

Height of Building:	2 stories, 20± feet
Exterior Building Materials:	Plaster-stucco
Roof Materials:	Composition
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

Project Plans: See Exhibits A through G

Additional Information:

A. Background/Applicant's Proposal

The applicant requested to convert an existing single family residence into a four bedroom bed and breakfast inn. The property is located on H Street facing McKinley Park. There are two structures on the site. The main building and a detached garage with a bedroom above. These structures were originally constructed around 1925.

Both structures on the site have two floors. The first floor of the main residence consists of a large living room ("great room"), dining room, kitchen, bedroom (owner's quarters), utility room and bathroom (Exhibit D). As proposed, the second floor of the main residence would consist of three guest bedrooms, three bathrooms and the office for the business. The detached garage has a workshop and storeroom on the first floor. A guest bedroom with a full bathroom is located on the second floor (Exhibit E). The applicant proposed to use this room as the fourth bedroom for the bed and breakfast inn.

The site plan shows three parking spaces (Exhibit C). Two spaces are located in front of the building. The third space is in front of the garage. The three provided spaces meet the parking requirement of one space per every two guest rooms plus one space for the owner/manager. The site plan also indicates a maneuvering area behind the required spaces. A reciprocal maneuvering agreement is required to provide additional back up space on the adjacent property. This agreement will formalize the use of the adjacent property and will allow vehicles to turn around discouraging backing out into the H Street traffic. There is no parking allowed on the south side of H Street.

A freestanding four foot high, six foot wide wooden sign was requested with the application to advertise the bed and breakfast inn (Exhibit F).

The applicant also requested a waiver of the masonry wall required between residential and non-residential uses. The intent of the wall requirement is to reduce noise typically associated with commercial uses from the adjacent residential use. There is an existing wooden fence along the side and rear property lines. The applicant indicated that this fence would remain in place.

B. Neighborhood Comments

The applicant's proposed project was noticed and staff received numerous letters and calls from surrounding neighbors and interested persons. The calls and letters were both in support and in opposition to the applicant's request. Generally, those opposed to the request indicated that they believed that the bed and breakfast inn: would turn a residential neighborhood into a commercial neighborhood, causing a change in the residential character and property values of the neighborhood; and is an improper land use in the R-1 zone and is more properly located in the central city area or a multiple family or commercial zone. Letters in opposition also noted that there is a lack of trust in the applicant since a bed and breakfast inn has been operating illegally on the property for the past several years and that the applicant is inconsiderate of his neighbors as his gardener comes on Sundays. Letters in support of the applicant's request were primarily from people who had used the bed and breakfast inn or had relatives/friends stay at the inn, owners of bed and breakfast inns in the central city area, and people who live in the neighborhood of bed and breakfast inns in the central city area. Letters in support and opposition to the proposal are on file in the Zoning Administrator's office.

The project was also review by the two neighborhood associations in the East Sacramento area. The McKinley-Elvas Neighborhood Association (MENA) indicated general support of the proposal subject to conditions. The East Sacramento Improvement Association (ESIA) recommended denial of the applicant's request. MENA's letter is attached as Exhibit H and the ESIA letter is attached as Exhibit I.

3. City Agency Comments

The proposed project was reviewed by the City Police Department, Fire Department, Public Works Department (Transportation and Engineering Divisions), Utilities Department, and Building Division. Their comments are as follows:

Police Department:

1. Recommend a minimum of 1.5 foot-candles of illumination per square foot of parking space between the hours of dusk and one hour after sunrise. A minimum of .25 foot-candles of illumination should be provided at the surface of any walkway, alcove, or passageway related to the building project during the same hours.
2. Recommend that all landscaping be maintained at a minimum plant and/or shrub height if 30 inches and trees maintained at a minimum distance of 6 feet from lowest branch to the ground.
3. Recommend that decorative planting be maintained as not to obstruct or diminish lighting level throughout project.

Fire Department

1. All requirements of the City Fire Department shall be met prior to occupancy as a bed and breakfast inn. Fire Department requirements may include providing fire alarms and possible modification of walls and windows as necessary.

