

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, October 29, 2003, the Zoning Administrator approved with conditions a special permit and three variances to allow the construction of a two-unit apartment project in the Multi-Family (R-4) zone for the project known as (File Z03-278). Findings of Fact and conditions of approval for the project are listed on pages 2-3.

Project Information

Request:

1. **Zoning Administrator Special Permit** to waive one required parking space for a 3,510 square foot two-unit apartment building behind an existing apartment building on 0.19± acres in the Multi-Family (R-4) zone.
2. **Zoning Administrator Variance** to reduce the required ten foot courtyard requirement to nine feet.
3. **Zoning Administrator Variance** to reduce the required garage width of ten feet to nine feet.
4. **Zoning Administrator Variance** to reduce the required rear yard setback from five feet to three feet.

Location: 3920 J Street (D3, Area 1)

Assessor's Parcel Number: 008-0134-003

Applicant: Mogavero Notestine Associates {Contact: Mike Madden}
2012 K Street
Sacramento, CA 95814

Property Owner: Louis Heinrich
2614 I Street
Sacramento, CA 95816

Project Planner: Lindsey Alagozian

General Plan Designation: High Density Residential 30+ du/na
Existing Land Use of Site: Multi-Family
Existing Zoning of Site: Multi-Family (R-4)

Surrounding Land Use and Zoning:

North: H; Hospital
South: R-4-R; Residential, Multi-Family
East: R-4; Residential, Multi-Family
West: OB; Office

Property Dimensions:	51 feet x 160 feet
Property Area:	0.19± acres
Existing Square Footage of Apts:	4,830 square feet
Proposed Square Footage of Units:	3,510 square feet
Existing Height of Building:	2 Story, 34.5 feet
Proposed Height of Building:	3 Stories, 30 feet
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Project Plans:	See Exhibit A and B

Previous Files: None

Additional Information The applicant is proposing to construct a 3,510 square foot two-unit structure with an attached six-car garage behind an existing four-plex located in the Multi-Family (R-4) zone. A detached garage was recently demolished at the rear of the property. The project includes constructing two units in which one will be 862 square feet in size and contain one bedroom and the other will be 1,242 square feet with two bedrooms. The project will be located approximately 24 feet behind the existing apartment building and six feet off the alley. Four of the garages will be accessible from the alley and two garages will be accessible from the street. The project has been reviewed by Design Review staff for consistency with the surrounding development.

The applicant is requesting a Special Permit to waive one required parking space. The applicant is also requesting variances to reduce the ten-foot courtyard requirement to nine feet, reduce the required garage size from ten feet to nine feet, and reduce the required rear setback from five feet to three feet for a second story projection. All entitlements can be reviewed at the Zoning Administrator level. The project was routed to the McKinley Elvas Neighborhood Alliance (MENA). The association expressed some concern for the reduction of the parking space and left the decision up to the affected property owners near the project site. The site was posted and property owners within 100 feet of the subject site were notified. One neighbor called and expressed concerns for the project, especially the reduction of the parking space. However, once the neighbor was informed that each unit will have one off-street parking space and that the special permit was to waive the guest parking space, the neighbor no longer had reservations about the project.

Environmental Determination This project will not have a significant effect on the environment and is exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15303 (e), New Construction.

Conditions of Approval:

General

1. Size and location of the apartment project shall substantially conform to the plans submitted.
2. The applicant shall obtain building permits prior to commencing construction.
3. The building materials shall be stucco with brick and minimum 30-year dimensional, laminated composition shingles.
4. All windows shall include trim and sills and shown on the plans.

5. Landscaping and automatic irrigation shall be provided in the courtyard area between the structures.
6. No mechanical equipment shall be placed on the roof. Photovoltaic equipment mounted on the roof is permitted but shall be installed to minimize the appearance. Any necessary roof vents shall be painted to match the color of the roof.

Public Works

7. Repair or replace/reconstruct any existing deteriorated curb, gutter, and sidewalk per City standards to the satisfaction of the Department of Public Works.

