



REPORT TO COUNCIL

City of Sacramento

25

915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org

Public Hearing
July 25, 2006

**Honorable Mayor and
Members of the City Council**

**Title: 3rd Party Appeal: Reconstruction of existing single family residence,
(DR05-364)**

Location/Council District: 3341 20th Avenue, Council District 5

Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** approving 1) Exemption from CEQA review; and 2) denying 3rd party appeal and approving the design review of the reconstruction of a single-family residence.

Contact: Matthew Sites, Assistant Architect 808-7646, Luis R. Sanchez, AIA, Design Review Director 808-5957

Presenters: Matthew Sites and Luis R. Sanchez, AIA

Department: Development Services

Division: Current Planning, Design Review Section

Organization No: 4871

Description/Analysis

Issue: A third party has appealed the decision of the City Planning Commission to allow the reconstruction of a single family residence. Issues raised by the appellant relate to drainage of the site onto the adjacent property. The project has been conditioned to require the lot grading to drain properly as well as adding a retaining wall on the left side of property. Additionally, fascia gutters on the second unit shall be replaced with ogee gutters. Pages 3-5 provide background information regarding the project, the Design Review and Preservation Board action, and the Planning Commission action.

Policy Considerations: The appeal contends that materials proposed are not appropriate. Staff feels that the project as conditioned complies with guidelines and Design Review policy for the Oak Park Design Review District.

Environmental Considerations: The proposed project is exempt from environmental review pursuant to CEQA Guidelines (CEQA Sections 15303). Section 15303: "One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may

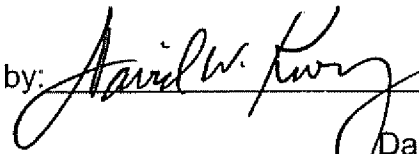
be constructed or converted under this exception."

Rationale for Recommendation: As set forth in Attachment 14, the 3rd party appeal, each hearing body has supported the original staff action and denied each appeal. Materials proposed are in keeping with the surrounding neighborhood and second unit, and is consistent with the Design Review Guidelines and Policies of Oak Park.

Financial Considerations: None

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

Respectfully Submitted by:



David Kwong
Planning Manager

Approved by:



William Thomas
Director of Development Services

Recommendation Approved:



 Ray Kerridge
City Manager

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Background:

The subject property currently includes a primary Single Family Residence and a 2nd Residential Unit recently reconstructed in 2004 (original 2nd unit built in 1949). The property owner is requesting to demolish the existing primary home (built in 1918), which is in a deteriorated condition, and proposes to reconstruct and enlarge it, adding a second story and increasing the footprint of the home by 117.5 square feet (minimal change). The Preservation Director has received the demolition request and has determined to not oppose the demolition of the existing primary unit. The property contains a nonconforming residential use of two dwellings in the Standard Single Family (R-1) zone, and the applicant has received a Zoning Administrator Special Permit to expand a nonconforming residential use. Design Review approval is required since it is in the Oak Park Design Review District.

The project was approved by Design Review staff on January 27, 2006 and this action was appealed to the Design Review and Preservation Board by a 3rd party (based on use of fiber-cement lap siding instead of wood lap siding). The Design Review and Preservation Board heard the 3rd party appeal of this project on March 1, 2006 and denied the appeal, supporting the staff recommendations. The Design Review and Preservation Board's decision was based on the following reasons:

- The demolition and reconstruction/expansion of the primary unit is acceptable for the site as proposed;
- Fiber-cement lap siding is a more favorable choice given all of the options and is an acceptable material for this project. The fiber-cement board is a renewable/sustainable material with a 50 year warranty when installed properly and painted;
- The windows, doors, columns, trim and sill are appropriately designed.

The Board denied the 3rd party appeal with a vote of 8 ayes and 0 nays.

The Design Review and Preservation Board action was appealed to the City Planning Commission by the same 3rd party that appealed the staff action. The City Planning Commission heard the 3rd party appeal on this project April 27, 2006. The Commission voted 4 ayes, and 1 nay. The Commission made a motion to reconsider the vote since it pertained to both Design Review and Zoning actions; the result of the previous vote was approving the design, but not allowing it to be placed on the site. The motion was approved to continue/rehear the project on June 8, 2006 when more members would be present and further information would be available to clarify some aspects of the project (specifically the heights of surrounding buildings)

On June 8, 2006 the project was reheard by the City Planning Commission. The City Planning Commission voted 4 ayes, 1 nay, and 1 abstention, to deny the appeals and approve the project. The City Planning Commission's decision was based on the following reasons:

- That the demolition and reconstruction/expansion of the primary unit was an appropriate use for the site; and
- The Design Review and Preservation Board and Design Review staff actions be upheld because the proposed project meet the Design Review Guidelines and Policies.

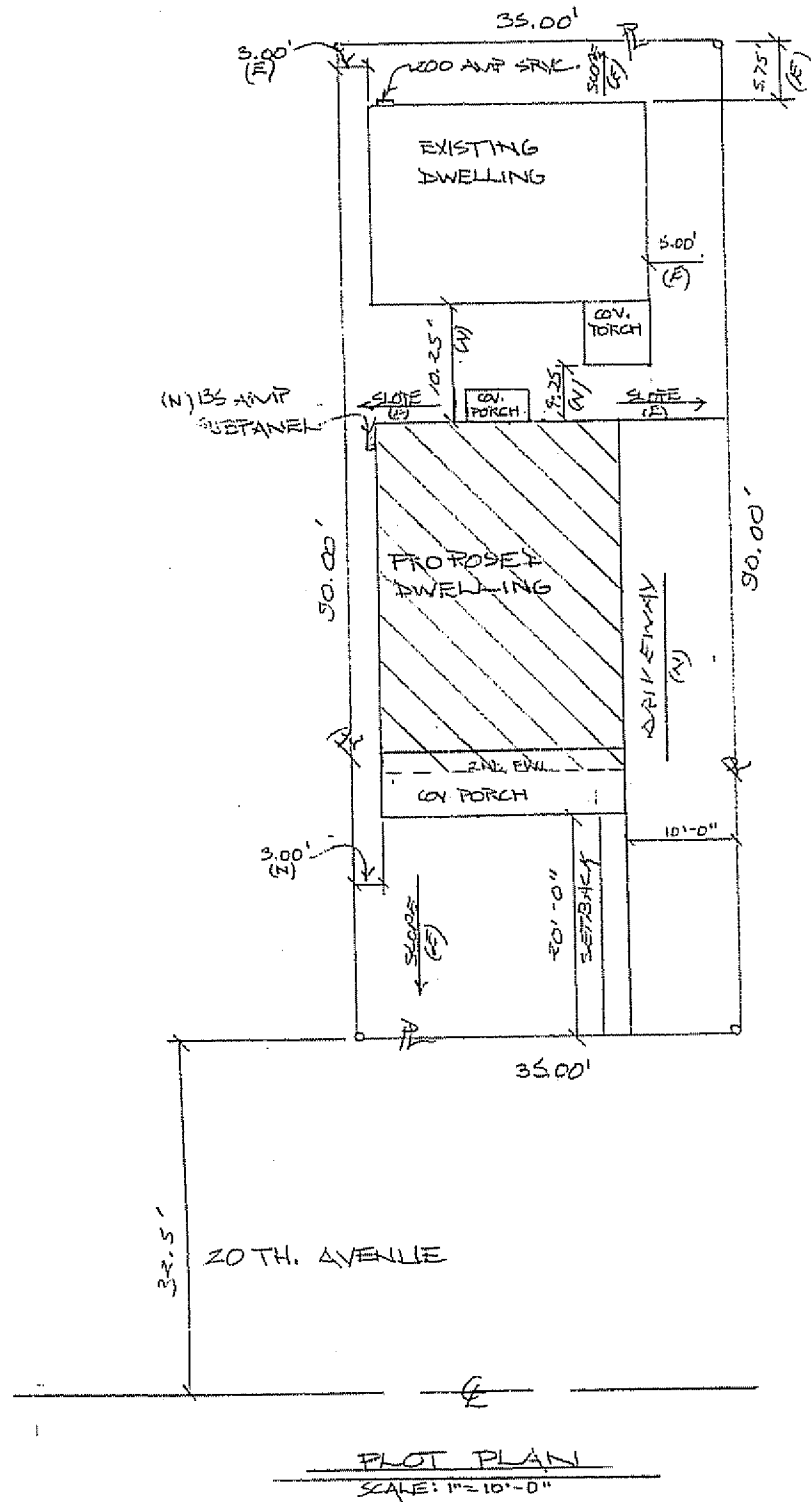
The City Planning Commission's decision of the Design Review and Preservation Board denial of a 3rd party appeal was appealed on June 9, 2006, and a City Council Hearing is scheduled for July 25, 2006. The Zoning Administrator Special Permit appealed to City Planning Commission is not appealable to City Council, and this item was not called up by the Council Member.

The project was submitted to the Sacramento Housing & Redevelopment Agency (SHRA) Oak Park Redevelopment Advisory Committee (RAC) for review and comment, and the RAC supports the project. Several members of the Oak Park community in public hearings as well as privately have mentioned that this project was well designed. The Oak Park United against Slumlords (OPUS) neighborhood group is against this project due to density and materials being proposed for the project.

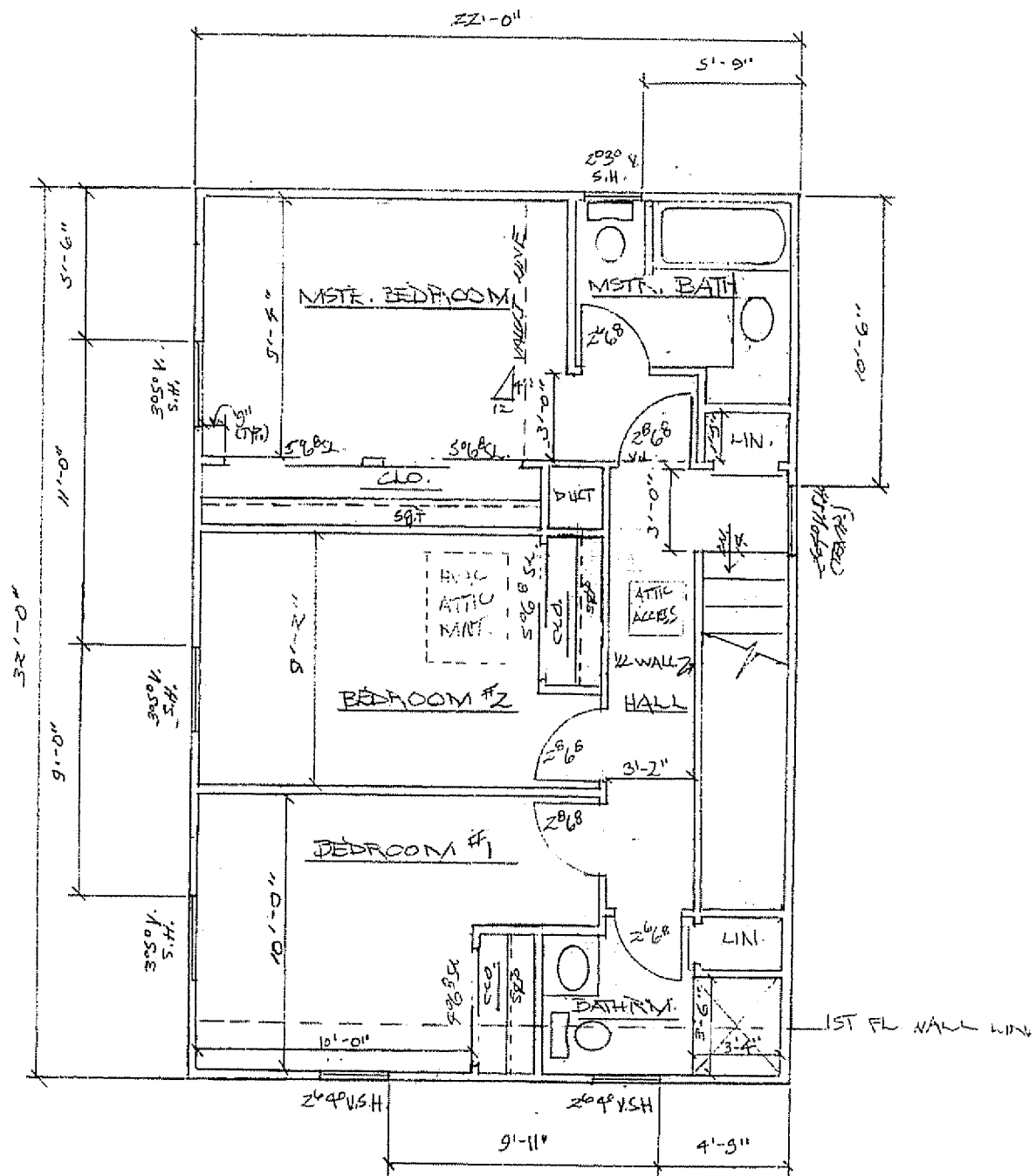
Policy Considerations:

This project is within the guidelines and policies of the Oak Park Design Review District. The General Plan land use designation for the site is Community/Neighborhood Residential. The proposed use is consistent with this designation.