Public Works, Transportation and Engineering

1. Parking spaces and driveway shall meet city standards.

Utilities Department

1. No comment.

Building Inspections - Fire Protection

1. Size of windows must be escape/ rescue size. Minimum net clear openable area = 5.7 sq.ft. minimum net clear openable height = 24" etc. (UBC 310.4).
2. Light and ventilation are of concern (UBC 310.5).
3. Ceiling height: "Habitable space shall have a ceiling height of not less than 7'6". If any room in a building has a sloped ceiling, the prescribed ceiling height (7'6") for the room, is required in only one half the area thereof. No portion of the room measuring less than 5 feet from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof." (UBC 310.6.1)
4. Smoke detectors are required (UBC 310.9.1).
5. Occupancy separation between first and second floor of garage needs 1 hour fire rating including shaft (stair) and rated door (UBC Table 3B).

Zoning Administrator's Hearing

There were approximately 19 people in attendance at the three hour public hearing. Testimony in support and in opposition to allowing the bed and breakfast inn at the site was heard by the Zoning Administrator. The applicant and the opposition presented the Zoning Administrator with written summaries of their presentations and petitions. These items are on file in the Zoning Administrator's office.

After listening to public testimony, the Zoning Administrator closed the public hearing, and approved a special permit for a two guest room bed and breakfast inn, subject to

conditions. The Zoning Administrator also approved the request to waive the wall requirement subject to conditions.

Environmental Determination

This project will not have a significant effect on the environment and is exempt from environmental review pursuant to State EIR Guidelines California Environmental Quality Act, Section 15301.

Conditions of Approval

1. This permit has been granted for a total of two guest rooms (plus manager's quarters). The applicant shall designate to the Zoning Administrator by January 18, 1997, which two rooms in the main dwelling will be used for the lodging of guests.
2. The bed and breakfast use is for lodging of guests only. Conferences, weddings, fund raisers or other similar gatherings of lodgers and/or non-lodgers is prohibited at the site. This condition is not to prohibit Mr. and Mrs. Ansell (or any future owners of the property) from having normal family events on the property.
3. All outdoor activities shall be in conformance with the City Noise Ordinance. Bed and breakfast guests shall not be permitted to use the backyard area before 8:00 a.m. in the morning or after 10:00 p.m. at night.
4. The applicant shall provide a copy of the driveway easement with original signatures prior to January 18, 1997.
5. The applicant shall obtain all necessary building permits to operate the bed and breakfast prior to January 18, 1997.
6. No sign advertising the bed and breakfast shall be permitted on the subject property.
7. The garage structure is not permitted to be used as lodging for bed and breakfast guests.
8. The Zoning Administrator will not accept an application to modify any conditions of this special permit prior to April 15, 1997.

Findings of Fact

1. The project, as conditioned is based upon sound principles of land use in that:
 - a. the project site is located on a major street (H Street);

- b. the bed and breakfast inn will be operated on a large lot in a residence that was constructed to accommodate the number of people that would be staying in a two guest room bed and breakfast inn; and
 - c. adequate parking and vehicle maneuvering will be provided.
2. The project, as conditioned, is not detrimental to the public health, safety or welfare, nor result in the creation of a nuisance in that:
- a. the bed and breakfast inn will comply with building code requirements;
 - b. the bed and breakfast inn use is limited to the lodging of guests only; and
 - c. adequate parking and vehicle maneuvering will be provided.
3. The variance to waive the solid wall, as conditioned, is not a special privilege extended to one property owner in that:
- a. the noise that may be generated in the back yard of the bed and breakfast inn is similar to the noise generated by occupants of a single family residence; and
 - b. a variance would be granted to other property owners facing similar circumstances.
4. The variance request is not a use variance in that bed and breakfast inns are permitted in the Central City and Alhambra Corridor in the R-1 zone with special permit approval.
5. The project is consistent with the General Plan which designates the site as Low Density Residential (4-15 du/ac). Bed and breakfast inns are permitted in this land use designation with special permit approval.

