

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, May 6, 1998, the Zoning Administrator approved with conditions a special permit modification and a variance to construct an on-site parking lot for a multi-family dwelling and waive the required masonry wall for the project known as Z98-033. Findings of Fact and conditions of approval for the project are listed on pages 3-5.

Project Information

- Request: 1. Zoning Administrator Variance to waive the required masonry wall between a multi-family residential parking area and adjacent single family uses for a 5 unit apartment building on 0.165± developed acres in the Single Family or Two Family (R-1B) zone.
- 2 Zoning Administrator Minor Special Permit Modification to create an on-site five space parking lot for an apartment building.

Location: 2129 22nd Street (D4, Area 1)

Assessor's Parcel Number: 010-0104-020

Applicant: Manina Resmini
 3104 O Street #324
 Sacramento, CA 95816

Property Owner: Eros & Manina Resmini
 3104 O Street #324
 Sacramento, CA 95816

General Plan Designation: Medium Density Residential (16-29 du/na)
Central City

Community Plan: Low Density

Existing Land Use of Site: Victorian Apartment House

Existing Zoning of Site: Single Family or Two Family (R-1B)

Surrounding Land Use and Zoning:	Setbacks	Required	Proposed
North: R-1B; Single Family Residential	Front:	25'	28'
South: R-1B; Duplex and Apartments	Side(N.):	3'	5.5'
East: R-1B; Single Family Residence	Side(S.):	3'	14'
West: R-1B; Rest Home	Rear:	15'	31'

Property Dimensions:	60 feet x 120 feet
Property Area:	0.17 ± acres
Square Footage of Building:	6,759 square feet
Height of Building:	Three story, 30 ± feet
Exterior Building Materials:	Granite, wood shingles, horizontal lap siding
Roof Materials:	Composition shingle
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

Project Plans: See Exhibits A-D

Previous Files: P90-267

Background Information: On August 9, 1998, the Planning Commission approved a Special Permit to change a non-conforming use consisting of a 22 room boarding house into another non-conforming use consisting of a five unit apartment building (P90-267). A previous condition required off-site parking for the apartment complex to be provided on a nearby property also owned by the applicant. Prior to the completion of the conversion, the applicant died and the various properties were sold after the probate process. The site containing the proposed off-site parking was sold to a different person than the new owner of the apartment building. The applicant met with the Poverty Ridge Neighborhood Association concerning the parking for the building. Initially, it was Planning Staff's intention to waive all parking requirements because no on-site parking had been provide with the previous use. However, it was the neighborhood associations's desire for on-site parking to be provided. Therefore, the applicant has applied to provide an on-site parking area. Any additions or modifications to a site that has a special permit requires a Special Permit Modification.

Additional Information: The applicant is requesting to add a parking area to the rear of an existing structure that is in the process of being converted from a boarding house into a five unit apartment building. The area will provide five spaces. There are several large trees on-site as well as a large Palm tree in the City right-of-way. The proposed parking area requires a circuitous driveway to the parking area in order to preserve all the trees. The Public Works Department has indicated that the proposed driveway is unacceptable and that the parking area will not function without excessive maneuvering in the current design. The City Arborist has said the street tree may be removed. The applicant met with Public Works to resolve the parking layout and driveway issues. With the removal of the City street tree, the driveway can be relocated and widened to meet City street standards. Although a Driveway Variance will still be required due to a proposed gate, the Public Works Department has accepted the applicant's proposed driveway changes and will allow the proposed parking layout to remain.

The Zoning Ordinance states that any parking area that abuts a single family residence

requires a six foot solid masonry wall as a buffer. The parking area abuts single family residences to the north and east. The applicant is requesting a variance to waive the masonry wall requirement. The adjacent neighbors do not desire a masonry wall.

The site is located within the Poverty Ridge Preservation area and is a listed historic structure. The applicant has submitted an application to Preservation Staff. The project is also in the Poverty Ridge Neighborhood Association area. Staff received a letter of support for the project with the application and sent project plans to the association. The project has been noticed and staff has received one call and a letter from the adjacent property owner to the north. The property owner was in opposition to the wall; however, the applicant met with her and worked out a compromise regarding acceptable fencing. The neighbor then retracted her objection.

Environmental Determination: This project will not have a significant effect on the environment and is exempt from environmental review pursuant to State EIR Guidelines {California Environmental Quality Act, Sections 15303}.

