unit from the alley rather than E Street. A minimum four foot paved walkway should be provided along the west property line from the front of the lot to the rear unit for access to the rear unit, since guest that visit the residents in the rear unit will park on E Street and walk to the rear of the lot. The proposed second unit, which has the main entrance to the dwelling unit off the side (west) property line has a proposed five foot courtyard area. Staff recommends the unit be shifted to the east allowing for a five foot side setback on the east property line, relocating the water heater enclosure to the south or north elevation of the unit and deleting the

three foot overhang on the west elevation to provide the ten foot courtyard requirement for the second unit. (Exhibit A)

The existing single family home on the site currently has no off street parking. Although the applicant does not need to provide a space for the existing unit, staff is recommending that the proposed parking pad located at the rear of the site be enlarged to provide parking for two cars. Staff has recommended the applicant provide 60 degree parking so that a variance for maneuvering is not required (Exhibit A). In providing the 60 degree parking spaces a 20 foot stall depth with 20 feet of maneuvering is required. The applicant has agreed to provide the two 60 degree parking spaces at the rear of the site, therefore the variance for maneuvering has been withdrawn. The alley at the rear of the site is unimproved, however, there are existing homes which access garages from this alley way. Although the neighbors are concerned with the traffic and winter flooding, Traffic Engineering Division does not feel that an increase of two cars will necessitate the need for the applicant to pave the alley.

A six foot high fence is proposed along the rear property line. A fence or gate cannot be constructed across the parking pad. This area is to remain open in order to provide free access to the parking pad and not obstruct traffic in the alley.

D. Building Design

The unit will be constructed of wood siding and stucco with a composition shingle roof. The south elevation and a portion of the west elevation, where the main entrance will be located, will be wood siding with the north, east and west elevations being stucco. The applicant proposes to provide landscaping along the north elevation in order to minimize the visual impact of the second unit on the front unit. Staff recommends a minimum of three foot high bushes to be planted in order to provide some relief from this elevation. The main entrance will be a recessed covered porch area, which is to remain unenclosed. A three foot overhang is proposed along the west property line. Staff recommends deleting this overhang in order to comply with the ten foot courtyard requirement. The pitch of the roof should be similar to the existing house and the roofing material should be a 25 year laminated dimensional shingle.

E. Agency Comments

The proposed project was review by Traffic Engineering, Engineering Division, Development Section, Building Inspections, Electrical Engineering, Water & Sewer Division, East Sacramento Improvement Association, Councilmember Pane's Office, and the Sacramento Unified School District. The following comments were received:

Engineering Division:

- Provide parking to the satisfaction of the Transportation Division.

-Existing water to site is located in E Street.

-Existing sewer to site is available in the alley and in E Street (because the mains are extremely shallow it may be necessary to obtain service to each building from separate mains).

Traffic Engineering:

-Provide 60 degree parking with minimum 20 feet stall depth and 20 feet maneuvering.

East Sacramento Improvement Association, following comments were submitted on behalf of the neighbors:

-The alley is unimproved and floods during the winter.

-Concerned with additional traffic in the alley.

-Sewer line too small to handle additional load.

Environmental Determination: The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified effects or to mitigate such effects to a point where clearly no significant effects will occur. The mandatory mitigation measures are listed below. A Mitigation Monitoring Plan has also been completed and is attached (Exhibit D).

Recommendation: The staff recommends the Planning Commission take the following action:

- A. Ratify the Negative Declaration.
- B. Approve the Mitigation Monitoring Plan by adopting the attached resolution;
- C. Approve the special permit to construct a second residential unit subject to conditions and based upon findings of fact which follow.
- D. Approve the variance to reduce the required courtyard requirement from 10 feet to five feet subject to conditions and based upon findings of fact which follow.
- E. Withdraw the variance to reduce the required maneuvering area from 26 feet to 23 feet for a parking pad.