Attachment 1 – Site Plan



Attachment 2 – Second Floor Plan



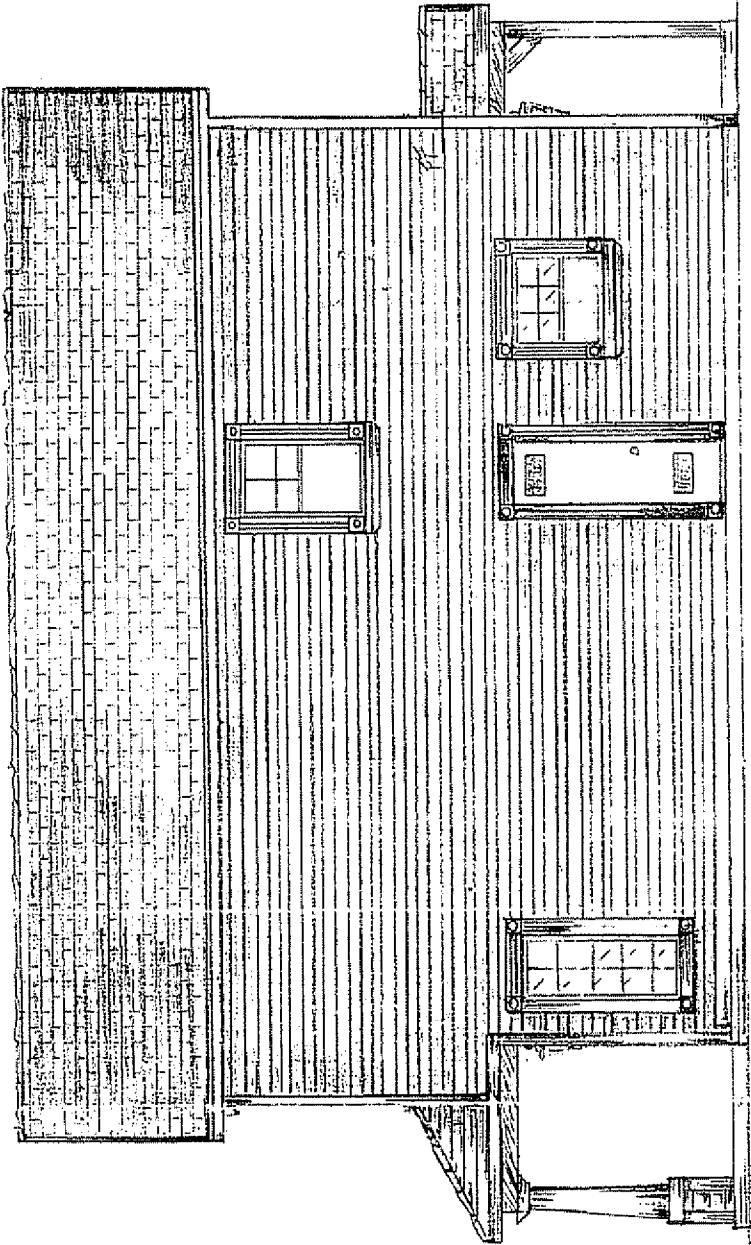
SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

Attachment 3 – Front Elevation



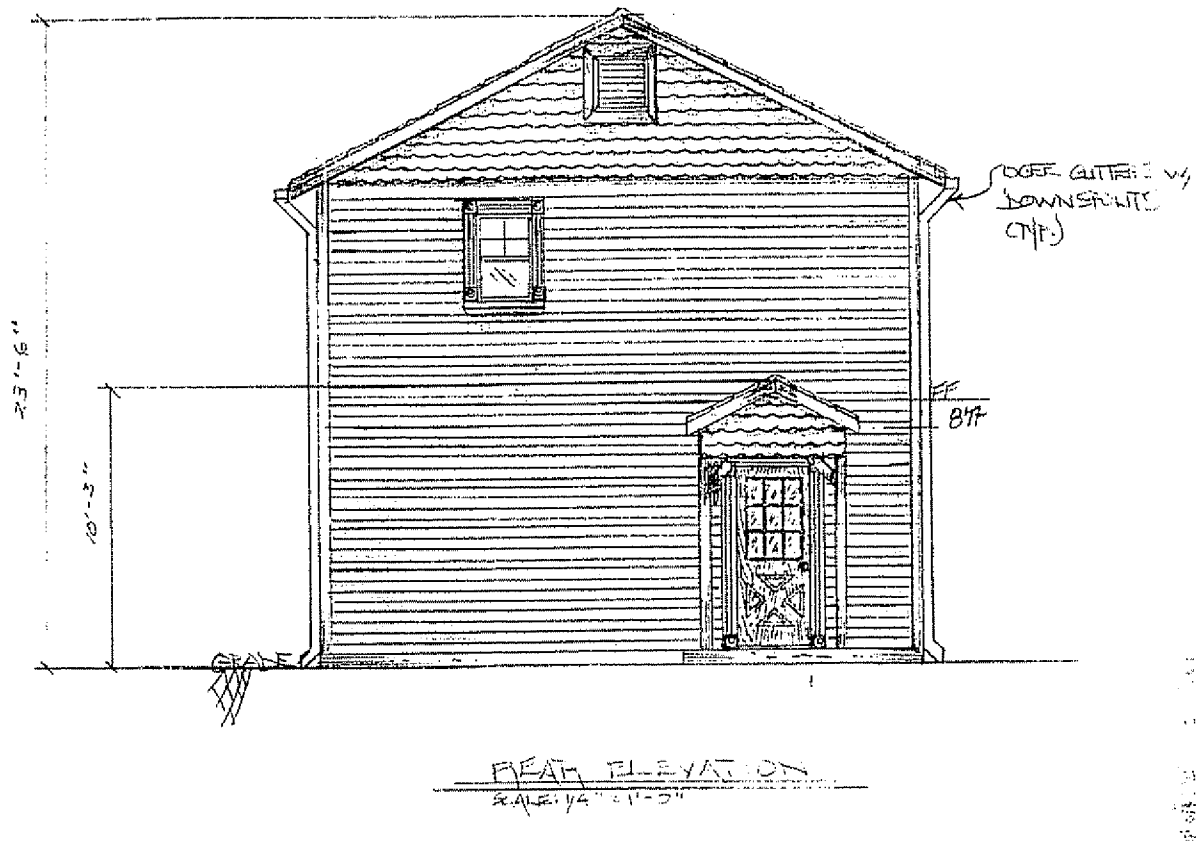
Attachment 3 – Right Elevation



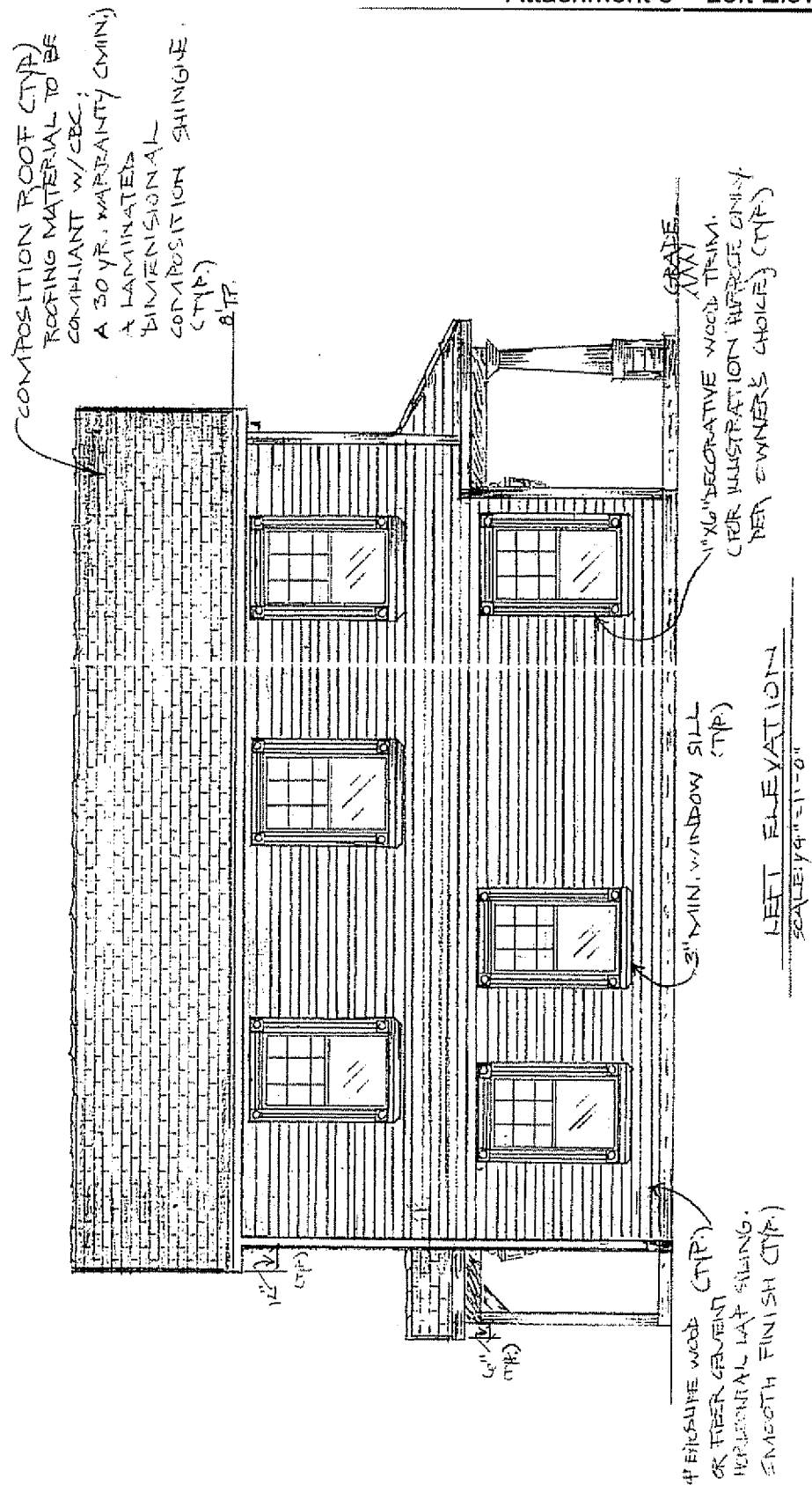
RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

