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CITY OF SACRAMENTO

Nov 3 12 15 PM '89

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DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

APPROVED
BY THE CITY COUNCIL

November 3, 1989

NOV 8 1989

BUILDING INSPECTIONS
916-449-5716

City Council
Sacramento, California

OFFICE OF THE
CITY CLERK

PLANNING
916-449-5604

Honorable Members in Session:

SUBJECT: Appeal of Planning Commission of a Special Permit to allow a second unit residential unit on an R-1 zone lot (P89-264)

LOCATION: 1657 49th Street

SUMMARY

The subject site is a 40'x 128' lot zoned R-1. An existing home currently sits on the rear 40 feet of the lot. For situations like this where homes were built at the rear portion of an R-1 lot prior to 1956, the Zoning Ordinance allows application for a second unit. Planning staff reviewed the request for a second unit and recommended approval subject to design modifications (see CPC Report). The matter was considered by the Planning Commission and after hearing testimony for and against the project, voted to approve the special permit. An appeal of the Commission's action has been filed by a nearby property owner.

BACKGROUND

The applicant is proposing to place a 1,017 square feet, modular home on the front portion of the subject lot and pour an 8'x 10' concrete pad adjacent to the existing driveway for parking. Planning staff reviewed the request and recommended approval with conditions related to improving the exterior appearance of the proposed unit (see CPC report).

At the September 14th Planning Commission hearing, several neighbors spoke in opposition to the addition. Their concerns included increase of traffic, parking problems, increase noise and pollution, lower property value and the possibility of other owners asking for second units (see attachment to appeal). The Planning Commission considered the matter and concluded that a second unit could be developed without neighborhood disruption. However, the Commission was concerned over the amount of pavement in front of the lot with the addition or another parking space. The Commission therefore required that the rear unit take access off the alley and the existing driveway be used for parking for the front unit. Subsequent to the Commission's action the Traffic Engineering staff has examined the alley and found it to be substandard for access due to it's condition and narrow width of 15 feet. Most alleys in the City are 20 feet wide. Planning staff believes the better location for parking is still off 49th Street.

VOTE OF THE PLANNING COMMISSION

On September 14, 1985, the Planning Commission voted six ayes, three absent to approve the special permit.

FINANCIAL DATA

Not applicable.

POLICY MATTER

Not applicable.

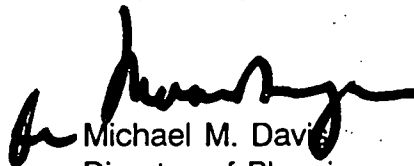
MBE/WBE

Not applicable.

RECOMMENDATION

Both Planning staff and Planning Commission recommend denial of the appeal and approval of the special permit for a second unit. Should the City Council concur with the Planning Commission and Planning staff, recommendation the appropriate action would be to adopt a motion of intent to deny and direct staff to return with findings and conditions.

Respectfully submitted,



Michael M. Davis
Director of Planning and Development

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MMD:AG:ob
attachments

District 3
November 14, 1989

Contact Person:
Art Gee, Principal Planner
449-5604

P89-264

NOTICE OF APPEAL OF THE DECISION OF THE SACRAMENTO CITY PLANNING COMMISSION

14

DATE: 09-22-89

TO THE PLANNING DIRECTOR:

I do hereby make application to appeal the decision of the City Planning Commission of 09-14-89 when: (Date)

 Rezoning Application Variance Application
XXX Special Permit Application

was: XXX Granted Denied by the Commission
With Staff improvements

GROUNDS FOR APPEAL: (Explain in detail)

PLEASE SEE ATTACHED.

PROPERTY LOCATION: 1657 49th Street Sacramento, CA 95819

PROPERTY DESCRIPTION: a 1,017.81 sq ft. second residential unit on the front of a lot totaling 0.12 ± developed ac. in a Single Family Res (R-1

ASSESSOR'S PARCEL NO. 008 - 0481 - 018

PROPERTY OWNER: _____

ADDRESS: _____

APPLICANT: _____

ADDRESS: _____

APPELLANT: Tom, Alex + Shirley Jellison 1709 49th Street Tom, Ileen + Shirley
(SIGNATURE) Deborah + Noel Kelly + Karen PRINT NAME Jellison

ADDRESS: Vicky, Chris, Kendall Losada 105 49th St Sacramento
1719 49th St

FILING FEE:

by Applicant: \$105.00 RECEIPT NO. _____

by 3rd party: 60.00 _____

FORWARDED TO CITY CLERK ON DATE OF: _____

CITY PLANNING DIVISION

P- 89-264

SEP 25 1989

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5/82

DISTRIBUTE TO -
(4 COPIES REQUIRED): MVD
AG
WW
RT
SG - 10-10-89

SEP 25 1989

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1. Density:

Traffic - 49th Street is a highly accessed road. Vehicles avoid the speed bumps on 48th Street by turning down Q Street, onto 49th Street to Folsom Blvd.

Q Street is almost directly in front of the concerned property, 1657 49th Street.

Many vehicles mistake 49th Street as a through street (it dead-ends into light-rail tracks) and back out until they reach Q Street to make a turn.

Parking - During weekend, it is difficult to find street parking on 49th Street. Many times residents have to walk a distance to their homes.