Conditions of Approval

1. The applicant shall comply with all Preservation Board conditions.
2. The applicant shall revise the plans to incorporate the site design changes required by the Public Works Department. Size and location of the proposed parking lot shall conform to the revised plans submitted. One set of revised plans shall be submitted to Planning staff prior to submitting for building permits.
3. The applicant shall obtain all necessary building permits prior to commencing construction.
4. Any signage must meet the sign ordinance requirements and have a sign permit.
5. The Palm tree located in the City right-of-way to the West of and closest to the proposed driveway shall be retained or removed by the determination of Public Works regarding an acceptable driveway option.
6. The applicant shall contact Dan Pskowski (768-8604) to obtain the necessary permit to remove the tree (if required) and to obtain the appropriate notice posting instructions prior to any tree removal action.
7. The proposed driveway shall be to City Standards (i.e. 24 foot minimum width) for a distance of 20 feet into the City right-of-way. The driveway may then taper down to 18 feet. Final design of the driveway is subject to the approval of the Department of Public Works.
8. A Driveway Variance is required because the proposed driveway is within ten feet of the property line with frontage greater than 150 feet and because a gate on the

property line is proposed. A request for the variance must be made to the Department of Public Works and approval of the Driveway Variance shall be obtained prior to obtaining building permits for construction of the parking area.

9. The applicant shall comply with the requirements of the Zoning Ordinance regarding trash enclosures, parking stall sizes and maneuvering, and shading. The proposed fountain within the driveway area shall be deemed to meet the concrete apron requirements for the trash enclosure if built as submitted which meets City street standards.
10. The applicant shall construct a wrought iron fence along the north property line as agreed upon with the adjacent neighbor to the north and will allow the neighbor to the north access to the site to repair and/or replace the existing wood fence separating the properties.
11. Any other changes or additions shall require additional Planning review and approval.

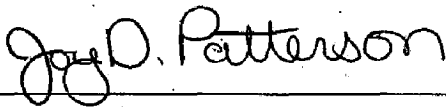
Findings of Fact- Variance:

1. The proposed project, as conditioned, is based upon sound principles of land use in that the proposed apartment parking area will not substantially alter the characteristics of the site or the surrounding neighborhood.
2. Granting the variance does not constitute a special privilege extended to an individual applicant in that a variance would be and has been granted to other property owners facing similar circumstances.
3. Granting the variance request does not constitute a use variance in that the multi-family structure is a residential use that was permitted in the zone with a Special Permit.
4. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
 - a. there is an existing wood fence to separate the parking area from the property owner to the north;
 - b. the proposed project will not substantially alter the characteristics of the site or the surrounding neighborhood; and
 - c. the proposed use is a less intense use than the previous use of the structure which also did not have a masonry wall separating the use from adjacent residential properties.
5. The project is consistent with the General Plan and the Central City Community Plan which designate the subject site Medium Density Residential (16-29 du/na) and Low

Density respectively.

Findings of Fact- Special Permit Modification:

1. The proposed project, as conditioned, is based upon sound principles of land use in that the proposed parking area will not substantially alter the characteristics of the site or the surrounding neighborhood and was requested by the neighborhood.