Utilities

8. Utility records indicate that the existing domestic water service is not metered. A meter is required on the existing water service for the proposed additional structure. The applicant's contractor shall reconstruct the existing service to include the box for a meter. The Department of Utilities will install the meter for a fee. The fee for the installation of the meter shall be paid prior to the issuance of a building permit.
9. Only one domestic water service is allowed per parcel. The proposed additional structure will be required to connect to the existing on-site domestic water service. If the existing water service is inadequate, the existing service shall be abandoned and a new domestic water service, tap, and meter will be required. Fees for abandonment of the existing service and the new service, tap, and meter shall be paid prior to the issuance of a building permit.

Advisory Notes

10. The existing water and sanitary sewer services for the subject site may be under the proposed structure. City maintenance responsibilities of the services are to the point of service within the alley right of way. The property owner is responsible for the maintenance and repair of the services on their property. The applicant should relocate existing services from under the proposed building or reconstruct the existing services within pipe sleeves for protection and ease of future repair and replacement of the services.
11. The proposed project is located in the 100-year floodplain, designated as an A99 zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective May 22, 2000. Within the A99 zone, there are no requirements to elevate or flood proof.

Findings of Fact – Special Permit:

1. Granting the Special Permit is based upon sound principles of land use in that:
 - a. the proposed project will provide one parking space per unit; and
 - b. the proposed project is compatible in design with the existing property and existing surrounding properties in the neighborhood.
2. Granting the Special Permit would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:

- a. the use will not generate significant impacts to the nearby residential properties; and
 - b. covered parking spaces will be provided for each unit on site.
3. The project is consistent with the General Plan which designates the site as High Density Residential 30+ du/na.

Findings of Fact - Variances:

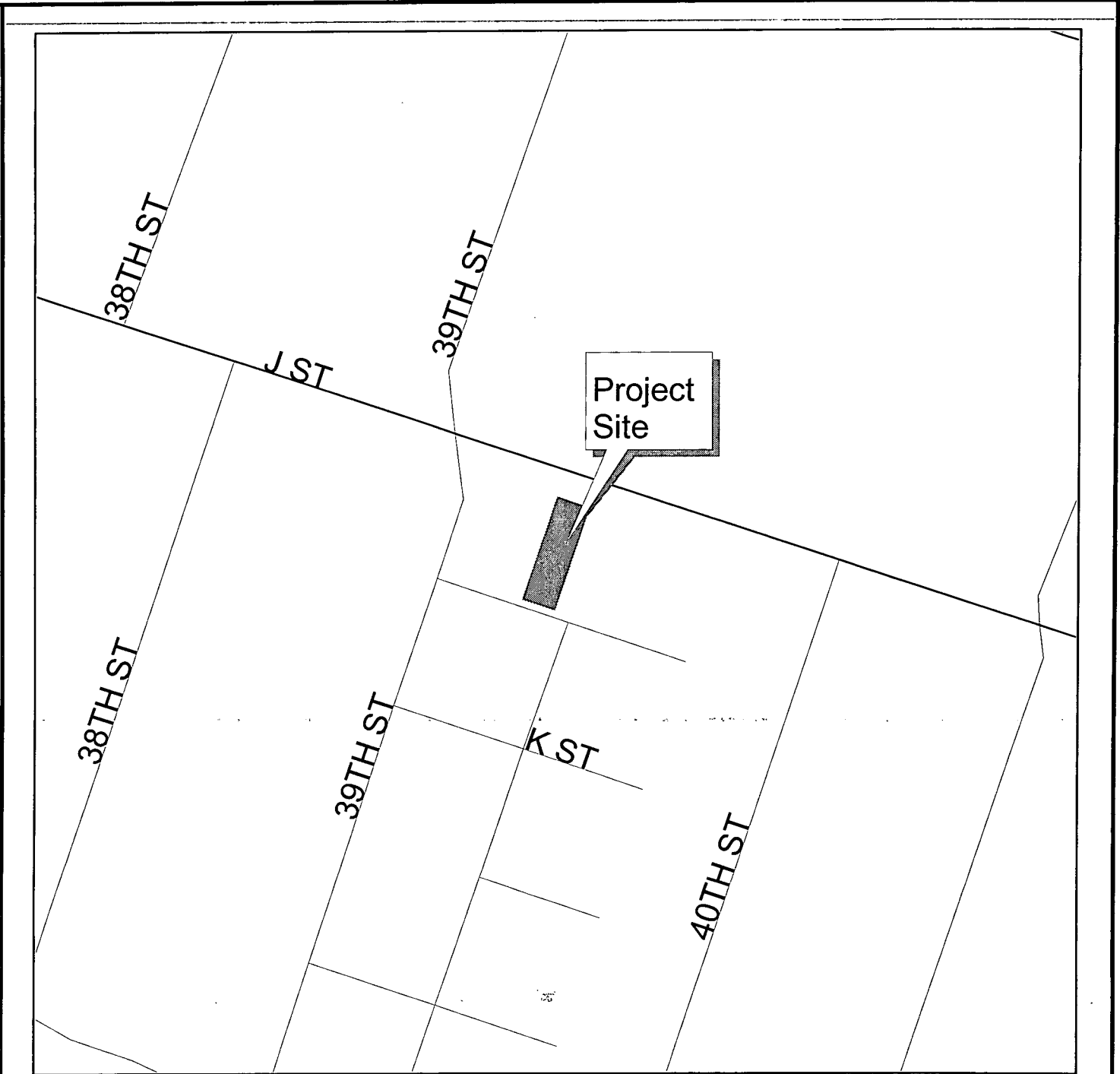
4. Granting the Variances does not constitute a special privilege extended to an individual applicant in that:
- a. The courtyard variance is a result of an existing condition that cannot be changed.
 - b. other variances have been approved under similar circumstances.
5. Granting the Variance requests does not constitute a use variance in that multi-family development is a permitted use in the Multi-Family (R-4) zone.
6. Granting the requests will not be injurious to the public health, safety, or welfare nor result in a nuisance in that:
- a. The reduction of the courtyard is an existing condition on-site and currently provides ample light and air around the structure; and
 - b. The reduction of the garage width will ensure that each unit will have its own parking space and will not compromise the parking space; and
 - c. The reduction of the rear yard setback is for the second floor only and provides articulation and design interest on the building.
7. The project is consistent with the General Plan which designates the site as High Density Residential 30+ du/na.