Joy D. Patterson

Joy D. Patterson
Zoning Administrator

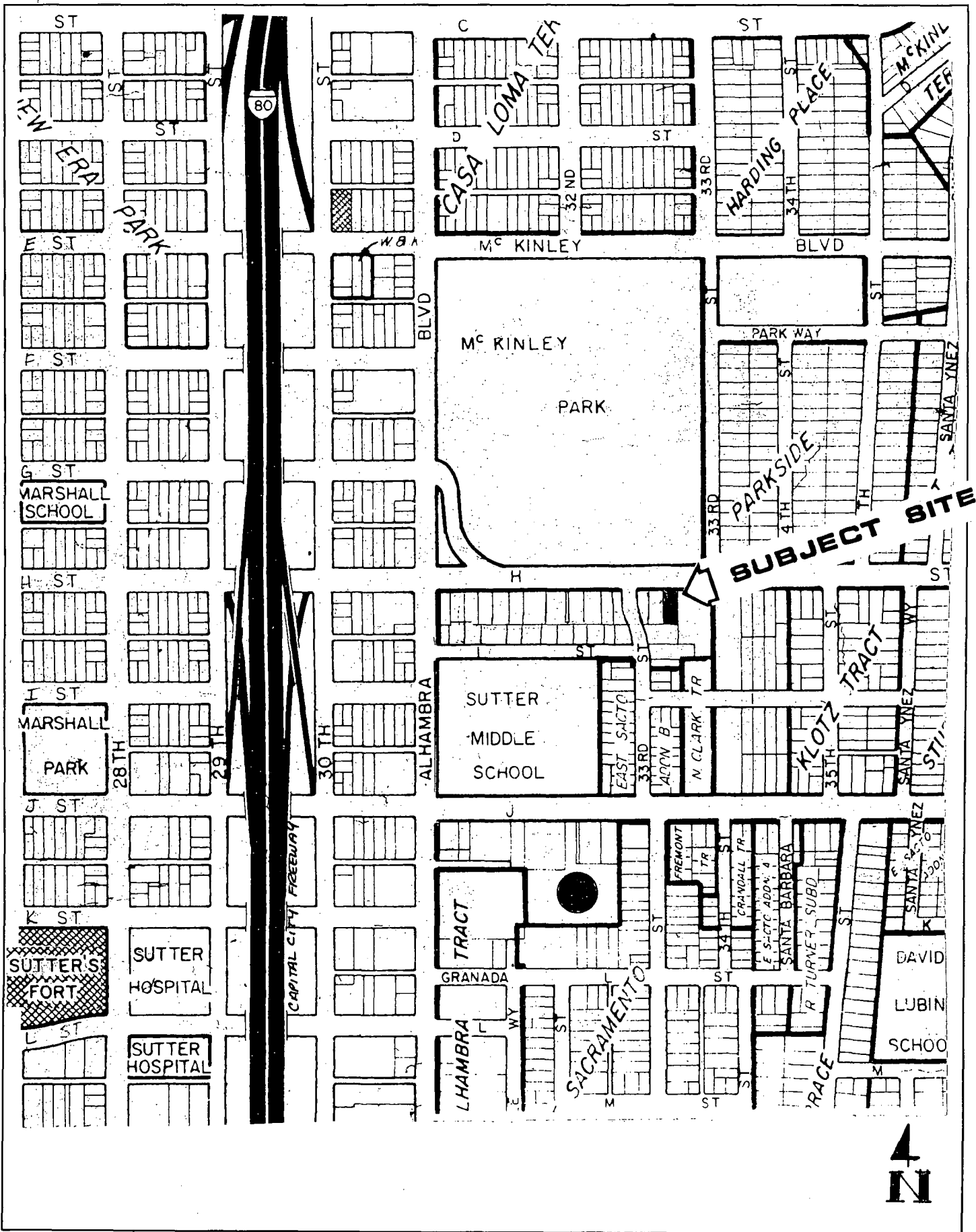
A use for which a Special Permit and Variance is granted must be established within two years after such permit is approved. If such use is not so established the Special Permit/Variance shall be deemed to have expired and shall be null and void. A Special Permit/Variance use which requires a Building Permit shall be deemed established when such Building Permit is secured and construction thereunder physically commenced. If no building permit is required, the use shall be deemed established when the activity permitted has been commenced.