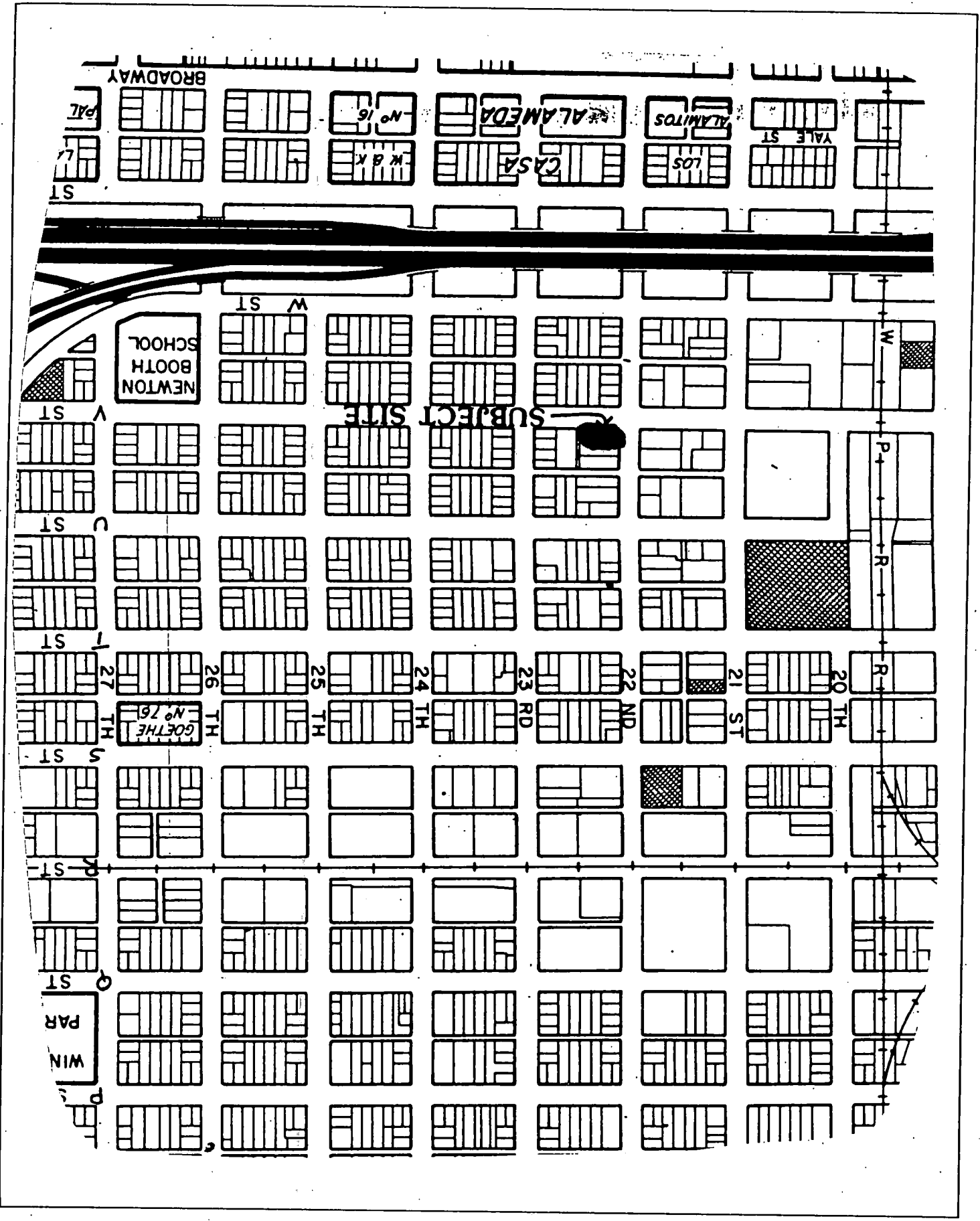
Joy D. Patterson
Zoning Administrator

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

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

cc: File
Applicant
ZA Log Book

VICINITY MAP



Z 98-033

MAY 6, 1998

ITEM 3

PROJECT:
APARTMENT HOUSE
 REMODEL & RENOVATION
 2129 22ND STREET,
 SACRAMENTO, CA
 95811

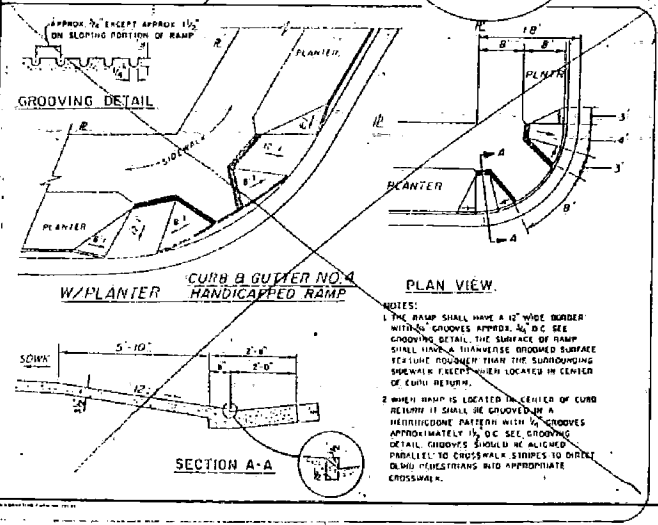