GRASS

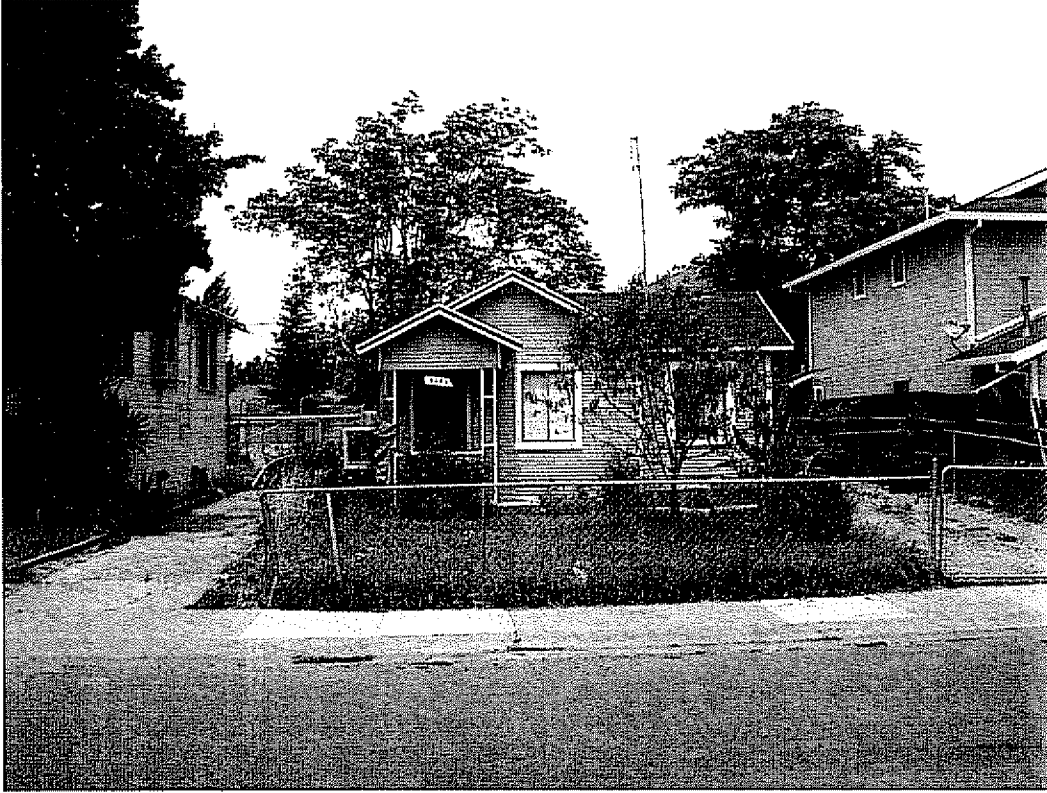
Attachment 3 – Rear Elevation



Attachment 3 – Left Elevation



Attachment 4 – Photo Inventory

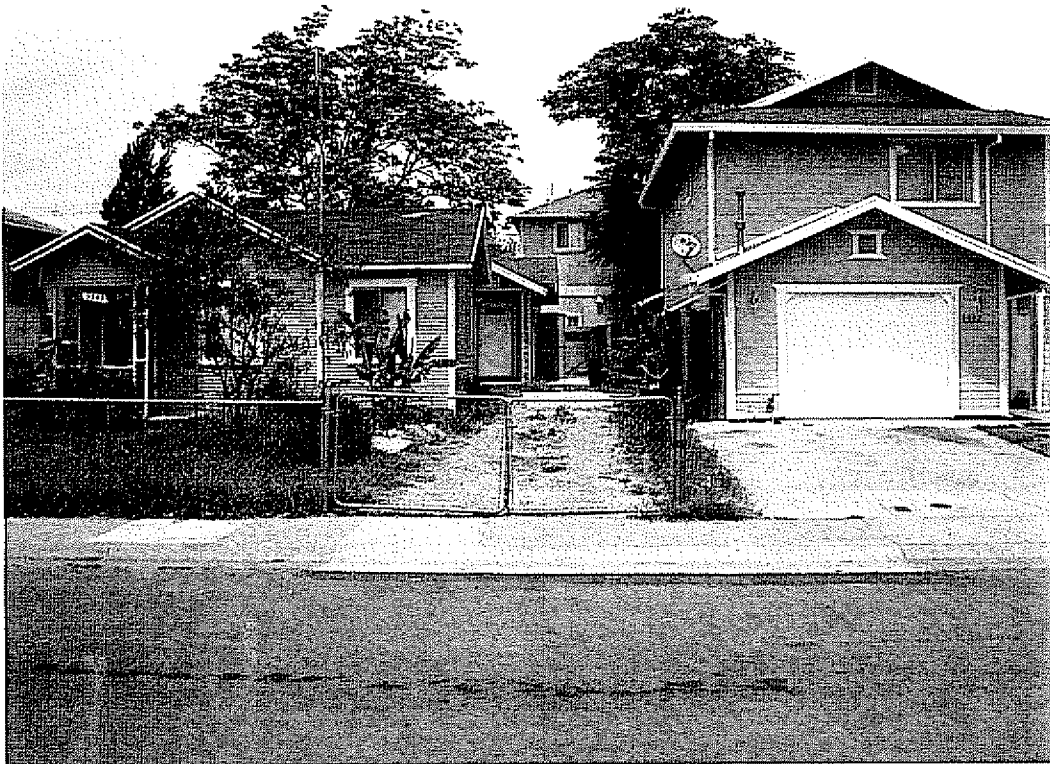


Subject Property

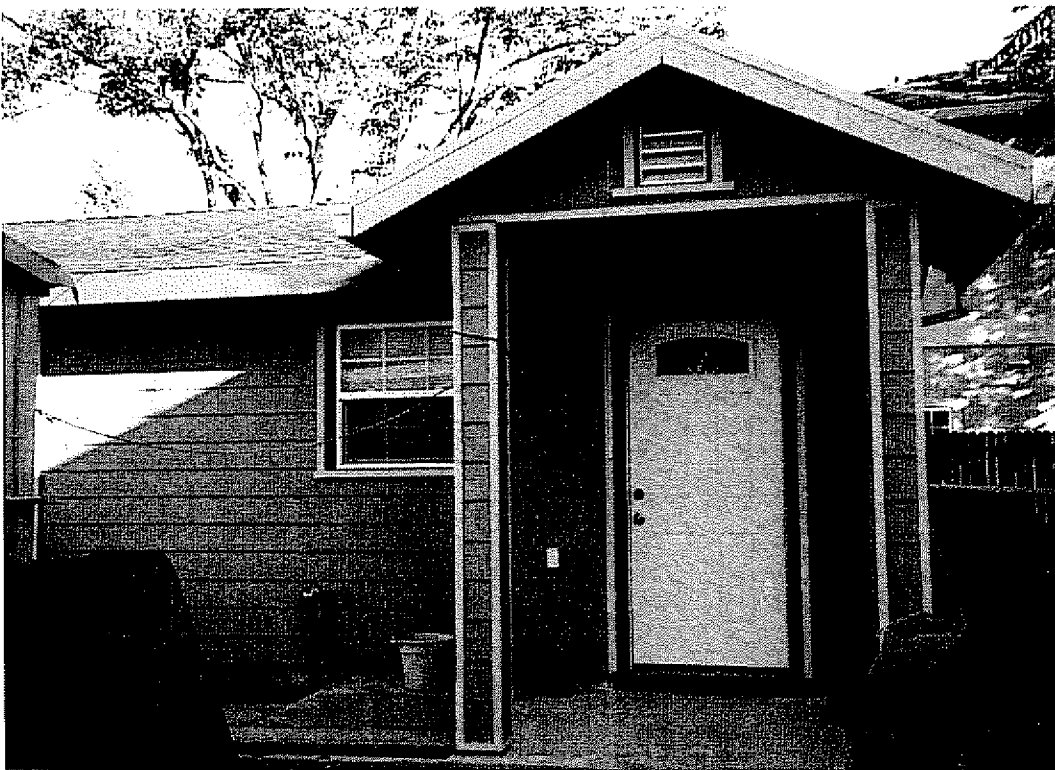


High Water Bungalow to left of Subject Property

Attachment 4 – Photo Inventory

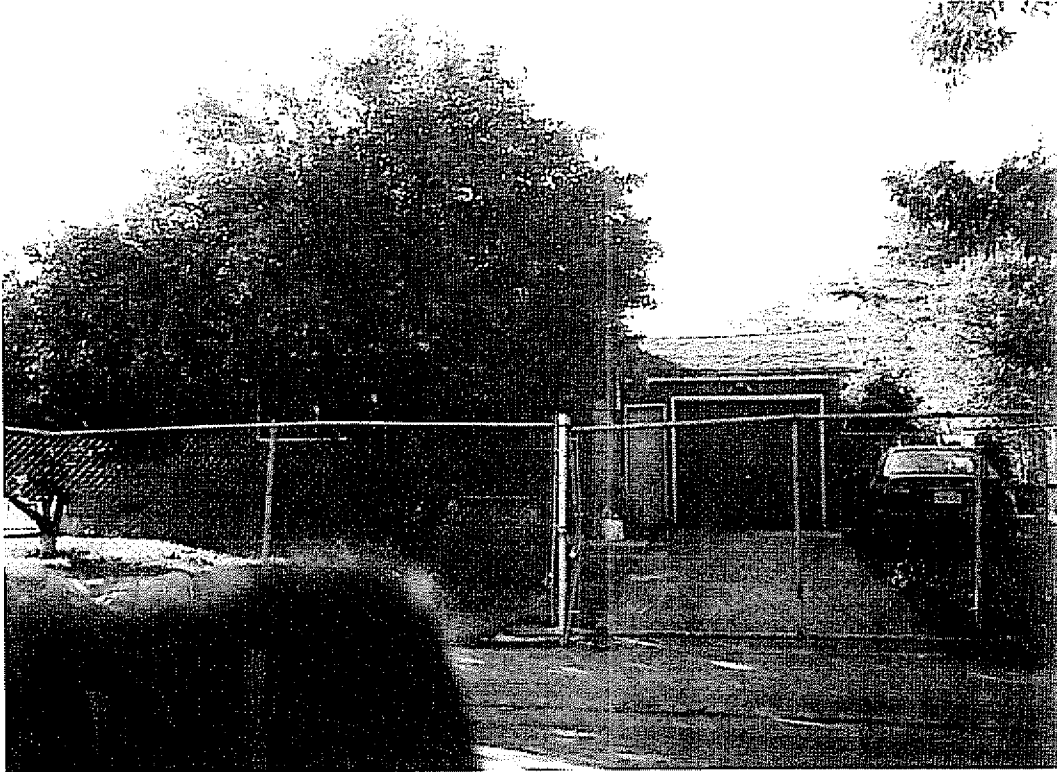


Two Story Duplex to right of Subject Property



Second Unit on Subject Property

Attachment 4 – Photo Inventory



Property across Street from Subject Property



Additional Photos – Homes to the left of Subject Property

Attachment 4 – Photo Inventory

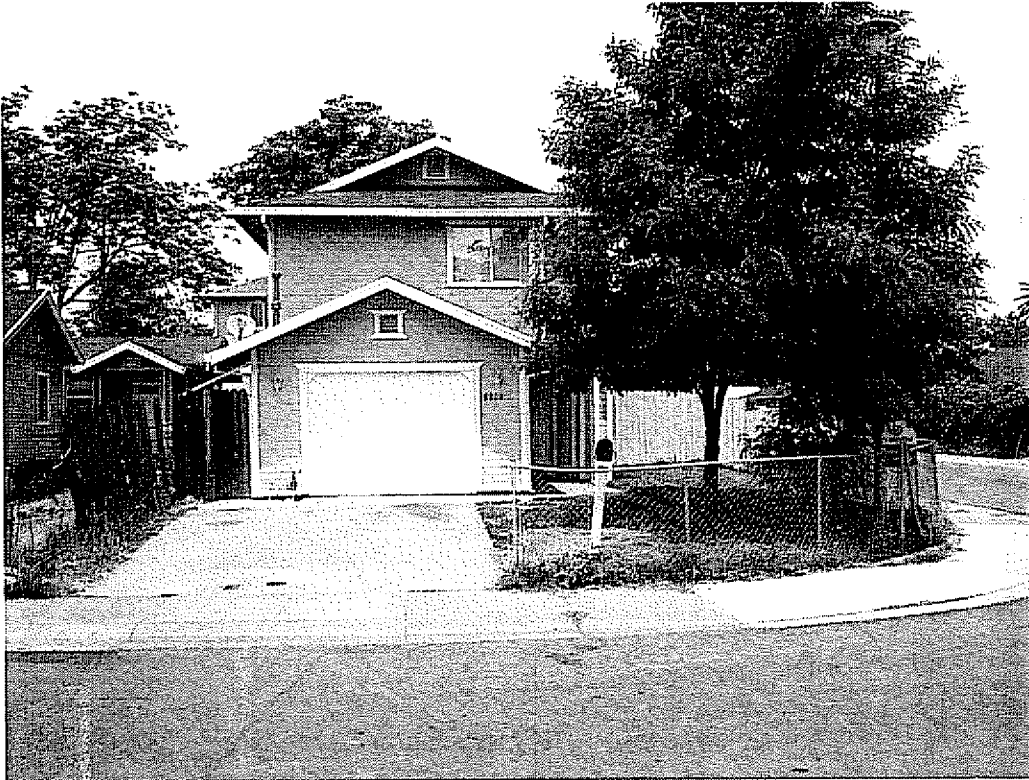


Additional Photos – Two Story Units – 4 parcels to left of Subject Property



Additional Photos – Driveway between Adjacent Parcel and Subject Property

Attachment 4 – Photo Inventory



Additional Photos – Two Story Duplex

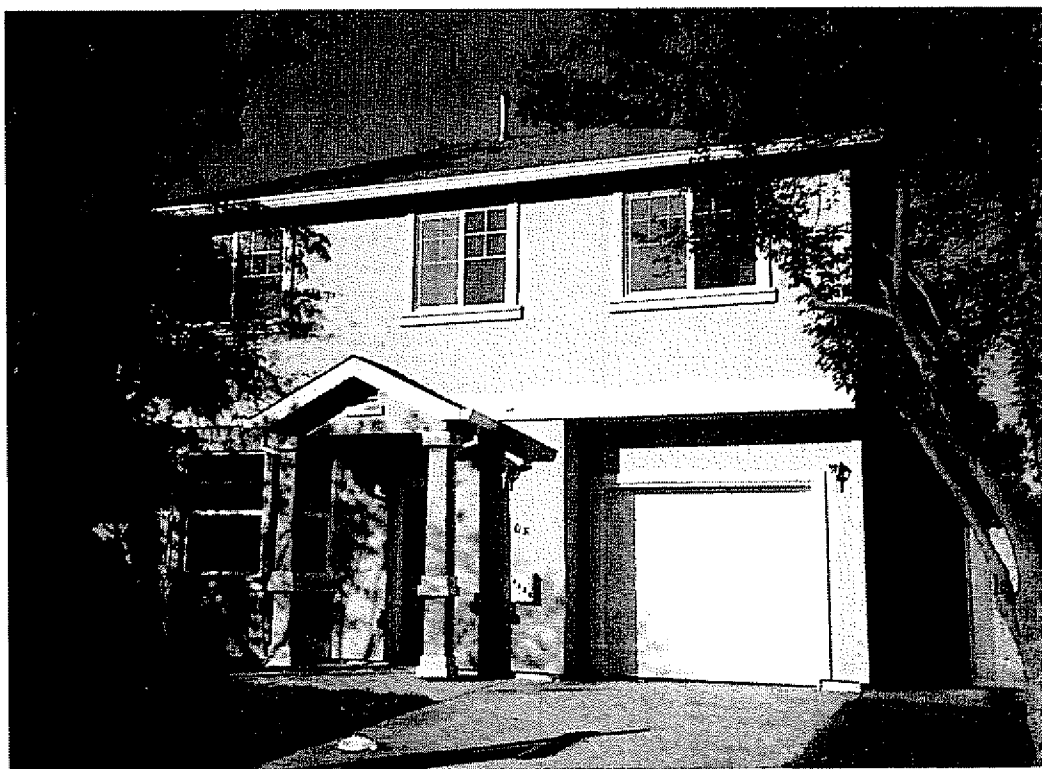


Additional Photos – Two Story Duplex – 34th Ave. side

Attachment 4 – Photo Inventory

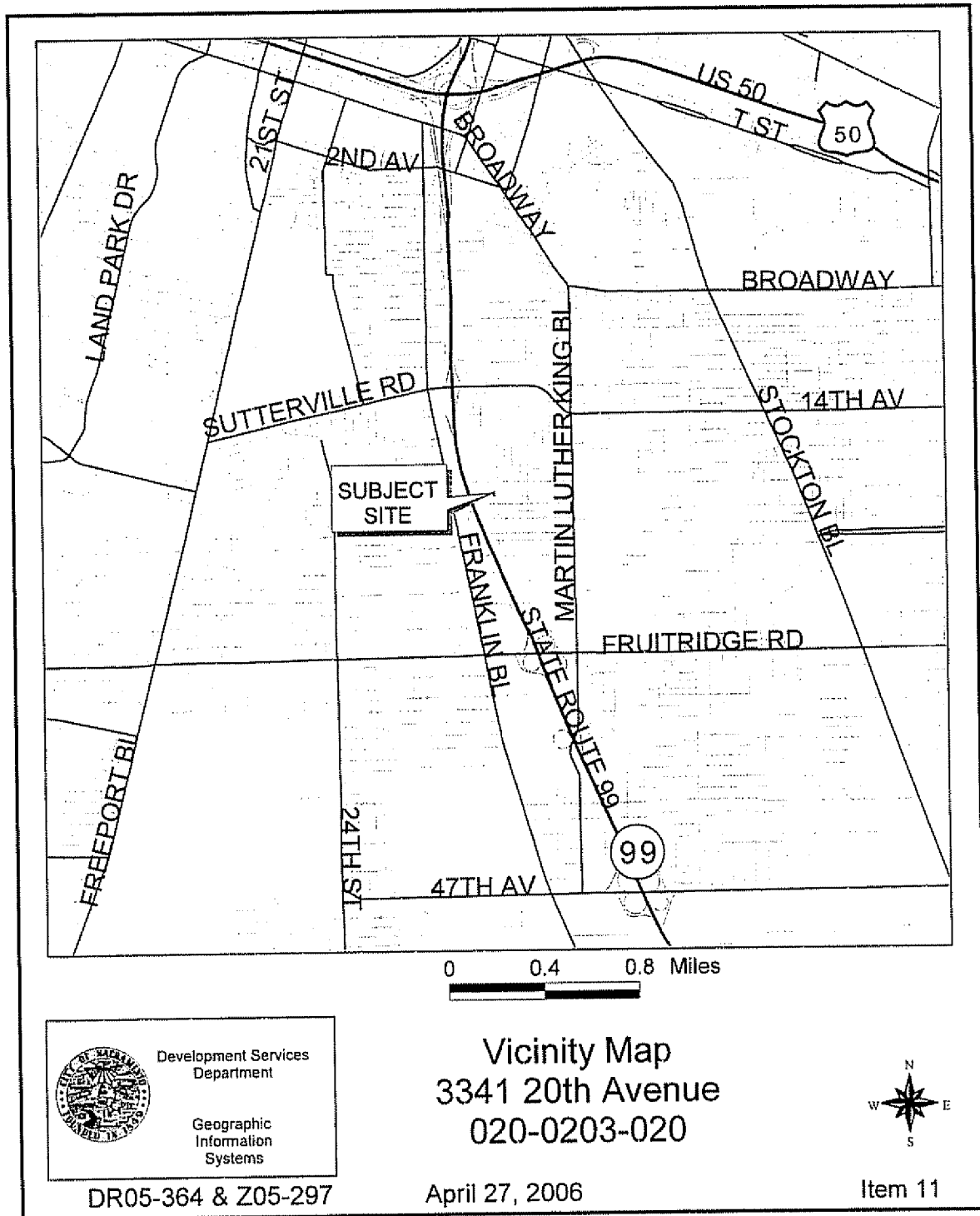


Additional Photos – Two Story Duplex – close-up of Masonite lap siding



Additional Photos – Two Story adjacent to the Duplex on 34th Ave.

Attachment 5 – Vicinity Map



Attachment 6 – Land Use and Zoning Map



CITY OF SACRAMENTO
DEVELOPMENT SERVICES DEPARTMENT
915 I Street, New City Hall, 3rd Floor
Sacramento, CA 95814

PLANNING DIVISION
916-808-5419

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Attachment 8 – City Planning Commission Staff Report



REPORT TO PLANNING COMMISSION City of Sacramento

915 I Street. Sacramento. CA 95814-2671

APPEAL/HEARING

April 27, 2006

Honorable Members of the Planning Commission

Subject: Appeal of the reconstruction and expansion of a Single Family Residence at 3341 20th Avenue. The entitlement is to reconstruct and enlarge a home on a property which contains a nonconforming use of two residential on 0.07± developed acres in the Standard Single Family (R-1) zone. (DR05-364 & Z05-297)

- A.** Environmental Determination: Exempt (CEQA Section 15303)
- B.** Appeal of a Design Review and Preservation Board Decision: Design Review and Preservation Board denial of a 3rd party appeal of a staff level approval for a new single family residence. ;
- C.** Appeal of a Zoning Administrator's Approval of the Special Permit to expand a non-conforming residential use of two dwelling units on a single family zoned parcel by demolishing the existing primary 550± square foot one-story home and building a new 1320± square foot two-story home.

Location/Council District:

3341 20th Avenue, Sacramento, CA 95821

Assessor's Parcel Number 020-0203-020

Oak Park Design Review District

Council District 5

Recommendation: Staff recommends the Commission deny the appeal based on the findings and subject to the conditions listed at the end of the report. The Commission has final approval authority over A, B, and C above, and only its decision on Design Review is appealable to the City Council.

Attachment 8 – City Planning Commission Staff Report

Contact: Matthew Sites, Assistant Architect, (916) 808-7646,
Robert Williams, Assistant Planner, (916) 808-7686

Applicant and Owner: Angel and Bertha Hermosillo, (916)455-2015, 1716 27th Street, Sacramento, CA 95816

Summary: The subject property currently contains a Single Family Residence and a 2nd Residential Unit. The property owner desires to demolish the existing primary home, which is in a deteriorated condition, and reconstruct and enlarge it, adding a second story and increasing the footprint of the home. Since the property contains a nonconforming residential use of two dwellings in the Standard Single Family (R-1) zone, and the applicant is proposing to expand a nonconforming residential use a Special Permit is required to be approved by the Zoning Administrator, and Design Review approval is required since it is in the Oak Park Design Review District.

Table 1: Project Information
General Plan Designations: Low Density Residential (4-15 du/na)
Existing zoning of site: R-1 (Single family)
Existing use of site: 1 story Single Family Residence/ 1 story Second Unit
Property Dimensions: 80' x 33' or 35'
Property area: 0.07 +/-, 2,800 sq. ft.; Assessor Data of 2,614 sq. ft.

