

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

**ACTION OF THE ZONING ADMINISTRATOR**

On Wednesday, October 9, 1996, the Zoning Administrator approved with conditions, a variance to waive the required six foot masonry wall between a residential and non-residential use for the project known as Z96-116. Findings of Fact and conditions of approval for the project are listed on pages 3 and 4 of this report.

**Project Information**

Request: Zoning Administrator Variance to waive the required six foot masonry wall between a residential and non-residential use on a .13± acre developed parcel in the General Commercial (Neighborhood Corridor) C-2 (NC) zone.

Location: 2112/ 2114 10th Street

Applicant/ Owner: Anne Baldwin  
2114 10th Street  
Sacramento, CA 95816

General Plan Designation: Community Neighborhood Commercial and Offices  
Central City Community Plan: General Commercial  
Existing Zoning of Site: General Commercial (Neighborhood Corridor) C2-(NC)

Surrounding Land Use and Zoning:

North: C-2(NC);	Multi-Family Residential
South: C-2(NC);	Multi-Family Residential
East: R-3A;	Single Family Residence
West: R-1B;	Duplex

Property Dimensions:	40' X 150'
Property Area:	0.13± acres
Parking Required:	4 spaces
Parking Provided:	4 spaces
Square Footage of Building:	2,700 square feet
Height of Building:	2 stories, 24± feet
Exterior Building Materials:	Lap siding
Roof Materials:	Composition
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

Project Plans:

See Exhibits C and D

Additional Information: The applicant is requesting to waive the required masonry wall between a residential and non-residential use. The request is necessary due to the conversion of an existing two family dwelling into a child care center for 24 children. The child care center would utilize the first floor while the second floor will remain a residence for the owner who is also the day care manager. The property is zoned General Commercial (C-2) which allows a child care center by right provided the specified criteria are met including provision of: one parking space per every eight children, a solid masonry wall along all property lines which abut a residential zone or residence, and an outdoor play area.

With regard to the child care center criteria, the applicant proposes one parking space for every eight children plus one space for the residence. The four provided spaces meet the established requirements. The applicant requests the variance to allow a chain link fence with slats rather than the required masonry wall. The north side of the yard is already fenced with chain link and slats. The remaining sides and rear yard would be fenced with chain link and slats to match the existing fence. The front yard would be fenced with six foot high wrought iron fencing to reflect the historic character of the building (see Exhibit C for fencing plan). An outdoor play area will be provided as required.

The requirement of a masonry wall comes from the desire to reduce loud noise between a residential use and a child care center. The proposed twenty four children could create some noise concerns for the neighbors. The apartment owner to the north, who would be most affected by the noise is in support if the wall waiver (see Exhibit E). Even so, it is recommended that children be restricted from using the outdoor play area between the hours of 7 PM and 8 AM to be sensitive to renters of the apartment building. It should be noted that the required six foot high wall would have little impact on reducing noise in this situation due to the two story construction of the apartment building and its high windows on the first floor. If noise complaints occur after the child care center is in operation, a maximum of eight children would be allowed outdoors at any one time.

A potential problem the child care center may face is congestion during drop-off and pick-up time. In order to facilitate the center, it is recommended that the curb in front of the building be designated a loading zone between busiest drop-off and pick-up periods (e.g. 6:30 AM to 8:00 AM and 4 PM to 6 PM). Applicant should contact the City Parking Authority to facilitate curb painting.

The building to be used as the child care center is listed as a Priority Structure on the city's Official Register of Historic Buildings. No exterior modifications are proposed, however, the parking area along the alley and wrought iron fencing for the front of the site will be reviewed by Design Review staff.

The request to use chain link fencing with slats around the side and rear property lines, rather than a masonry wall, is approved subject to the conditions of approval and findings of fact listed below.

Project Review:

This request was reviewed by various city departments who had no comment.

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

Conditions of Approval

1. This variance allows the waiver of a solid masonry wall for a child care center for 24 children.
2. Outdoor play activity shall be prohibited between the hours of 7PM and 8AM. If noise complaints occur after the child care center is started, outdoor activities will then be limited to a maximum of eight children at any one time.
2. Design Review approval is required before the issuance of any building permit for any exterior modifications including demolition of the garage, parking lot review or construction of fencing.
4. The applicant should contact the City Parking Authority to facilitate curb painting. The curb in front of the building should be designated a loading zone between busiest drop-off and pick-up periods (e.g. 6:30 AM to 8:00 AM and 4PM to 6 PM).

