

CITY PLANNING COMMISSION  
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT Mogavero Notestine Associates, 2229 J Street, Sacramento, CA 95816  
OWNER State of California, Dept of General Svcs, 400 R Street, Sacramento, CA 95816  
PLANS BY Mogavero Notestine Associates, 2229 J Street, Sacramento, CA 95816  
FILING DATE February 25, 1993 ENVIR DET Negative Declaration REPORT BY Don Smith  
ASSESSOR'S PCL. NO 006-0225-004 and 005

- APPLICATION:**
- A. Negative Declaration;
  - B. Mitigation Monitoring Plan;
  - C. Special Permit Modification to change a previously adopted condition of approval for Special Permit P92-090 (condition #2) that, if approved, would not require a terrace to wrap around the 14th Street side of the building; and,
  - D. Variance to reduce the interior side yard setback from 15 feet to 0 feet on .29± acres in the General Commercial (C-2) zone.

**LOCATION:** Northeast corner of 14th and O Streets

**PROPOSAL:** The applicant is requesting the necessary entitlements in order to construct a 40,280 square foot (four story) office building.

**PROJECT INFORMATION:**

General Plan Designation: High Density Residential (30+ du/na)  
Central City Community Plan: Multi- Family Residential  
Existing Zoning of Site: General Commercial (C-2)  
Existing Land Use of Site: Vacant

Surrounding Land Use and Zoning:	Setbacks	Required	Provided
North: Mutli- Family Residential, R-5	Front:	7.5' & 15'	0'
South: Mixed Use, C-2 and R-5	Sides (St):	5'	0'
East: Surface Parking, R-5	Side (Int):	15'	0'
West: Mixed Use, C-2 and R-5	Rear:	0'	0'
Property Dimensions:	80' X 160'		
Property Area:	0.29± acres		
Parking Required:	90 spaces		
Parking Provided:	12 spaces		
Bicycle Parking Required:	6 spaces		
Bicycle Parking Provided:	35 spaces		
Square Footage of Buildings:	40,280 sq. ft.		

APPLIC. NO. P93-038

April 22, 1993

Item # 15

Height of Building: 64.5± feet, four stories  
Topography: Flat  
Street Improvements: Existing  
Utilities: Existing  
Exterior Building Materials: Cement Plaster and Stone Veneer  
Roof Material: Modified Bitumen (built up asphalt and gravel)

**PROJECT EVALUATION:**

**A. Background**

On September 10, 1992, the Planning Commission approved (with conditions) a Major Project Special Permit to allow the construction of a four story 40,280 square foot office building. One condition of approval (#2) required that a third floor terrace be extended to the 14th street side of the building.

**B. Applicant's Proposal**

The applicant is requesting that condition #2 of the approved entitlements be made optional. At the time of the past Planning Commission meeting, the applicant understood the design of the terrace to be subject to the approval of the Design Review Board. After the project was approved, the applicant found that the project was approved subject to meeting all of the conditions of approval. A variance to reduce the interior side yard setback from 10 feet to 0 feet was not correctly advertized during the first review of the project. The applicant, therefore, requests that a variance to reduce the interior side yard setback from 10 feet to 0 feet be granted. Other than these two modifications, the project remain as was reviewed and approved at the September Planning Commission meeting.

**C. Staff Analysis**

Special Permit Modification- Condition #2 required the third floor terrace to wrap around the 14th Street side of the project. The intent of requiring the terrace on the 14th Street was to contribute to the activity on the west side of the building. On the other three corners of the 14th and O intersection, are ground floor retail uses which add to the vitality of the neighborhood. Restaurants with outdoor seating are located on the southeast and northwest corners, a small market is located on the southwest corner. The project as proposed does not have ground floor retail uses that would add to the activity generated on the other three corners. Staff recommended that the terrace area located on the third floor be designed along the 14th Street side of the project to add to the activity already created on the other corners. The applicant did not oppose the condition at the Planning Commission meeting as it was thought that the design and expansion of the terrace was optional and subject to the approval of the Design Review Board. However, the project was approved subject to the adopted conditions. Any change of the conditions must be made by the Planning Commission.