Double driveway parking is not allowed when two separate owners share a driveway. This is for public safety reasons and by law.

People - From the dead-end to JUST the P street alley way, there are 27 homes and approximately 90 residents on 49th Street. THIS COUNT DOES NOT INCLUDE FROM THE P STREET ALLEY WAY TO FOLSOM BLVD.

Several of the 90 above mentioned residents are children.

2. An increase in noise and pollution.
3. Value of suggested additional home is less than the median home value of 85,000 to 110,000 of properties on 49th Street.
4. Encourage other deep lot property owners to build second residences on their property. 3 other deep lots are on 49th St.

DISAGREE WITH THE PLANNING COMMISSION'S APPROVAL (P89-264)

1. The Planning Commission approved the special permit with the condition of opening the alley way behind 49th Street for vehicles exiting 1657 49th Street.
 - A) This is an UNIMPROVED alley way and it is not a legal sized alley way.
 - B) The alley way dead-ends into the light-rail tracks.
 - C) The opposite opening of the alley intersects three other drive through.
 - D) None of the other properties that back the South side of the alley have a drive through into the alley (back access).

CITY PLANNING DIVISION

SEP 25 1989

09-22-89

AP0: 008-0481-018

1657 49th Street

Page 2

14

DISAGREE CONT....

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- E) The alley way is unpaved, has trees and tall weeds.
2. A neighbor is in the process of closing the alley behind 49th Street with City Council. Paper work is in motion.
 3. An additional parking pad besides the driveway on 1657 49th street is not acceptable to the neighbors. The additional parking space will crowd the lot further and will not allow for easy exiting.
 4. The residents on 49th Street were not included in the final approval of the design of the additional structure.
 5. The residents on 49th Street will not have input to the review process.

**Sacramento City Planning Commission
VOTING RECORD**

14

MEETING DATE
September 14, 1989

ITEM NUMBER
19

PERMIT NUMBER
P 89-264

ENTITLEMENTS

- | | |
|--|---|
| <input type="checkbox"/> GENERAL PLAN AMENDMENT | <input type="checkbox"/> TENTATIVE MAP |
| <input type="checkbox"/> COMMUNITY PLAN AMENDMENT | <input type="checkbox"/> SUBDIVISION MODIFICATION |
| <input type="checkbox"/> REZONING | <input type="checkbox"/> LOT LINE ADJUSTMENT |
| <input checked="" type="checkbox"/> SPECIAL PERMIT | <input type="checkbox"/> ENVIRONMENTAL DET. |
| <input type="checkbox"/> VARIANCE | <input type="checkbox"/> OTHER _____ |

STAFF RECOMENDATION

Favorable Unfavorable

10/2/89

Correspondence

Petition

LOCATION
1157 49th Street

**P
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NAME	ADDRESS
Bill Roberts	6134 Hill Tree Ave.
Bobbie Roberts	6134 Hill Tree Ave.
Barbara Hunziker	5200 Q St.; Dacto. 95819

**O
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NAME	ADDRESS
Nikki Callman	1705 49th St.
Elissa Jellison	1709 49th St.

MOTION #

	Yes	No	Motion	Second
--	-----	----	--------	--------

RECERRA	✓			
CHINN	✓			✓
GASTON	ABSENT			
HOLLICK	ABSENT			
HOLLOWAY	ABSENT			
NOTE: Plan	✓			
NOTESTINE	✓		✓	
YEE	✓			
OTTO	✓			

MOTION

- | | |
|---|---|
| <input type="checkbox"/> TO APPROVE | <input type="checkbox"/> TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL |
| <input type="checkbox"/> TO DENY | <input type="checkbox"/> TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL |
| <input checked="" type="checkbox"/> TO APPROVE SUBJECT TO COND & BASED ON FINDINGS OF FACT IN STAFF REPORT <i>amended</i> | <input type="checkbox"/> TO RATIFY NEGATIVE DECLARATION |
| <input type="checkbox"/> TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT | <input type="checkbox"/> TO CONTINUE TO _____ MEETING |
| <input type="checkbox"/> INTENT TO APPROVE/DENY SUBJECT TO COND & BASED ON FIND OF FACT DUE | <input type="checkbox"/> OTHER _____ |

REPORT AMENDED BY CPC 9-14-89
CITY PLANNING COMMISSION

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

14

APPLICANT	Henry & Barbara Hunziker - 5200 Q Street, Sacramento, CA 95819		
OWNER	Henry & Barbara Hunziker - 5200 Q Street; Sacramento, CA 95819		
PLANS BY	_____		
FILING DATE	7-13-89	ENVIR. DET.	Exempt 15303a
ASSESSOR'S PCL. NO.	008-0481-018	REPORT BY	CL:sq

APPLICATION: Special Permit to locate a 1,017.81 square foot second residential unit on the front of a lot totaling 0.12+ developed acres in the Standard Single Family (R-1) Zone.

LOCATION: 1657 49th Street

PROPOSAL The applicant is requesting the necessary entitlements to place a 1,017.81 square foot second residential unit on the front of a lot.