Findings of Fact:

1. Waiving the masonry wall will not be materially detrimental to the other properties or uses in the area in that a chain link fence with slats shall be maintained along the side and rear property lines.
3. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that all outdoor uses will: comply with the City Noise Ordinance; be restriction apply between the hours of 7PM and 8AM, and if necessary outdoor activities will be limited to eight children at any one time.
4. The project is not considered a use variance as a child care center is allowed in the C-2(NC) zone.

5. The project is consistent with the General Plan which designates the subject site as Community Neighborhood Commercial and Offices.
6. The variance request does not constitute a special privilege extended to one property owner. Similar variances have been granted to other similar uses.

*Joy D. Patterson*

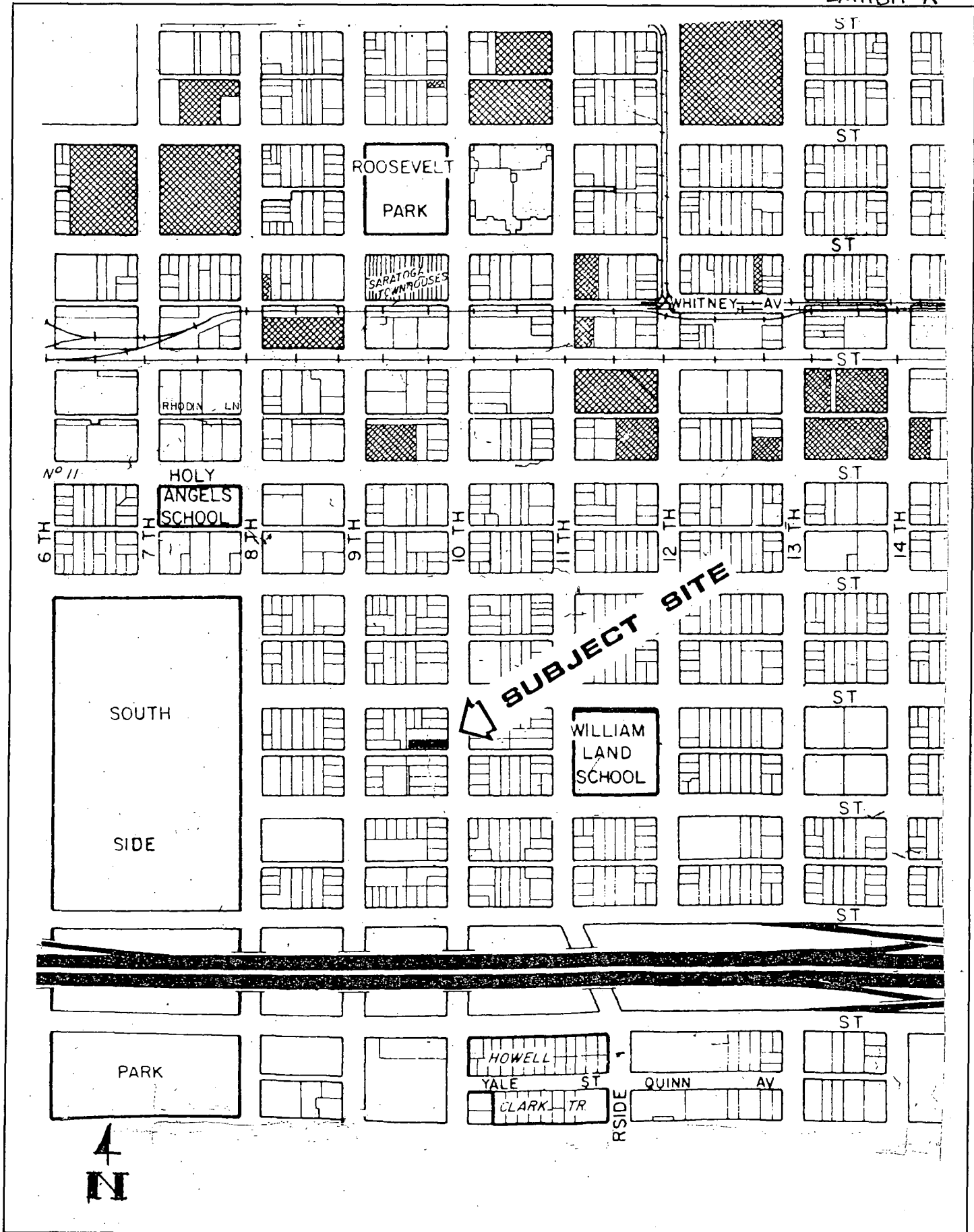
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Joy D. Patterson  
Zoning Administrator

