

# CITY PLANNING COMMISSION

1231 'I' STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT Cynthia Larsen and Peter Nowinski, 300 Capitol Mall #300 Sac., CA 95814  
OWNER Naida, Jane and Mary Markwart, 1130 38th Street, Sac., CA 95816  
PLANS BY Cynthia Larsen and Peter Nowinski, 300 Capitol Mall #300 Sac., CA 95814  
FILING DATE 11/14/88 ENVIR. DET. Ex. 15303 A REPORT BY JP:vf  
ASSESSOR'S PCL. NO. \_\_\_\_\_

- APPLICATION:
- A. Special Permit to convert an existing garage structure into a 640 square foot second residential unit with a one car garage in the Standard Single Family (R-1) zone.
  - B. Variance to reduce the required 15 foot rear yard setback to 1.5 feet and 5 foot side yard setback to 1 foot for a second residential unit (withdrawn).

LOCATION: 1130 38th Street

PROJECT INFORMATION:

General Plan Designation: Residential 4-15 dwelling units per acre  
Existing Zoning of Site: R-1  
Existing Land Use of Site: Single family residence

Surrounding Land Use and Zoning:

North: Single and two family residential; R-1  
South: Single and two family residential; R-1  
East : Single and two family residential; R-1  
West : Single and two family residential; R-1

Parking Required: 2 spaces  
Parking Provided: 2 spaces  
Property Dimensions: 76' x 210'  
Property Area: 0.37+ acres  
Square Footage of Building: 640 sq. ft.  
Height of Building: 2 story  
Exterior Building Materials: Stucco and wood siding

PROJECT EVALUATION: Staff has the following comments regarding this proposal:

A. Land Use and Zoning

The subject site is a 0.37+ acre interior lot located in the Standard Single Family (R-1) zone. A two-story, 3,000+ square foot single family residence, constructed in 1913, is located on the site (Exhibit E). Located to the rear of the residence is a two car garage (Exhibit F). The garage was originally constructed as a carriage house for the residence; and in approximately 1955, the structure was converted from a carriage house into a garage. Land uses surrounding the subject site are single family and two family residences located in the R-1 zone. The site is designated for Residential 4-15 dwelling units per acre by the General Plan.

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B. Applicant's Proposal

The applicants propose to convert the garage structure into a second residential unit that would be used by a woman who works as caretaker and nanny for the applicants' family. The conversion would result in a two story residence (Exhibits C and D). On the ground floor would be a single car garage, living room and kitchen. On the second floor would be a bedroom, study and bathroom. The only exterior changes proposed to the structure are a modification of the garage door area and the addition of a doorway into the residence on the east side of the structure. The pavement in front of the proposed second residence would also be expanded to allow a second automobile to be parked on the site.

C. Staff Evaluation:

The criteria found in the Zoning Ordinance for second residential units in the R-1 zone is that the second unit:

- 1) Shall be architecturally compatible with the main residential unit;
- 2) Shall not exceed 640 square feet in area;
- 3) Shall meet Zoning Ordinance parking requirements;
- 4) Shall meet the height, lot coverage and setback requirements for the zone.

Originally, the proposed second residential unit met the first three requirements but did not meet the 15 foot rear yard and five foot side yard setback requirements (Exhibit A). Planning staff determined that on the 210 foot deep lot, there was more than enough room to construct a second unit which met the required building setbacks; and that a second residential unit which did not meet the required setbacks would result in an adverse impact for the adjacent residents to the north and west of the site. In response to planning staff's concerns the applicants consulted a house mover and have agreed to relocate the second residential unit to meet the required building setbacks (Exhibit B). As a result, the variance request is withdrawn. Planning staff finds that the proposed second residential unit is in conformance with Zoning Ordinance requirements and will not be detrimental to the surrounding neighborhood which consists of single family, two family and apartment uses. Staff, therefore, recommends approval of the applicants' request.

D. Neighborhood Comments

The project has been reviewed by the East Sacramento Improvement Association and the Association has written a letter in opposition to the proposed second residential unit (Exhibit G). This letter was written prior to the withdrawal of the variance request by the applicant. Staff contacted the Association President who indicated that they are still opposed to the special permit request for a second unit. Representatives of the East Sacramento Improvement Association will be in attendance at the Planning Commission meeting.

ENVIRONMENTAL DETERMINATION: This project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15303 a).

RECOMMENDATION: Staff recommends that the Planning Commission take the following actions:

- A. Approve the special permit to convert an existing garage structure into a second residential unit with a one car garage subject to conditions and based upon findings of fact which follow; and
- B. Withdraw the variance to reduce the required side and rear yard setbacks for a second residential unit.