PROJECT INFORMATION:

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

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Single Family Residence; R-1	Front:	22.17'	22.5'
South: Single Family Residence; R-1	Side(North):	10'	10.67'
East: Single Family Residence; R-1	Side(South):	5'	5'
West: Single Family Residence; R-1	Rear:	15'	0'

Parking Required:	2 Spaces
Parking Provided:	2 Spaces
Property Dimensions:	40' X 128.08'
Property Area:	0.12 ± acres
Density of Development:	16.7 du per acre
Square Footage of Existing Building:	1,053.0 sq. ft.
Square Footage of Proposed Building:	1,017.81 sq. ft.
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Masonite Hardboard Siding
Roof Material:	Composition Shingle

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of 0.12+ acres developed with a 1,053 square foot residence in the Standard Single Family Residential (R-1) zone. The General Plan designates the site Low Density Residential (4-15 du/na). The surrounding land use and zoning includes single family residences, zoned R-1, to the north, south, east and west.

B. Applicant's Proposal

The applicant is proposing to locate a 1,017.81 square foot modular unit on the front of a lot with a 1,053 square foot home in the rear. The modular home is 23.67 feet by 43 feet with two bedrooms. The parking space for the front unit will be located on an 8 foot by 18 foot pad in the front yard. The existing unit has a carport which is 10.67 feet by 20 feet. In order to meet the 40 percent maximum lot coverage the carport must be reduced to 10.67 feet by 18 feet or the new dwelling must be reduced in size.

C. Site Plan Design

The site is a 128.08 foot by 40 foot lot. The unit in the rear has an 8.83 foot rear yard setback and contains 839.6 square feet. The attached carport has no side or rear setback. The carport is currently 10.67 feet by 20 feet. In order to meet the lot coverage requirements, the carport must be reduced to 18 feet in depth or the new dwelling must be reduced in size.

The front unit is a modular home that is 23.67 feet by 43 feet (1,017.81 square feet). It is located 16.5 feet from the existing unit in the rear and 22.5 feet from the front property line. The front setback has been determined by averaging the two adjacent residences. The other setbacks and courtyard requirements have been met.

The project requires two parking spaces. The existing unit has parking under the carport. The proposed unit will have a parking space in the front yard adjacent to the existing driveway. The proposed parking space is 8 feet by 18 feet and should be exposed aggregate, or another decorative material, rather than just concrete. A driveway permit is required from the Public Works Department to construct this parking stall. Paving in the front yard shall not exceed 40 percent.

D. Building Design

The unit is a two bedroom, two bath, 1,017.81 square foot modular home. The exterior building material is masonite hardboard siding. The roof material is composition shingle.

The elevations submitted have a corner recessed entryway. Staff has recommended the entry be relocated to the center of the front and be recessed two feet. The applicant shall also provide a two foot overhand in front of this entry to create a porch effect. The roof line of this overhand should be similar to that of the modular unit (see Exhibit A for suggested designs).

The exterior siding submitted was vertical hardboard masonite siding. Staff has recommended horizontal drop siding to be consistent with the unit in the rear of the lot. The applicant has also proposed brick at the base of the structure and shutters around the windows.

E. Agency Comments

The proposed project was reviewed by Traffic Engineering, Engineering Development Services, Building Inspections, Water and Sewer Division, East Sacramento Improvement Association, and the Midtown Business Association. The following comments have been received:

Traffic Engineering

The driveway will have a minimum width of 10 feet.

Engineering Development Services

1. Existing sewer is in the alley. How will sewer be extended to proposed unit? Service locations are not shown for existing or proposed.
2. Existing water is in 49th Street. Existing service may have to be re-routed around the proposed unit.
3. This appears to be an over building of such a small lot.

East Sacramento Improvement Association

The East Sacramento Improvement Association does not see any reason to object to the above request for a special permit for a single family dwelling. The area has been reviewed and it is our feeling that the proposed dwelling would be compatible with the surrounding area; and as long as there is no objection from the immediate neighbors we are in agreement. Single family construction under appropriate conditions is always preferred to another office structure.

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

RECOMMENDATION: Staff recommends the Planning Commission approve the special permit to locate a second residential unit on the front of a lot, subject to conditions and based upon findings of fact which follow.

Conditions

1. The existing carport shall be reduced in size to 10.67 feet by 18 feet.
2. The front parking stall shall be 8 feet by 18 feet and paved using a decorative treatment such as exposed aggregate. Paving in the front yard is not to exceed 40 percent.
3. The applicant shall obtain a driveway permit from Public Works for the additional parking stall.
4. The entryway shall be relocated to the center of the building and recessed two feet.

- 5. The applicant shall provide a two foot overhand in front of the entry to create a porch as shown on Exhibit A. The roof line of this overhang shall be similar to that of the modular unit.
- 6. The exterior siding shall be horizontal drop hardboard siding.
- 7. There shall be brick at the base of the unit in the front and shutters around the windows.
- 8. *Vehicle access for the rear unit shall be from the alley. (CPC added)*
- 9. *A barrier shall be placed on the driveway between the two houses. (CPC added)*
- 10. *The site plan shall be revised to delete the proposed parking pad on the front setback. (CPC added)*
- 11. *The applicant shall submit a revised plan showing improved design to the front facade to the Planning Director for review and approval prior to approval of a building permit. (CPC added)*