Conditions - Special Permit:

1. The second residential unit shall be constructed with a ten foot courtyard requirement along the west property line.

2. The porch area shall remain unenclosed.
3. A four foot paved walkway shall be provided from the front of the lot to the rear unit.
4. Two 60 degree parking spaces shall be provided at the rear of the site.
5. Approval from the Public Works Department shall be required to construct a fence or gate on the property line across the parking pad located at the rear of the site.
6. The second unit's roof pitch shall match the existing unit. Elevations reflecting the roof pitch of both the existing unit and proposed unit shall be reviewed and approved by the Planning Director prior to issuance of building permit.
7. A planter area shall be provided along the north elevation containing a minimum of three foot high bushes.
8. The second unit shall be constructed within one year from the date of Planning Commission approval. If the unit is not constructed within the one year period, the variance permit shall be deemed to have expired. A variance time extension for one year may be requested, in writing, 30 days prior to expiration.
9. The special permit shall expire two years from date of Planning Commission approval.

Mandatory Mitigation Measures:

- a. The applicant agrees to pay such lawful fees, taxes or assessments imposed through the use of development fees, impact fees, fee districts, community facilities districts, assessment districts, or other fair, equitable, and appropriate mechanisms designed to address project impacts on the existing combined stormwater sewer system, and shall execute an agreement satisfactory to the City Attorney and suitable for recordation which obligates the applicant to pay fair, equitable and appropriate development or related fees, impact fees or assessments or taxes as and when enacted, imposed, or levied.

Findings of Fact - Special Permit

1. The project, as conditioned, is based upon sound principles of land use in that:
 - a. the second residential unit is compatible with the existing unit; and
 - b. adequate off-street parking is provided.
2. The project, as conditioned, is not detrimental to the public

health, safety, or welfare nor result in the creation of a public nuisance in that adequate setbacks are provided.

3. The project is consistent with the residential designation of the General Plan which allows second residential units subject to a special permit.

Findings of Fact - Variance

1. The project does not constitute a special privilege granted to an individual property owner, in that similar variances have been granted to other property owners in which a second unit is constructed to the rear of a unit with an existing five foot side setback.
2. The project will not be detrimental to the public health, safety, or welfare nor result in the creation of a public nuisance in that:
 - a. adequate light and air is provided for the main unit; and,
 - b. adequate access is provided for the second residential unit.
3. The project does not constitute a use variance in that a second residential unit is allowed in the R-1 zone subject to a special permit.

MITIGATION MONITORING PLAN FOR P91-113
FOR A SPECIAL PERMIT TO CONSTRUCT A 640 SQUARE FOOT
SECOND RESIDENTIAL UNIT LOCATED IN THE
EAST SACRAMENTO COMMUNITY AREA (APN #004-0244-005).

WHEREAS, the Environmental Coordinator has prepared a Negative Declaration for the above identified project;

WHEREAS, the proposed Negative Declaration finds that the proposed project will not have a significant effect on the environment provided that mitigation measures are added to the above identified project;

WHEREAS, the Environmental Coordinator has prepared a Mitigation Monitoring Plan for ensuring compliance and implementation of the mitigation measures as prescribed in the Initial Study for the above identified project; and

WHEREAS, in accordance with Section 21081.6 of the California Public Resources Code, the City of Sacramento requires that a Mitigation Monitoring Plan be developed for implementing mitigation measures as identified in the Initial Study for the project;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

1. The Mitigation Monitoring Plan for the proposed project (P91-113) project be approved and adopted as shown in the attached Mitigation Monitoring.