The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

cc: File
Applicant/ Owner- Robert Ansell
ZA Log Book

Exhibits

Exhibit A: Vicinity Map
Exhibit B: Land Use and Zoning Map
Exhibit C: Site Plan
Exhibit D: Main Residence Floor Plan
Exhibit E: Garage Floor Plan
Exhibit F: Proposed Sign
Exhibit G: Photograph of Front of Residence
Exhibit H: MENA Letter
Exhibit I: ESIA Letter



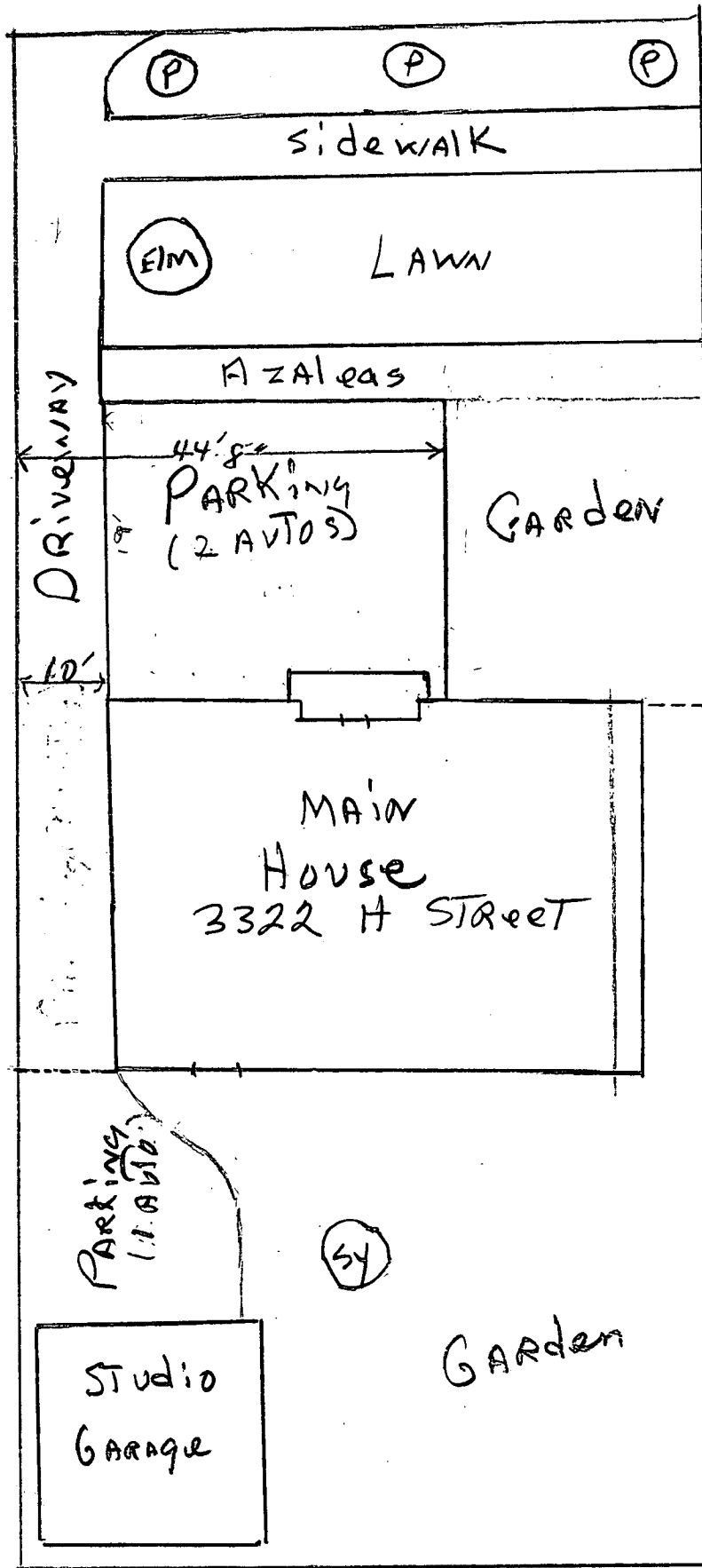
VICINITY MAP

H STREET

EXHIBIT C

P = Old Palm