Findings of Fact

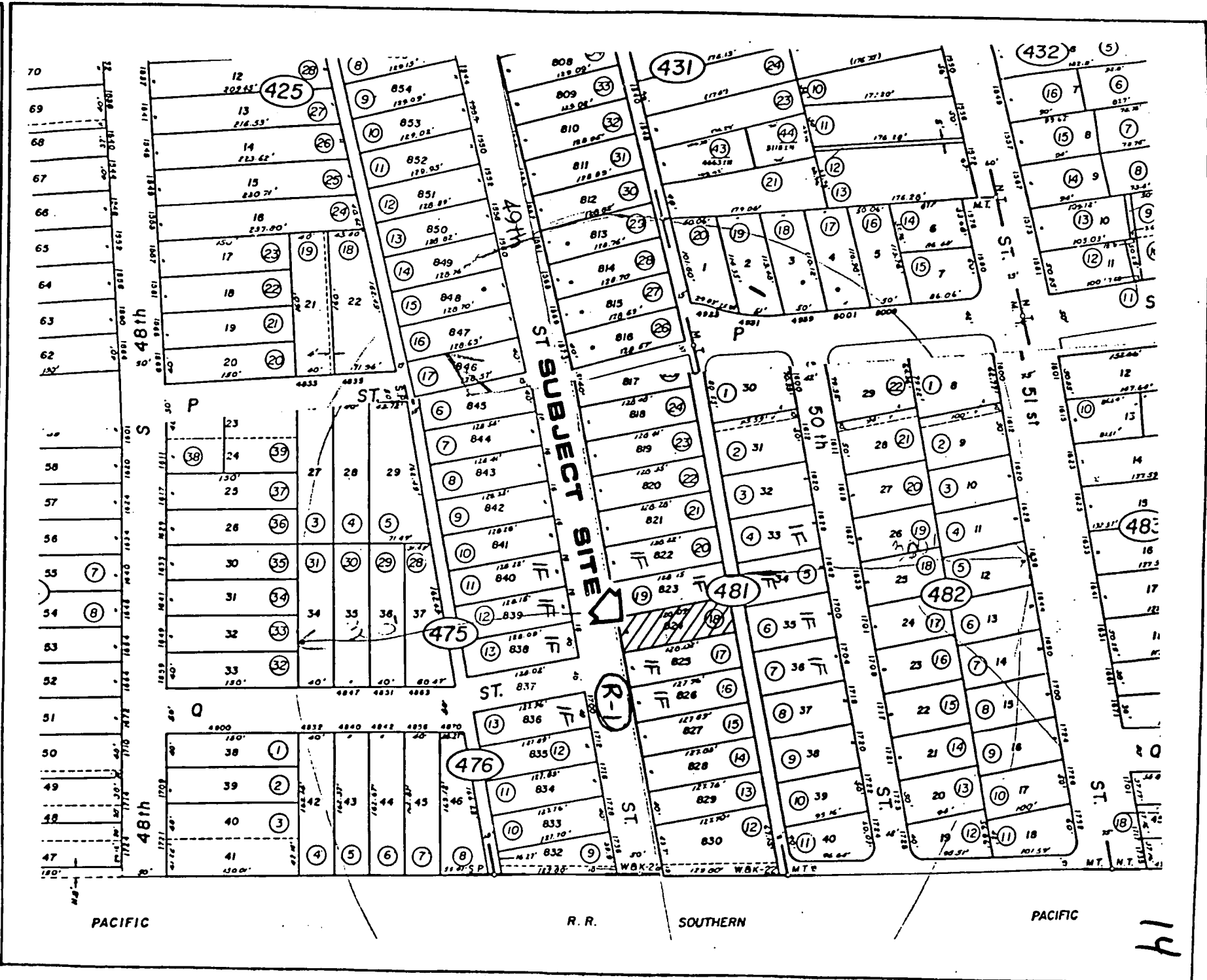
- 1. The project, as conditioned, is based upon sound principles of land use in that:
 - a. Adequate space is available on the site to accommodate the type and density of the proposed project; and
 - b. The project is compatible with surrounding land uses which consist of single family units.
- 2. The project, as conditioned, will not be detrimental to the public safety or welfare, nor result in the creation of a public nuisance in that:
 - a. Adequate parking for the units is provided on site.
 - b. The project is compatible with the surrounding area.
- 3. The project is consistent with the General Plan which designates the site for residential use and has a policy to "continue to support existing efforts to provide varied housing opportunities by allowing secondary units on single family lots (Granny Flat Ordinance) and deep lot provisions which allows further development of large lots."