MAYOR

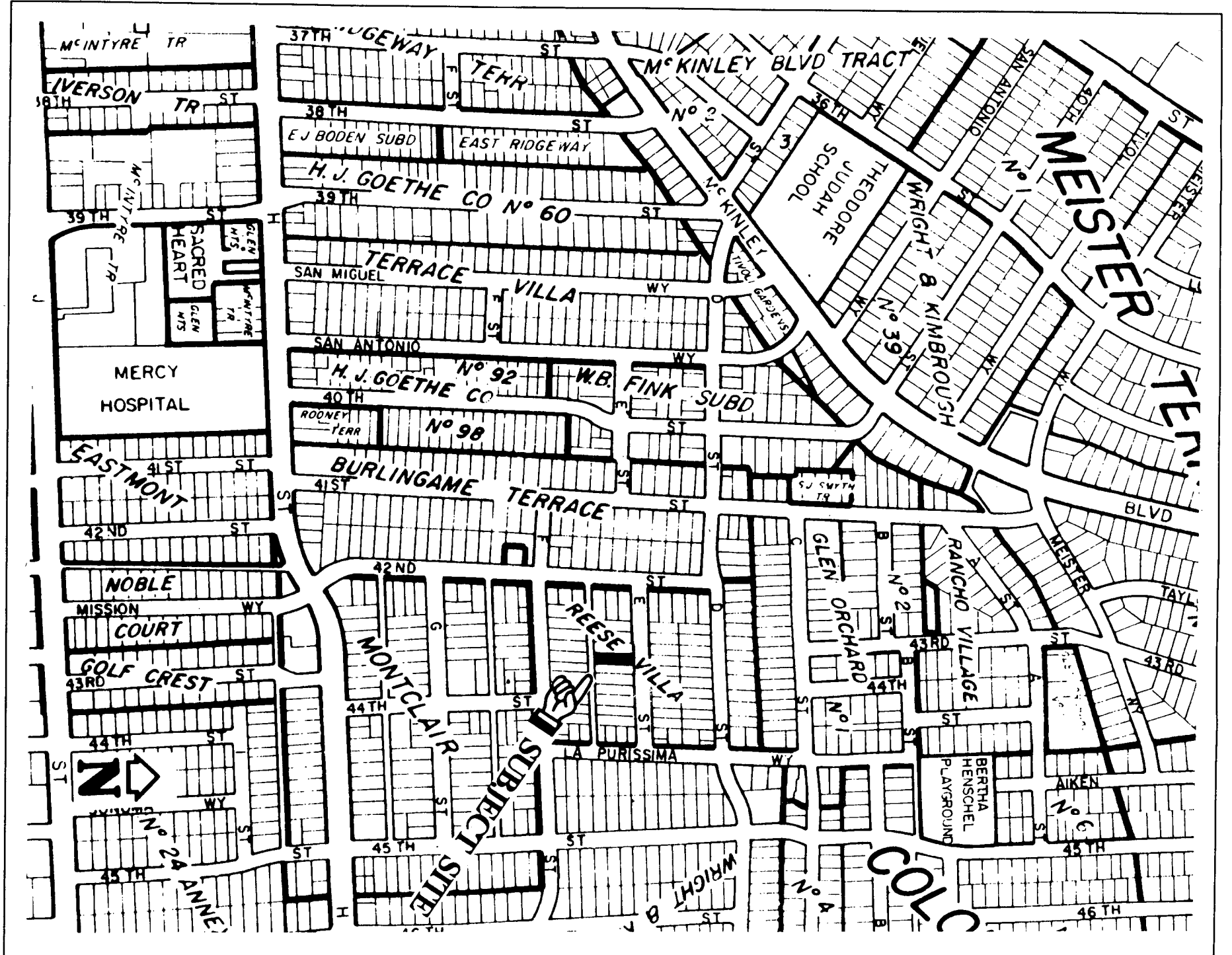
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