Background Information: The applicant applied for, and obtained Zoning Administrator approval for the reconstruction and expansion of the existing Single Family Residence and staff level Design Review approval for the construction of a new single family home within the Oak Park Design Review District. The staff level Design Review approval was then appealed by a 3rd party to the Design Review and Preservation Board. The Design Review and Preservation Board denied the appeal and approved the project as conditioned by staff. Both the Zoning Administrator and Design Review and Preservation Board decisions are currently being appealed to the Planning Commission by the same 3rd party. The applicant/owner has worked with staff since November of 2005 to comply with the Oak Park Design Review Guidelines as well as the Zoning ordinance.

Public/Neighborhood Outreach and Comments: The project was submitted to the Oak Park RAC for review and comment. The RAC noted that more windows should be placed on the back of the house (2nd floor) if at all possible, a six foot front porch depth would be preferred, include balusters to enclose the front porch, and were generally in support of the project. Neighbors and concerned individuals commented at the ZA hearing and the Design Review and Preservation Board that the project was well designed and seemed to fit into the neighborhood and surrounding homes. The only challenge was to the materials being used on the project. This issue of materials was the difference between a smooth finished fiber-cement board and a wood lap siding. Both materials are deemed acceptable by the Oak Park Design Review Guidelines.

Attachment 8 – City Planning Commission Staff Report

Project Design:

The design of this project is consistent with both the Zoning Code and Design Review Guidelines for Oak Park. Staff is supportive of the demolition and reconstruction of the primary unit on the parcel. The Design Review and Preservation Board supports the proposed project and denied the 3rd party appeal, adding several conditions to further enhance the project.

Land Use

In 2003 the property owner desired to rehabilitate the former secondary unit (DR03-310). Since the property owner does not reside on the property a second dwelling would be considered a nonconforming use. Planning staff investigated the secondary dwelling at this time and determined that it was legally constructed in 1949 (IR03-304). The secondary dwelling was determined to be an existing legal nonconforming use when the neighborhood was annexed into the City in 1958.

During the rehabilitation of the secondary unit it was determined that the structure could not be salvaged and had to be demolished. In order to construct a new secondary unit in the same location, as the structure encroaches into the required rear yard setback of 15 feet, a Special Permit was required to reconstruct a nonconforming Second Residential Unit; (Z04-055) approved April 28, 2004.

The use of two dwelling units on the property has long been established as a legal use on this property. There will still be only two dwellings on the property, only the size of the primary structure will be increasing. The existing primary dwelling is a one bedroom one bath home. The applicant is proposing a new house with three bedrooms and two bathrooms. Since the proposal will help renovate a deteriorated residential property, staff supported the requested entitlement to expand the existing nonconforming residential use.

When this project was first submitted, the existing structures on the property exceeded the then maximum allowed lot coverage of forty (40) percent on this substandard size lot. The proposal to expand the structure will further increase the overall lot coverage. The new lot coverage will be less than fifty (50) percent coverage. On March 21, 2006, the City Council approved changes to the Height and Area Regulations (17.060). These changes increase lot coverage allowances on smaller substandard size lots. Lot coverage allowed for the R-1 zone is now 2500 square feet or 40% which ever is greater, but not to exceed 50% maximum. The proposed project is within the new lot coverage allowance. Therefore, the expansion of the home no longer expands a nonconforming structure, (exceeding maximum lot coverage), it only expands the nonconforming residential use.

There is a discrepancy on this property between legal parcel and the physical yard size of the lot. The street right of way along this portion of 20th Avenue is 65 feet wide, but the physical right of way is closer to 45 feet wide. This means that the street right of way actually encroaches into the first 10 feet into the front yard of most of the homes along

Attachment 8 – City Planning Commission Staff Report

the 20th Avenue, except for the adjacent corner parcel along the east (left) side property line which received abandonment of right of way along 20th Avenue and 34th Street.