P89-264

9-14-89

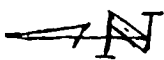
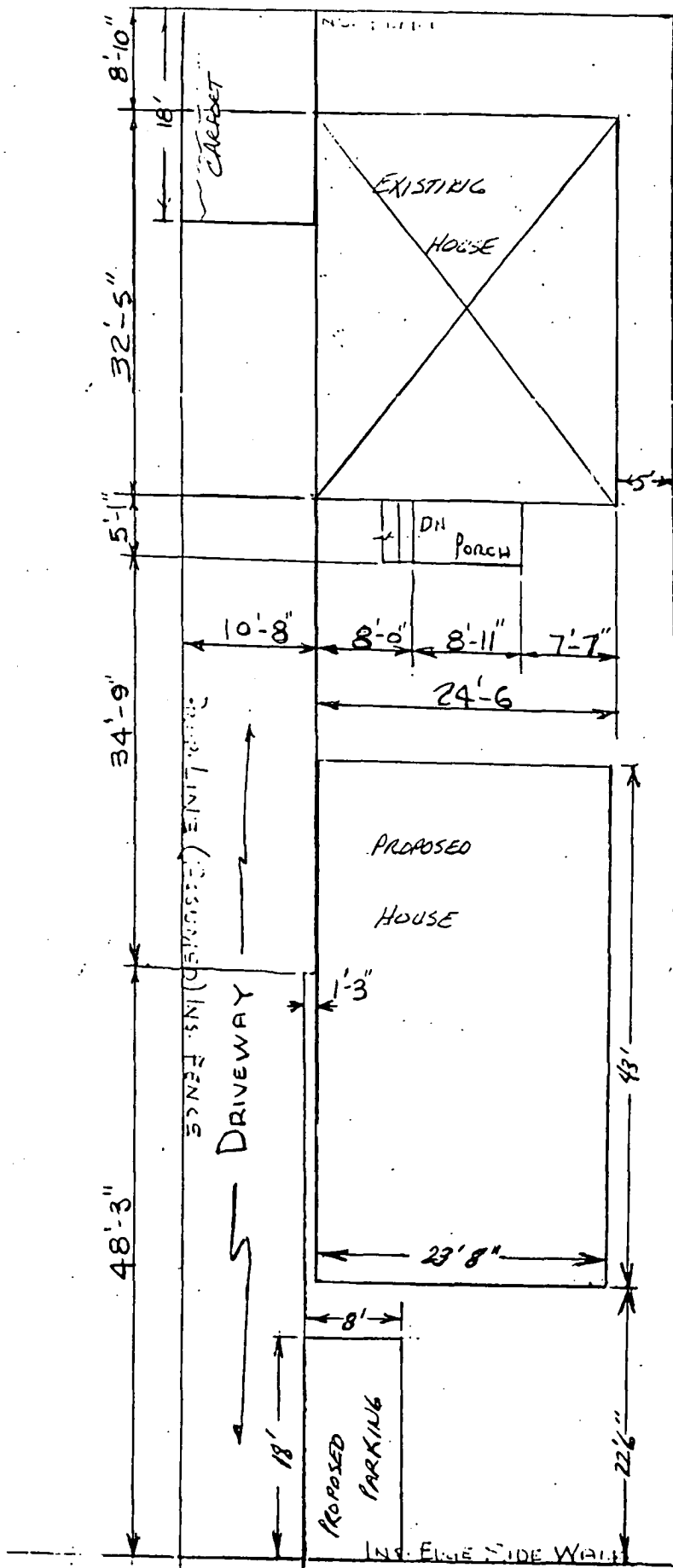
Item # 19

VICINITY - LAND USE - ZONING



ALLEY

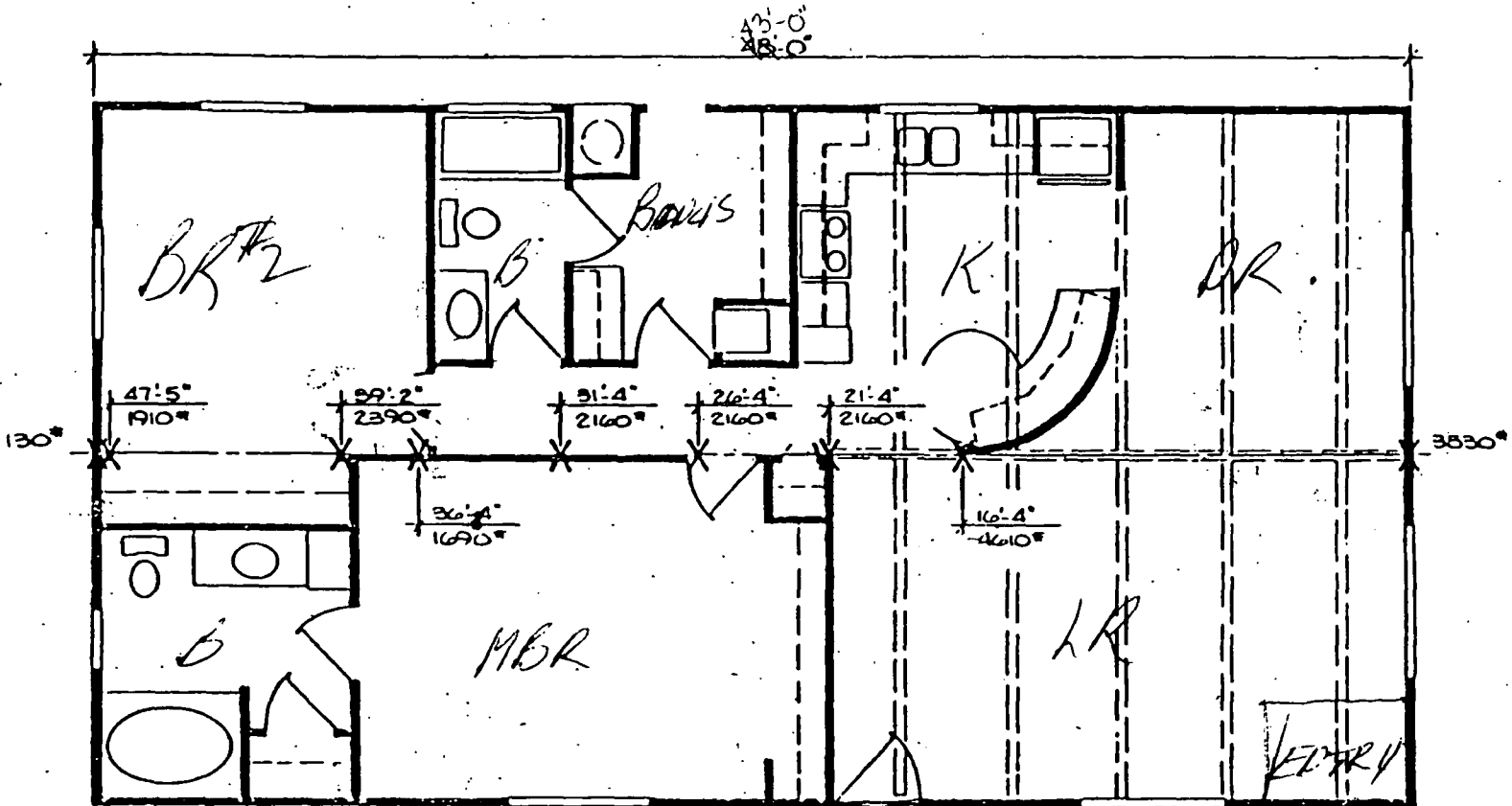
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49TH ST.