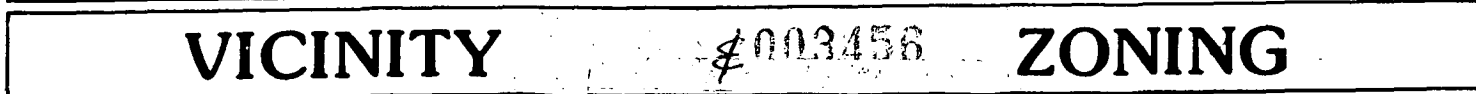
Conditions

- 1. The second residential unit shall meet the minimum five foot side yard and 15 foot rear yard setbacks as shown in Exhibit B.
- 2. A parking pad which meets zoning ordinance parking space dimensions and that will operate without blocking access to the one car garage shall be provided for the second residential unit. The revised site plan shall be submitted for Planning Director review and approval prior to issuance of building permits.
- 3. No windows shall be permitted on the north and west elevations of the second residential unit.
- 4. Elevations indicating any proposed changes to the existing structure shall be submitted for Planning staff review and approval prior to issuance of building permits.
- 5. The interior of the existing carriage house structure shall be remodeled to include a one car garage and no more than 640 square feet of living area as shown in Exhibits C and D.
- 6. Prior to occupancy of the second residential unit, the applicants shall contact Planning staff for an inspection of the subject site in order to insure compliance with all special permit conditions.

Findings of Fact

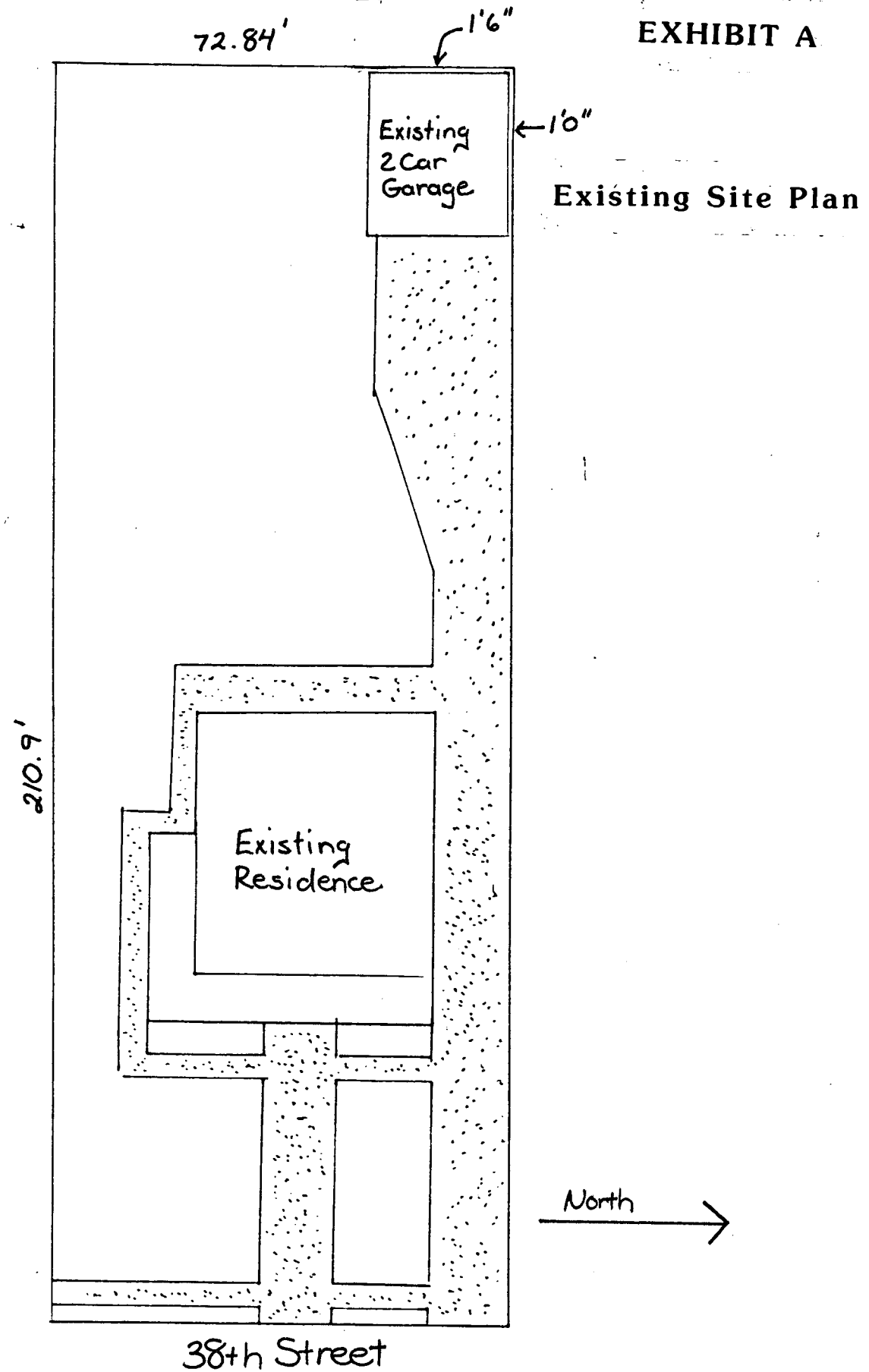
1. The project, as conditioned, is based upon sound principles of land use in that:
  - a) there is sufficient area on the subject parcel for a second residential unit; and
  - b) the additional unit is compatible with surrounding land uses which consist of single family, two family and multiple family structures.
2. The project, as conditioned, will not be detrimental to the public health, safety or welfare nor result in the creation of a nuisance in that:
  - a. the proposed residential unit will not alter the characteristics of the surrounding residential neighborhood;
  - b. the design and materials of the proposed second unit are compatible with the existing residence on the subject site;
  - c. adequate parking for both residences on the site will be provided;
  - d. the proposed dwelling will conform to the building setbacks, area and height requirements for the R-1 zone.
3. The project is in conformance with the General Plan which designates the site for residential, 4-15 dwelling units per acre, uses.