Staff has reconsidered the condition requiring the terrace to wrap around to the 14th Street side of the building. Staff finds that there is adequate activity in the area due to the existing

restaurants and market. Staff supports the request to eliminate condition #2.

Variance- The variance requests that the interior side yard setback requirement be reduced from 15 feet to 0 feet. The C-2 zone requires a 15 foot setback when a building greater than 26 feet is located next to a residential zoned property. The building in this case sits approximately ten feet from the property line. Within the ten feet, however, is a bicycle parking structure and a trellis. Staff supports the request to reduce the side yard setback as it would be compatible with adjacent buildings in the area which are on narrow lots with little setback.

D. Agency Comments

The proposed project was reviewed by Traffic Engineering, Development Services, Building Divisions, Capitol Area Development Authority (CADA) and others. CADA supports the variance as proposed. The encroachment into the setback area is considered minimal as it is for the bicycle parking area and landscape trellises. CADA would not support further encroachment into the setback area by the main structure. No other comments were recommended.

ENVIRONMENTAL DETERMINATION: The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact to the environment; therefore, the previously approved Negative Declaration has been reissued. The applicant shall be required to meet the provisions of the mitigation monitoring plan.

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

- A. Ratify the Negative Declaration;
- B. Approve the Mitigation Monitoring Program;
- C. Approve the Special Permit Modification to eliminate Condition #2 of Special Permit P92-090 subject to conditions and based on the findings of fact which follow; and,
- D. Approve the Variance to reduce the interior side yard setback from 15 feet to 0 feet on .29± acres in the General Commercial (C-2) zone subject to conditions and based on the findings of fact which follow.

Conditions: Conditions were taken primarily from the original project (P92-090). Staff recommends the modified condition #2 to reflect the concerns of CADA.

1. The location and design of the tree wells shall be reviewed approved by the Public Works Department prior to the issuance of Building Permits. A root barrier shall be provided to force the roots down away from the street pavement. There shall be a minimum of four on-street parking spaces provided as shown on the plans. An encroachment permit shall be obtained for alteration of the on-street parking. If the tree wells are not installed, the building must meet the five foot required street side setback.
2. Plans shall be reviewed and approved by the Design Review Board prior to the issuance

of Building Permits. Structures shall be located as shown on Exhibit A-D. Any further encroachment into the interior side yard setback area shall be subject to the review and approval of the Planning Director (with referral to the Capitol Area Development Authority).

3. The applicant shall obtain Encroachment Permits from the Public Works Department to allow the canopies and cornices to project into the public right-of-way prior to the issuance of Building Permits.
4. The applicant shall submit a detail of the proposed wall along the eastern property line for review and approval of the Planning Director prior to the issuance of Building Permits.
5. The building owner shall notify prospective tenants that limited parking is available on the subject site and that occupants of and visitors to the building will be required to utilize alternative forms of transit rather than a single occupant vehicle in commuting to and from work.

The tenants shall agree to participate in the transportation management measures listed below (Condition 7) and shall support the use of alternative transit modes by their employees. The requirement for participation shall be incorporated into lease agreements as a condition of tenancy. The cost of substitute parking activities such as transit passes, vanpool spaces, off-site parking or other measures deemed necessary to support this parking reduction program may be funded by an agreement with the tenants such as a condition of tenancy in leases of the premises, or may be provided by the building owner.

The lease agreements shall be developed for review and approval by the Planning Director and City Attorney. The form and content of the lease agreements shall be submitted for review and approval prior to the issuance of Building Permits.

6. The owner of the building shall notify users of the conference room that no parking is available on the site and that there are bicycle facilities which may be used. Public transit route information shall be posted in an accessible public space (i.e. lobby or corridor) adjacent to the conference room facility.
7. The applicant shall comply with the approved TMP. In addition, the applicant shall comply with the submitted Parking Reduction Plan (Exhibit H) and any additional requirements below. The building owner can request that these measures be reevaluated if it is determined that the goals may be met in an alternative manner or that the goals of the program have been exceeded. Any modification to the approved parking reduction program requires a Special Permit Modification to be reviewed for action by the Planning Commission. The parking reduction program shall include the following:
  - a. A minimum of twenty-nine (29) 50 percent subsidized transit passes shall be provided for employees. The 25 year contract with Regional Transit shall be provided for the review of the Planning Director prior to the issuance of Building Permits. Transit passes from other bus lines are acceptable (i.e. Roseville

Commuter Bus) however, a 25 year contract similar to the contract with Regional Transit shall be provided.

