Z96-038 33RD STREET SECOND UNIT APPEAL

REQUEST: **A. Environmental Determination (Exemption)**

B. Appeal of a Zoning Administrator Special Permit to construct a 638 square foot residential unit on 0.13± developed acres in the Standard Single Family (R-1) zone.

C. Variance to reduce the required courtyard from ten feet to 6.5 feet.

LOCATION: 1242 33rd Street
Assessor's Parcel No. 007-0191-010
East Sacramento Community Plan Area
Sacramento Unified School District
Council District 5

APPLICANT:	Jean Endicott, 635-5983 10808 Balantrae Way, Rancho Cordova, CA 95670
OWNER:	Same as Applicant
APPLICATION FILED:	March 26, 1996
STAFF CONTACT:	Sandra Yope, 264-7158

SUMMARY: On July 16, 1995 the Zoning Administrator held a public hearing on a request to construct a 638 square foot second residential unit behind an existing single family residence on a 0.13± acre parcel in the Standard Single Family (R-1) zone. After hearing testimony from the applicant and surrounding residents of the site, the Zoning Administrator closed the public hearing and approved the special permit request subject to conditions. Several of the surrounding neighbors have appealed this decision to the Planning Commission (Attachment 3).

On September 12, 1996, the Planning Commission heard the appeal and directed staff to add the courtyard variance, have the applicant reorient the entrance towards 33rd Street, and return to Planning Commission for final action.

RECOMMENDATION: **Staff recommends that the appeal be denied, the decision of the Zoning Administrator to approve the special permit request be upheld, and the variance be approved.** This recommendation is based on upon the findings that the proposed project, as conditioned, is architecturally compatible with the existing unit; will meet all the Zoning Ordinance requirements once redesigned; will not exceed 850 square feet; and supports the policies of

the Alhambra Corridor Special Planning District.

PROJECT INFORMATION: See Attached Zoning Administrator's Report and Planning Commission Report.

BACKGROUND INFORMATION: The applicant originally submitted an application for a second unit to the rear of the existing house that was oriented towards the front of the lot (33rd Street). However, the proposed plan would required a Planning Commission Variance to reduce the required ten foot courtyard requirement to 6.5 feet. The applicant redesigned the proposed unit to front off the alley which eliminated the need for the courtyard variance because the site is within the Alhambra Corridor Special Planning District (SPD). The Zoning Ordinance does not require the ten foot clear path from the rear unit to the front property line (courtyard requirement) within the Alhambra Corridor SPD when the second unit fronts on the alley.

ZONING ADMINISTRATOR HEARING:

There were approximately 11 people in attendance at the three hour public hearing. Testimony in support and in opposition to allowing the second unit was heard by the Zoning Administrator. The large opposition contingent echoed the previously mention concerns that had been submitted in letters. Besides the general public, representatives of City Planning staff, City Engineering and Development Planning Services staff, the Police Department, and Fire Captains from the Fire Department were in attendance to answer questions posed by the Zoning Administrator regarding the project.

At the hearing, Theresa Arnold of Public Works indicated that the applicant would not be required to pave the alley based on precedence and advice from the City Attorney's office. The Lynne Olhson of the Police Department indicated their complete opposition to the unit stating concerns with constructing a unit with no other natural surveillance around it, the design of the unit which created potential hiding places for criminal activity, and the unpaved alley for access to the unit. The Captain Gordon Duncan of the Fire Department stated their opposition to the project due to lack of access for emergency personnel to the proposed rear unit. He indicated that paving the alley and widening the alley to 20 feet would be the only acceptable solution to allow the fire trucks to use the alley for access. However, requiring sprinklers for the new unit would eliminate the need for fire truck access, but would not eliminate his access concerns for other emergency response access. Both Police and Fire shared similar concerns with potential confusion with determining the address of the second unit when responding to an emergency call.

After listening to public testimony, the Zoning Administrator closed the public hearing, and approved the special permit for the second residential unit subject to conditions. At the public meeting, the Zoning Administrator made the finding that the proposed unit was architecturally compatible with the existing unit; will meet all the Zoning Ordinance requirements once redesigned; will not exceed 850 square feet; and supports the policies of the Alhambra Corridor Special Planning District.

To further respond to concerns expressed by the neighbors, Police and Fire Department staff, the Zoning Administrator:

1) Required the applicant to redesign the unit per many police/fire design considerations including: pulling back the garage to be flush with the house, exterior lighting on timers on all sides, lit address numbers at the rear and at the front house, reorient the rear door, reorient the entire floor plan; provide fire sprinklers; and pave the pathway from the front unit to the rear unit; and

2) Required the applicant to provide a name and number to nearby residents for contact in case of any tenant problems; replant new trees and relocate existing tree affected by the proposed foot print; obtain Department of Utilities approval of the proposed grading; and landscape and automatically irrigate the rear portion.

PLANNING COMMISSION HEARING ON SEPTEMBER 12, 1996:

The Planning Commission heard many of the same presentations echoing their previous concerns from the same individuals for and against the project and city staff including Fire and Police Departments' staff. The applicant's designer displayed various proposed plans for the project that have been reviewed throughout the course of the project. The applicant also submitted a revised floor plan that incorporated all the conditions of the Zoning Administrator's approval. The Planning Commission closed the hearing and directed staff to add a courtyard variance so that the primary entrance for the proposed second unit would be oriented towards 33rd Street.

After the hearing, planning staff met with staff representatives from the Fire and Police department to discuss the most recent design submittal from the applicant. Both Fire and Police staff members indicated that the new design which incorporates all the Zoning Administrator conditions should be used. The Fire Department staff indicated that they wanted an additional condition that required both sides of the front house be pave from the house to property line to provide adequate access to the rear unit. The Fire Department will accept the project with the additional condition in that there is access provided; however, not to the standard they would prefer. The Police Department staff indicated that while the additional conditions provide a safer design, the department's position would still be in opposition to the additional unit on this lot because the front unit is two stories in height and passive, rather than active, living area is located in the rear of the front unit (no surveillance of back unit by front unit). The only design the Police Department would accept is one where the front house is single story and the rear house can be offset from the front house at least ten feet.

RECOMMENDATION: Staff recommends the Planning Commission take the following action:

A. Adopt the attached Notice of Decision and Findings of Fact (Attachment 1) with the Environmental Determination that the project is **Exempt** from further environmental review pursuant to the California Environmental Quality Act.

B. Adopt the attached Notice of Decision and Findings of Fact (Attachment 1) **denying** the appeal of the Zoning Administrator's Decision to approve a Special Permit to construct a 638 square foot residential unit on 0.13± developed acres in the Standard Single Family (R-1) zone.

C. Adopt the attached Notice of Decision and Findings of Fact (Attachment 1) **approving** the Variance to reduce the courtyard requirement.

Report Prepared By,

Sandra L. Yope
Associate Planner

Report Reviewed By,

Joy D. Patterson
Senior Planner

Attachments

Attachment 1	Notice of Decision and Findings of Fact
	Exhibit A-1 - Revised Floor Plan
Attachment 2	Planning Commission Report for September 12, 1996
Attachment 2A	Zoning Administrator's Notice of Decision
	Includes the following:
	Vicinity Map
	Land Use and Zoning Map
	Exhibit A - Site Plan, Elevations, and Floor Plan
	Exhibit B - Police Department Comments
	Exhibit C - East Sacramento Improvement Association Letter
	Exhibit D - Letters and Petitions in Opposition
	Exhibit E - Letters and Petitions in Support
Attachment 3	Appeal

ATTACHMENT 1

NOTICE OF DECISION AND FINDINGS OF FACT FOR 33RD STREET SECOND UNIT APPEAL, LOCATED ON AT 1242 33RD STREET IN THE STANDARD SINGLE FAMILY (R-1) ZONE. (Z96-038)

At the regular meeting of September 12, 1996, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

A. Environmental Determination (Exemption)

B. Denied the Appeal of the Zoning Administrator's Decision to approve a Special Permit to construct a 638 square foot residential unit on 0.13± developed acres in the Standard Single Family (R-1) zone.

C. Approved the Variance to reduce the required courtyard from ten feet to 6.5 feet.

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

A. Categorical Exemption: The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Sections 15301 and 15303(a) of the California Environmental Quality Act.

B. Appeal of the Zoning Administrator's Decision to Approve a Special Permit: The appeal of the Zoning Administrator Special Permit for the proposed second unit is denied subject to the following findings of fact and conditions of approval:

1. Granting the Special Permit is based upon sound principles of land use in that:

   a) the proposed second unit will not substantially alter the characteristics of the surrounding mixed use neighborhood;

   b) the proposed second unit which fronts on the alley promotes the goals established by the Alhambra Corridor Special Planning District;

   c) the proposed second unit meets the design criteria for the Alhambra Corridor and is architecturally compatible with the existing unit;

d) the proposed second unit will provide additional alternative affordable housing; and

e) the proposed second unit meets the requirements of the Zoning Ordinance to include not exceeding 850 square feet of living area.

2. The project will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that:

a) there will be adequate yard area;

b) there will be adequate setbacks, landscaping, and on-site parking for the proposed second unit;

c) the second unit will not substantially alter the characteristics of the surrounding mixed use neighborhood; and

d) the site will be graded to eliminate any existing on-site drainage problems.

3. The project is consistent with the General Plan which designates the subject site as Low Density Residential (4-15 du/na). The project is also consistent with the Alhambra Corridor Special Planning District goals and the proposed Sacramento Central City Neighborhood Design Plan both which promote residential units fronting on the alley.

C. Variance to reduce the required courtyard from ten feet to 6.5 feet. The Variance is approved subject to the following findings of fact and conditions of approval:

1. Granting the variance does not constitute a special privilege extended to an individual applicant in that a variance would be and has been granted to other property owners facing similar circumstances.

2. Granting the variance request does not constitute a use variance in that the single family dwelling and second residential unit are residential uses that is permitted in the Standard Single Family (R-1) zone. The second residential use is permitted with a Zoning Administrator's Special Permit.

3. The project is consistent with the General Plan which designates the subject site as Low Density Residential (4-15 du/na).

CONDITIONS OF APPROVAL

B. The Zoning Administrator Special Permit for the proposed second unit (Exhibits A-E) is hereby approved subject to the following conditions:

B1. The proposed second unit shall be redesigned to not exceed the 40 percent

coverage for the R-1 zone. The lot coverage includes all overhangs (40% equals 2,344 square feet). No other structures will be allowed on the lot without a variance.

B2. The living area shall not exceed 638 square feet. The unit shall be redesigned to locate the living room area along the west side, the bedrooms along the east side, and the garage pulled back to be flush with the house. The door along the east side shall be relocated to the northeast corner. The applicant shall submit the redesign to Planning staff for review and approval prior to submission for building permits.

B3. The applicant shall obtain Design Review approval of the final design after the plans have been redesigned prior to submitting for building permits.

B4. The applicant shall install a lighted address on the second residential unit garage (visible from the alley) and on the gate or on the building at the front of the lot (visible from 33rd Street). The gated entrance off of 33rd street shall have a light. A pathway shall be made from the front gate (on 33rd Street) along the side of the front house to the rear house. The path shall constructed out of concrete (sidewalk) and be the width of edge of the house to the property line along the north property line.

B5. The applicant shall install lights on all sides of the house that work on timers to be lighted at dusk through at least sunrise, daily. The type of lighting shall be subject to the review of the Zoning Administrator staff in consultation with the Police Department staff.

B6. The applicant shall submit a grading plan to the Department of Utilities for review and approval prior to commencing grading or any site work. The lot shall drain to the street and not the unimproved alley.

B7. The existing sewer line and sewer cleanout shall be relocated as to not be located under any portion of the proposed second unit and/or garage. The proposed relocation shall be indicated on plans submitted to the Building Plan Check section for review and approval.

B8. The second unit shall meet all necessary building code requirements to include sprinklers in the second unit to the satisfaction of the Fire Department. Required fire sprinklers shall be NFPA 13D standards and a C-16 licensed contractor is required for installation.

B9. The garage shall have an automatic garage door opener. No cars shall overhang into the alley. No cars shall park in the alley (visitors shall park on 33rd Street).

B10. The owner shall include language in any lease for the proposed second unit that indicates the second unit is a result of a discretionary permit and that all tenants

shall adopt a "Good Neighbor Policy". Such areas of concern include, but are not limited to, maintaining the property both physical buildings and landscaping and abiding by the conditions.

B11. The applicant shall relocate elsewhere on the lot any trees removed to construct the second unit and replace any dead trees.

B12. The applicant shall landscape the rear portion to include sod, shrubs, at least one tree, and install an automatic sprinkler system for the entire rear portion of the lot. Shrubs shall be maintained not to grow higher than the lowest point of any window along the west elevation.