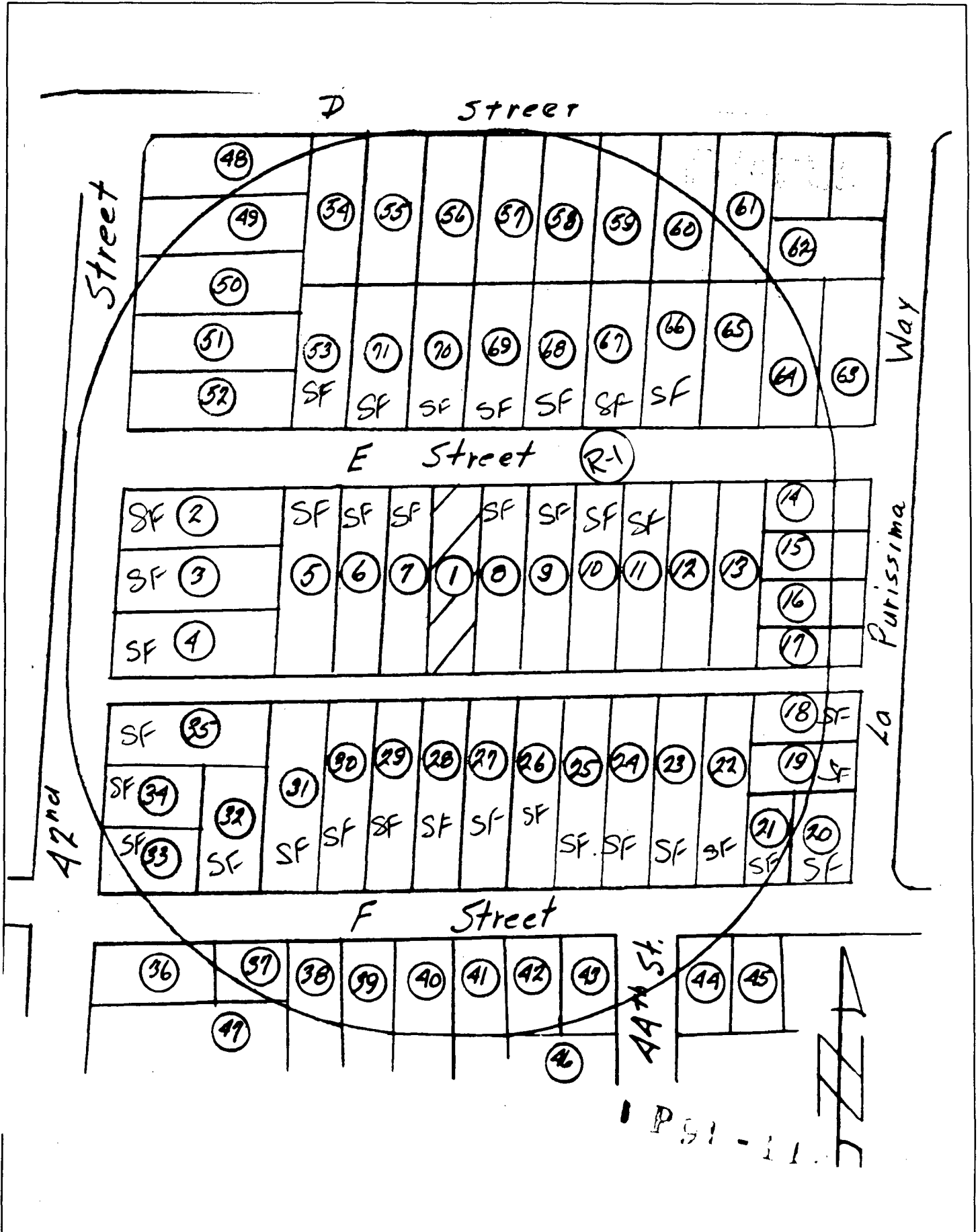
CITY CLERK