The cost of these transit passes may be funded by the tenants through an agreement such as a condition of tenancy in the leases of the premises, or may be provided by the building owner.

- b. The applicant shall provide one building car for the use of the building tenants.
  - c. The applicant shall provide a trained part time transportation coordinator as part of the building management staff.
  - d. Bicycle locker facilities to be provided at the building shall contain parking for 35 bicycles, and shall be designed to meet the requirements of the Zoning Ordinance to the satisfaction of the City Traffic Engineer.
8. An annual survey of transportation modes shall be conducted and submitted annually by September 1st for Transportation Division review.

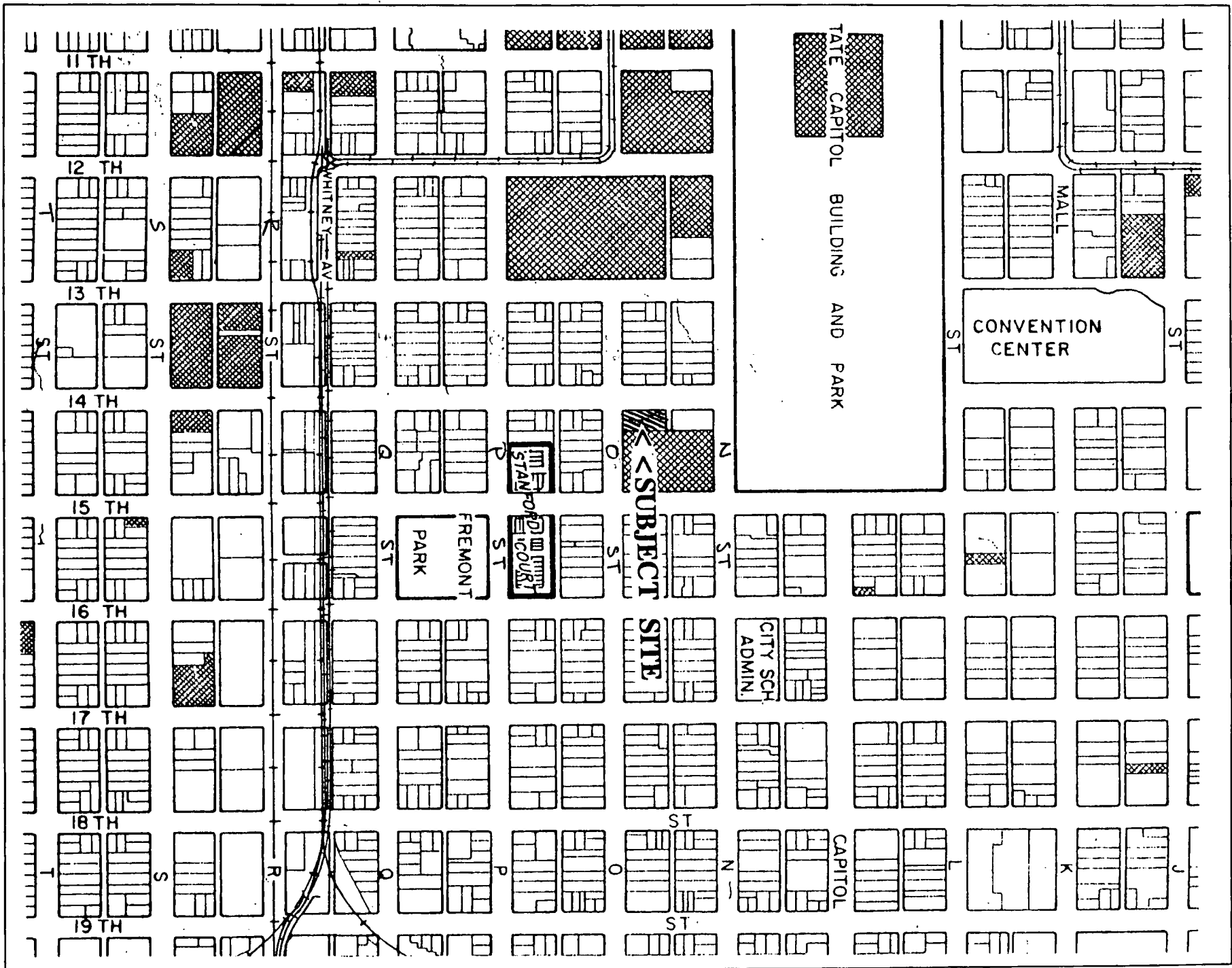
In the event that the modal split as described in the applicant's tenant survey is not achieved, as determined by annual TMP monitoring, the applicant shall negotiate with Regional Transit to determine a reasonable subsidy for improvements to public transit facilities. The amount and terms of the subsidy shall be subject to the approval of the Public Works and the Planning Departments. In the event that the monitoring of the TMP reveals the need for non-transit related measures, the City may require implementation of these measures at its discretion. Any modifications necessary to the approved parking reduction plan will require a Planning Commission Special Permit Modification.