B13. The applicant shall make her name and phone number available to all people attending the public hearing and within a 100 feet of the site as a contact for any problems resulting from any of the tenants in the existing or proposed unit.

B14. The applicant shall obtain all necessary building permits prior to commencing construction.

B15. The owner will agree to participate in any future assessment group formed to pave the unimproved alley.

B16. The applicant shall not install any form of solid six foot fence in the rear yard setback area. A decorative wrought iron fence feet shall be installed flush with the front of the second unit (west elevation) from the building edge to each property line (north wall to north property line and south wall to south property line).

C. The Variance for the courtyard requirement (Exhibits A-E) is hereby approved subject to the following condition:

C1. The applicant shall pave both sides of the front house from the residential wall to the property line the length of the front house. The area shall remain clear and open vertically.

ATTEST:

SECRETARY TO
CITY PLANNING COMMISSION CHAIRPERSON
Z96-038

EXHIBIT A-1

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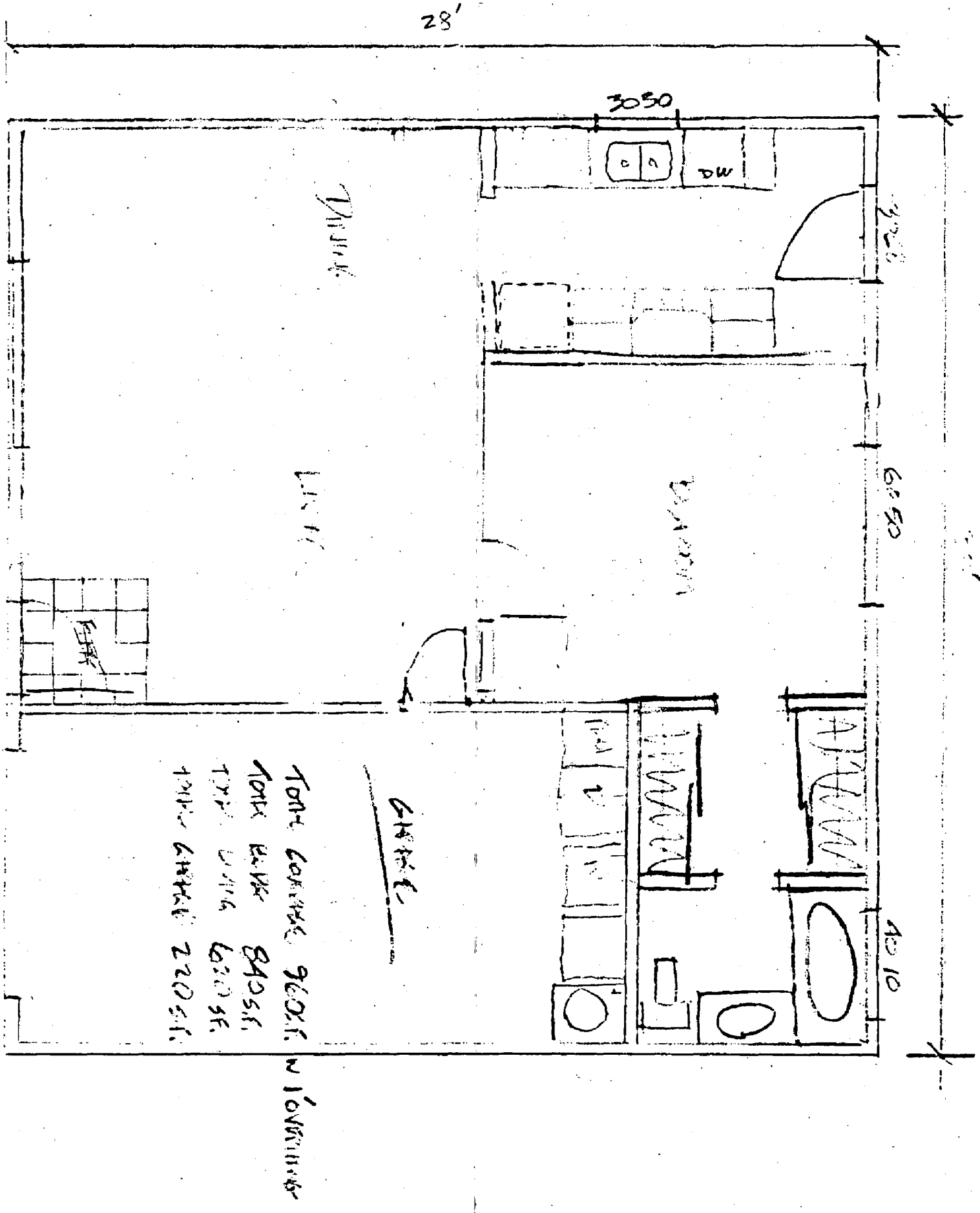
NOVEMBER 7, 1996
PAGE 7



ATTACHMENT 2

CITY PLANNING COMMISSION
SACRAMENTO, CALIFORNIA
MEMBERS IN SESSION:

NOV 7

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~~September 12~~, 1996
PAGE ~~18~~

Z96-038 33RD STREET SECOND UNIT APPEAL

REQUEST: **A. Environmental Determination (Exemption)**

B. Appeal of a Zoning Administrator Special Permit to construct a 638 square foot residential unit on 0.13± developed acres in the Standard Single Family (R-1) zone.

LOCATION: 1242 33rd Street
Assessor's Pcl. No. 007-0191-010
East Sacramento Community Plan Area
Sacramento Unified School District
Council District 5

APPLICANT:	Jean Endicott, 635-5983 10808 Balantrae Way; Rancho Cordova, CA 95670
OWNER:	Same as Applicant
APPLICATION FILED:	March 26, 1996
STAFF CONTACT:	Sandra Yope, 264-7158

SUMMARY: On July 16, 1995 the Zoning Administrator held a public hearing on a request to construct a 638 square foot second residential unit behind an existing single family residence on a 0.13± acre parcel in the Standard Single Family (R-1) zone. After hearing testimony from the applicant and surrounding residents of the site, the Zoning Administrator closed the public hearing and approved the special permit request subject to conditions. Several of the surrounding neighbors have appealed this decision to the Planning Commission (Attachment 3).

RECOMMENDATION: **Staff recommends that the appeal be denied and the decision of the Zoning Administrator to approve the special permit request be upheld.** This recommendation is based on upon the findings that the proposed project, as conditioned, is architecturally compatible with the existing unit; will meet all the Zoning Ordinance requirements once redesigned; will not exceed 850 square feet; and supports the policies of the Alhambra Corridor Special Planning District.

PROJECT INFORMATION: See Attached Zoning Administrator's Report

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant is required to obtain a building permit from the City's Building Division.

BACKGROUND INFORMATION: The applicant originally submitted an application for a second unit to the rear of the existing house that was oriented towards the front of the lot (33rd Street). However, the proposed plan would required a Planning Commission Variance to reduce the required ten foot courtyard requirement to 6.5 feet. The applicant redesigned the proposed unit to front off the alley which eliminated the need for the courtyard variance because the site is within the Alhambra Corridor Special Planning District (SPD). The Zoning Ordinance does not required the ten foot clear path from the rear unit to the front property line (courtyard requirement) within the Alhambra Corridor SPD when the second unit fronts on the alley.

ZONING ADMINISTRATOR HEARING:

There were approximately 11 people in attendance at the three hour public hearing. Testimony in support and in opposition to allowing the second unit was heard by the Zoning Administrator. The large opposition contingent echoed the previously mention concerns that had been submitted in letters. Besides the general public, representatives of City Planning staff, City Engineering and Development Planning Services staff, the Police Department, and Fire Captains from the Fire Department were in attendance to answer questions posed by the Zoning Administrator regarding the project.

At the hearing, Theresa Arnold of Public Works indicated that the applicant would not be required to pave the alley based on precedence and advice from the City Attorney's office. The Lynne Olhson of the Police Department indicated their complete opposition to the unit stating concerns with constructing a unit with no other natural surveillance around it, the design of the unit which created potential hiding places for criminal activity, and the unpaved alley for access to the unit. The Captain Gordon Duncan of the Fire Department stated their opposition to the project due to lack of access for emergency personnel to the proposed rear unit. He indicated that paving the alley and widening the alley to 20 feet would be the only acceptable solution to allow the firetrucks to use the alley for access. However, requiring sprinklers for the new unit would eliminate the need for fire truck access, but would not eliminate his access concerns for other emergency response access. Both Police and Fire shared similar concerns with potential confusion with determining the address of the second unit when responding to an emergency call.

After listening to public testimony, the Zoning Administrator closed the public hearing, and approved the special permit for the second residential unit subject to conditions. At the public meeting, the Zoning Administrator made the finding that the proposed unit was architecturally compatible with the existing unit; will meet all the Zoning Ordinance requirements once redesigned; will not exceed 850 square feet; and supports the policies of the Alhambra Corridor Special Planning District.

To further respond to concerns expressed by the neighbors, Police and Fire Department staff, the Zoning Administrator:

1) Required the applicant to redesign the unit per many police/fire design considerations including: pulling back the garage to be flush with the house, exterior lighting on timers on all sides, lit address numbers at the rear and at the front house, reorient the rear door, reorient the entire floor plan; provide fire sprinklers; and pave the pathway from the front unit to the rear unit; and

2) Required the applicant to provide a name and number to nearby residents for contact in case of any tenant problems; replant new trees and relocate existing tree affected by the proposed foot print; obtain Department of Utilities approval of the proposed grading; and landscape and automatically irrigate the rear portion.

PROJECT REVIEW PROCESS:

A. 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, Sections 15303(a)}

B. Public/Neighborhood and Business Association Comments

The project was noticed and staff received numerous letters and calls from surrounding neighbors in opposition to the proposed second unit including a petition with 32 signatures (see Exhibit D). The major concerns were the proposed use of an unimproved alley, drainage of the lot and street flooding, another rental property on the site that was not owner occupied, the possibility of the unit being used for criminal activity, and the size of the unit in relation to surrounding residences. The applicant also submitted letters and a petition with ten signatures in support of the project (see Exhibit E). There were a few names on both petitions.

The site is located within the East Sacramento Improvement Association area. The proposed plans were submitted to the neighborhood association. A representative of the East Sacramento Improvement Association called and indicated by phone they do not support the project and followed with two letters in opposition to the proposed project (see Exhibit C). They were concerned with the unimproved alley hindering emergency vehicle responses and also restated their on-going Association policy of not supporting "granny units".

PROJECT APPROVAL PROCESS: The Planning Commission has the authority to approve or deny the appeal of the Zoning Administrator's decision to approve the special permit request. This decision cannot be appealed to the City Council; however, it may be called up by the Mayor or District 3 Councilmember.

RECOMMENDATION: Staff recommends the Planning Commission take the following action:

A. Adopt the attached Notice of Decision and Findings of Fact (Attachment 1) with the Environmental Determination that the project is **Exempt** from further environmental review pursuant to the California Environmental Quality Act.

B. Adopt the attached Notice of Decision and Findings of Fact (Attachment 1) **denying** the appeal of the Zoning Administrator's Decision to approve a Special Permit to construct a 638 square foot residential unit on 0.13± developed acres in the Standard Single Family (R-1) zone.

Report Prepared By,

Sandra L. Yope
Associate Planner

Report Reviewed By,

Joy D. Patterson
Senior Planner

Attachments

Attachment 1	Notice of Decision and Findings of Fact
Attachment 2	Zoning Administrator's Notice of Decision Includes the following: Vicinity Map Land Use and Zoning Map Exhibit A - Site Plan, Elevations, and Floor Plan Exhibit B - Police Department Comments Exhibit C - East Sacramento Improvement Association Letter Exhibit D - Letters and Petitions in Opposition Exhibit E - Letters and Petitions in Support
Attachment 3	Appeal

ATTACHMENT 1

NOTICE OF DECISION AND FINDINGS OF FACT FOR 33RD STREET SECOND UNIT APPEAL, LOCATED ON AT 1242 33RD STREET IN THE STANDARD SINGLE FAMILY (R-1) ZONE. (Z96-038)

At the regular meeting of September 12, 1996, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

A. Environmental Determination (Exemption)

B. Denied the Appeal of the Zoning Administrator's Decision to approve a Special Permit to construct a 638 square foot residential unit on 0.13± developed acres in the Standard Single Family (R-1) zone.

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

A. Categorical Exemption: The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Sections 15301 and 15303(a) of the California Environmental Quality Act.