Joy D. Patterson
Zoning Administrator

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

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

cc: File (original) ZA Log Book Applicant



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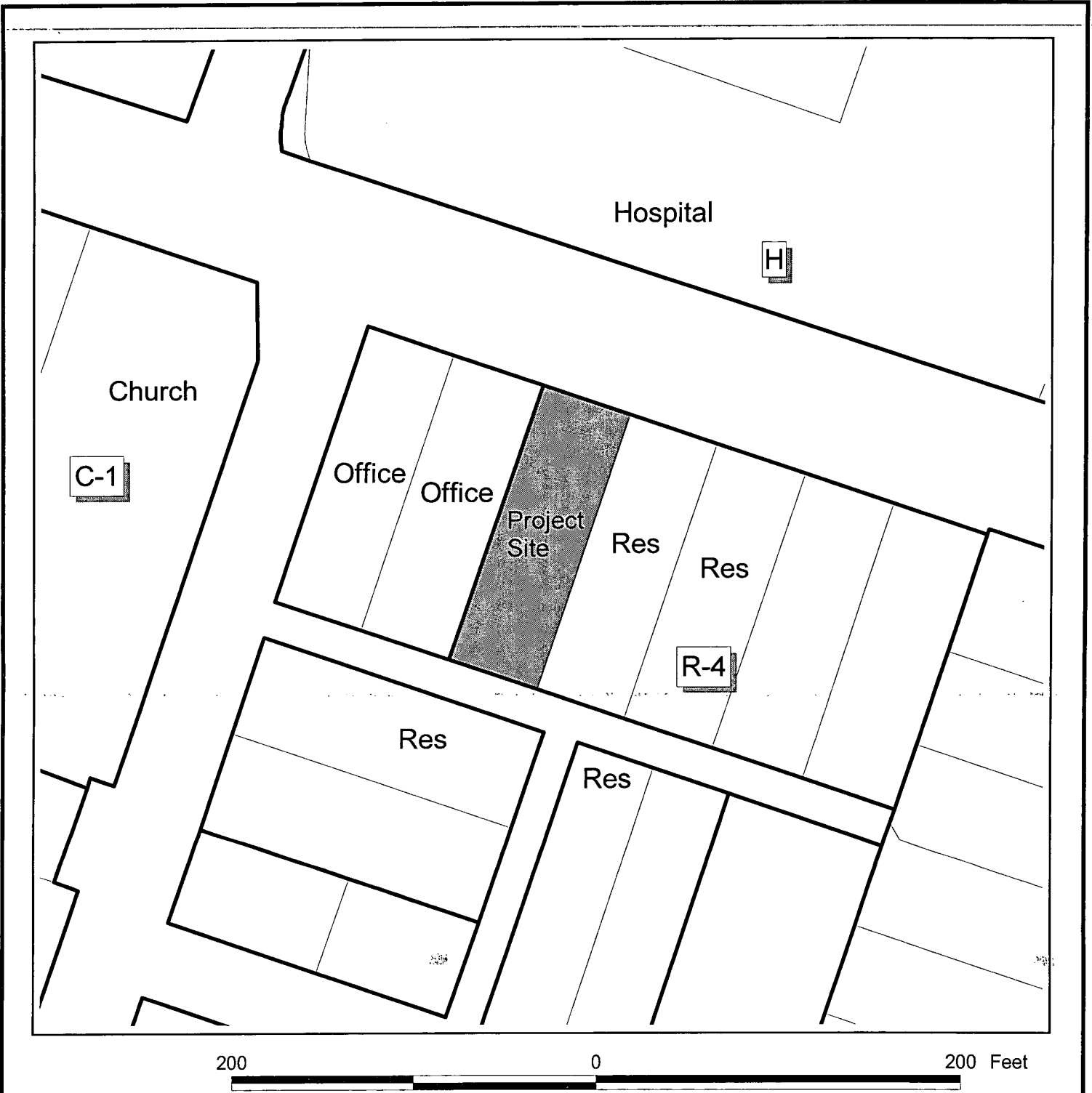