Elm = Old Elm



SY = Old SYCAMORE



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SITE PLAN

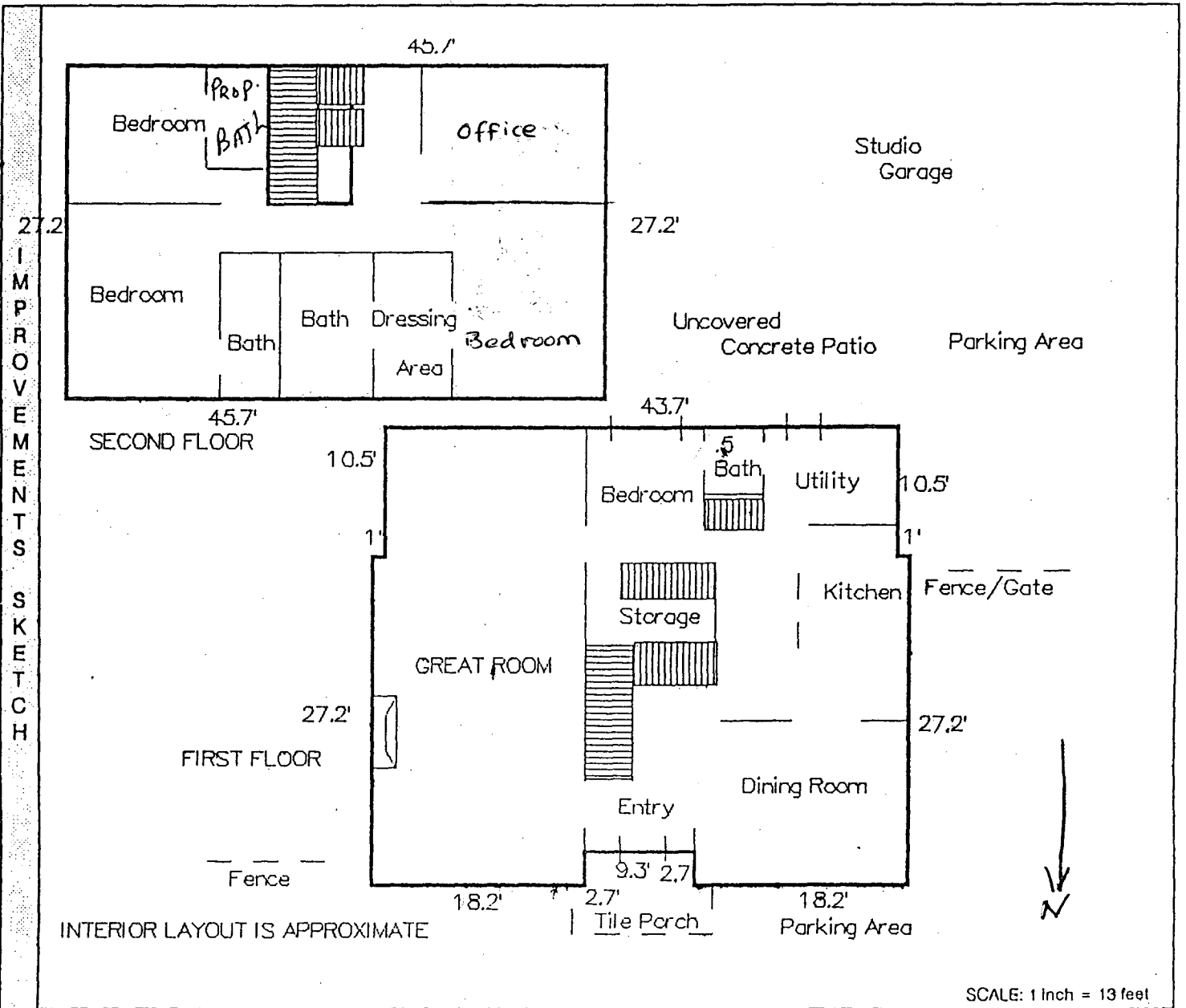
1" = 16'

SKETCH/AREA TABLE ADDENDUM

MAIN HOUSE FLOOR PLAN

File No: 2875

SUBJECT	Borrower/Client Ansell / McClellan Federal Credit Union			
	Property Address 3322 H Street			
	City SACRAMENTO	County Sacramento	State California	Zip Code 95816
	Lender McCLELLAN FEDERAL CREDIT UNION			



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