B. Appeal of the Zoning Administrator's Decision to Approve a Special Permit: The appeal of the Zoning Administrator Special Permit for the proposed second unit is denied subject to the following findings of fact and conditions of approval:

1. Granting the Special Permit is based upon sound principles of land use in that:

   a) the proposed second unit will not substantially alter the characteristics of the surrounding mixed use neighborhood;

   b) the proposed second unit which fronts on the alley promotes the goals established by the Alhambra Corridor Special Planning District;

   c) the proposed second unit meets the design criteria for the Alhambra Corridor and is architecturally compatible with the existing unit;

   d) the proposed second unit will provide additional alternative affordable housing; and

e) the proposed second unit meets the requirements of the Zoning Ordinance to include not exceeding 850 square feet of living area.

2. The project will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that:

   a) there will be adequate yard area;

   b) there will be adequate setbacks, landscaping, and on-site parking for the proposed second unit;

   c) the second unit will not substantially alter the characteristics of the surrounding mixed use neighborhood; and

   d) the site will be graded to eliminate any existing on-site drainage problems.

3. The project is consistent with the General Plan which designates the subject site as Low Density Residential (4-15 du/na). The project is also consistent with the Alhambra Corridor Special Planning District goals and the proposed Sacramento Central City Neighborhood Design Plan both which promote residential units fronting on the alley.

CONDITIONS OF APPROVAL

B. The Zoning Administrator Special Permit for the proposed second unit (Exhibits A-E) is hereby approved subject to the following conditions:

B1. The proposed second unit shall be redesigned to not exceed the 40 percent coverage for the R-1 zone. The lot coverage includes all overhangs (40% equals 2,344 square feet). No other structures will be allowed on the lot without a variance.

B2. The living area shall not exceed 638 square feet. The unit shall be redesigned to locate the living room area along the west side, the bedrooms along the east side, and the garage pulled back to be flush with the house. The door along the east side shall be relocated to the northeast corner. The applicant shall submit the redesign to Planning staff for review and approval prior to submission for building permits.

B3. The applicant shall obtain Design Review approval of the final design after the plans have been redesigned prior to submitting for building permits.

B4. The applicant shall install a lighted address on the second residential unit garage (visible from the alley) and on the gate or on the building at the front of the lot (visible from 33rd Street). The gated entrance off of 33rd street shall have a light. A pathway shall be made from the front gate (on 33rd Street) along the

side of the front house to the rear house. The path shall constructed out of concrete (sidewalk) and be the width of edge of the house to the property line along the north property line.

B5. The applicant shall install lights on all sides of the house that work on timers to be lighted at dusk through at least sunrise, daily. The type of lighting shall be subject to the review of the Zoning Administrator staff in consultation with the Police Department staff.

B6. The applicant shall submit a grading plan to the Department of Utilities for review and approval prior to commencing grading or any site work. The lot shall drain to the street and not the unimproved alley.

B7. The existing sewer line and sewer cleanout shall be relocated as to not be located under any portion of the proposed second unit and/or garage. The proposed relocation shall be indicated on plans submitted to the Building Plan Check section for review and approval.

B8. The second unit shall meet all necessary building code requirements to include sprinklers in the second unit to the satisfaction of the Fire Department. Required fire sprinklers shall be NFPA 13D standards and a C-16 licensed contractor is required for installation.

B9. The garage shall have an automatic garage door opener. No cars shall overhang into the alley. No cars shall park in the alley (visitors shall park on 33rd Street).

B10. The owner shall include language in any lease for the proposed second unit that indicates the second unit is a result of a discretionary permit and that all tenants shall adopt a "Good Neighbor Policy". Such areas of concern include, but are not limited to, maintaining the property both physical buildings and landscaping and abiding by the conditions.

B11. The applicant shall relocate elsewhere on the lot any trees removed to construct the second unit and replace any dead trees.

B12. The applicant shall landscape the rear portion to include sod, shrubs, at least one tree, and install an automatic sprinkler system for the entire rear portion of the lot. Shrubs shall be maintained not to grow higher than the lowest point of any window along the west elevation.

B13. The applicant shall make her name and phone number available to all people attending the public hearing and within a 100 feet of the site as a contact for any problems resulting from any of the tenants in the existing or proposed unit.

B14. The applicant shall obtain all necessary building permits prior to commencing construction.

B15. The owner will agree to participate in any future assessment group formed to pave the unimproved alley.

B16. The applicant shall not install any form of solid six foot fence in the rear yard setback area. A decorative wrought iron fence feet shall be installed flush with the front of the second unit (west elevation) from the building edge to each property line (north wall to north property line and south wall to south property line).

ATTEST:

SECRETARY TO
CITY PLANNING COMMISSION CHAIRPERSON
Z96-038

CPC. ~~9-19-96~~
NOV 7, 1996
16

ATTACHMENT 2A

CITY OF SACRAMENTO
DEPARTMENT OF PLANNING & DEVELOPMENT
ZONING ADMINISTRATOR
1231 I Street, Sacramento, CA 95814

ACTION OF THE ZONING ADMINISTRATOR

On Tuesday, July 16, 1996, the Zoning Administrator approved with conditions a special permit to construct a second residential unit for the project known as Z96-038. Findings of Fact and conditions of approval for the project are listed on pages 6-8.

Project Information

Request: Zoning Administrator Special Permit to construct a 638 square foot residential unit on 0.13± developed acres in the Standard Single Family (R-1) zone.

Location: 1242 33rd Street (D3, Area 1)

Assessor's Parcel Number: 007-0191-010

Applicant: Jean Endicott
10808 Balantrae Way
Rancho Cordova, CA 95670

Property Owner: Same as Applicant

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

Surrounding Land Use and Zoning:		Setbacks	Required	Existing	Proposed
North:	R-1; Single Family Residence	Front:	25'	16.3'	16.3'
South:	R-1; Single Family Residence	Side(N.):	5'	6.5'	5'
East:	R-1; Single Family Residence	Side(S.):	5'	6.5'	5'
West:	C-1R; Commercial	Rear:	15'	79.5'	15'

Property Dimensions: 40' x 146.5'
Property Area: 0.13± acres
Square Footage of Buildings:

Existing residence-	1,358 square feet
Proposed 2nd Unit-	632 square feet
Garage/Porch	241 square feet
Total-	2,231 square feet

Height of Building: Existing House- Two Story
Proposed Unit- One Story, 15 feet

Exterior Building Materials:	Masonite Lap Siding
Roof Materials:	Dimensional Composition Shingles
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

Project Plans: See Exhibit A

Previous Files: None

Background Information: The applicant originally submitted an application for a second unit to the rear of the existing house that was oriented towards the front of the lot (33rd Street). However, the proposed plan would required a Planning Commission Variance to reduce the required ten foot courtyard requirement to 6.5 feet. The applicant redesigned the proposed unit to front off the alley which eliminated the need for the courtyard variance because the site is within the Alhambra Corridor Special Planning District (SPD). The Zoning Ordinance does not required the ten foot clear path from the rear unit to the front property line (courtyard requirement) within the Alhambra Corridor SPD when the second unit fronts on the alley.

Additional Information: The applicant is requesting to construct a 632 square foot second residential unit to the rear of the existing house. The proposed unit will have a single car garage with access off the alley. The adjacent alley is unpaved and 15 feet wide. The proposed unit, as designed with two foot overhangs, exceeds the 40 percent allowed total lot coverage for the zone (42.8 percent, 164 square feet). The applicant is aware of this and will redesign the project to meet the 40 percent requirement. The unit fronts on the alley; however, the door opens into a bedroom area. The proposed unit meets all setback requirements. The second unit will have one bedroom, a bathroom, living room, den, and kitchen. The plans also indicate a six foot high wood fence across the front of the proposed second unit that is flush with the garage.

The Zoning Ordinance requires a Zoning Administrator Special Permit for a second residential unit within the R-1 zone. The Zoning Administrator must make the following findings:

1. The architecture is compatible with that of the main residential unit.

2. The area of the second residential unit will not exceed 850 square feet.

Also the second residential unit shall meet all of the requirements of the Zoning Ordinance, including but not limited to height, lot coverage, setback and parking requirements.

The applicant has submitted an application to Design Review staff for review and approval because the site is within the Alhambra Corridor Design Review area (DR96-137). Design Review staff made comments on the original submittal for the revised project. Those comments were incorporated into the current proposal. Design Review staff has no additional design concerns or comments.

Policy Considerations: The site as previously mentioned is located within the Alhambra Corridor. One of the specific purposes for creating the SPD was "to assist in the preservation of the neighborhood scale and character along with providing additional housing opportunities in the area." Additionally, when the Alhambra Corridor Design Guidelines were formulated and adopted; one of the goals was:

> "to increase the number of residential units, with one of a number of possible mechanisms being utilization of alley frontages. Such development would also contribute to the concept of a pedestrian friendly environment by transforming what are often unattractive service lanes into pleasant alternative routes for walking or bicycling."

The guidelines for more alley usage that were adopted in the Alhambra Corridor SPD are also being folded into the proposed Central City Neighborhood Design Plan which includes the Alhambra Corridor district.

Neighborhood Comments: The project was noticed and staff received numerous letters and calls from surrounding neighbors in opposition to the proposed second unit including a petition with 32 signatures (see Exhibit D). The major concerns were the proposed use of an unimproved alley, drainage of the lot and street flooding, another rental property on the site that was not owner occupied, the possibility of the unit being used for criminal activity, and the size of the unit in relation to surrounding residences. The applicant also submitted letters and a petition with ten signatures in support of the project (see Exhibit E). There were a few names on both petitions.

The site is located within the East Sacramento Improvement Association area. The proposed plans were submitted to the neighborhood association. A representative of the East Sacramento Improvement Association called and indicated by phone they do not support the project and followed with two letters in opposition to the proposed project (see Exhibit C). They were concerned with the unimproved alley hindering emergency vehicle responses and also restated their on-going Association policy of not supporting "granny units".

Agency Comments

The proposed project has been reviewed by the City Public Works- Transportation and Engineering Planning Division, the Building Division, Utilities, the Fire Department, and the Police Department. The department comments are summarized below.

1. Public Works- Transportation and Engineering Planning Division staff comments:

   The existing sewer cleanout is located within the proposed building footprint. The service to the existing house may also be within the proposed footprint. The service and clean out will need to be relocated out of the proposed building footprint.

   Regarding paving the alley: The proposed site is located in the middle of the block. It has not been the policy of the department to require a single family unit providing access off the alley to improve the entire alley to proposed driveway. The financial burden is too great for one owner for the nature of the entitlement.

2. Utilities staff comments:

   The sewer service should be located so the proposed building footprint is not constructed over the service.

   Regarding the drainage and street flooding concerns: The Department's records show that there is frequent flooding in this area. The proposed Combined Sewer Service improvements over the next five years will not reduce flooding in this area. Therefore, the proposed grading should be carefully reviewed and every effort should be made to mitigate any impacts.

3. Police Department staff comments:

   Police responded with a long memo (see Exhibit B) which stated their opposition to any second unit at the rear of the property with an unimproved alley. Additionally, many design recommendations were made to create a more secure project.

4. Fire Department staff comments:

   The project was originally reviewed by Elaine Clarke, Permit Services, who stated the lot was less than the maximum 150 feet in depth that would require a second access. However, the Fire Department, after a site visit, was in opposition to the proposed unit due to a lack of adequate access from 33rd Street. The Fire Department staff stated the alley should be widened to 20 feet and improved to provide an adequate access to the second unit.

<u>ZONING ADMINISTRATOR HEARING</u>:

There were approximately 11 people in attendance at the three hour public hearing. Testimony in support and in opposition to allowing the second unit was heard by the Zoning Administrator. The large opposition contingent echoed the previously mention concerns that had been submitted in letters. Besides the general public, representatives of City Planning staff, City Engineering and Development Planning Services staff, the

Police Department, and Fire Captains from the Fire Department were in attendance to answer questions posed by the Zoning Administrator regarding the project.

At the hearing, Theresa Arnold of Public Works indicated that the applicant would not be required to pave the alley based on precedence and advice from the City Attorney's office. The Lynne Olhson of the Police Department indicated their complete opposition to the unit stating concerns with constructing a unit with no other natural surveillance around it, the design of the unit which created potential hiding places for criminal activity, and the unpaved alley for access to the unit. The Captain Gordon Duncan of the Fire Department stated their opposition to the project due to lack of access for emergency personnel to the proposed rear unit. He indicated that paving the alley and widening the alley to 20 feet would be the only acceptable solution to allow the firetrucks to use the alley for access. However, requiring sprinklers for the new unit would eliminate the need for fire truck access, but would not eliminate his access concerns for other emergency response access. Both Police and Fire shared similar concerns with potential confusion with determining the address of the second unit when responding to an emergency call.

After listening to public testimony, the Zoning Administrator closed the public hearing, and approved the special permit for the second residential unit subject to conditions. At the public meeting, the Zoning Administrator made the finding that the proposed unit was architecturally compatible with the existing unit; will meet all the Zoning Ordinance requirements once redesigned; will not exceed 850 square feet; and supports the policies of the Alhambra Corridor Special Planning District.