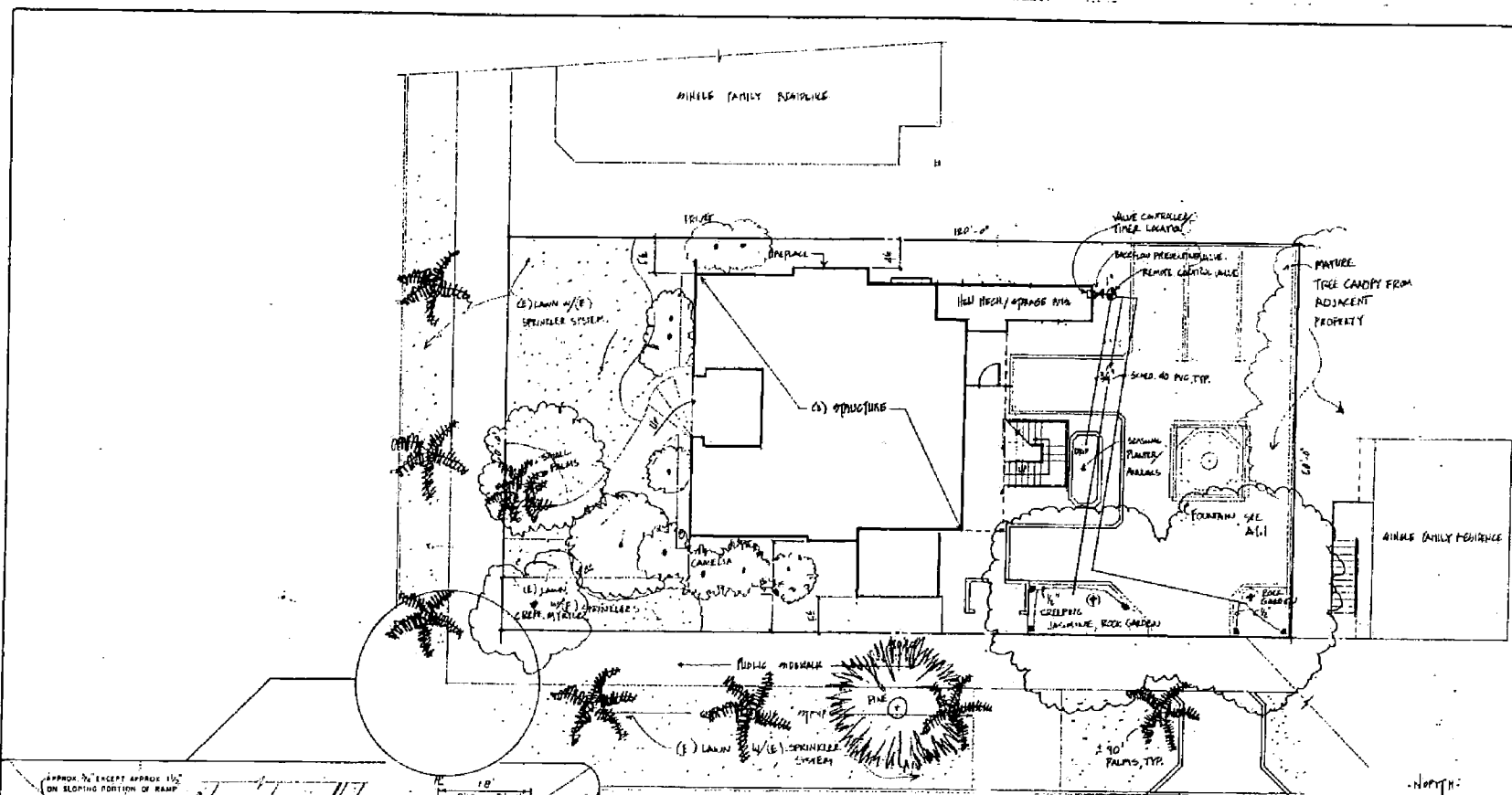
CLIENT:
 MANINA Q. RESMONT
 2311 V STREET
 SACRAMENTO, CA 95818

EXHIBIT B

SHEET TITLE:
**SITE IRRIGATION AND
 PLANTING PLAN**

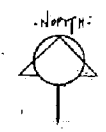
JOB NO.: R53-01
 SCALE: 1/8" = 1'-0"
 DATE: 5/9/98
 SHEET:

L-1



- NOTES:**
- ALL VEGETATION SHOWN IS EXISTING.
 - ANNUAL PLANTER BED & PARKING IS ONLY NEW VEGETATION, IT OAKEE.