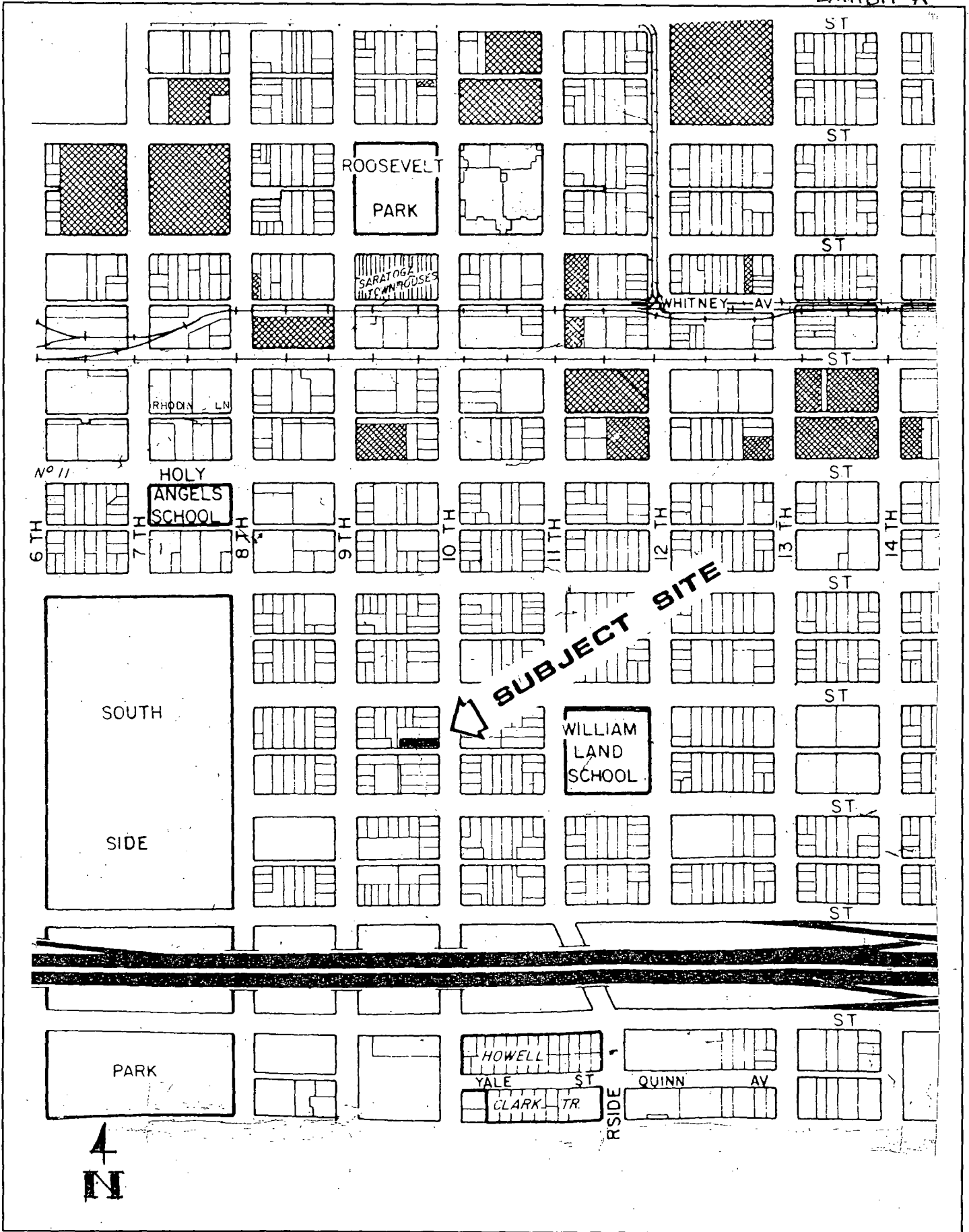
A use for which a Variance is granted must be established within two years after such variance is approved. If such use is not so established the Variance shall be deemed to have expired and shall be null and void. A Variance which requires a Building Permit shall be deemed established when such Building 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/ Owner- Anne Baldwin ←  
ZA Log Book ←