To further respond to concerns expressed by the neighbors, Police and Fire Department staff, the Zoning Administrator:

1) Required the applicant to redesign the unit per many police/fire design considerations to include pulling back the garage to be flush with the house, exterior lighting on timers on all sides, lit address numbers at the rear and at the front house, reorient the rear door, reorient the entire floor plan; provide fire sprinklers; and pave the pathway from the front unit to the rear unit; and

2) Required the applicant to provide a name and number to nearby residents for contact in case of any tenant problems; replant new trees and relocate existing tree affected by the proposed foot print; obtain Department of Utilities approval of the proposed grading; and landscape and automatically irrigate the rear portion.

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, Sections 15303(a)}.

Conditions of Approval

1. The proposed second unit shall be redesigned to not exceed the 40 percent coverage for the R-1 zone. The lot coverage includes all overhangs (40% equals 2,344 square feet). No other structures will be allowed on the lot without a variance.

2. The living area shall not exceed 638 square feet. The unit shall be redesigned to locate the living room area along the west side, the bedrooms along the east side, and the garage pulled back to be flush with the house. The door along the east side shall be relocated to the northeast corner. The applicant shall submit the redesign to Planning staff for review and approval prior to submission for building permits.

3. The applicant shall obtain Design Review approval of the final design after the plans have been redesigned prior to submitting for building permits.

4. The applicant shall install a lighted address on the second residential unit garage (visible from the alley) and on the gate or on the building at the front of the lot (visible from 33rd Street). The gated entrance off of 33rd street shall have a light. A pathway shall be made from the front gate (on 33rd Street) along the side of the front house to the rear house. The path shall constructed out of concrete (sidewalk) and be the width of edge of the house to the property line along the north property line.

5. The applicant shall install lights on all sides of the house that work on timers to be lighted at dusk through at least sunrise, daily. The type of lighting shall be subject to the review of the Zoning Administrator staff in consultation with the Police Department staff.

6. The applicant shall submit a grading plan to the Department of Utilities for review and approval prior to commencing grading or any site work. The lot shall drain to the street and not the unimproved alley.

7. The existing sewer line and sewer cleanout shall be relocated as to not be located under any portion of the proposed second unit and/or garage. The proposed relocation shall be indicated on plans submitted to the Building Plan Check section for review and approval.

8. The second unit shall meet all necessary building code requirements to include sprinklers in the second unit to the satisfaction of the Fire Department. Required fire sprinklers shall be NFPA 13D standards and a C-16 licensed contractor is required for installation.

9. The garage shall have an automatic garage door opener. No cars shall overhang into the alley. No cars shall park in the alley (visitors shall park on 33rd Street).

10. The owner shall include language in any lease for the proposed second unit that indicates the second unit is a result of a discretionary permit and that all tenants shall adopt a "Good Neighbor Policy". Such areas of concern include, but are not limited to, maintaining the property both physical buildings and landscaping and abiding by the conditions.

11. The applicant shall relocate elsewhere on the lot any trees removed to construct the second unit and replace any dead trees.

12. The applicant shall landscape the rear portion to include sod, shrubs, at least one tree, and install an automatic sprinkler system for the entire rear portion of the lot. Shrubs shall be maintained not to grow higher than the lowest point of any window along the west elevation.

13. The applicant shall make her name and phone number available to all people attending the public hearing and within a 100 feet of the site as a contact for any problems resulting from any of the tenants in the existing or proposed unit.

14. The applicant shall obtain all necessary building permits prior to commencing construction.

15. The owner will agree to participate in any future assessment group formed to pave the unimproved alley.

16. The applicant shall not install any form of solid six foot fence in the rear yard setback area. A decorative wrought iron fence feet shall be installed flush with the front of the second unit (west elevation) from the building edge to each property line (north wall to north property line and south wall to south property line).

Findings of Fact:

1. The proposed project, as conditioned, is based upon sound principles of land use in that:

   a. the proposed second unit will not substantially alter the characteristics of the surrounding mixed use neighborhood;

   b. the proposed second unit which fronts on the alley promotes the goals established by the Alhambra Corridor Special Planning District;

c. the proposed second unit meets the design criteria for the Alhambra Corridor and is architecturally compatible with the existing unit;

d. the proposed second unit will provide additional alternative affordable housing; and

e. the proposed second unit meets the requirements of the Zoning Ordinance to include not exceeding 850 square feet of living area.

2. The project will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that:

a. there will be adequate yard area;

b. there will be adequate setbacks, landscaping, and on-site parking for the proposed second unit;

c. the second unit will not substantially alter the characteristics of the surrounding mixed use neighborhood; and

c. the site will be graded to eliminate any existing on-site drainage problems.

3. The project is consistent with the General Plan which designates the subject site as Low Density Residential (4-15 du/na). The project is also consistent with the Alhambra Corridor Special Planning District goals and the proposed Sacramento Central City Neighborhood Design Plan both which promote residential units fronting on the alley.

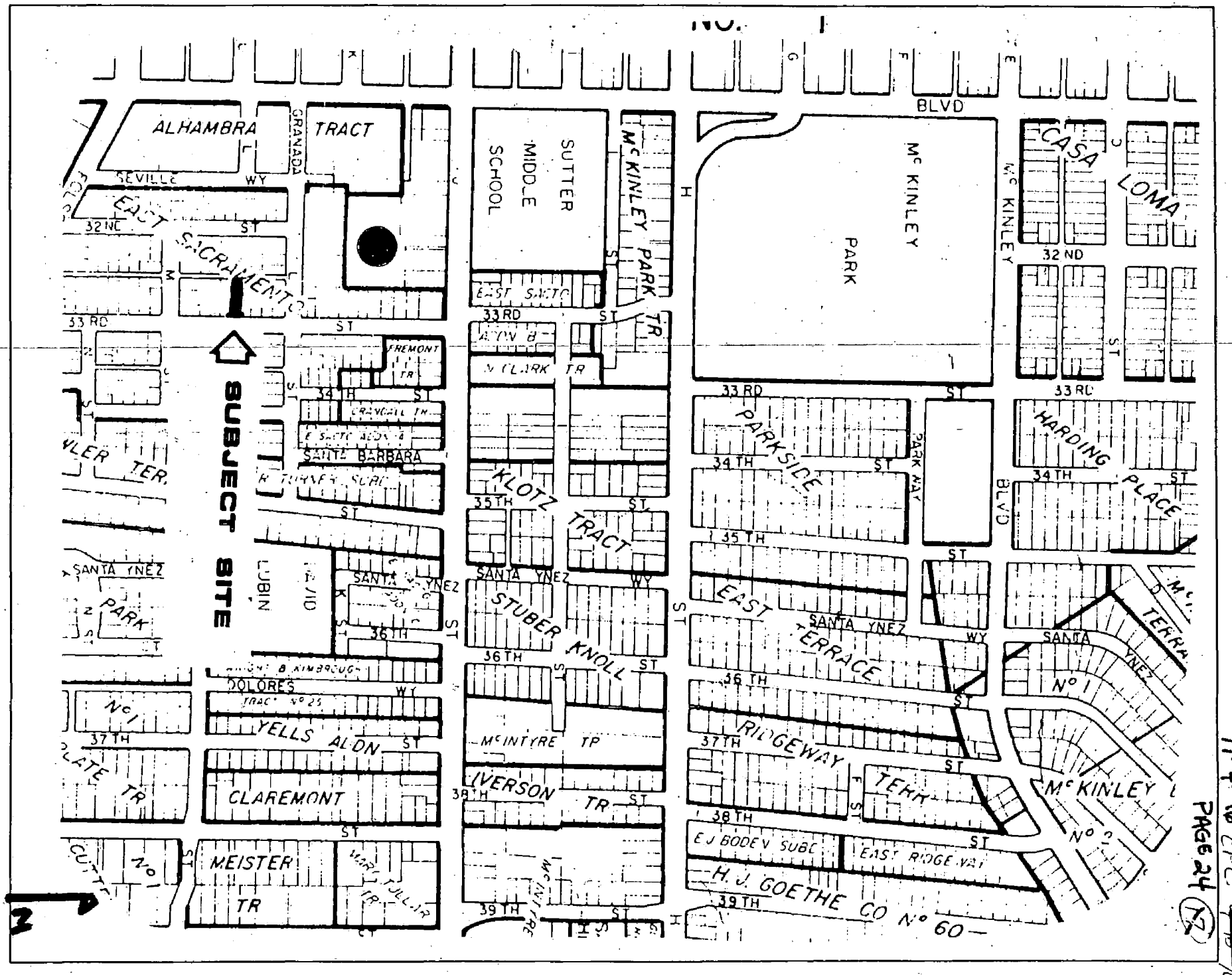
Joy D. Patterson

Joy D. Patterson
Zoning Administrator

A use for which a Variance is granted must be established within two years after such permit is approved. If such use is not so established the Variance shall be deemed to have expired and shall be null and void. A Variance 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 ✓ ZA Log Book ✓
Rico S. De Benedetti; P.O. Box 20142; El Sobrante, CA 94820
Dell Richards; 1250 33rd Street; Sacramento, CA 95816



VICINITY MAP

Z96-038 JULY 16, 1996 ITEM NO. 1

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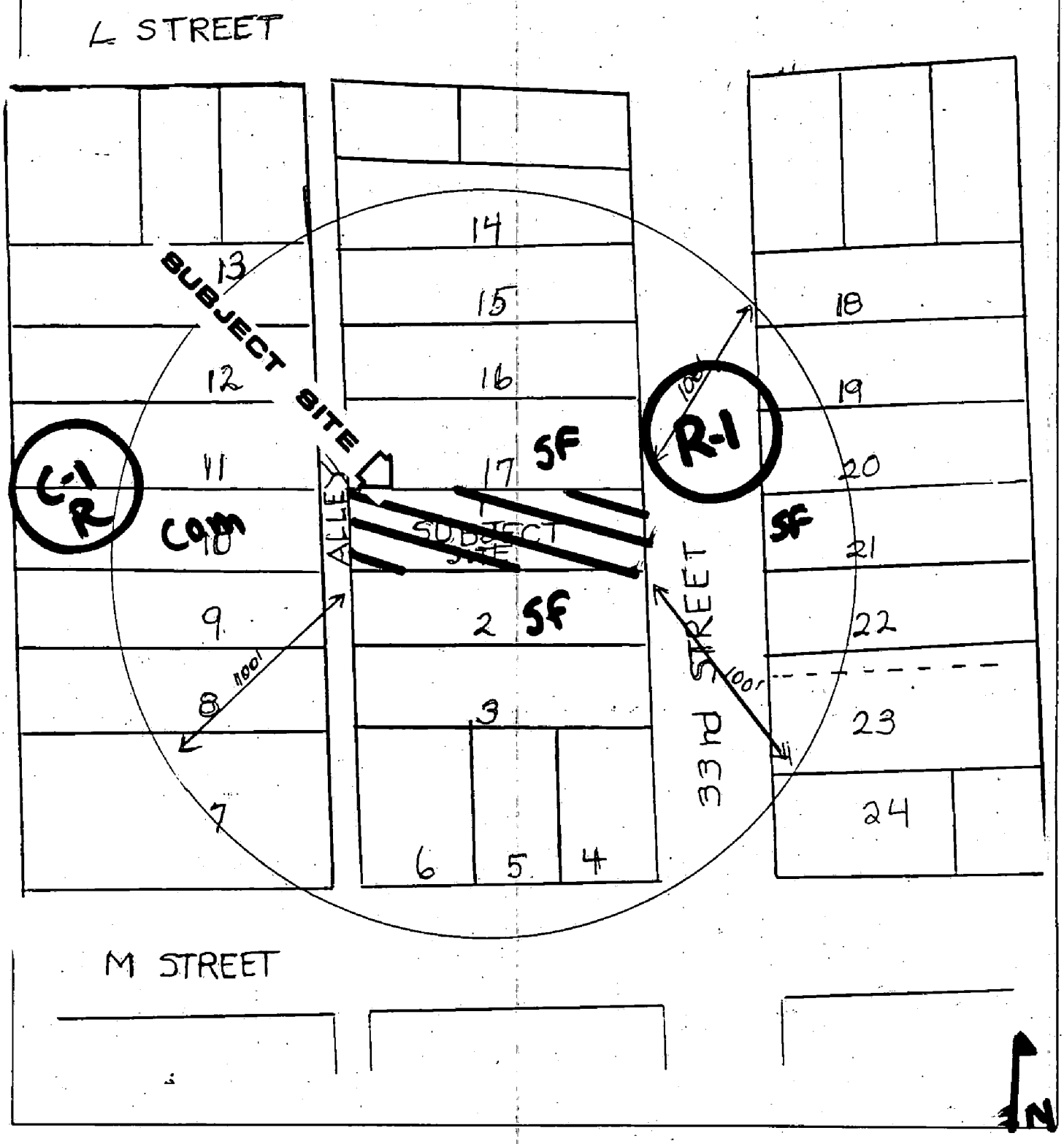
PAGE 24 (17)

