

ATTACHMENT C**RESOLUTION NO. 1878**

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF DECEMBER 14, 1995

A RESOLUTION ADOPTING FINDINGS OF FACT
AND APPROVING A SPECIAL PERMIT FOR
PROPERTY LOCATED AT 2828 33RD STREET.

(P95-071) (APN:#010-0372-010)

WHEREAS, the City Planning Commission on December 14, 1995, held a public hearing on the request for approval of a Special Permit to allow the 140-seat St. Jude Christian Tabernacle Church in an existing 6,220 square foot building on 0.2± developed acres in the Multi-Family Residential (R-2B) zone for property located at the above described location;

WHEREAS, the proposed project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section #15301 & #15305);

WHEREAS, the Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed development;

WHEREAS, the Planning Commission adopts the following findings of fact for the Special Permit to allow the 140-seat St. Jude Christian Tabernacle Church in an existing 6,220 square foot building on 0.2± developed acres in the Multi-Family Residential (R-2B) zone.

- A. The project, as conditioned, is based upon sound principles of land use in that:
- 1) the subject site is appropriately planned and zoned for the proposed use, and the proposed use is allowed subject to the granting of a Special Permit;
 - 2) the proposal is compatible with the adjacent established neighborhood in that the existing structure was constructed as a church and has been previously used as a church.
- B. The project, as conditioned, will not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
- 1) the applicant is not proposing any outdoor activities within the church operations;
 - 2) the project has been conditioned to repair the existing wood fencing along the east and west property lines and construct a 6-foot wood

- 3) fence along the north property line separating the site from existing residential uses; and activities are proposed on Friday evenings and Sundays only and are proposed to cease at 9:00 p.m.

C. The project is consistent with the General Plan which designates the site as Medium Density Residential (16-29 du/na).

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:

- 1. The Special Permit to allow the 140-seat St. Jude Christian Tabernacle Church in an existing 6,220 square foot building on 0.2± developed acres in the Multi-Family Residential (R-2B) zone is hereby approved, subject to the following conditions:
 - a. Services shall be as proposed: Sundays - 9:15 a.m. to 1:00 p.m. and 7:00 p.m. to 9:00 p.m.; and Friday evenings - 7:00 p.m. to 9:00 p.m. Seating shall be as proposed for 140-seats. No outdoor activities are proposed for areas adjacent to existing residential properties. Any changes in hours or days of operation, number of seats, or in scheduled activities shall require additional Planning Department review. Changes may result in additional requirements such as provision of off-site parking and construction of masonry walls.
 - b. All existing wood fencing along the east, west, and south property lines shall be repaired and maintained. A 6-foot solid wood fence shall be constructed at the north property line (separating the project site from the existing residential property to the north of the site).
 - c. Applicant shall provide two 90-gallon trash containers for solid waste disposal. These trash containers shall be kept on-site in an area maintained in conformance with the Zoning Ordinance. These trash containers must be placed on the 33rd Street side of the property on the normal scheduled trash collection days. It is recommended that the applicant contact the Solid Waste Division (Gary Van Dorst, 264-7561) to work on appropriate recycling procedures.

Linda B. Myers
CHAIRPERSON

ATTEST:
Gaul Stonehouse
SECRETARY TO PLANNING COMMISSION
P95-071

ATTACHMENT D

RESOLUTION NO. 1877

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION
ON THE DATE OF DECEMBER 14, 1995

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A VARIANCE TO WAIVE 35 REQUIRED PARKING SPACES FOR A 140-SEAT CHURCH IN THE MULTI-FAMILY RESIDENTIAL (R-2B) ZONE FOR PROPERTY LOCATED AT 2828 33RD STREET.

(P95-071) (APN:#010-0372-010)

WHEREAS, the City Planning Commission on DECEMBER 14, 1995, held a public hearing on the request for approval of a Variance to waive 35 required parking spaces for a 140-seat church in the Multi-Family Residential (R-2B) zone for property located at the above described location;

WHEREAS, the proposed project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section #15301 & #15305);

WHEREAS, the Planning Staff has submitted to the City Planning Commission its report and recommendations on the proposed development;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:

1. The Variance to waive 35 required parking spaces for the 140-seat church in the Multi-Family Residential (R-2B) zone is hereby approved based upon the following findings of fact:
 - A. Granting the variance does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances.
 - B. Granting the variance would not be detrimental to the public welfare nor result in the creation of a public nuisance in that the existing structure was constructed as a church without on-site parking and has always been used as a church.

- C. Granting the variance does not constitute a use variance in that the use is allowed in this zone with a Special Permit.
- D. The project is consistent with the General Plan which designates the site for Medium Density Residential land use (16-29 du/na).
2. The Variance to waive 35 required parking spaces for the 140-seat church in the Multi-Family Residential (R-2B) zone is hereby approved, subject to the following condition:
- A. Services shall be as proposed: Sundays - 9:15 a.m. to 1:00 p.m. and 7:00 p.m. to 9:00 p.m.; and Friday evenings - 7:00 p.m. to 9:00 p.m. Seating shall be as proposed for 140-seats. Any changes in hours or days of operation, or number of seats shall require additional Planning Department review. Changes may result in additional requirements such as provision of off-site parking.


CHAIRPERSON

ATTEST:


SECRETARY TO PLANNING COMMISSION