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EXHIBIT A



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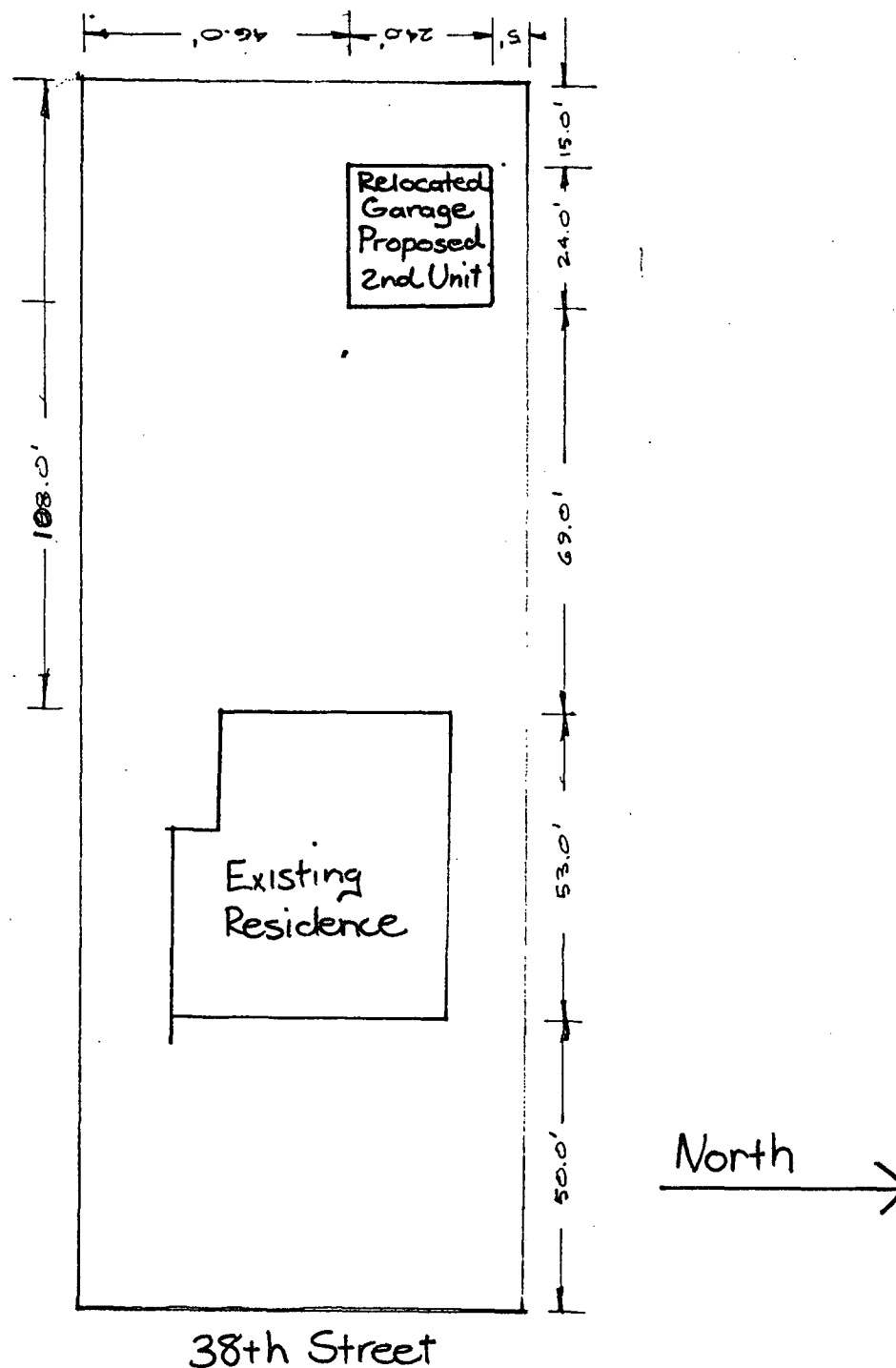
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PLOT PLAN