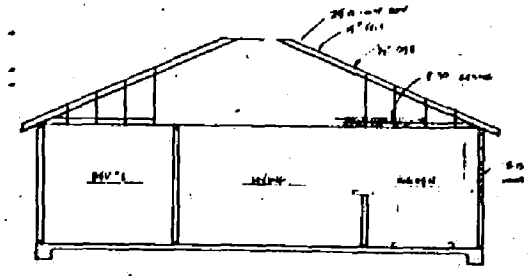


LAND USE & ZONING MAP

PAGE 26

REVISED

EXHIBIT - A



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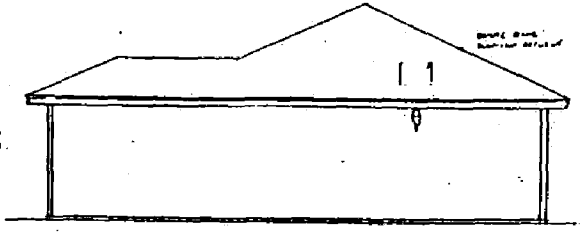
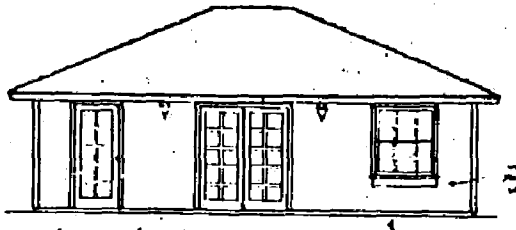
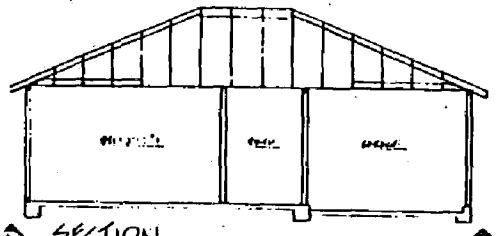


ELEVATION SOUTH



ELEVATION (FROM REAR YARD) WEST



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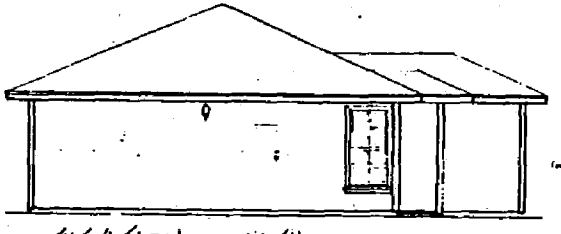
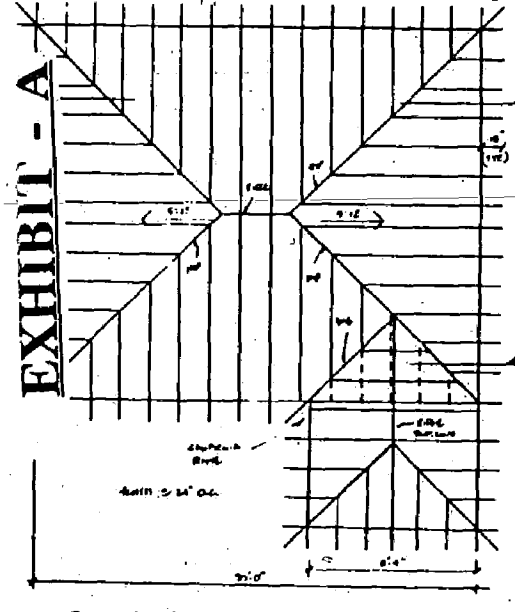
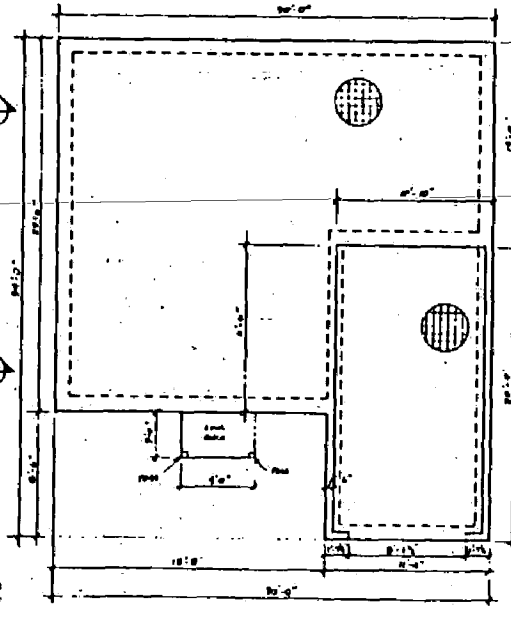


ELEVATION NORTH

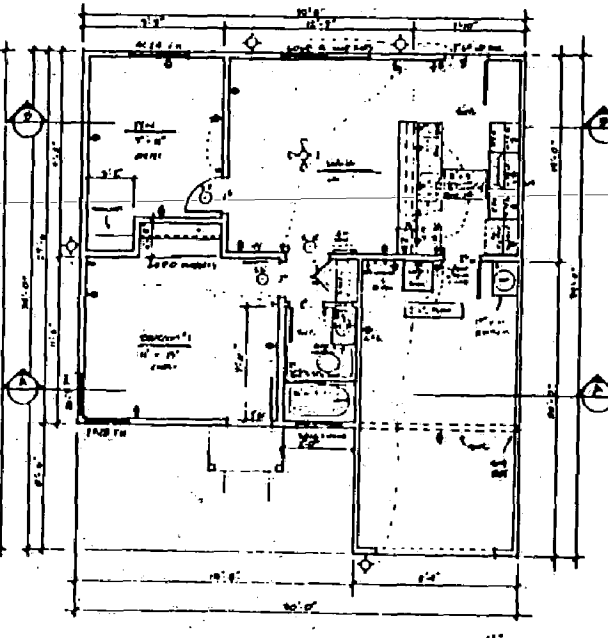
ELEVATION (FROM ALLEY) EAST



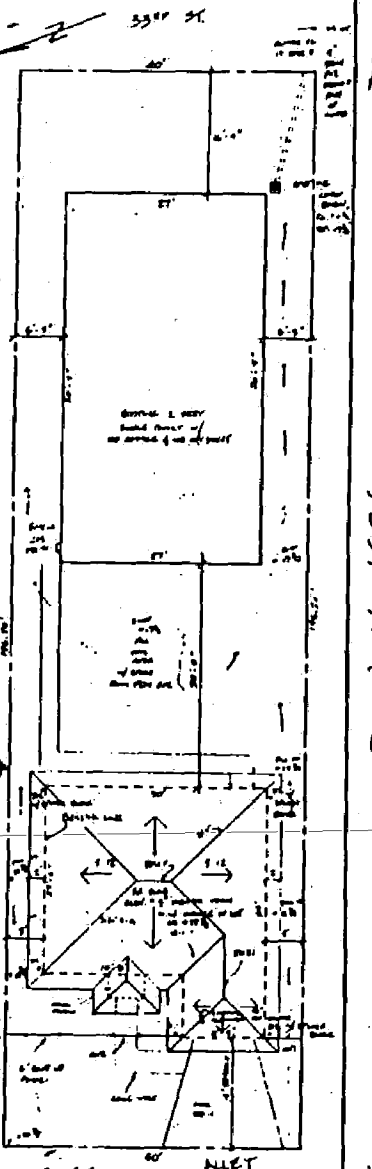
ROOF FRAMING PLAN



FOUNDATION PLAN



FLOOR PLAN



SITE PLAN

ALLEY

PROPOSED GRANNY UNIT
1242 - 33RD ST. SACRAMENTO CA

JUL 2 16 1996

96-038

Memorandum Police Department **EXHIBIT - B**

11-7-96 Item X/6
OPC ~~7-10-96~~
PAGE 27 (27)

To: Joy Patterson
Zoning Administrator
Department of Planning and Development

Date: July 4th, 1996

From: Albert Najera
Deputy Chief
Office of Operations

Lynne E. Ohlson, AA II
Licensing Coordinator
Office Of Operations

Ref: LC6-07-03

CITY OF SACRAMENT
PERMIT ASSISTANC

JUL 11 1996

RECEIVEI

Subject: Z96-038 Zoning Administrator Special Permit to construct a 638 square foot residential unit on 0.13 ± developed acres in a Standard Single Family zone. 1042 33rd Street.

This project is the first to be reviewed by this department since the release of the Sacramento Central City Neighborhood Design Plan. At the time the Department of Planning and Development was preparing the design plan, the Police Department was asked to provide comments on the alley enhancement portion of the guidelines. Police Department representative Lynne Ohlson and Fire Department representative Captain Gay Jones expressed reservations on the elements as presented by Luis Sanchez, Architect - Project Manager and Steve Peterson, Senior Planner. Those reservations focused on the following:

1) Location confusion for responding emergency vehicles due to unclear addressing if rear units were tied to street fronting units for address purposes;

2) Congestion on alleys caused by parked vehicles, trash receptacles and dumpsters, debris, uneven lot lines, non-maintained vegetation, utility service, as examples;

3) Interference to emergency response vehicles by use of alleys as children's play areas;

4) Inadequate lighting;

5) Restricted access to fire hydrants;

and specifically, for the Police Department,

6) Lack of natural surveillance of stand alone units.

Mr. Sanchez and Mr. Peterson used the example of the R Street Corridor throughout the discussion as an alley enhancement that would be planned in total and that the reservations of the Fire and Police Departments would be mitigated as developed.

Z96-038 July 16, 1996 Item 1

The Police question all alley enhancement developments that are done on a parcel only basis. In order to truly improve residential safety for the neighboring residents as well as the occupants of each proposed project, the alley developments must be done as an alley long measure. This proposed project does not adequately address the concerns raised in that discussion nor is it presented as a portion of an alley long developed project.

This proposed project should be denied for three of the elements listed above.

1) Project as proposed does not incorporate a separate street address for the location. As the plan indicates no access from front residence, this would cause a delay in response from emergency personnel.

2) This site is upon an unimproved alley. Currently, a gravel surface is provided and is the location of trash receptacles and has uneven fencing marking the border between private lots and alley-way. The uneven lots provide hidden areas and inhibit police personnel from clearly viewing the area, creating an unsafe area for inhabitants and police response units. The increased vehicular traffic that this project will create will cause an additional nuisance factor to adjoining residences through blowing dust, and, an additional burden on the City for alley repair.

3) Distance from fire hydrants is marginally unacceptable.

Site/plan specific reasons to deny this project are as follows:

1) Plan incorporates the most basic design flaw of Crime Prevention through Environmental Design (CPTED), there is no clear natural surveillance from neighboring residences to observe unauthorized access to this building. A plan shift of the garage to the north side of the plan would mitigate the flaw, provided that an existing structure on M Street could clearly see the front door of the proposed project. However, due to the location of the building on the parcel, no such building exists on M Street and inhabitants would have to rely on observations of passing pedestrians or vehicles in the alley to provide this surveillance.

2) The garage unit extends beyond the front entry way of the building. This design does not meet CPTED standards for safety factors as it provides areas which allow unauthorized users in which to hid themselves.

3) Fencing is indicated on plan along alley way. Zoning Administration staff has assured the Police Department that this is not allowable, however, the inclusion on the plan indicates the intention to have some barrier provided to limit access to site. Police Department recommendation is wrought iron at building corners to lot line to allow visibility along building but to prevent unauthorized access.

4) Site plan indicates that the front (main entry) door opens into the master bedroom. While an unsafe design plan on a street facing lot, this feature negates any argument that this alley structure will contribute to "an occupied street providing "eyes on the alley." (Sacramento Central City Neighborhood Design Plan, Framework document, page 31]. The living area of this plan indicates predominant use of the rear of the structure and erases all pretense that this unit will provide additional surveillance to the rear windows of the existing buildings backing onto the alley.

This project is requested as the property owner indicates a desire to offer a "decent family home" in addition to income. If this were to be an owner occupied structure, some of the concerns mentioned would be addressed as owners inherently are more aware of unusual activity in a neighborhood than short term renters. This project will appeal to a renter who desires seclusion and no direct observation from neighbors. In essence, it would be an ideal location for an individual who pursues illegal activities as her/his neighbors will be unable to observe this building.

The Police Department has spent the last two years actively pursuing alley closures in an effort to reduce problem areas and are less inclined to recommend interior lots for development of alley oriented uses. We strongly recommend that this project be denied and that all alley sitings be referred to the Police Department prior to submission for Special Permits to allow applicant and our Department to work together in the design phase and resolve all concerns to public safety.