There were two Zoning Administrator's hearings. The first one was held on January 12, 2006. The property owner of adjacent parcel on the west (left) side was in attendance. He had concerns about how the proposed two-story home would impact his property and the neighborhood. He had concerns about the overall scale of the new home and the newly constructed existing second unit in relation to the small size of the lot. He felt that there would not be adequate yard space for the home and that a garage should be provided. He also had some concerns about drainage onto his property that had been exacerbated by the recent construction of the secondary unit. The Zoning Administrator continued the project for two weeks and the project was re-noticed to more accurately address the entitlements that were required for this proposed project. In addition the Zoning Administrator directed planning staff to do additional research to see what might be done to alleviate some of the drainage concerns of the neighboring property owner.

In the interim, planning staff had met with a representative of the Utilities department to get information on how to address the drainage issues. The representative suggested grading the lot so it drains to the street and to provide a retaining wall along the property line. These suggestions were made into required conditions for the project.

The second hearing was held on January 26, 2006. Besides the applicant, three neighbors were in attendance and Design Review staff members. The project is in the Oak Park Design Review District, and Design Review staff indicated that the design and scale of the proposed structure, with minor modifications, met the criteria for single-family homes in the District. After listening to public testimony, the Zoning Administrator closed the public hearing and approved the Special Permit for the reconstruction and expansion of the home, subject to conditions. One of the conditions the Zoning Administrator noted during the approval that the applicant could construct a one or two story home as long as the lot coverage did not exceed was shown on the submitted site plan. Final Design and massing was subject to Design Review staff approval. The applicant noticed after the Design Review and Preservation Board appeal that the utilities would have to be rerouted on the site for both units. The applicant decided that this would be cost prohibitive, and are submitting to the Commission the reconstructed residence over the existing footprint.

The proposed project is consistent with the residential land use policies and density requirements of the General Plan.

Access, Circulation and Parking

Two single family residences exist on this property. County Assessor Data list the primary home as being constructed in 1918. The secondary unit, behind the existing primary unit, was reconstructed in 2004. The property does not contain a garage, and no records of a previously existing garage have been found.

Attachment 8 – City Planning Commission Staff Report

Setbacks, height and bulk

Table 3: Height and area standards			
Standard	Required	Existing	Proposed
Height	35' to plate line	Approx. 18'-0"	23'-6' to peak
Front setback	25'	14' to Property Line 24' to Sidewalk	No Change
Side setback (West)	3'	3'	No Change
Side setback (East)	3'	11'	10'
Rear setback	15'	33'	35'
Distance between dwellings:	6'	10.67'	10.25'
Lot coverage	2,500 sq. ft. or 40% whichever is greater, but not more than 50%	Approx. 1290 sq. ft.	Approx. 1,350 sq. ft.

As indicated above, the project meets or exceeds all applicable height and area requirements.

Building design, signage and landscaping

The proposed house design is a two story with porch. The design meets the criteria of single family homes outlined in the Oak Park Design Guidelines, in that, single hung windows with decorative trim and sills are being utilized at all elevations, a decorative front and rear door have been provided, mechanical equipment is attic and ground mounted (the ground mounted equipment shall be located to the rear of the home), the roof has been designed at a 6:12 pitch, and the street elevation emphasizes more detail. Further, the guidelines suggest the use of decorative vents, shutters and enlarged porch columns which the applicant has incorporated into the design. Per the guidelines, the overall height of the new residence is similar to adjacent structures. The four inch exposure fiber-cement lap siding is of good quality and compatible with the existing housing in the immediate area as well as the second unit, therefore meeting the guidelines. The gable ends of the roof will have a decorative fiber-cement shingle treatment instead of lap siding. The two story mass is broken up with the one story porch with decorative columns.

The exterior building material is what was appealed by a nearby neighbor to the Design Review and Preservation Board. The appellant felt that the proposed material (fiber-cement board) does not fit into the existing neighborhood. The appellant also noted in

Attachment 8 – City Planning Commission Staff Report

both the January 26, 2006 Zoning Administrator Hearing, and the March 1, 2006 Design Review and Preservation Board Hearing that the applicant's design was good. As noted in the Oak Park Design Guidelines, under Section D. Materials *"Consider the use of finish material that are of good quality and are compatible with existing housing in the immediate area. Lap siding, PlyLap, brick, wood shingle, stucco, or a combination of these are considered acceptable. Imitation materials are least desirable. T1-11 is not an acceptable material except for repairs on existing T1-11 surfaces."* The Design Review and Preservation Board discussion and comments referred to heartwood redwood siding as a material that could not be readily accessible and is costly, and noted that if a supply could be found inexpensively they would gladly like to know its location for purchasing. They noted that the wood siding of today is a sap redwood or cedar that has longevity of 7-8 years. The Board has approved fiber-cement board siding in many projects. The Board mentioned that fiber-cement board has a 50 year warranty when installed correctly and painted. Fiber-cement board is manufactured in a smooth or stamped grain finish, and it is a renewable/sustainable material. Given the options available the Board believed this was a more favorable choice given all of the options available. The Board also believed that the project was in keeping with the rest of the neighborhood.

The applicant has agreed to the use of a combination of siding materials including both shingling in the gable end as well as lap siding as the exterior finish material. The lap siding is a fiber-cement board with a smooth finish and has a four inch lap exposure. The second unit on the parcel currently has smooth finished cement fiberboard with a larger seven inch exposed lap. The exterior material of the home is complementary to the surrounding homes and will result in a compatible design.

The appellant is appealing the siding decision of the Design Review and Preservation Board. The appellant is also adding to this appeal the two story height, T1-11 is not acceptable and real wood is preferred over genuine imitation wood, real wood siding on the second unit if the primary unit remains as a two-story, real wood doors on both units (not metal, plastic, or foam doors), that Oak Park Design Review Guidelines prefer real materials over imitation, a disagreement of the last paragraph of the Design Review and Preservation Board staff summary report, and that the design of the project not be out of context with the rest of the neighborhood. The siding decision has been previously discussed in this report in the prior two paragraphs. The two story height is allowed by right per the Zoning Code and DOC has deemed it appropriate massing height. T1-11 was not proposed by the applicant at any time during the process, so is not an issue. Real wood siding on the second unit would not be appropriate as the appeal period for that unit expired April 8, 2004. Decorative metal doors are acceptable per Design Guidelines. The Oak Park Guidelines prefer real material over imitation has been discussed in the previous two paragraphs, and fiber-cement board is an acceptable material. As for the final paragraph in the staff report the appellant is allowed to disagree. The final comment in the appeal that the design is out of context is inaccurate. The appellant agreed with the Design Review Staff that the applicant's design was good on two occasions on January 26, 2006 at the Zoning Administrator Hearing, and the March 1, 2006 Design Review and Preservation Board Hearing.

Attachment 8 – City Planning Commission Staff Report

Staff feels that the items stated in the appeal have already been addressed in the project design and the conditions of approval.

Respectfully submitted by: _____

MATTHEW SITES
Assistant Architect

ROBERT WILLIAMS
Assistant Planner

Recommendation Approved:

Luis R. Sanchez, AIA
Design Review Director

Joy Patterson
Zoning Administrator

Attachment 8 – City Planning Commission Staff Report

Proposed Findings and Conditions
Findings Of Fact

A. Design Review:

1. The project, as conditioned, complements the surrounding structures and provides upgraded housing on existing lot.
2. The project, as conditioned, meets the intent of the Oak Park Design Guidelines.

B. Zoning:

1. Granting the Special Permit is based upon sound principles of land use in that:
 - a. The proposed project is consistent with the policies of the city to encourage residential uses;
 - b. The proposed project will replace a dilapidated structure;
 - c. The proposed project is compatible in design with the existing home on the property and existing homes on 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
 - b. Parking will be provided in the existing (repaired) driveway;
 - c. The project is designed to minimize impacts to surrounding properties.
3. The project is consistent with the General Plan which designates the site as Low Density Residential 4-15 du/na.

Conditions Of Approval

The appeal of the Design Review and Preservation Board and Zoning Administrator decision to reconstruct the primary unit is hereby denied subject to the following conditions:

Attachment 8 – City Planning Commission Staff Report

1. **Design Review:** The design of the project (see plans attached) is hereby approved subject to the following conditions:

1. The project design shall be as approved by staff previously (see Staff Conditions of Approval), with any additional conditions deemed required.
2. Windows shall have grids removed, or shall provide true divided lights.
3. All trim and sill material shall be smooth finished to fit the design.
4. Ogee gutter shall be 5-1/4" in size.
5. Front porch columns shall only have siding material at base only.

2. **Zoning General:**

1. The maximum lot coverage allowed shall not be greater than as shown on the submitted site plan. The applicant can construct a one or two story home within the area of this footprint. The final design and massing of the structure is subject to the review and approval of Design Review staff (DR05-364).
2. The lot shall be graded to drain independently to 20th Avenue. A retaining wall will be required along the west (left) side property line to prevent drainage to the neighboring property. Retaining wall plan to be reviewed by Utilities department prior to construction of the home.
3. The existing driveway is deteriorated and is required to be replaced with a fully paved driveway. All fencing and gates across driveways are now required to be in conformance to the current standards of the Wall, Fence and Gate Regulations (Sacramento City Code Chapter 17.76).
4. The applicant shall obtain a building permit prior to commencing construction.
5. No mechanical equipment shall be placed on the roof. Any necessary roof vents shall be painted to match the roof color.

3. **Utilities:**

1. Only one domestic water service per parcel is allowed. Any new domestic water services shall be metered. Excess domestic water services must be abandoned to the satisfaction of the Department of Utilities.
2. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown on the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Building Department.
3. *ADVISORY COMMENT:* The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
4. *ADVISORY COMMENT:* Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to

Attachment 8 – City Planning Commission Staff Report

determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the on-site domestic, irrigation and fire suppression systems.

5. *ADVISORY COMMENT:* The proposed project is located in the Flood zone designated as X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective February 18, 2005. Within the X zone, there are no requirements to elevate or flood proof.

4. General:

1. Applicant shall obtain all necessary building and/or encroachment permits prior to commencing construction.
2. Any modification to the project shall be subject to review and approval by Planning Department staff prior to the issuance of building permits
3. Unless specified by any condition below, this project shall be developed and constructed in full compliance with the Zoning Ordinance.

Attachment 9 – Additional Exhibits for City Planning Commission Staff Report

Item #4

Legend/Keymap

1. Proposed two (2) Story – Primary Unit (3341 20th Ave.)
2. Existing one (1) Story – Secondary Unit (3341 20th Ave.)
3. Duplex two (2) Story – Neighboring Unit to right (3345 20th Ave.)
4. High Water Bungalow (1-1/2) - Neighboring unit to left (3337 20th Ave.)
5. Two (2) Story - Neighboring unit to rear (4408 34th St.)