EXHIBIT B

Applicants' Proposed Site Plan

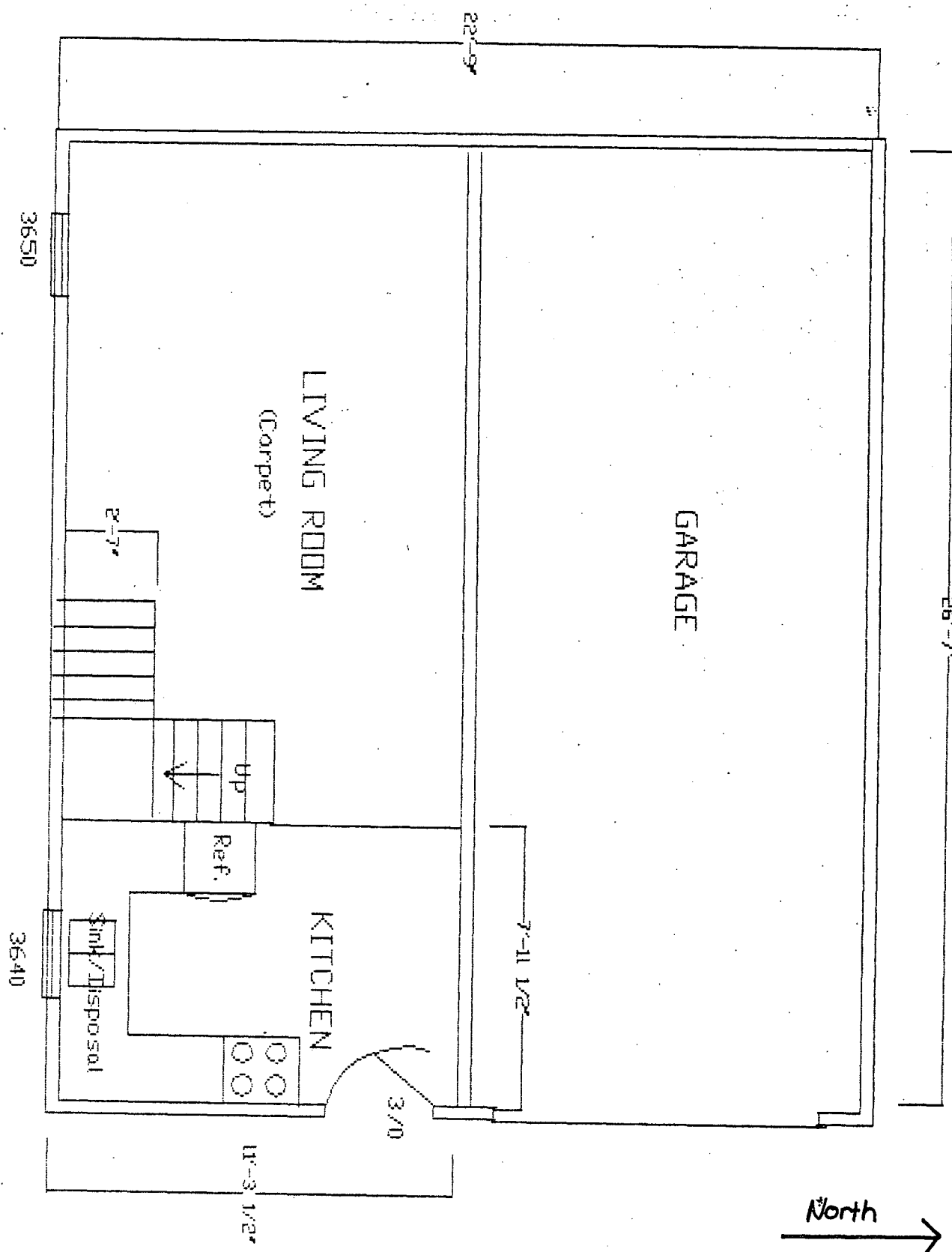


38th Street

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# EXHIBIT C

## First Floor