Sincerely,

Albert Najera
Deputy Chief

AN:LEO:leo

EXHIBIT C

11-7-96 CPC ~~9-10-96~~
PAGE 30 (28)

CITY OF SACRAMENTO
PERMIT ASSISTANCE

JUL 11 1996

RECEIVED

To: City of Sacramento
Planning and Development
re: Project Z96-038
location: 1242 33rd Street
APN 007-0191-010

Please submit the following letter to minutes of public hearing on July 16, 1996, regarding the application for a special permit for the above property.

Dear Sirs:

On behalf of the East Sacramento Improvement Association, we are opposed to the special permit application and the proposed project at 1242 33rd Street.

To preserve the integrity of the East Sacramento family neighborhood environment, East Sacramento Improvement Association has traditionally opposed grandmother units, or extension units that may be considered rental property. To erect an additional rental unit on the lot at 1242 33rd Street would appear to compromise a street where single residential family units now exist.

The alley between 32nd and 33rd Streets is unpaved and unimproved. It would appear to create a hazard for emergency services such as fire, police and ambulance to access the proposed property.

Residents on 33rd Street have indicated that there is a drainage problem on this property which may be complicated by an additional structure.

East Sacramento Improvement Association would ask that you consider the above items and deny the applicant a special building permit.

Linda Cook, Board Member
East Sacramento Improvement
Association

Z96-038 JULY 16, 1996 Item 1

June 13, 1996

East Sacramento Improvement Association has traditionally opposed grandmother units in the East Sacramento area because of the impact to our residential neighborhoods, and we stand opposed to this project application.

To erect an additional rental unit on the lot at 1042 33rd Street would seem to compromise a street where single family homes now exist. The existing house on this property is now occupied by renters.

The alley access is almost impassible for a personal vehicle and would certainly create hazards for emergency services, including fire, police and ambuluance. The alley is not paved.

The proposed unit, along with the existing residence will exceed the maximum allowable lot coverage as delineated in Alhambra Corridor Design Guidelines.

Linda J. Cook
ESIA Board Member

EXHIBIT D ITEM 46
11-7-96 CPC
PAGE 32 (86)

DELL RICHARDS PUBLICITY

CITY OF SACRAMENTO
PERMIT ASSISTANCE

JUN 13 1996

RECEIVED

June 11, 1996

Joy Patterson, Zoning Administrator
Sacramento City Planning Department
1231 I Street, Suite 200
Sacramento, CA 95814

Re: Proposed additional rental unit at 1242 33rd Street

Dear Ms. Patterson,

Please find enclosed the first signed petition about the above-referenced house. As you can see, many people in the neighborhood are opposed to the proposed project for the reasons stated in my prior letter to Councilmember Steve Cohn and Sanda Yope.

Although the residential section of the house itself meets the 640 square foot zoning requirement for this area, with the addition of the square footage in the garage the scale of the unit is too large for the neighborhood.

For your information, many of the neighbors who signed the owner's original petition will be at the hearing to explain that they signed under false pretenses and would not have signed otherwise. Specifically, they were told that the second house:

* Would a one-bedroom, and
* Would be owner-occupied.

Having been fully informed of the proposed project, they are now opposed to the unit.

As the application and plans make exceedingly clear, the unit not only includes a second bedroom/den as well as a garage, but will be used to produce income.

Please feel free to contact me with any questions or if you would like to discuss this further.

Sincerely yours,

Dell Richards

DELL RICHARDS

cc. Judith Albietz, Esq.

Z96-038

JULY 16, 1996

ITEM 1

1250 33RD STREET • SACRAMENTO, CA 95816 • (916) 455-4790

We, the undersigned, are opposed to the proposed granny unit at 1242 - 33rd Street for a number of reasons including, but not limited to, the following: lack of surveillance by police, difficult access for emergency vehicles, lack of proximity to fire hydrants, increased traffic on an unimproved alley, decreased drainage and increased potential for flooding, too much coverage of the lot, intent for the unit to be a second rental (the current unit is currently a rental). We ask that you deny this permit for the above stated reasons.

NAME (PRINT)	ADDRESS	PHONE	SIGNATURE
1. DELL RICHARDS	1250 33rd St	455-4790	Dell Richards
2. JANE KIRCHER	1241 33rd St.	447-3706	J Kircher
3. Martha Paterson-Cohen	1260 33rd St	736-3173	Martha Paterson-Cohen
4. BRIAN CARLSON	1278 33rd St.	452-4551	[illegible]
5. CHARLES Isherwood	3229 M ST	732-8908	Charles M. Isherwood
6. PAUL LEHMAN	1255 33rd St.	444-6430	Paul Lehman
7. Lea Peron	1302 33rd ST.	451-8711	Lea Peron
8. Russell Walder	1224 33rd St.	737-2737	Russell Walder
9. Kathy Lelevier	1232 33rd St	457-6106	Kathy Lelevier
10. Anne Lindquist	1216 33rd St.	436-2372	[illegible]
11. Ken Peron	1302 33rd St	451-8711	Ken Peron
12. Tina Sharp	3300 M St.	457-3563	TINA SHARP

We, the undersigned, are opposed to the proposed granny unit at 1242 - 33rd Street for a number of reasons including, but not limited to, the following: lack of surveillance by police, difficult access for emergency vehicles, lack of proximity to fire hydrants, increased traffic on an unimproved alley, decreased drainage and increased potential for flooding, too much coverage of the lot, intent for the unit to be a second rental (the current unit is currently a rental). We ask that you deny this permit for the above stated reasons.

NAME (PRINT)	ADDRESS	PHONE	SIGNATURE
1. Andrea Jackson	1250-33rd St.	455-8522	Andrea Jackson
2. Carolyn Rech	1237 33rd St	447-4940	Carolyn Rech
3. GLADYS DAVIDSON	1223 33rd. St.	448-1191	Gladys Davidson
4. Eric Cohen	1260 33rd St	736-3173	[illegible]
5. Murray B. Cohen	1260 33rd	736 3173	[illegible]
6. KEVIN McKOY	1245 33RD ST	441-0368	Kevin J. McKoy
7. Jackie McKoy	1245 33RD ST		Jacquelin McKoy
8. RACHEL McKOY	1245 33rd St		Rachel McKoy
9. Kelli Mayman	1278 33rd		Kelli Mayman
10. GRETA DARVERICH	1310 33rd St		Greta Darverich
11. EDELINE HATLEY	1251-33RD ST		Edeline Hatley
12. Karla Klayer	1249 33rd St		[illegible]

We, the undersigned, are opposed to the proposed granny unit at 1242 - 33rd Street for a number of reasons including, but not limited to, the following: lack of surveillance by police, difficult access for emergency vehicles, lack of proximity to fire hydrants, increased traffic on an unimproved alley, decreased drainage and increased potential for flooding, too much coverage of the lot, intent for the unit to be a second rental (the current unit is currently a rental). We ask that you deny this permit for the above stated reasons.

NAME (PRINT)	ADDRESS	PHONE	SIGNATURE
1. Redd Geach	1249 33rd st	446 1128	
2. Margaret McKenzie	1243-34th St	456-9118	Margaret F. McKenzie
3. Holly Harkness	3315 M St.	443-1666	Holly M. Harkness
4. Robert Walters (Norm)	1234 34 st	443-5352	
5. Christopher Simoni (Tony)	1234 34 st.	443-5352	Chris Simoni
6. THOMAS MCKENZIE	1243 34TH ST.	456-9118	
7. Katherine R. Costello	1255 33rd st	447-8346	Katherine R. Costello
8. THOM E. SPAFFORD	129 33rd ST	446-1400	
9.			
10.			
11.			
12.			

July 16, 1996

Item #6

11-7-96 CPC ~~G.D. 4~~

PAGE 35 (29)

To: Sandra Gope
City Planning Administrator

Dear Ms Gope,

This letter is in regards to our concern over a proposed granny unit at 1242 33rd St. in Sacramento. My husband and I recently purchased a home in that neighborhood. It had been owned and rented out by his parents for over 20 years. The last person to rent it from them became heavily involved with drugs as did her friends. They broke into the basement, took thousands of dollars worth of my in-laws possessions, sold them at yard sales and all but destroyed the house. Cab drivers tell us now this was a known "crack house". It sits prominently on a corner. Our concern is that more renters in the neighborhood increase the possibility of more drug problems especially in an apartment well insulated from the view of police, not prominently on a corner. We believe such a unit would invite drug activity. Our neighbor share our concerns. The renter-turned-drug-addict who rented this house once rented from the owner of 1242 33rd.

Please take this into consideration when making your decision to allow such a unit to be built. Thank you. And read into minutes.

296-038

Sincerely,
Lisa Perron
Ken Perron

1302 33rd ST.
Sacramento, CA
95816

July 16, 1996

Item 1

11-7-96 CPC ~~7-12-96~~
PAGE 36

CITY OF SACRAMENTO
PERMIT ASSISTANCE
JUN 11 1996
RECEIVED

June 10, 1996

Ms. Sandra Yope, Planner
1231 I Street, Suite 200
Sacramento, CA 95814

Dear Ms. Yope:

I am writing to voice my opposition to a "granny" unit proposed for the rear yard of 1242 33rd Street. I have many concerns about this project.

My husband and I own our home at 1260 33rd Street and have worked very hard over the past 11 years to improve our property as have many of our home-owning neighbors. We have bragged about the renaissance that has occurred on our street over the years as the appearance and stability of the neighborhood has continually improved.

Our concerns are as follows:

1. Additional rental units lessen the stability of a neighborhood.
2. We oppose alley access to any units as is proposed for this project because of noise, security, fire safety, and alteration of the way neighbors interact. (We do not want the alley to be improved).
3. Water management: the basement and yard at 1242 33rd flood every winter. This will be aggravated by placing a building in the yard.
4. The owner of 1242 33rd St misrepresented herself to the neighbors by saying she will live in the "granny" unit. Records with the City show it as an income property. When pressured about two bedrooms, she simply labeled one bedroom a den. Between the two rentals on this property, she can house as many as five adults.
5. The budget for the unit, $45,000, indicates minimum investment and inferior materials.

We ask that the City deny the permit for a "granny" unit, which is clearly not a granny unit but a cheaply built rental unit. We wish our neighborhood to be safe and quiet.

Sincerely,

Martha Paterson-Cohen
Martha Paterson Cohen
1260 33rd Street, Sacramento, CA 95816
916-736-3173

Murray Cohen
Murray Cohen

296-038 July 16, 1996 Item 1

Item #6
11-7-96 CPC ~~7-10-96~~
PAGE 37

PAUL H. LEHMAN
1255 33RD STREET
SACRAMENTO, CA 95816
(916) 444-6430
FAX (916) 447-8396

July 10, 1996

Sandra Yope, City Planner
Sacramento City Planning Commission
1231 I Street, Room 200
Sacramento, CA 95814

RE: 296-038
ZONING ADMIN.
SPECIAL PERMIT

Dear Ms. Yope:

Our family is strongly opposed to the proposed development of a backyard addition at 1242 33rd Street. Because the problems are numerous and the addition is ill-conceived for this lot and neighborhood, I respectfully request that staff not approve this request.

Perspective / Background
I have lived in the neighborhood for eleven years in a house that my wife and I purchased and renovated extensively. I have been involved in zoning and planning issues in the Alhambra Corridor and served on the Alhambra Corridor Advisory Committee that assisted in developing a plan for the Corridor. I have carefully evaluated the details of the proposed structure and its location and feel that the structure would be a step backward in the neighborhood.

Public Safety Negatives
First, it is my understanding that public safety is compromised by such "hidden residences". The city police, fire and various utility personnel have a very difficult time accessing and maintaining service to backyard residences that can be approached only through unimproved dirt and gravel alleys. These are typical city alleys that have overgrown bushes, sink holes and frequent obstructions due to improperly parked cars.

The neighborhood has experienced its share of crime over the years. Adding an "out of view" residence in the neighborhood would add to the difficulty in policing the area. I am aware that various cases of thefts from vehicles have been reported along the same block of 33rd Street. A forcible entry to a residence with an attempted rape also occurred one half a block away on M Street. And a recent eviction due to destruction property with theft occurred less than a block away at a rental home at the corner of 33rd and M Streets.

Traffic and Pollution Negatives
Second, traffic on the dirt and gravel alley is already a noise and dust pollution problem. Because the subject property is located in the middle of the block, the increased traffic that this new residence is guaranteed to cause would only exacerbate the noise and airborne particulate matter difficulties for neighbors.