Page 1

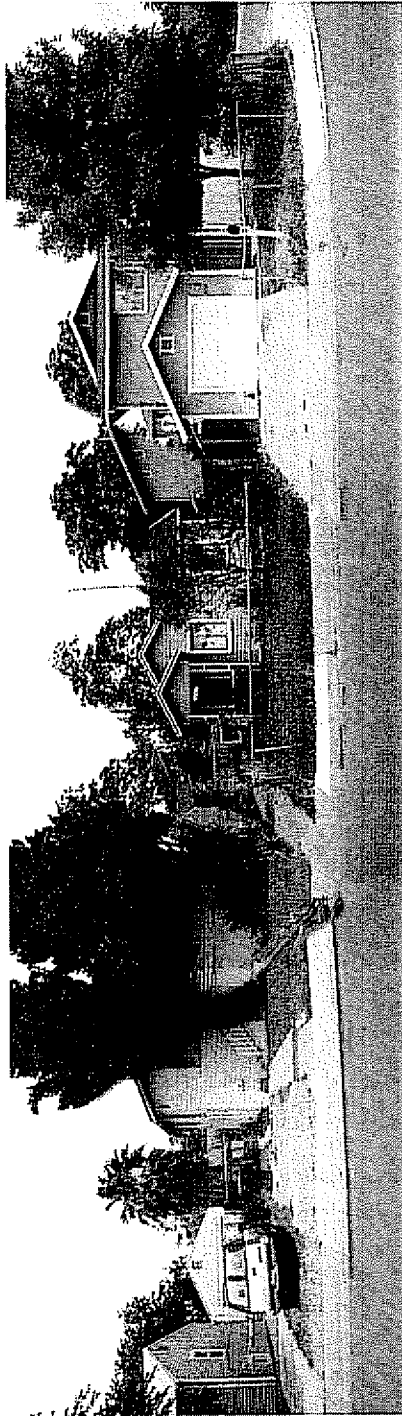
DR05-364



Attachment 9 – Additional Exhibits for City Planning Commission Staff Report

Item #4

DR05-364



Current Streetscape



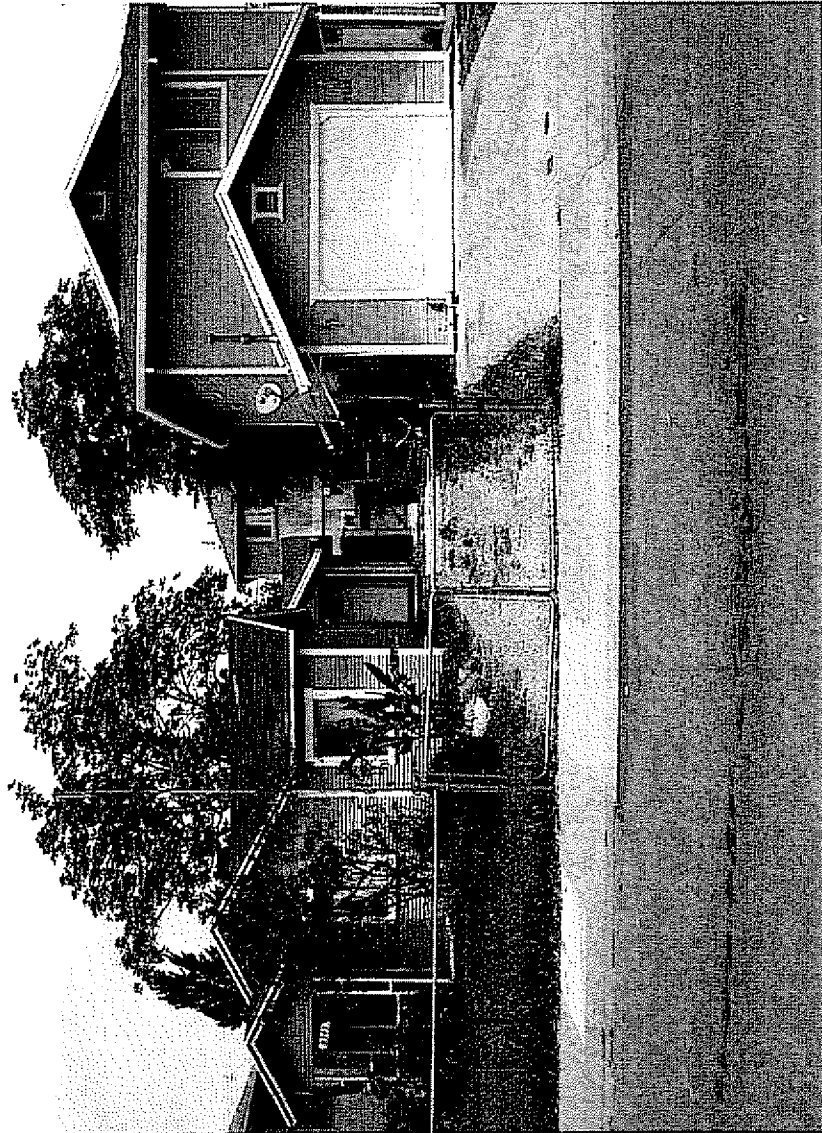
Proposed Streetscape

Page 2

Attachment 5 – Additional Exhibits for City Planning Commission Staff Report

Item #4

Page 3



Proposed Site with adjacent duplex to right.

DR05-364

Attachment 10 – 3rd Party Appeal of Design Review and Preservation Board Decision**CITY OF SACRAMENTO**PLANNING & BUILDING DEPARTMENT
1231 I Street, Room 200 Sacramento, CA 95814**APPEAL OF THE DECISION OF THE
DESIGN REVIEW/PRESERVATION BOARD**DATE: 3-8-06TO THE PLANNING ^{Commission} ~~DIRECTOR~~:

I do hereby make application to appeal the decision of the Design Review/Preservation Board on

3-1-06 (hearing date), project number (DR/PB#) DR05-364 when:

- ☒ Structure Review for PROPOSED SINGLE FAM. HOME
- ☐ Sign Review for _____
- ☐ Building Move for _____
- ☐ Other _____ for _____

was: ☐ Granted by the Design Review/Preservation Board☒ Denied by the Design Review/Preservation Board

GROUNDS FOR APPEAL: (Explain in detail - attach additional sheets if necessary)

SEE ATTACHED

- PROPERTY LOCATION: 3341 20 AV
- APPELLANT: (please print) RONALD EMSLIE PHONE #: 813-4200
- ADDRESS: P O B 5175 SACRAMENTO 95817
- APPELLANT'S SIGNATURE [Signature]

THIS BOX FOR OFFICE USE ONLY

Received by: _____ Date received: _____ DR/PB# _____

Filing Fee: ****See Fee Schedule _____

Date forwarded (original & receipt) to CPC Clerical/City Clerk _____

Distribute Copies To: GLS, Project Planner, Principal/Senior

Attachment 10 – 3rd Party Appeal of Design Review and Preservation Board Decision

THE CITY WISHES TO KEEP THE
STATUS QUO WITH REGARDS TO
THE GARAGE ISSUE; EVEN IF IT
WER TO BE SUB STANDARD.

~~I WISH TO KEEP~~

I WISH TO KEEP THE STATUS-QUO
WITH SIDING (SHIP LAP).
BOTH MY HOUSE AND THE FRONT
HOUSE CURRENTLY HAVE SHIP LAP
AND THE REAR HOUSE USE TO HAVE
A SIMILAR SIDING.

NONE OF OUR HOUSES ARE 2 STORY
I WISH TO KEEP IT THAT WAY.

T1-11 IS NOT ACCEPTABLE
AND REAL WOOD IS PREFERRED
OVER GENUINE IMITATION WOOD.

WOULD LIKE BACK HOUSE CONVERTED
TO GARAGE AND STORAGE AREA AND
GRAVEL REMOVED AND SIDEWALK
BROUGHT TO 6"-9" LOWER GRADE
AND REAL WOOD SIDING USED OVER EXISTING
IF FRONT HOUSE IS TO BE 2 STORY

Attachment 10 – 3rd Party Appeal of Design Review and Preservation Board Decision

WOULD LIKE REAL WOOD DOORS
USED BOTH FRONT AND BACK
NO METAL PLASTIC OR FOAM.

OAK PARK GUIDELINES PREFER
REAL OVER GENUINE IMITATION.

I DISAGREE WITH LAST PARAGRAPH
OF STAFF SUMMARY BEFORE BOARD
3-1-06 TOTALLY.

I DON'T WANT IT TO LOOK
CHEEP AND TICKY-TACKY LIKE BACK
ONE.

IT LOOKS MORE CROWDED THAN
THE AVERAGE CONDO. NOT A
HOUSE.

Attachment 11 – Design Review and Preservation Board Staff Report

Appeal denied by the Board; project approved per staff recommendations with amended conditions 03/02/05, ms

DESIGN REVIEW AND PRESERVATION BOARD
SACRAMENTO, CALIFORNIA
MEMBERS IN SESSION:

ITEM NO. 3
March 1, 2006

DR05-364

APPEAL OF STAFF DECISION ON NEW SINGLE FAMILY RESIDENCE

REQUEST: Review by the Design Review and Preservation Board of an appeal of staff level approval for a new single family residence

LOCATION: 3341 20th Avenue
Council District 5

STAFF CONTACT: Matthew Sites, 808-7646

SUMMARY: The applicant applied for, and obtained staff level Design Review and Zoning Administrator approval for the demolition of the existing Single Family Residence and construction of a new single family home within the Oak Park Design Review District. The applicant/owner has worked with staff since November of 2005 to comply with the Oak Park Design Guidelines. The subject property currently contains a Single Family Residence and a 2nd Residential Unit.

Staff approved the project with the attached conditions of approval. The scope of work on the project includes a new single family residence. The lot is 35 feet wide and 90 feet deep. The Zoning Ordinance requires that all new homes be setback from street a minimum of 25 feet. To meet the minimum front yard setback requirement, the applicant requested Zoning Administrator approval of a front yard setback variance from the required 25 feet to 12 ½ feet at the front of the house where the existing home currently exists. The City is supportive of the front yard setback variance, and has received Zoning Administrator approval. The Zoning Ordinance requires that all new homes have an enclosed single car garage. To meet the requirement for enclosed garage space, the applicant requested Zoning Administrator waiver of the enclosed garage requirement because the existing conditions do not have garage areas for either residence on this parcel. The City is supportive of the enclosed garage variance, and has received Zoning Administrator approval. The Zoning Ordinance requires that all new homes not exceed the maximum allowed lot coverage of 40%. To meet the maximum allowed lot coverage, the applicant requested Zoning Administrator approval of maximum lot coverage variance from the required 40% to 52% per the existing lot coverage. The City is supportive of the maximum lot coverage variance, and has received Zoning Administrator approval. The proposed house meets all other Zoning Ordinance requirements.

The proposed house design is a two story with porch. The design meets the criteria of single family homes outlined in the Oak Park Design Guidelines, in that, single hung windows with decorative trim and sills are being utilized at all elevations, a decorative front and rear door have been provided, mechanical equipment is attic and ground mounted (the ground mounted equipment shall be located to the rear of the home), the roof has been designed at a 6:12 pitch, and the street elevation emphasizes more detail. Further, the guidelines suggest the use of decorative vents, shutters and enlarged porch columns which the applicant has incorporated into the design. Per the guidelines, the overall height of the new residence is similar to adjacent structures. The four inch exposure lap siding is of good quality and compatible with the existing housing in the immediate area as well as

Attachment 11 – Design Review and Preservation Board Staff Report

DR05-364	March 1, 2006	ITEM NO 3 PAGE - 2
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the second unit, therefore meeting the guidelines. The gable ends of the roof are using a decorative shingle treatment instead of lap siding. The two story mass is broken up with the one story porch with decorative columns.

The exterior building material is what was appealed by a nearby neighbor. The appellant felt that the proposed material (cement fiberboard) does not fit into the existing neighborhood. As noted in the Oak Park Design Guidelines, under Section D. Materials *"Consider the use of finish material that are of good quality and are compatible with existing housing in the immediate area. Lap siding, Ply-Lap, brick, wood shingle, stucco, plywood T1-11, or a combination of these are considered acceptable."* The applicant has agreed to the use of a combination of materials both shingling in the gable as well as lap siding as the exterior finish material. The lap siding is a cement fiberboard with a smooth finish and has a four inch lap exposure. The second unit on the parcel currently has smooth finished cement fiberboard with a larger seven inch exposed lap. The external material of the home is complimentary to the surrounding homes and will result in a favorable residence. Staff feels that the items stated in the appeal have already been addressed in the project design and the conditions of approval.

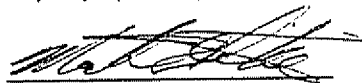
Public/Neighborhood Comments

The project was submitted to the Oak Park RAC for review and comments. The RAC noted that more windows should be placed on the back of the house (2nd floor) if at all possible, a six foot front porch depth would be preferred, to include balusters to enclose the front porch, and were generally in support of the project.

RECOMMENDATION: Staff recommends:

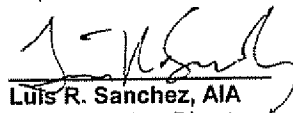
- 1 The Design Review and Preservation Board deny the appeal and uphold the staff conditions of approval attached and add any additional conditions deemed required

Report prepared by,



Matthew Sites
Assistant Architect

Report reviewed by,



Luis R. Sanchez, AIA
Design Review Director

Attachments

Staff Approval, Project Drawings, Pictures, Appeal Form

Attachment 11 – Design Review and Preservation Board Staff Report

DR05-364

March 1, 2006

ITEM NO 3
PAGE - 3

**NOTICE OF DECISIONS AND FINDINGS OF FACT FOR
PROPERTY LOCATED AT 3341 20th AVENUE
SACRAMENTO, CALIFORNIA IN THE OAK PARK
DESIGN REVIEW DISTRICT (DR05-364)**

At the regular meeting of **March 1, 2006**, the City Design Review and Preservation Board considered evidence in the above design matter. Based on verbal and documentary evidence at said hearing, the Board took the following action for the location listed above:

- A. Denied the appeal and upheld staff conditions of approval.**
~~B. Or upheld the appeal as requested by the appellant.~~

This action was made based on the following Findings of Fact and subject to the following conditions:

FINDINGS OF FACT

- 1 The project, as conditioned, complements the surrounding structures and provides upgraded housing on existing lot
- 2 The project, as conditioned, meets the intent of the Oak Park Design Guidelines

CONDITIONS OF APPROVAL:

- A The design of the project (see plans attached) is hereby approved subject to the following conditions:
1. The project design shall be as approved by staff previously (see Staff Conditions of Approval), with any additional conditions deemed required.
 2. *Windows shall have grids removed, or shall provide true divided lights.*
 3. *All trim and sill material shall be smooth finished to fit the design.*
 4. *Ogee gutter shall be 5-1/4" in size.*
 5. *Front porch columns shall only have siding material at base only.*

ATTEST:


Design Review and Preservation Board Staff

ADVISORY NOTES: APPROVAL BY THE DESIGN REVIEW/PRESERVATION BOARD DOES NOT RELIEVE THE APPLICANT OF THE RESPONSIBILITY TO MEET ZONING ORDINANCES AND BUILDING CODES. FINAL PLANS SUBMITTED FOR A BUILDING PERMIT WILL INCLUDE ALL CHANGES REQUIRED AS CONDITIONS OF APPROVAL BY THE BOARD. INDICATE CHANGES BY DRAWING REVISIONS AND/OR BY NOTATION, WHICHEVER IS MORE APPLICABLE. PLANS WHICH HAVE OMISSIONS WILL BE RETURNED TO THE APPLICANT FOR CORRECTION AND WILL NOT BE PROCESSED. APPLICANT IS RESPONSIBLE FOR ANY TIME LOST DUE TO INCOMPLETE PLANS, AND FOR ANY DELAYS RESULTING FROM NONCOMPLIANCE WITH CONDITIONS OF APPROVAL.