P 89 204

9-14-89



CENTERLINE SUPPORT REQUIREMENTS

THIS SHEET TO BE INSERTED WITH SUPPLEMENT
TO FIELD INSTALLATION MANUAL FOR 30° ROOF
• SNOW LOAD

REMOVED BY ENGINEERING DEPT.
ISSUED BY FLOORING SERVICES DEPT.

JUN 24 1986

LINK PARTERS
LABORATORIES, INC.

FILE 881 9321
VOL 1
SEC 4
S.L. 81 PG. 8-11B

REVISIONS		
NO.	DESCRIPTION	DATE

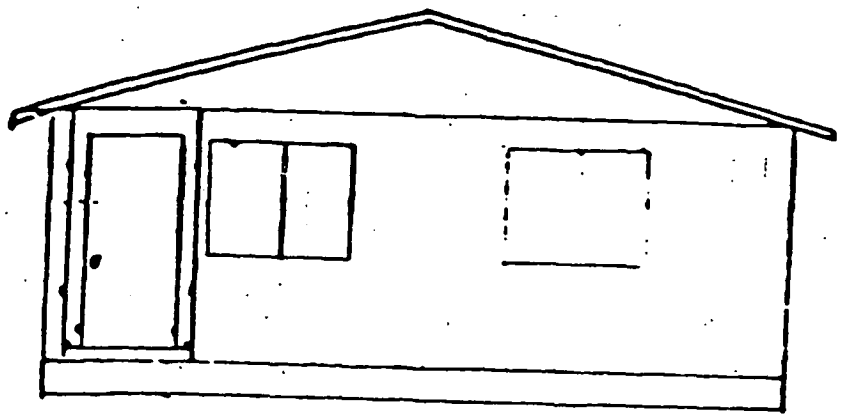
SERIES	DESCRIPTION	NO.
30° ROOF LIVE LOAD	522A-2CK-28-20-RB- OT-BJRM	8234
DWG. BY DEH	6-21-86	CHECKED
SHT. _____	OF _____	

SKYLINE
Bringing America Home

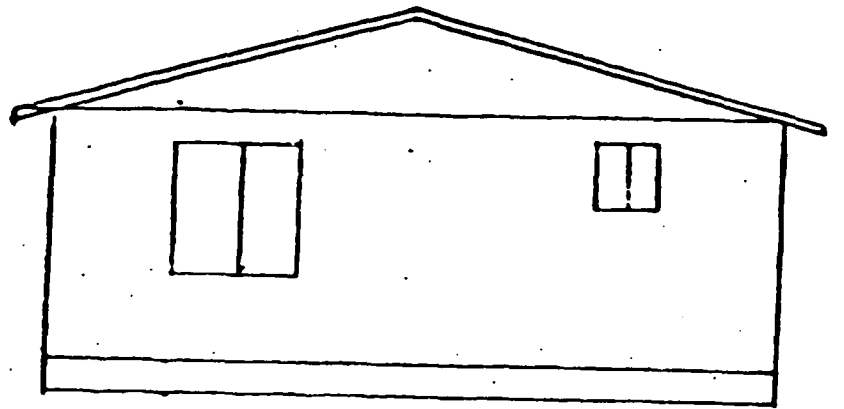
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P89-264