P91-113

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VICINITY MAP

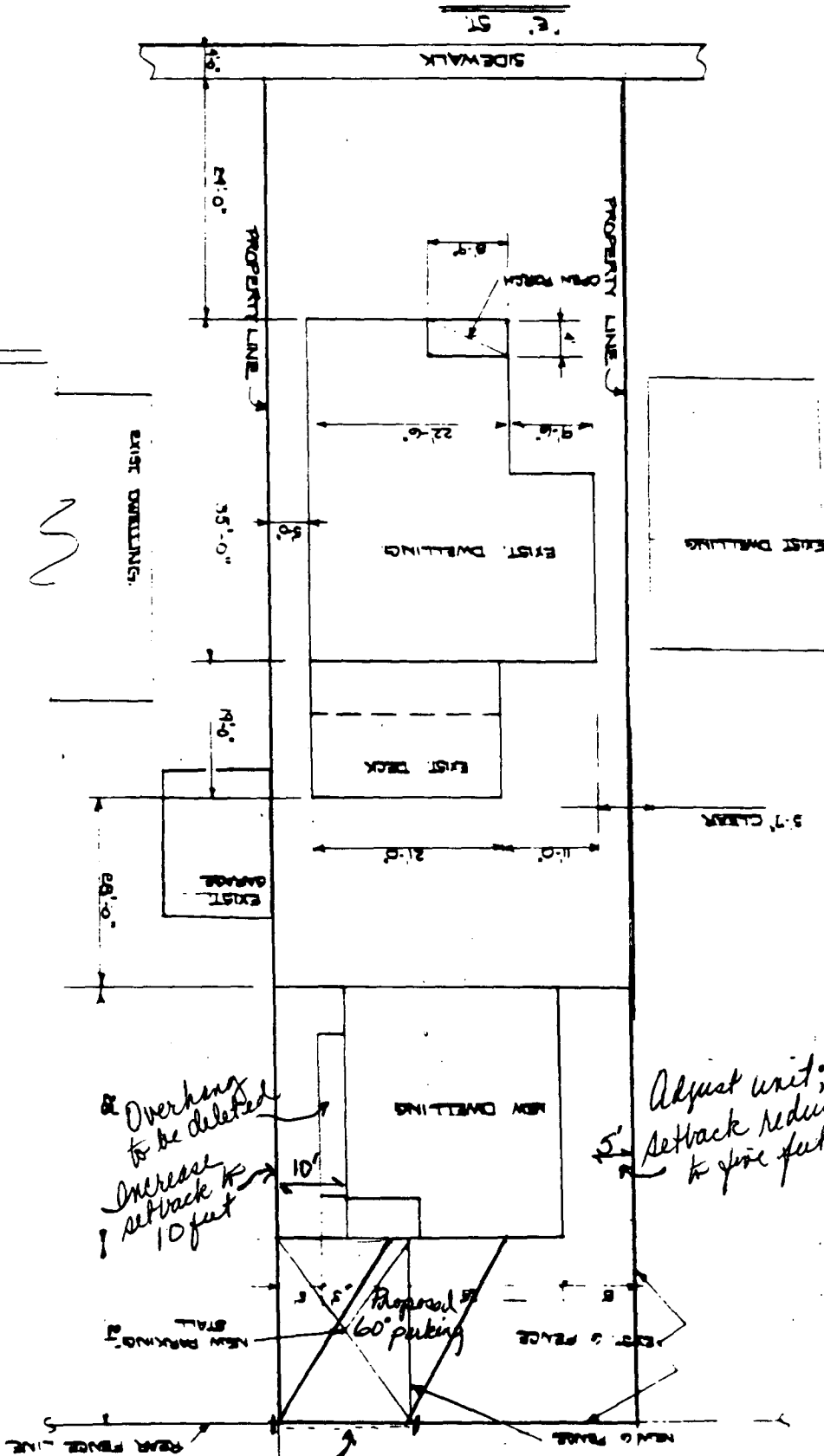




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LAND USE AND ZONING MAP

SITE PLAN



Overhang
to be deleted
Increase
setback to
10 feet

Adjust unit;
Setback reduce
to five feet

No fence
or gate along
driveway pad without
approval of Public Works 9-26-91