Planning & Building
Department

Geographic
Information
Systems

Vicinity Map





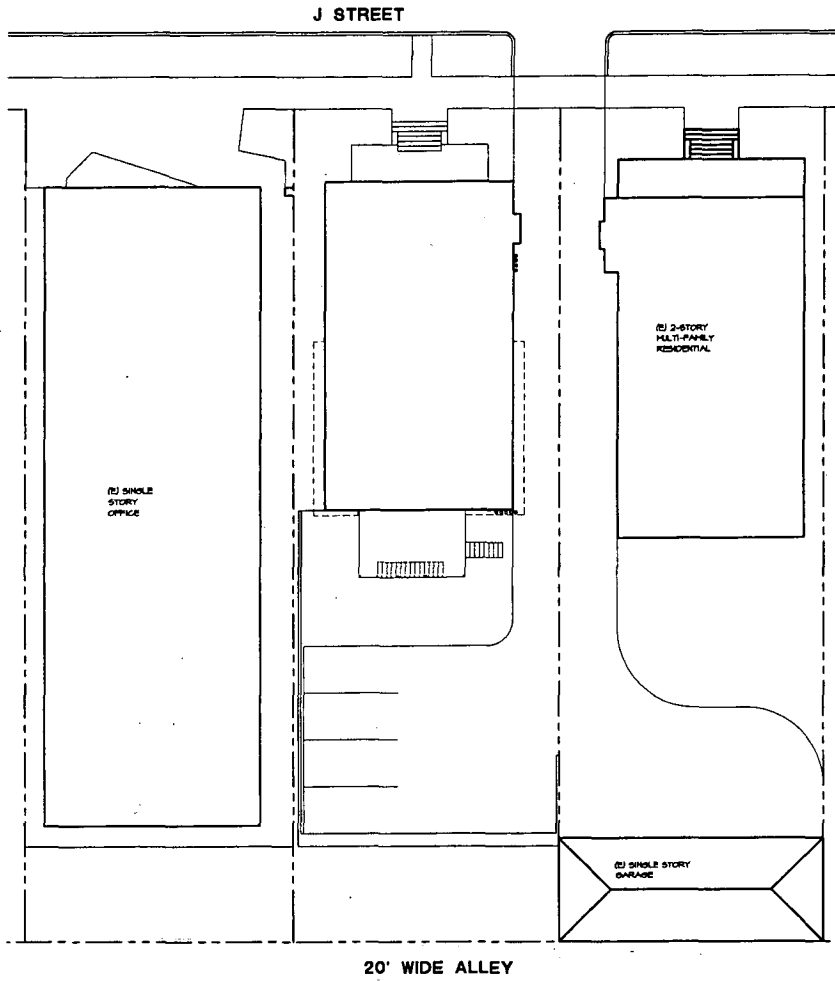
Planning & Building
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Geographic
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Land Use & Zoning