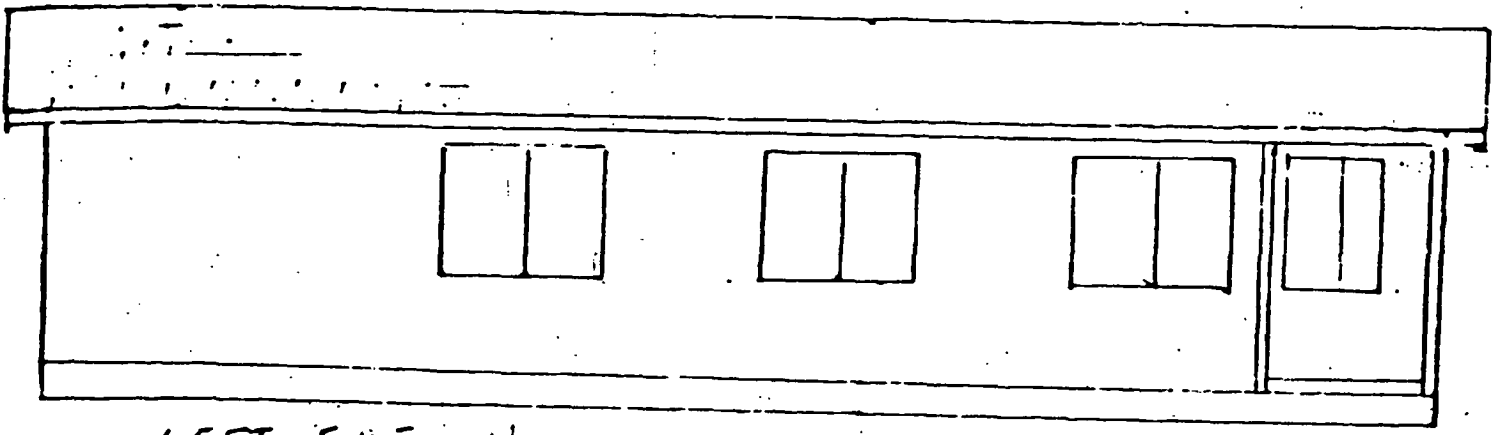


FRONT WEST



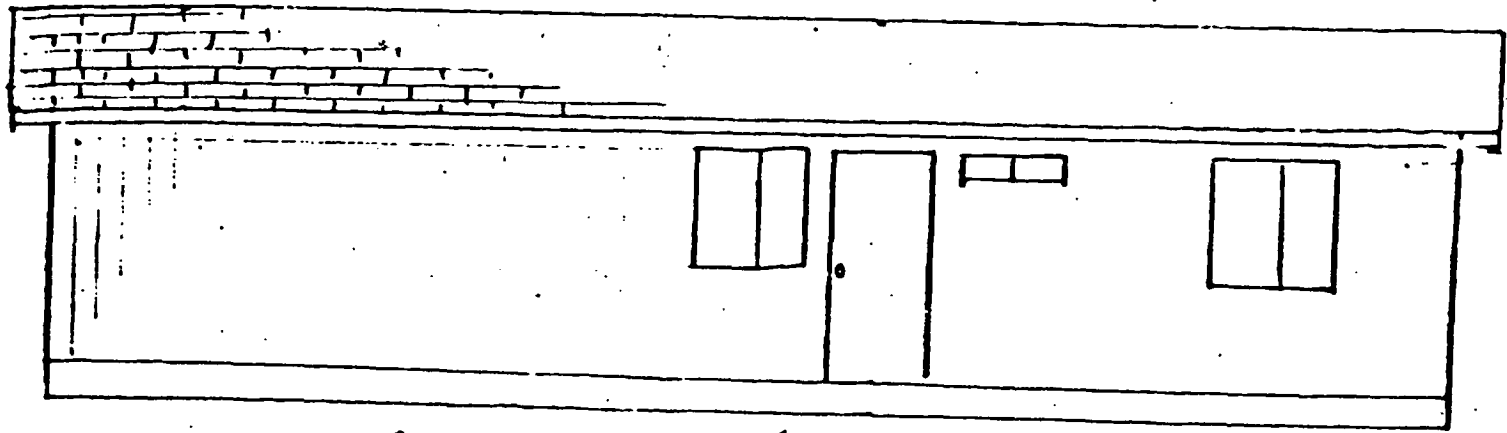
REAR - EAST

9-14-89



LEFT SIDE - NORTH

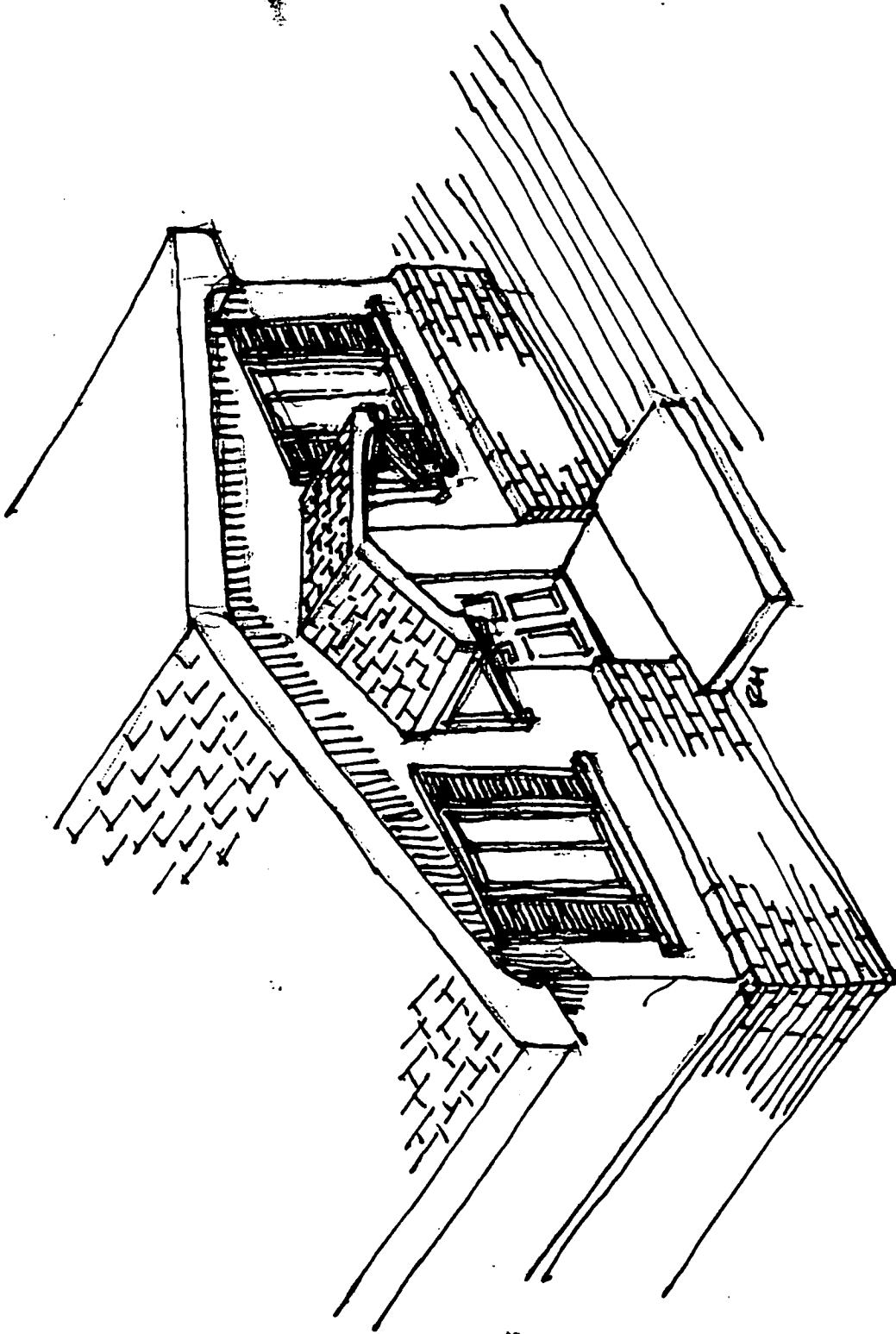
Mem # 19



RIGHT SIDE - SOUTH

EXHIBIT A

STAFFS REVISED
ELEVATION



Talked to Val re (P-89264) project on 11-8-89 agenda. Told her re Lochowski / Kelly family requesting a continuance to 12-5-89. Told her Art didn't think that the applicants would agree. Val said to call Art. & have him work it out between the applicant & appellants.

I talked to Art & he is going to call the applicant & see if they concur w/ the continuance. If not & they don't all agree the applicant's & appellants will have to go before the Council to get a cont.

He's to call the Lochowski or Kelly's back.

I talked to Vicki Lochowski & told her Art will call her back as soon as he talks to the Applicant.

I told me ~~the~~ the applicant's don't agree.

Art called at 3:40 P & said he had talked to the Kelly's & that they understood. They had to bring it to Council

11-8-89

RECEIVED
CITY CLERK'S OFFICE
CITY OF SACRAMENTO

OCT 26 7 56 AM '89

18
14

October 20, 1989

City of Sacramento
City Hall
Office of the City Clerk
915 I Street
Sacramento, CA 95814

CONTINUED
FROM 10-31-89
TO 11-8-89

Dear Ms. Beaman,