Owner Occupants on Single Structure Lots vs. Renters on Multiple Structure Lots
Third, I am concerned that the development of back lot "rental-type additions" to a neighborhood that has been gradually rehabilitating (with some difficulty) over the last decade is not good planning. As an eleven-year resident of the neighborhood, I have witnessed the tremendous changes in the upkeep, improvements and property values in the neighborhood. These changes have been arduous (as I can personally testify) and have been consistently fueled by the shift to

owner occupancies.

When my wife and I purchased our home in 1985 and moved to the neighborhood with our two children, the single-family residential properties were almost entirely rentals with minimal or zero upkeep. They were literally falling apart and were ripe for commercial conversion. As more families and couples purchased homes and moved in, owner-occupied renovations and restorations occurred, property values increased and improvements throughout the neighborhood continued. Our own home is now typical of the neighborhood. It was built in 1913 and has been completely rehabilitated with central heat and air, full insulation, new siding, completely new wiring, plumbing and a uniform two-story cement foundation.

As a member of the Alhambra Corridor Advisory Committee, I was gratified that the City Planning Staff and Commission members recognized the fragile nature of this section of the Corridor and acted to protect its historic residential structures and "family homes" environment. Specifically I am addressing the section of the Alhambra Corridor from Alhambra east to 34th Street, between J Street on the north and Folsom Boulevard on the south.

Moving east from Alhambra in this neighborhood you can see the transition from commercial to residential zoning and uses. About eight years ago, residents and planners witnessed commercial-use rezoning and variance applications popping up further eastward in the residentially-zoned lots in this area. The Med Clinic building exploded on the landscape, setting off extremely negative neighborhood reactions that last to this day.

The delicate balance between these two conflicting property uses was being threatened. The Plan for the Alhambra Corridor that was developed as a response to this threat now severely limits the commercial uses in this transition zone, thereby protecting the families that live so close to retail, office space and light manufacturing in this corridor.

To indiscriminately allow the conversion of single family, single structure lots to crowded multiple unit lots with "granny additions" would be a step backward away from the owner-occupied improvements and back to a commercially-oriented development, encouraging rental units managed by absentee landlords.

Summary - Appropriate in filling? - Yes. Is this lot appropriate? - No.
Although I support the concept of residential and commercial "in filling" in appropriate circumstances for downtown and adjacent areas to reduce commute times, improve air quality and reduce other transportation-related problems, the specific location of this backyard structure is not favorable to the neighborhood. I sincerely and strongly encourage the rejection of this backyard residence addition for the several reasons stated above.

Sincerely,

Paul H. Lehman

cc: Steve Cohn, City Councilman, District 3

AT 5:30 P.M.

11-7-96 CPC ~~4-15-6~~

EXHIBIT - E

TO: SANDRA YOPE

PAGE 39 (~~32~~)

WE, THE UNDERSIGNED, SUPPORT THE CONSTRUCTION OF A 640 SQUARE FOOT RESIDENCE OWNED BY JEAN ENDICOTT, LOCATED AT 1242 33RD STREET, SACRAMENTO, CA.

NAME	ADDRESS	ZIP CODE
Gladys Davidson	1223 33rd St	95816
Kristine Klugmacher	1231 33RD St	95816
JESS NEGRETE	1231 33RD ST	95816
JANE KIRCHER	1241 33RD ST.	95816
Carolyn Rech	1237 33rd St.	95816
for BRAD DONALDSON	1448-32nd St	
Celeste A. Christy	1261 32nd st	95816
Mary Becker / Kurt Neffinger	1219 32nd St	95816
Nancy M. Pope	1249 32nd St.	95816
	1219 33rd ST	95816

RECEIVED
JUL 16 1996
CITY OF SACRAMENTO
CITY PLANNING DIVISION

296-038

July 16, 1996 12:28 p.m. Item 1

1625 Barrett Dr.
Pleasanton CA 95667
April 29, 1996

Dear Jon Eudicott,

My daughter Jane said she had met you and that you had told her you were born in the house at 242-33rd St. - how interesting

My mother Ruth D. Tener is blind, so whenever she signs something, the signature rarely hit the line.

Good luck in your building project.

Sincerely,
Mary Jane Kircher

Z96-038

Z96-038 CPC ~~4-12-96~~
11-7-96
PAGE 41 (35)

JEAN ENDICOTT
10808 BALLANTRAE WAY
RANCHO CORDOVA, CA 95670

APRIL 27, 1996

RUTH DEE TENER AND MARY JEAN KIRCHER
1625 BARRETT DRIVE
PLACERVILLE, CA 95667

DEAR RUTH DEE TENER AND MARY JEAN KIRCHER:

I OWN THE PROPERTY AT 1242 33RD STREET IN SACRAMENTO. I WOULD LIKE YOUR SUPPORT IN MY EFFORT TO CONSTRUCT A "GRANNY HOUSE" ON THE BACK OF MY LOT. THIS HOUSE WOULD BE 640 SQUARE FEET WITH AN ATTACHED GARAGE.

IF YOU HAVE ANY QUESTIONS, PLEASE CALL ME AT (916) 635-5983.

WOULD YOU PLEASE SIGN BELOW TO INDICATE YOUR SUPPORT. ENCLOSED IS A STAMPED, SELF-ADDRESSED ENVELOPE. JANE KIRCHER HAS SIGNED A PETITION MY BROTHER AND I TOOK AROUND THE NEIGHBORHOOD.

I CERTAINLY APPRECIATE YOUR TAKING THE TIME TO HELP ME.

SINCERELY,

Jean Endicott

JEAN ENDICOTT

I HAVE NO OBJECTIONS TO THE RESIDENTIAL CONSTRUCTION AT 1242 33RD STREET.

SIGNATURE Ruth D. Tener — DATE 4-29-96

SIGNATURE Mary Jean Kircher — DATE April 29, 1996

1234-33rd

Z96-038 July 16, 1996 Item 1

11-7-96
Z96-038 CPC ~~7-16-96~~
PAGE 42 (36)

JEAN ENDICOTT
10808 BALLANTRAE WAY
RANCHO CORDOVA, CA 95670
(916) 635-5983

MAY 5, 1996

RUTH MILLER
1201 33RD STREET
SACRAMENTO, CA 95816

DEAR MS. MILLER:

I OWN THE PROPERTY AT 1242 33RD STREET IN SACRAMENTO. I WOULD LIKE YOUR SUPPORT IN MY EFFORT TO CONSTRUCT A "GRANNY HOUSE" ON THE BACK OF MY LOT. THIS HOUSE WOULD BE 640 SQUARE FEET WITH AN ATTACHED GARAGE.

THE CITY PLANNING COMMISSION HAS SUGGESTED THAT I TALK TO THE NEIGHBORS. I HAVE VISITED THE NEIGHBORHOOD THREE TIMES TO GET SIGNATURES ON MY PETITION, BUT WASN'T LUCKY ENOUGH TO FIND YOU HOME.

WOULD YOU PLEASE SIGN BELOW TO INDICATE YOUR SUPPORT. ENCLOSED IS A STAMPED, SELF-ADDRESSED ENVELOPE.

PLEASE CALL ME IF YOU HAVE ANY QUESTIONS.

SINCERELY,

Jean Endicott

JEAN ENDICOTT

I HAVE NO OBJECTIONS TO THE RESIDENTIAL CONSTRUCTION AT 1242 33RD STREET / 446-7028

Ruth L. Miller — SIGNATURE

May 8, 1996 — DATE

Enjoyed talking with you and wish you luck on this venture.
1201-33rd

Z96-038

July 16, 1996

Item 1

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Z96-038
PAGE 43 (37)

JEAN ENDICOTT
10808 BALLANTRAE WAY
RANCHO CORDOVA, CA 95670

APRIL 27, 1996

JAMES AND GENEVIEVE DALLOSTA
3940 M STREET
SACRAMENTO, CA 95819

DEAR MR. AND MRS. DALLOSTA:

I OWN THE PROPERTY AT 1242 33RD STREET IN SACRAMENTO. I WOULD LIKE YOUR SUPPORT IN MY EFFORT TO CONSTRUCT A "GRANNY HOUSE" ON THE BACK OF MY LOT. THIS HOUSE WOULD BE 640 SQUARE FEET WITH AN ATTACHED GARAGE.

IF YOU HAVE ANY QUESTIONS, PLEASE CALL ME AT (916) 635-5983.

WOULD YOU PLEASE SIGN BELOW TO INDICATE YOUR SUPPORT. ENCLOSED IS A STAMPED, SELF-ADDRESSED ENVELOPE.

I CERTAINLY APPRECIATE YOUR TAKING THE TIME TO HELP ME.

SINCERELY,

Jean Endicott

JEAN ENDICOTT

I HAVE NO OBJECTIONS TO THE RESIDENTIAL CONSTRUCTION AT 1242 33RD STREET.

Genevieve Dallosta — 5/7/96
SIGNATURE — DATE

Jim Dallosta — 5/7/96
SIGNATURE — DATE

1241 32ND STREET

Z96-038 JULY 16, 1996 Item 1

11-7-96 CPC ~~7-12-96~~
Z96-038
PAGE 44 (38)

JEAN ENDICOTT
10808 BALLANTRAE WAY
RANCHO CORDOVA, CA 95670

APRIL 27, 1996

TRUST OF DOROTHY A. FOSTER
27 WIMPOLE STREET
MORAGA, CA 94556

DEAR MS FOSTER:

I OWN THE PROPERTY AT 1242 33RD STREET IN SACRAMENTO. I WOULD LIKE YOUR SUPPORT IN MY EFFORT TO CONSTRUCT A "GRANNY HOUSE" ON THE BACK OF MY LOT. THIS HOUSE WOULD BE 640 SQUARE FEET WITH AN ATTACHED GARAGE.

IF YOU HAVE ANY QUESTIONS, PLEASE CALL ME AT (916) 635-5983.

WOULD YOU PLEASE SIGN BELOW TO INDICATE YOUR SUPPORT. ENCLOSED IS A STAMPED, SELF-ADDRESSES ENVELOPE.

I CERTAINLY APPRECIATE YOUR TAKING THE TIME TO HELP ME.

SINCERELY,

Jean Endicott

JEAN ENDICOTT

I HAVE NO OBJECTIONS TO THE RESIDENTIAL CONSTRUCTION AT 1242 33RD STREET.

Dorothy A. Foster — SIGNATURE

April 29, 1996 — DATE

Good luck!

1245-33 ST

Z96-038 July 16, 1996 Item

JEAN ENDICOTT
10808 BALLANTRAE WAY
RANCHO CORDOVA, CA 95670
(916) 635-5983

MAY 5, 1996

TIMOTHY BRESNEHAN AND ROGER VAIL
3225 M STREET
SACRAMENTO, CA 95816

DEAR MR. BRESNEHAN AND MR. VAIL:

I OWN THE PROPERTY AT 1242 33RD STREET IN SACRAMENTO. I WOULD LIKE YOUR SUPPORT IN MY EFFORT TO CONSTRUCT A "GRANNY HOUSE" ON THE BACK OF MY LOT. THIS HOUSE WOULD BE 640 SQUARE FEET WITH AN ATTACHED GARAGE.

THE CITY PLANNING COMMISSION HAS SUGGESTED THAT I TALK TO THE NEIGHBORS. I HAVE VISITED THE NEIGHBORHOOD THREE TIMES TO GET SIGNATURES ON MY PETITION, BUT WASN'T LUCKY ENOUGH TO FIND YOU HOME.

WOULD YOU PLEASE SIGN BELOW TO INDICATE YOUR SUPPORT. ENCLOSED IS A STAMPED, SELF-ADDRESSED ENVELOPE.

PLEASE CALL ME IF YOU HAVE ANY QUESTIONS.

SINCERELY,

Jean Endicott

JEAN ENDICOTT

I HAVE NO OBJECTIONS TO THE RESIDENTIAL CONSTRUCTION AT 1242 33RD STREET.

SIGNATURE _____ DATE 5.15.96

SIGNATURE _____ DATE 5.15.96

alley on M.
3225-M

11-7-96 CPC ~~9-12-94~~
PAGE 46 (46)

CITY OF SACRAMENTO
DEPARTMENT OF PLANNING AND DEVELOPMENT

1231 I Street, Room 200
Sacramento, CA 95814

ATTACHMENT 3

916-264-5604

APPEAL OF THE DECISION OF THE ZONING ADMINISTRATOR

Date: July 25, 1996

TO THE PLANNING DIRECTOR:

I do hereby amke application to appeal the decision of the Zoning Administrator on July 25, 1996 (date) for project number Z96-038,

when a: (check appropriate entitlement(s))
X Special Permit ____ Variance
____ Lot Line Adjustment ____ Lot Line Merger
____ Other ____

was: X Granted ____ Denied by the Zoning Administrator.
(check appropriate action)

Property Location: 1242 33rd St, Sacramento CA 95816

Grounds For Appeal: (explain in detail, may attach additional page(s))
PLEASE SEE ATTACHED PAGES AND EXHIBITS.