000929

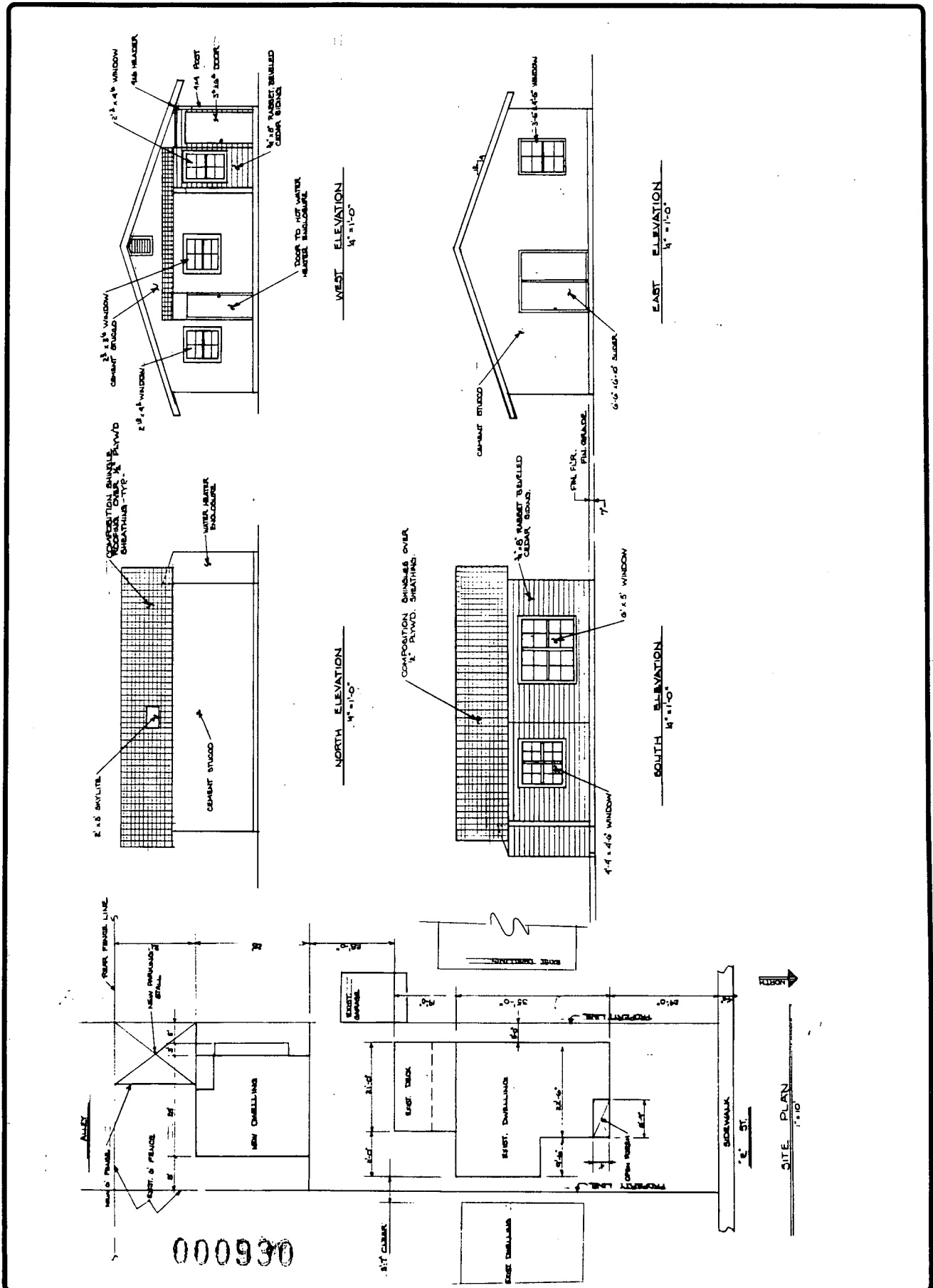
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EXHIBIT B

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P91-113

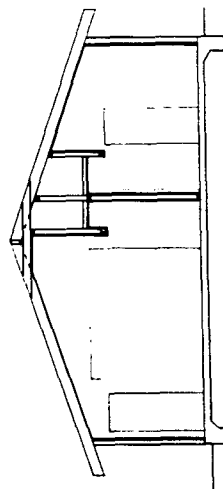
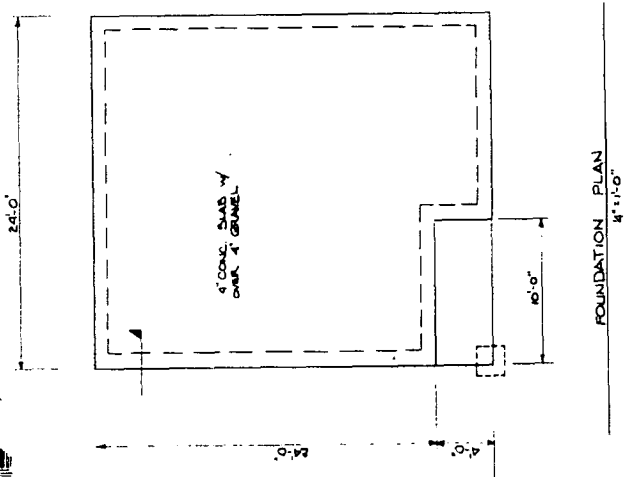
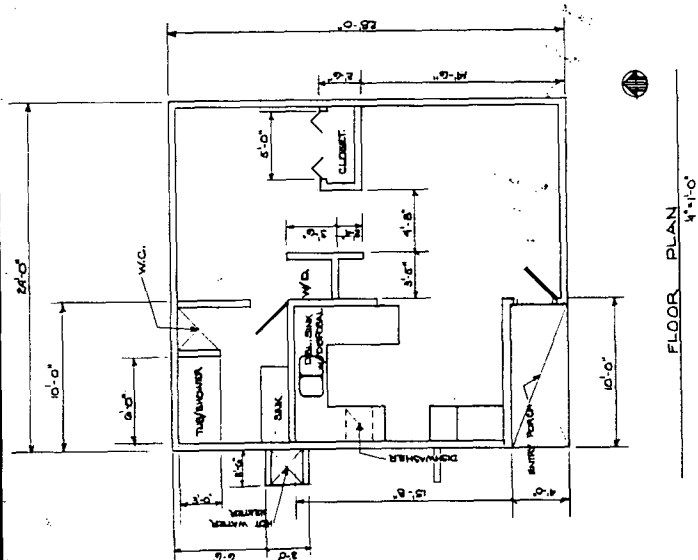
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EXHIBIT C