Due to an appellant's out of town committment, We the undersigned,
request a continuance regarding Special Permit #P-89264. We request
that the hearing date is rescheduled from October 31, 1989, 7:30 pm
to November 8th, 1989, 7:30 pm.

Please notify the following. Thank you for your assistance.

Sincerely,

Lochowski Family
1717 49th Street

Lochowski Family

732-0176
→

Jellison Family
1709 49th Street

Jellison Family

Kelly Family
1705 49th Street

Jeannette L. Kelly + family
453-3091 8-5:30

November 16, 1989

Jellison Family
1709 49th Street
Sacramento, CA 95819

Kelly Family
1705 49th Street
Sacramento, CA 95819

Lordrontin Family
1717 49th Street
Sacramento, CA 95819

On November 8, 1989, the City Council heard your appeal from the City Planning Commission action regarding their approval of a Special Permit to locate a 1,017.81 square foot second residential on it on the front of a lot totaling 0.12± developed acres in the Standard Single Family Residential (R-1) zone for property located at 1657 49th Street.
(P-89264)

The Council adopted by motion its intent to grant your appeal contingent on Findings of Fact due November 21, 1989.

Sincerely,

Valerie A. Burrowes
City Clerk

cc/14

cc: Planning Division
Henry A./Barbara Hunziker, 5200 "A" Street, SAC CA 95819