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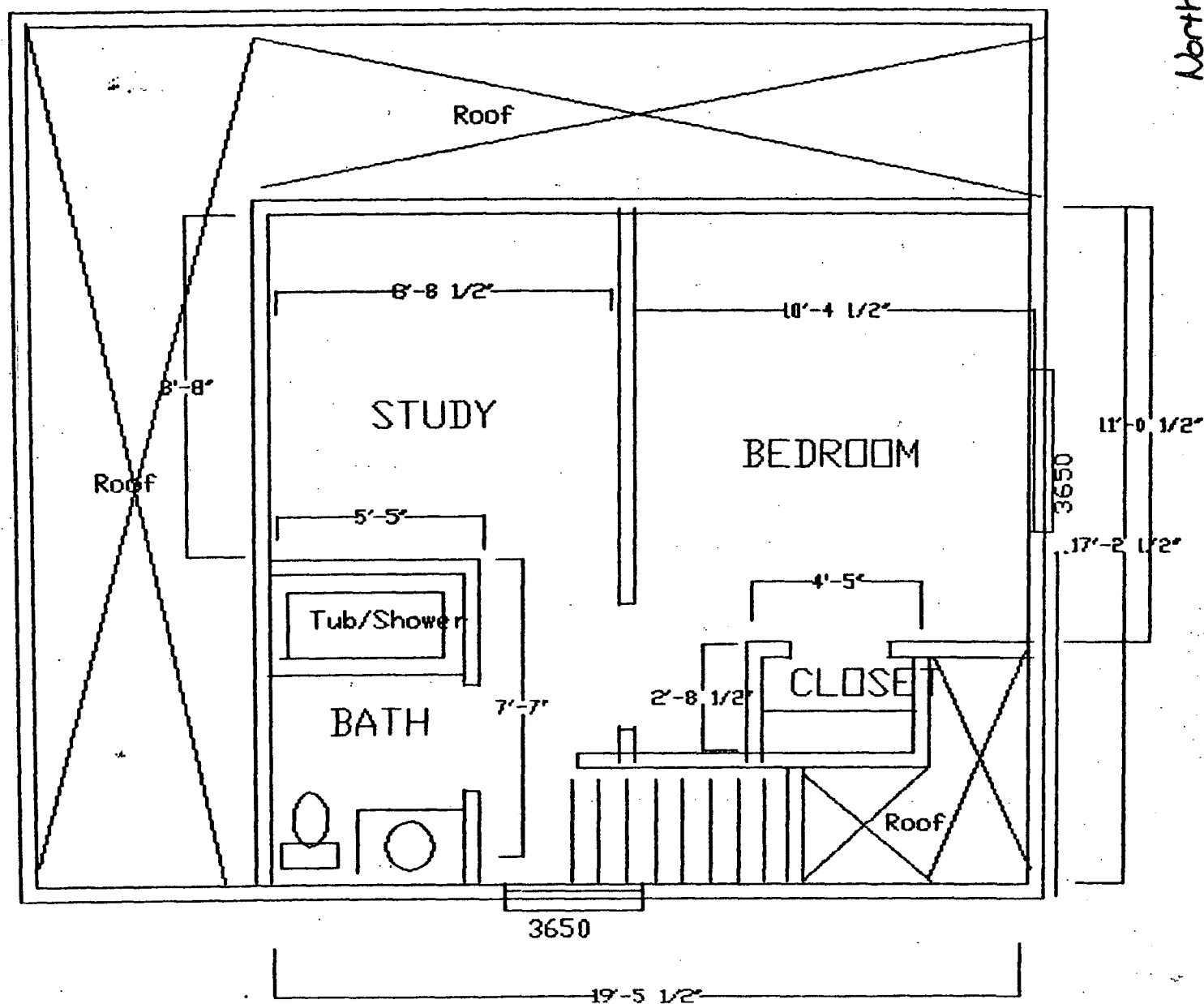
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# EXHIBIT D

## Second Floor



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