NEW RELEASE



000931

P91-113

9.26.91

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Recording
Not
Required

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MITIGATION MONITORING PLAN

FOR

P91-113

Initial Study

Prepared By:

City of Sacramento Environmental Services Division

August 26, 1991

Adopted By:

City of Sacramento Planning Commission

Date: _____

CHAIRPERSON

Secretary to the Planning Commission

MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan has been required and prepared by the Department of Planning and Development, Environmental Services Division, 1231 I Street, Suite 301, Sacramento, CA 95814, (916)449-2037, pursuant to California Environmental Quality Act Guidelines Section 21081.

The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Negative Declaration for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the applicant.

Entitlements Requested

Special Permit to construct a 640 sq. ft. second residential unit on 0.14± developed acres in the Standard Single Family (R-1) zone. **Variance** to reduce the 10 foot court requirement to 5 feet in the Standard Single Family (R-1) zone. **Variance** to reduce the required 26 feet of maneuvering to 23 feet for a parking pad on 0.14± developed acres in the Standard Single Family (R-1) zone.

Project Description

The project site is located at 4308 E Street (APN #004-0244-005) and is within the East Sacramento community area. Presently the lot is partially developed with a residential unit. The Sacramento General Plan Update (SGPU) land use designation is Low Density Residential (4-15 du/net acres). The current and proposed zoning is Standard Single Family (R-1).

The applicant proposes to construct a second one-story residential unit to the rear of the subject site. Access to both units will be via the alley at the rear of the site. The proposed residential unit will 12' to 8' feet above finished grade and will have a combination of wood siding and stucco exterior. One apricot tree, which is located at the center of the proposed second unit, is proposed to be removed. The applicant is requesting a variance to reduce the 10 foot court requirement to 5 feet and to reduce the required 26 feet maneuvering space to 23 feet for a parking pad. For the past ten years this site has been used for residential use. The subject site is in an infill area. Proposed density is 13.6 du/net acre. Adjacent land uses are single family residential.

COMBINED SEWER/STORM DRAIN CEASE AND DESIST AREA (Utilities: Water)

The applicant agrees to pay such lawful fees, taxes assessments imposed through the use of development fees, impact fees, fee districts, community facilities districts, assessment districts, or other fair, equitable, and appropriate mechanisms designed to address project impacts on the existing combined stormwater sewer system, and shall execute an agreement satisfactory to the City Attorney and suitable for recordation which obligates the applicant to pay fair, equitable and appropriate development or related fees, impact fees or assessments or taxes as and when enacted, imposed, or levied.

ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE

City Attorney, City of Sacramento

Department of Planning and Development, City of Sacramento

Department of Public Works, City of Sacramento

MONITORING PROGRAM

Prior to issuance of the Notice to Proceed with commencement of work of the Public Works Division, and prior to issuance of the Building Permit with the Building Division, the applicant shall execute an agreement as described above subject to approval by the City Attorney. The City Entities shall be provided a copy of this agreement from the applicant prior to commencement of work and prior to issuance of building permit.