Attachment 12 – 3rd Party Appeal of Design Review Staff Action

CITY OF SACRAMENTO
 PLANNING & BUILDING DEPARTMENT
 1231 I Street, Room 200 Sacramento, CA 95814

**APPEAL OF THE DECISION OF THE
 DESIGN REVIEW/PRESERVATION BOARD**

DATE: 1-27-06**TO THE PLANNING DIRECTOR:**

I do hereby make application to appeal the decision of the Design Review/Preservation Board on

(hearing date), project number (DR/PB#) DR05-364 when:

- ☒ Structure Review for _____
- ☐ Sign Review for _____
- ☐ Building Move for _____
- ☐ Other _____ for _____

was: ☐ Granted by the Design Review/Preservation Board☐ Denied by the Design Review/Preservation Board**GROUND'S FOR APPEAL: (Explain in detail - attach additional sheets if necessary)**

DOES NOT FIT CHANGING FROM REAL
WOOD TO GENUINE IMITATION WOOD

- PROPERTY LOCATION: 3341 20TH AVE
- APPELLANT: (please print) RON EMSLIE PHONE #: 813-4200
- ADDRESS: POB 6175 SACRAMENTO 95817
- APPELLANT'S SIGNATURE Ron Emslie

THIS BOX FOR OFFICE USE ONLY

Received by: Den Waters Date received: 1/27/06 DR/PB# DR05-364

Filing Fee: ****See Fee Schedule \$179.00

Date forwarded (original & receipt) to CPC Clerical/City Clerk 1/27/06

Distribute Copies To: GLS, Project Planner, Principal/Senior

Attachment 13 – Design Review Staff Conditions of Approval

CITY OF SACRAMENTO
CALIFORNIAPLANNING AND
BUILDING DEPARTMENT1231 I STREET, ROOM 200
SACRAMENTO, CA 95814-2998

PHONE 916-264-5381

FAX 916-264-5543

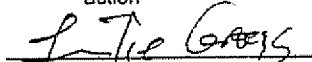
STAFF LEVEL PROJECT REVIEW

DR Number:	DR05-364	Applicant/Owner:	Bertha Hermosillo
Address:	3341 20 th Ave	Date Filed:	November 7, 2005
Description:	New Single Family Residence	Date Approved:	January 27, 2006
Staff Contact:	Leslie Gross	APN:	020-0203-020

STAFF ACTION AND CONDITIONS OF APPROVAL:

Staff has reviewed the proposed project, and approves it with the following conditions of approval:

1. Windows at pop-out shall be a pair of 2'-6"x4'-0" single hung or double hung
2. Window at 2nd story right side front elevation shall be 2'-6"x4'-0" single hung or double hung
3. Windows at all elevations shall be gridded at top portion, with decorative wood (1"x6") trim and projecting sills
4. Shutters shall be placed at front 2nd story windows
5. Craftsman columns (tapering from 8" to 12") with built out bases (14" or 16" base), shall be provided at porch element
6. 4-inch exposure wood or fiber cement horizontal lap siding shall be provided at all elevations
7. All lap siding shall be smooth finish. No stamped grain.
8. Front entry door shall have a raised panel design, as shown on approved drawings
9. Shingles shall be provided in upper gables of front elevation
10. Gable vents shall have decorative trim, as shown on approved drawings
11. All woodwork shall be smooth finish. No rough sawn
12. Front yard landscaping (including lawn, shrubs, and a minimum of one tree) and automatic irrigation shall be provided
13. Roofing shall be a minimum 30-year laminated dimensional composition shingle
14. Ogee gutters and downspouts shall be provided
15. Provide decorative light fixtures that complement building design at front and rear doors.
16. No roof-mounted mechanical equipment is allowed
17. All other notes and drawings on the final plans as submitted by the applicant are deemed conditions of approval. The applicant shall revise the plans in accordance with the conditions of approval and resubmit the drawings to Design Review Staff for review. Any changes to the final set of plans stamped by Design Review staff shall be subject to review and approval prior to any changes
18. No building permit shall be issued until the expiration of the 10 day appeal period. If an appeal is filed, no permit shall be issued until final approval is received
19. The applicant and the owners of all properties adjoining the subject property have the right to appeal this decision to the Design Review and Preservation Board. Appeals must be filed within 10 days of the staff action


 Leslie Gross
 Design Review

RESOLUTION NO.
Adopted by the Sacramento City Council
July 25, 2006

**DETERMINING PROJECT IS EXEMPT FROM CEQA, DENYING APPEAL,
AND APPROVING THE DESIGN REVIEW FOR THE RECONSTRUCTION
OF THE PRIMARY UNIT LOCATED AT 3341 20th Avenue.**
(APN: 020-0203-020)
(DR05-364)

BACKGROUND

- A. On January 27, 2006, Design Review Staff approved the design of a 1,320 sq. ft. Single Family Residence as a reconstructed primary unit on the site (DR05-364);
- B. On January 27, 2006, a 3rd party appeal was made of the Design Review Staff decision to approve the project;
- C. On March 1, 2006, Design Review and Preservation Board denied the 3rd party appeal of the Design Review Staff approval of project, and amended the Conditions of Approval;
- D. On March 8, 2006, a 3rd party appeal was made of the Design Review and Preservation Board decision to approve the project with amended conditions;
- E. On April 27, 2006, City Planning Commission continued the 3rd party appeal to June 8th when more members could be present.
- F. On June 8, 2006, City Planning Commission denied the 3rd party appeal of the Design Review and Preservation Board approval of project;
- G. On June 9, 2006, a 3rd party appeal was made of the City Planning Commission decision to approve the project;
- H. On July 25, 2006, City Council heard and considered evidence in the above mentioned matter.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1. At the regular meeting of July 25, 2006, the City Council heard and considered evidence in the above entitled matter. Based on verbal and

documentary evidence at said hearing, the City Council took the following actions for the location listed above:

- A. The project as conditioned is in character with the surrounding neighbors; and
- B. Denied the appeal and approved the Design Review Staff Conditions of Approval with amendments by the Design Review and Preservation Board to reconstruct a two-story single-family residence as the primary unit on the parcel.

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

Findings Of Fact

A. Design Review:

- 1. The project, as conditioned, complements the surrounding structures and provides upgraded housing on existing lot.
- 2. The project, as conditioned, meets the intent of the Oak Park Design Guidelines.

B. Environmental Determination:

- 3. The Environmental Services Manager has determined the proposed project is exempt under the following provisions of the California Environmental Quality Act and/or Guidelines: Section 15303(a): "One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exception."

Conditions Of Approval

The appeal of the Design Review and Preservation Board decision to reconstruct the primary unit is hereby denied subject to the following conditions:

- 1. **Design Review:** The design of the project (see Exhibit A-C) is hereby approved subject to the following conditions:
 - 1. The project design shall be as approved by staff previously (see Staff Conditions of Approval), with any additional conditions deemed required:

- Windows at pop-out shall be a pair of 2'-6"x4'-0" single hung or double hung.
 - Window at 2nd story right side front elevation shall be 2'-6"x4'-0" single hung or double hung.
 - Windows at all elevations shall ~~have be gridded at top portion, with decorative smooth finished wood~~ (1"x6") trim and projecting sills.
 - Shutters shall be placed at front 2nd story windows.
 - Craftsman columns (tapering from 8" to 12") with built out bases (14" or 16" base), shall be provided at porch element.
 - 4-inch exposure wood or fiber cement horizontal lap siding shall be provided at all elevations.
 - All lap siding shall be smooth finish. No stamped grain.
 - Front entry door shall have a raised panel design, as shown on approved drawings.
 - **Fiber-cement** shingles shall be provided in upper gables of front elevation.
 - Gable vents shall have decorative trim, as shown on approved drawings.
 - All woodwork shall be smooth finish. No rough sawn.
 - Front yard landscaping (including lawn, shrubs, and a minimum of one tree) and automatic irrigation shall be provided.
 - Roofing shall be a minimum 30-year laminated dimensional composition shingle.
 - Ogee gutters and downspouts shall be provided.
 - Provide decorative light fixtures that complement building design at front and rear doors.
 - No roof-mounted mechanical equipment is allowed.
 - All other notes and drawings on the final plans as submitted by the applicant are deemed conditions of approval. The applicant shall revise the plans in accordance with the conditions of approval and resubmit the drawings to Design Review Staff for review. Any changes to the final set of plans stamped by Design Review staff shall be subject to review and approval prior to any changes.
2. Windows shall have grids removed, or shall provide true divided lights.
 3. All trim and sill material shall be smooth finished to fit the design.
 4. Ogee gutter shall be 5-1/4" in size.
 5. Front porch columns shall only have siding material at base only.

2. Utilities:

6. Only one domestic water service per parcel is allowed. Any new domestic water services shall be metered. Excess domestic water services must be abandoned to the satisfaction of the Department of Utilities.
7. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown on the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur

until the grading plan has been reviewed and approved by the Building Department.

8. *ADVISORY COMMENT:* The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
9. *ADVISORY COMMENT:* Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the on-site domestic, irrigation and fire suppression systems.
10. *ADVISORY COMMENT:* The proposed project is located in the Flood zone designated as X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective February 18, 2005. Within the X zone, there are no requirements to elevate or flood proof.

3. **General:**

11. Applicant shall obtain all necessary building and/or encroachment permits prior to commencing construction.
12. Any modification to the project shall be subject to review and approval by Planning Department staff prior to the issuance of building permits
13. Unless specified by any condition below, this project shall be developed and constructed in full compliance with the Zoning Ordinance.

Table of Contents:

Exhibit A	Site Plan
Exhibit B	Floor Plan
Exhibit C	Elevations

Exhibit A Site Plan

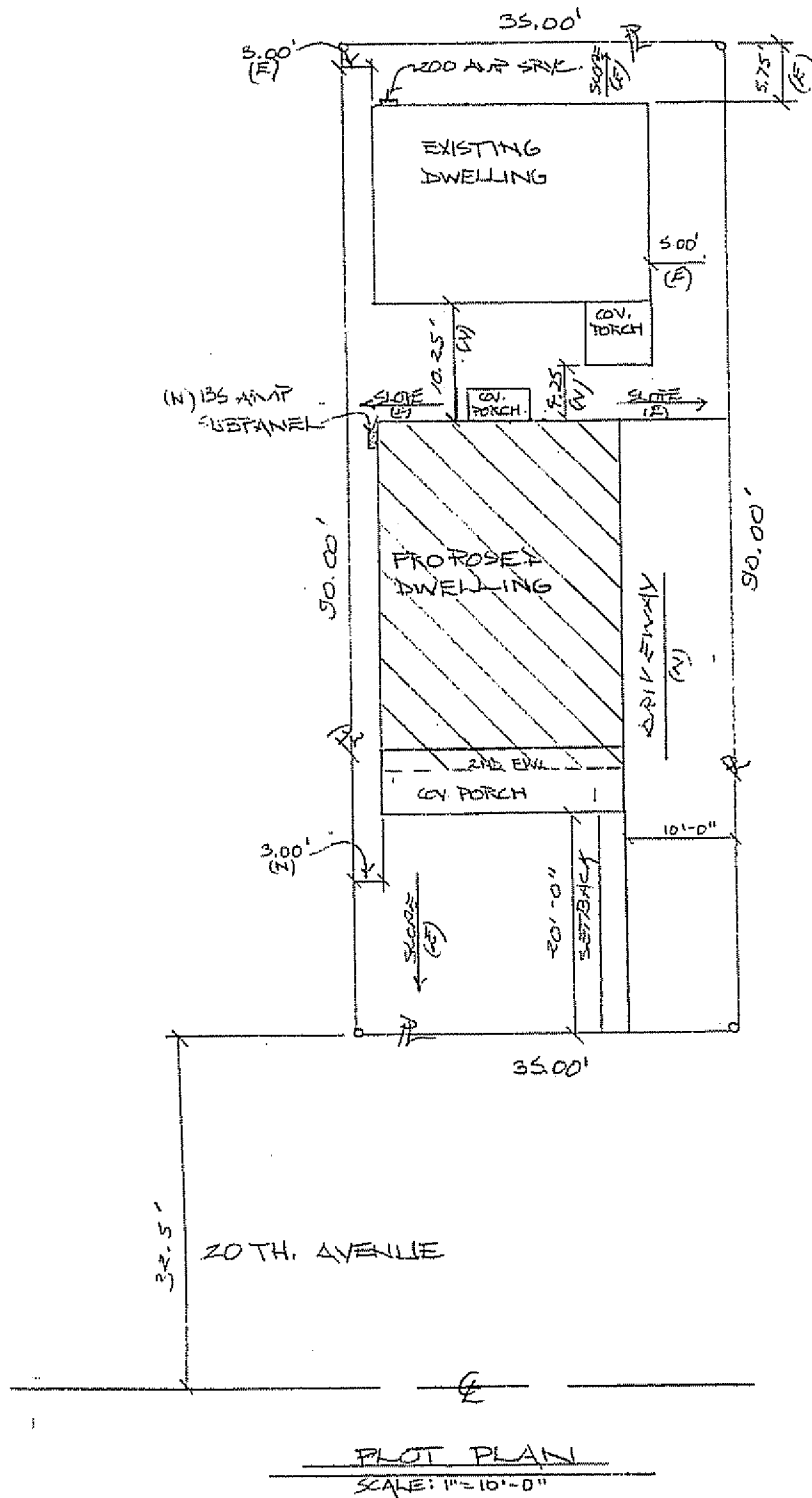
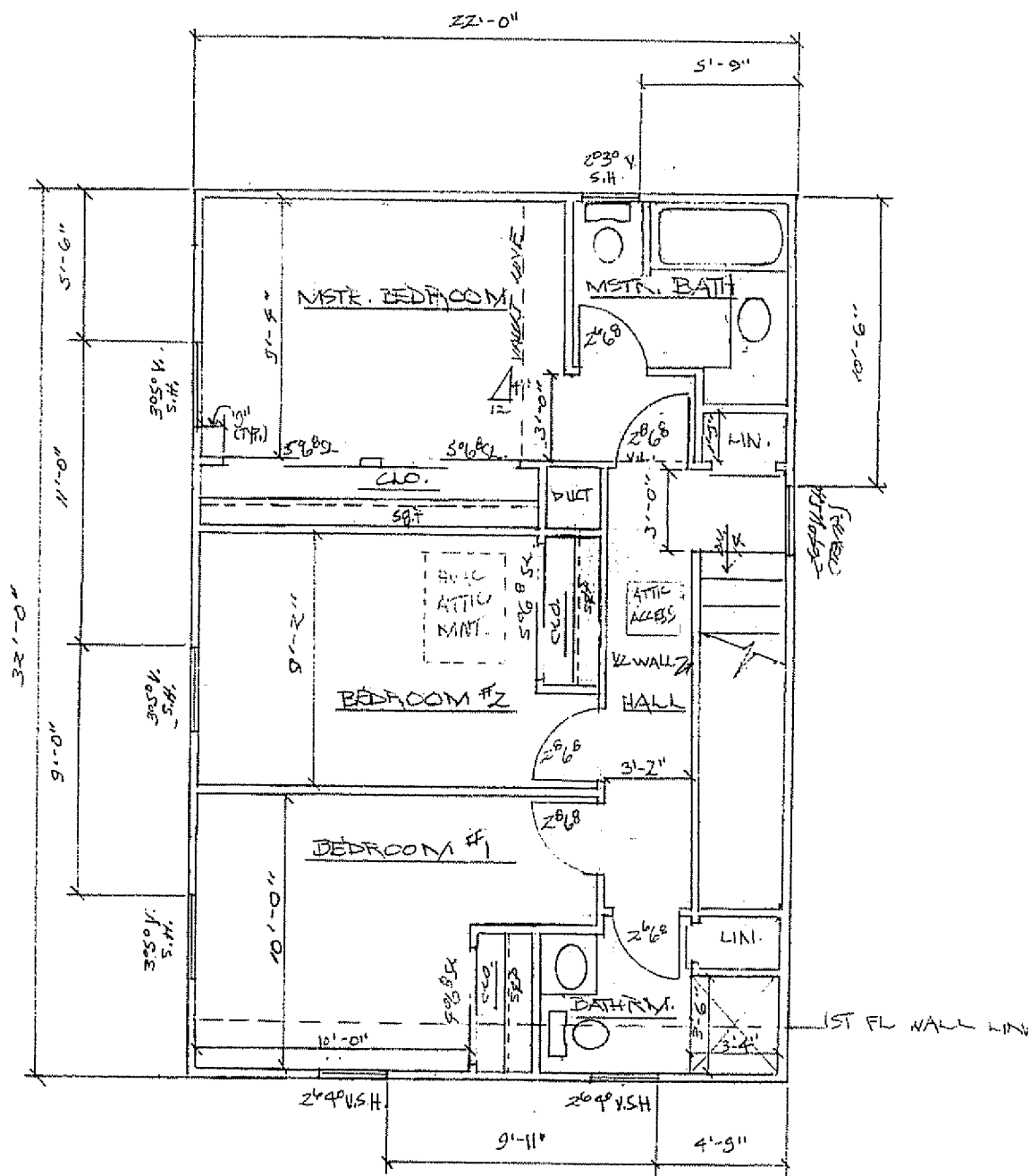


Exhibit B Second Floor Plan



SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

Exhibit C Right Elevation

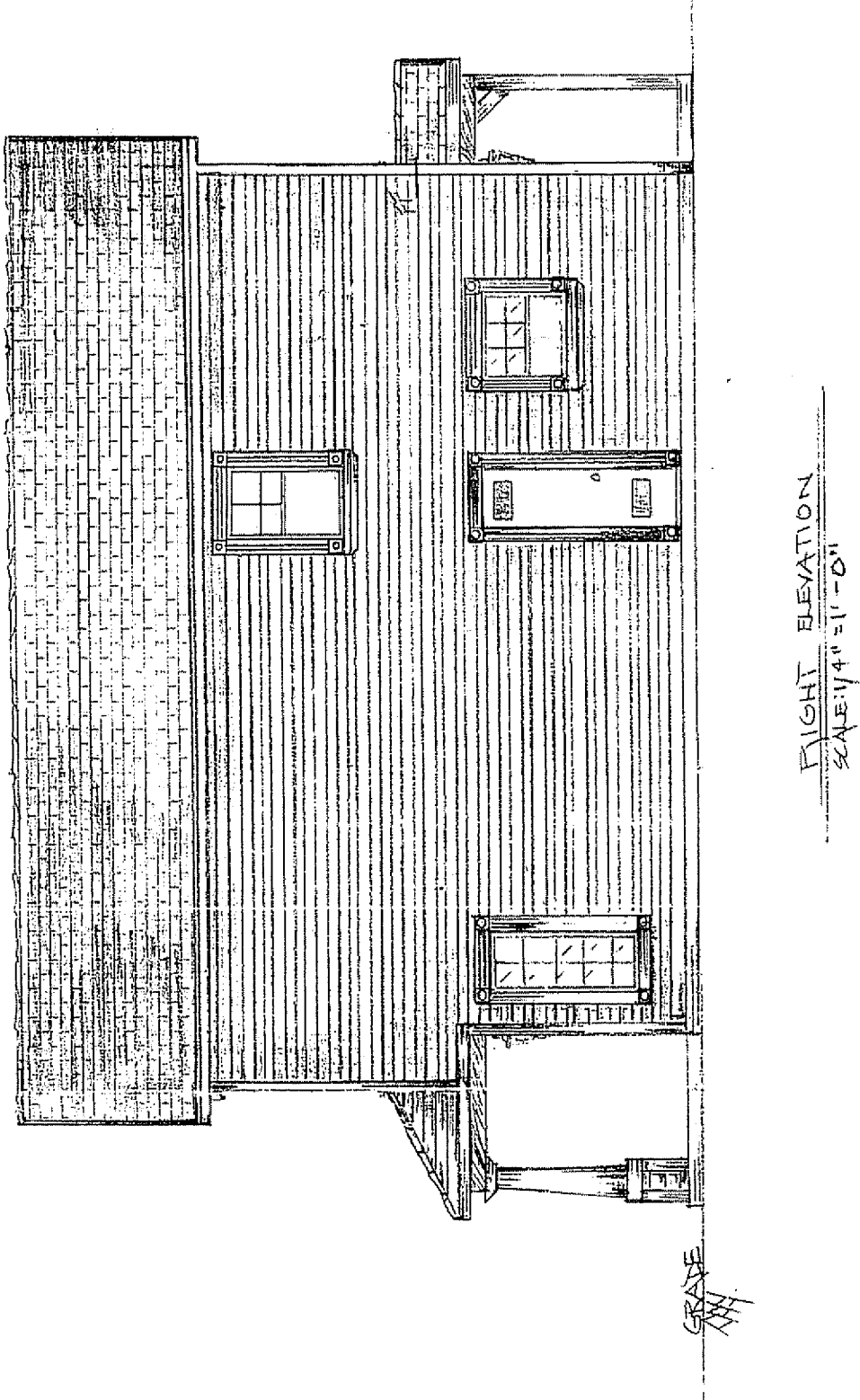


Exhibit C Rear Elevation

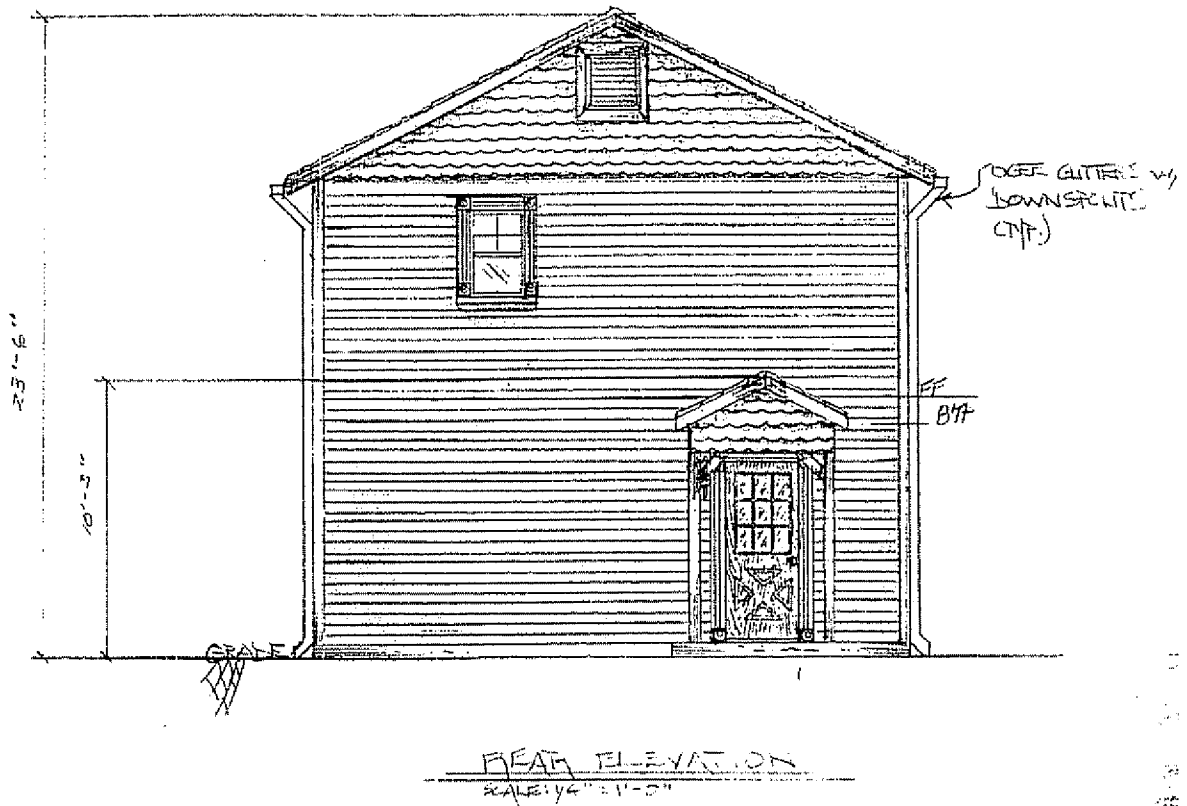


Exhibit C Left Elevation