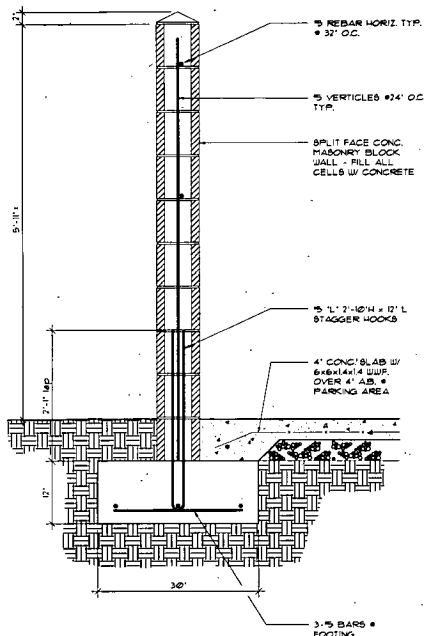


VICINITY MAP

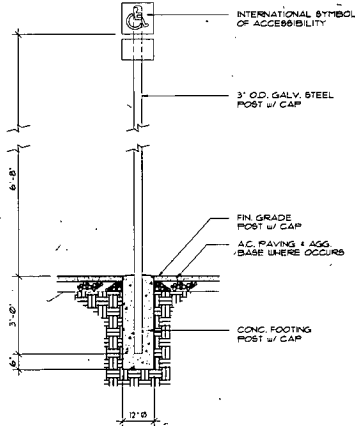


VICINITY MAP

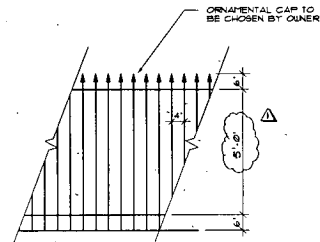




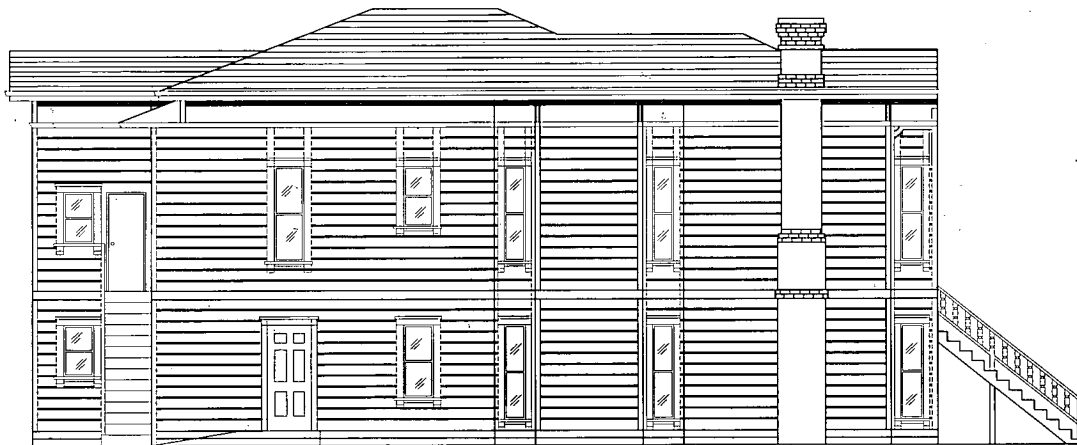
1 SECTION - BLOCK WALL  
SCALE: N.T.S.



2 HANDICAPPED SIGN  
SCALE: N.T.S.

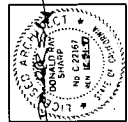


3 WROUGHT IRON FENCE  
SCALE: N.T.S.



A SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"


**DONALD SHARP, ARCHITECT & ASSOCIATES**  
1886 WARREN WAY - SACRAMENTO, CA. 95834-3428 - 916 980-6188



CHK'D:	
P.M.:	Don Sharp
P.A.:	
PROJECT NO.:	19608
DATE:	
REVISION:	
NO.:	
DATE:	
SCALE:	AS NOTED
DRAWN BY:	
CHECKED BY:	

EXT. ELEVATION AND DETAILS  
Creative Wonders Childcare Center  
212 10th Street, Sacramento, CA 95814  
PRINT DATE: 07/15/96

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EXHIBIT D