Appellant: Dell Richards for 33rd St Neighborhood Assn. Daytime Phone: (916) 455-4790

Address: 1250 33rd St, Sacramento CA 95816

Appellant's Signature: Dell Richards

OFFICE USE ONLY

Filing Fee ($340) Received: 7-26-96 $340

Received by: L Sou[illegible] Date: 7-26-96

Distribute Copies to: (3 copies + original)
Planning Director ____
Zoning Administrator ✓
Secretary to Planning Commission ____
Original & receipt in file ____

zaappeal
4/6/93

GROUNDS FOR APPEAL:

A. Sacramento City Departments have conflicting policies.

One the one hand, Sacramento City Planning Department policy encourages the building of granny units in R-1 single-family residential zones, with a special permit, according to Ordinance No. 83-075, adopted by the Sacramento City Council on July 5, 1983, (Exhibit "A", attached hereto).

On the other hand, during the July 16, 1996 Special Permit Hearing under Zoning Administrator Joy Patterson, both the Sacramento City Police Department and the Sacramento City Fire Department voiced strong opposition to a special permit being issued in this particular instance because the narrow (15 foot), unimproved alley that affords limited -- or no -- visibility and access.

According to the Memorandum of July 4, 1996 from Deputy Chief Albert Najera and the testimony at the hearing of Licensing Coordinator Lynne Ohlson (Exhibit "B" attached hereto):

"The plan incorporates the most basic design flaw of Crime Prevention through Environmental Design (CPTED), there is no clear natural surveillance from neighboring residences to observe unauthorized access to this building."

In addition, Ohlson testified that police units would have an extremely difficult time doing surveillance on the property should illegal activity occur since they cannot see the property from the neighboring streets. She also stated that police vehicles may have difficulty using the alley, if necessary, to respond to an emergency, due to its narrow width and lack of maintenance.

According to the same memo, Sacramento City Neighborhood Services is currently closing and abandoning alleys due to the rise of crime in alleys, their difficulties in policy them and other issues of public safety. This, too, contradicts Planning Department policy. This area needs to be protected from deterioration by additional crime

on the alley *now* rather than wait until there is a grave problem, which cannot be solved by closure or abandonment because a special permit has been issued for a rental unit and the unit built.

The mitigations of the Planning Department have not changed the basic opposition to the building of a unit of this type in the middle of a narrow, unimproved alley by the Sacramento City Police Department.

The mitigations required by the Planning Department have not changed the opposition of the Sacramento City Fire Department as voiced at the Special Permit Hearing by Fire Marshall Gordon Duncan. Duncan cited Sacramento City Fire Codes in demanding that the alley be widened and paved, if a permit was to be granted.

Fire Department trucks cannot use the alley to get to the rental unit, for the two-sided attack, which is standard Fire Department procedure. Instead, they must use a narrow 6.5 ft. sidewalk to get in fire equipment or guernies to save lives. The closeness of the houses to each other in this neighborhood (as well as the bay window on the existing house which overhangs the sidewalk) is a hazard not only to the occupants of the rental unit but to neighboring structures.

B. The size of the alley, lack of improvements and maintenance should be fatal to the issuance of this special permit.

Although the city is encouraging the building of granny units, allowing this special permit for one in the middle of a 15 ft.-wide gravel-covered, overgrown alley is not the same as allowing construction of a unit on a 20-ft. wide paved alley. This distinction should be recognized as fatal to the issuance of this special permit.

D. No matter who the owner is, the special permit will "run with the land."

The decision of the Zoning Administrator was based on her assessment of how the present landowner will use the property, which has been in the owner's family for nearly 100 years. After receiving the city's approval to build a second unit, the landowner could sell to someone who has no family connection to the property and is not a responsible landowner.

E. 33rd Street is particularly vulnerable.

Because it is located next to a C-1 zone in the Alhambra Corridor, the residential quality of 33rd Street is particularly vulnerable. It must be protected from deterioration caused by the commercial zones surrounding it and from the density and problems inherent in multiple rental units on parcels in this vulnerable section.

Because the project will be detrimental to public health and safety, because it will allow a rental unit to be built on a substandard alley and because it will substantially alter the characteristics of the single-family residential neighborhood in a buffer zone created specifically to protect residential quality of neighborhoods next to commercial areas in the city, we respectfully request that the Planning Commission overturn the decision to grant a Special Permit on this project.

11-7-96 CPC. ~~2-15-96~~
PAGE 50 (44)

ORDINANCE NO. 83-075

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

JUL 5 1983

AN ORDINANCE AMENDING SECTION 2-B-11, 2-E-30 AND 22-A-72 TO THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO, ORDINANCE NO. 2550, FOURTH SERIES, RELATING TO SECONDARY RESIDENTIAL UNITS

CERTIFIED AS TRUE COPY OF Ordinance No. 83-075 City Clerk, City of Sacramento
DATE CERTIFIED JUL 1 1983

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:

SECTION 1.

Section 2-B-11 hereby is added to the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550 Fourth Series, to read as follows:

USE	R-1	R-1A	R-1B	R-2	R-2A	R-2B	R-3	R-3A	R-4	R-4A	R-5	O-3	R-O	R-C	S-C	C-1	C-2	C-3	C-4	M-1 (S)	M-2 (S)	A	F	A C S
Second Residential Unit B0																								

SECTION 2.

Section 2-E-30 hereby is added to the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550 Fourth Series, to read as follows:

30. A special permit shall be required to establish an attached or detached second residential unit on a parcel zone R-1. A special permit shall not be granted for a second residential unit unless:

a. the architecture is compatible with that of the main residential unit;

b. parking requirements of the Zoning Ordinance shall be complied with for the additional unit;

c. the height, lot coverage and set back requirements are met;

d. the area of the second residential unit will not exceed 640 square feet; and,

e. the second residential until will comply with those conditions established by the Planning Commission to mitigate any adverse impact on neighboring residence.

A second residential unit shall not be allowed on any corner lot developed with a duplex or half-plex, and a second residential unit shall not be subdivided from the main residential unit.

Exhibit "A"

11-7-96 CPC ~~Cont~~ 9/

(45)

PAGE 5.1

To: Joy Patterson
Zoning Administrator
Department of Planning and Development

Date: July 4th, 1996

From: Albert Najera
Deputy Chief
Office of Operations

Ref: LC6-07-03

Lynne E. Ohlson, AA II
Licensing Coordinator
Office Of Operations

Subject: Z96-038 Zoning Administrator Special Permit to construct a 638 square foot residential unit on 0.13 ± developed acres in a Standard Single Family zone. 1042 33rd Street.

This project is the first to be reviewed by this department since the release of the Sacramento Central City Neighborhood Design Plan. At the time the Department of Planning and Development was preparing the design plan, the Police Department was asked to provide comments on the alley enhancement portion of the guidelines. Police Department representative Lynne Ohlson and Fire Department representative Captain Gay Jones expressed reservations on the elements as presented by Luis Sanchez, Architect - Project Manager and Steve Peterson, Senior Planner. Those reservations focused on the following:

1) Location confusion for responding emergency vehicles due to unclear addressing if rear units were tied to street fronting units for address purposes;

2) Congestion on alleys caused by parked vehicles, trash receptacles and dumpsters, debris, uneven lot lines, non-maintained vegetation, utility service, as examples;

3) Interference to emergency response vehicles by use of alleys as children's play areas;

4) Inadequate lighting;

5) Restricted access to fire hydrants;

and specifically, for the Police Department,

6) Lack of natural surveillance of stand alone units.

Mr. Sanchez and Mr. Peterson used the example of the R Street Corridor throughout the discussion as an alley enhancement that would be planned in total and that the reservations of the Fire and Police Departments would be mitigated as developed.

Exhibit "B"

Item 1\le
11-7-96 CPC
PAGE 52 (1\le)

The Police question all alley enhancement developments that are done on a parcel only basis. In order to truly improve residential safety for the neighboring residents as well as the occupants of each proposed project, the alley developments must be done as an alley long measure. This proposed project does not adequately address the concerns raised in that discussion nor is it presented as a portion of an alley long developed project.

This proposed project should be denied for three of the elements listed above.

1) Project as proposed does not incorporate a separate street address for the location. As the plan indicates no access from front residence, this would cause a delay in response from emergency personnel.

2) This site is upon an unimproved alley. Currently, a gravel surface is provided and is the location of trash receptacles and has uneven fencing marking the border between private lots and alley-way. The uneven lots provide hidden areas and inhibit police personnel from clearly viewing the area, creating an unsafe area for inhabitants and police response units. The increased vehicular traffic that this project will create will cause an additional nuisance factor to adjoining residences through blowing dust, and, an additional burden on the City for alley repair.

3) Distance from fire hydrants is marginally unacceptable.

Site/plan specific reasons to deny this project are as follows:

1) Plan incorporates the most basic design flaw of Crime Prevention through Environmental Design (CPTED), there is no clear natural surveillance from neighboring residences to observe unauthorized access to this building. A plan shift of the garage to the north side of the plan would mitigate the flaw, provided that an existing structure on M Street could clearly see the front door of the proposed project. However, due to the location of the building on the parcel, no such building exists on M Street and inhabitants would have to rely on observations of passing pedestrians or vehicles in the alley to provide this surveillance.

2) The garage unit extends beyond the front entry way of the building. This design does not meet CPTED standards for safety factors as it provides areas which allow unauthorized users in which to hid themselves.

3) Fencing is indicated on plan along alley way. Zoning Administration staff has assured the Police Department that this is not allowable, however, the inclusion on the plan indicates the intention to have some barrier provided to limit access to site. Police Department recommendation is wrought iron at building corners to lot line to allow visibility along building but to prevent unauthorized access.

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11-7-96 CPC
PAGE 53 (47)

The Police question all alley enhancement developments that are done on a parcel only basis. In order to truly improve residential safety for the neighboring residents as well as the occupants of each proposed project, the alley developments must be done as an alley long measure. This proposed project does not adequately address the concerns raised in that discussion nor is it presented as a portion of an alley long developed project.

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2) This site is upon an unimproved alley. Currently, a gravel surface is provided and is the location of trash receptacles and has uneven fencing marking the border between private lots and alley-way. The uneven lots provide hidden areas and inhibit police personnel from clearly viewing the area, creating an unsafe area for inhabitants and police response units. The increased vehicular traffic that this project will create will cause an additional nuisance factor to adjoining residences through blowing dust, and, an additional burden on the City for alley repair.

3) Distance from fire hydrants is marginally unacceptable.

Site/plan specific reasons to deny this project are as follows:

1) Plan incorporates the most basic design flaw of Crime Prevention through Environmental Design (CPTED), there is no clear natural surveillance from neighboring residences to observe unauthorized access to this building. A plan shift of the garage to the north side of the plan would mitigate the flaw, provided that an existing structure on M Street could clearly see the front door of the proposed project. However, due to the location of the building on the parcel, no such building exists on M Street and inhabitants would have to rely on observations of passing pedestrians or vehicles in the alley to provide this surveillance.

2) The garage unit extends beyond the front entry way of the building. This design does not meet CPTED standards for safety factors as it provides areas which allow unauthorized users in which to hid themselves.

3) Fencing is indicated on plan along alley way. Zoning Administration staff has assured the Police Department that this is not allowable, however, the inclusion on the plan indicates the intention to have some barrier provided to limit access to site. Police Department recommendation is wrought iron at building corners to lot line to allow visibility along building but to prevent unauthorized access.

4) Site plan indicates that the front (main entry) door opens into the master bedroom. While an unsafe design plan on a street facing lot, this feature negates any argument that this alley structure will contribute to "an occupied street providing "eyes on the alley." (Sacramento Central City Neighborhood Design Plan, Framework document, page 31]. The living area of this plan indicates predominant use of the rear of the structure and erases all pretense that this unit will provide additional surveillance to the rear windows of the existing buildings backing onto the alley.

This project is requested as the property owner indicates a desire to offer a "decent family home" in addition to income. If this were to be an owner occupied structure, some of the concerns mentioned would be addressed as owners inherently are more aware of unusual activity in a neighborhood than short term renters. This project will appeal to a renter who desires seclusion and no direct observation from neighbors. In essence, it would be an ideal location for an individual who pursues illegal activities as her/his neighbors will be unable to observe this building.

The Police Department has spent the last two years actively pursuing alley closures in an effort to reduce problem areas and are less inclined to recommend interior lots for development of alley oriented uses. We strongly recommend that this project be denied and that all alley sitings be referred to the Police Department prior to submission for Special Permits to allow applicant and our Department to work together in the design phase and resolve all concerns to public safety.

Sincerely,

Albert Najera
Deputy Chief

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