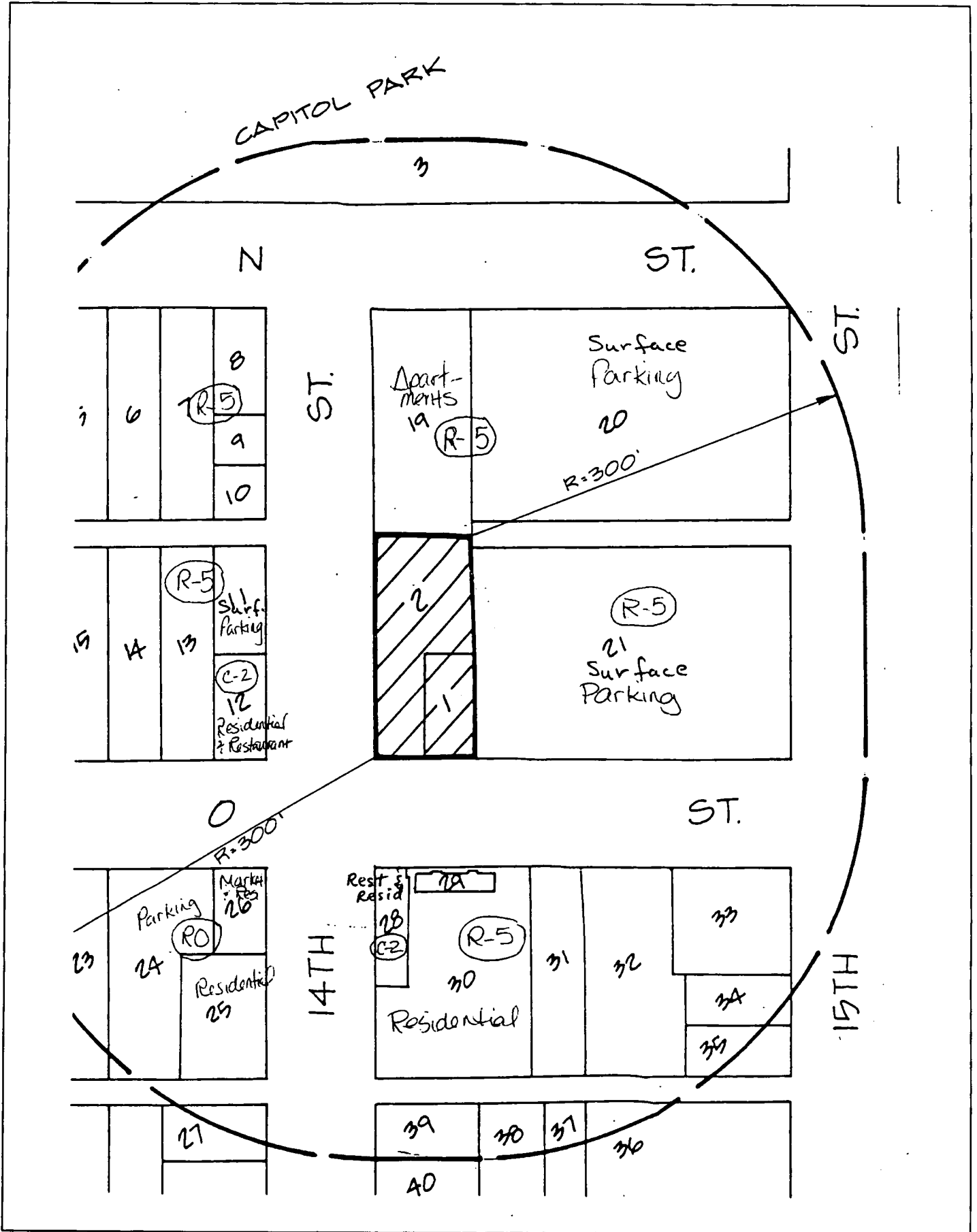
9. The design of the proposed building shall be subject to review and approval for the Design Review/Preservation Board.