SITE PLAN



PROJECT:

APARTMENT HOI
 REMODEL & RENOVATION
 2129 22ND STREET,
 SACRAMENTO, CA
 95818

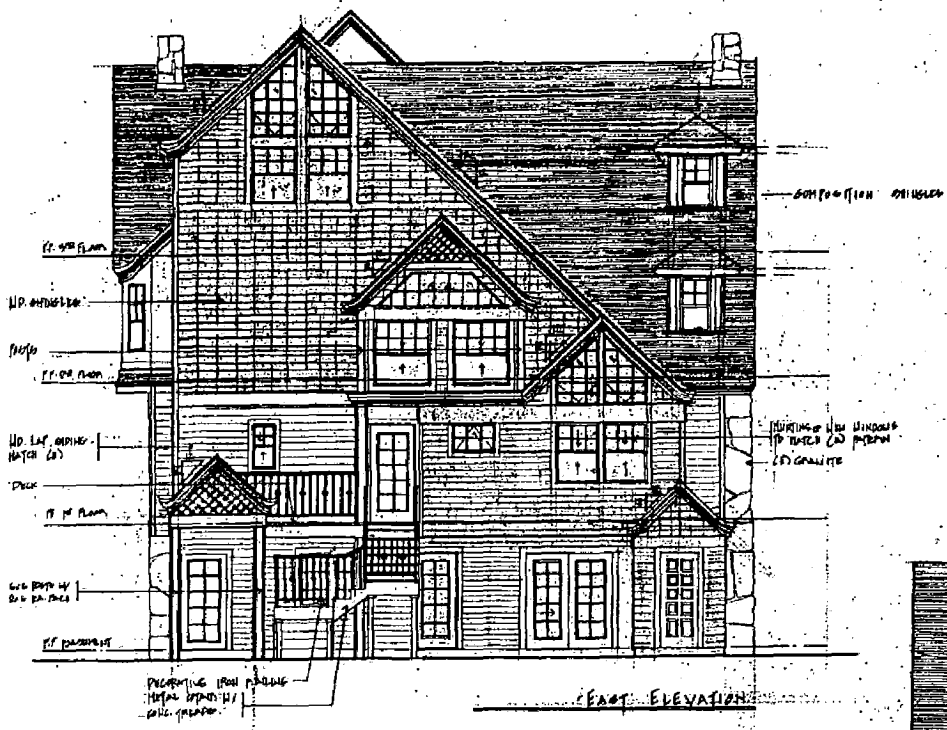
CLIENT:
 MANINA Q. RESMINTI
 2311 W STREET
 SACRAMENTO, CA 95

EXHIBIT - C

SHEET TITLE:
 EAST ELEVATION

JOB NO: 100-01
 SCALE: 1/8" = 1'-0"
 DATE: 3/3/00

SHEET:
 A-32



EAST ELEVATION



NORTH ELEVATION

POVERTY RIDGE NEIGHBORHOOD ASSOCIATION

TO: PLANNING DEPARTMENT/COMMISSION
FROM: PRNA
RE: PARKING AT 22ND & V

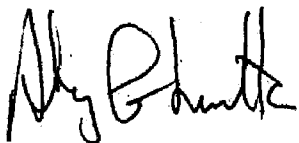
At a called meeting of the PRNA on Wednesday March 18, 1998, a discussion was held concerning the parking issue related to 2129 22nd Street (the property on the north-east corner of 22nd and V Streets).

The neighborhood feels that parking is already scarce, and that additional on-street parking would not only negatively affect the quality of life in the area but would raise safety concerns (especially at night) with current residents of the area finding it impossible to park near their homes. We feel that future residents of the property in question would be affected similarly.

The neighborhood supports the the plans for ON SITE parking shown to us by the new owners, Manina & Eros Resmini. We are especially happy to hear that they plan to live on the premises.

We recommend that planning grant a waiver to allow parking ON SITE according to the plans proposed by the Resminis without removing any of the trees. We also recommend waving the requirements for the width of the driveway and turn-around space.

PRNA ACTING BOARD:



ITEM 3