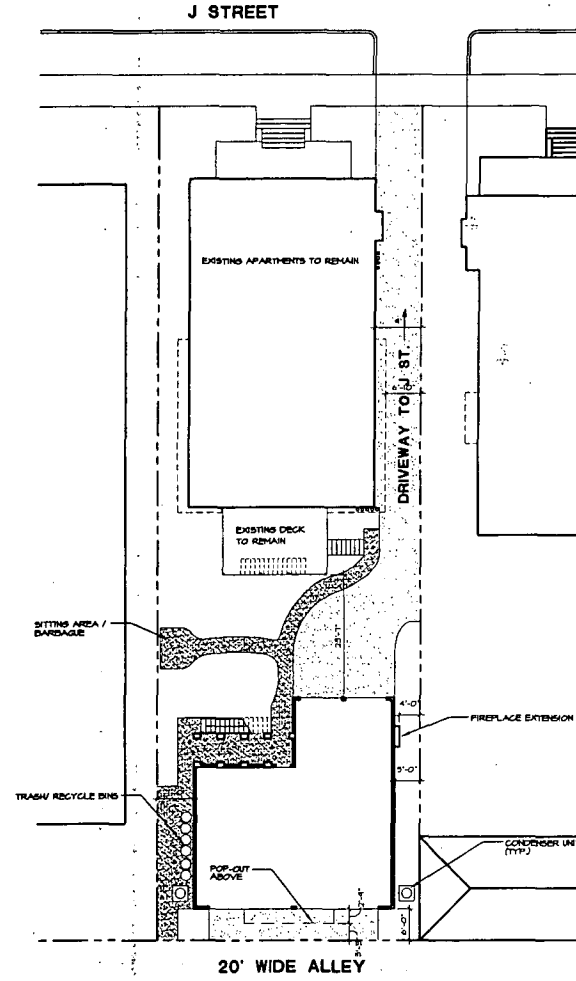


EXHIBIT A



EXISTING CONDITIONS

SCALE: 3/32" = 1'-0"



PROPOSED SITE PLAN

SCALE: 3/32" = 1'-0"



MOGAYERO
NOTESTINE
ASSOCIATES

3920 J Street Infill

Sacramento, California



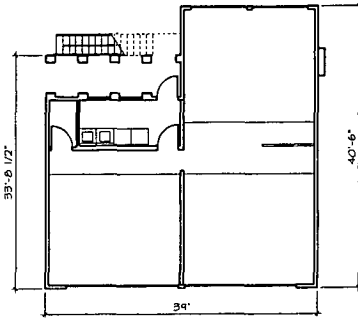
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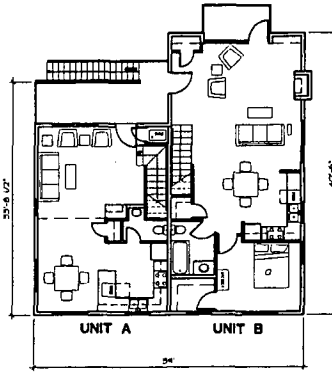
Z03-278
Item # 6
Rec'd Aug 20, 2003

October 29, 2003

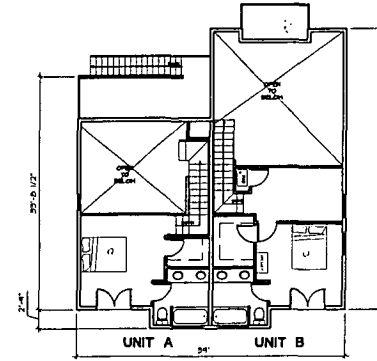
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FIRST FLOOR



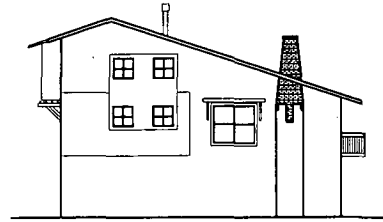
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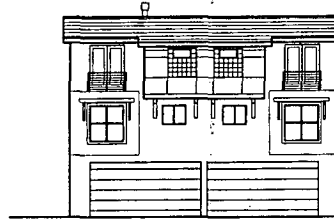
THIRD FLOOR



WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



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