Findings of Fact

1. The project, as conditioned, is based upon sound principles of land use in that adequate open space and landscaping is provided along the east side of the building.
2. Granting the variance does not constitute a special privilege extended to an individual property owner in that a similar variance may be granted to other property owners facing similar circumstances.
3. Granting the variance does not constitute a use variance in that office buildings are allowed in the General Commercial (C-2) zone.
4. The project, as conditioned, is not detrimental to the public welfare, nor results in the creation of a public nuisance in that adequate open space and landscaping is provided along the east side of the building.

VICINITY MAP

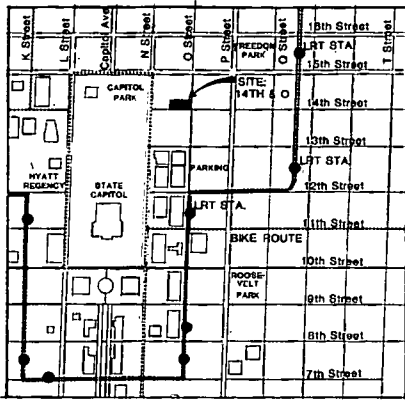




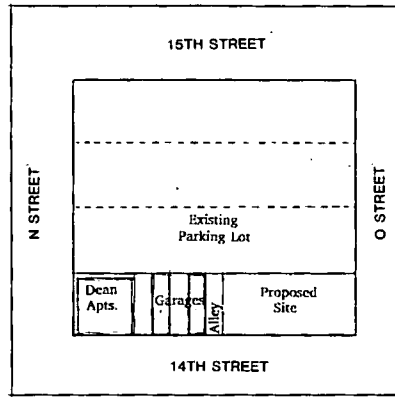
**VICINITY, LAND USE & ZONING MAP**

01331

Item No. 15



VICINITY MAP



BLOCK MAP

PROJECT DESCRIPTION

GROSS FLOOR AREA:	
FIRST FLOOR	8,442 s.f.
SECOND FLOOR	10,974
THIRD FLOOR	10,505
FOURTH FLOOR	10,322
BUILDING TOTAL GROSS AREA:	40,280 s.f.
TOTAL BUILDING LEASABLE SPACE:	31,852 s.f.

PARKING 2,144 s.f.

ON SITE PARKING WILL BE LIMITED TO TWELVE SPACES. EXTENSIVE TRANSPORTATION MANAGEMENT SYSTEMS PROGRAMS WILL INCLUDE GENEROUS ALLOCATIONS FOR BICYCLE PARKING, SHOWERS AND LOCKERS FOR BIKERS, ON SITE LUNCH TABLES AND TRANSIT PASS SUBSIDIES.

- Compact Spaces = 7' - 6" x 10'
- Standard Spaces = 8' - 0" x 18'
- Disabled Space = 9' - 0" x 18'



MOGAVERO  
NOTESTINE  
ASSOCIATES

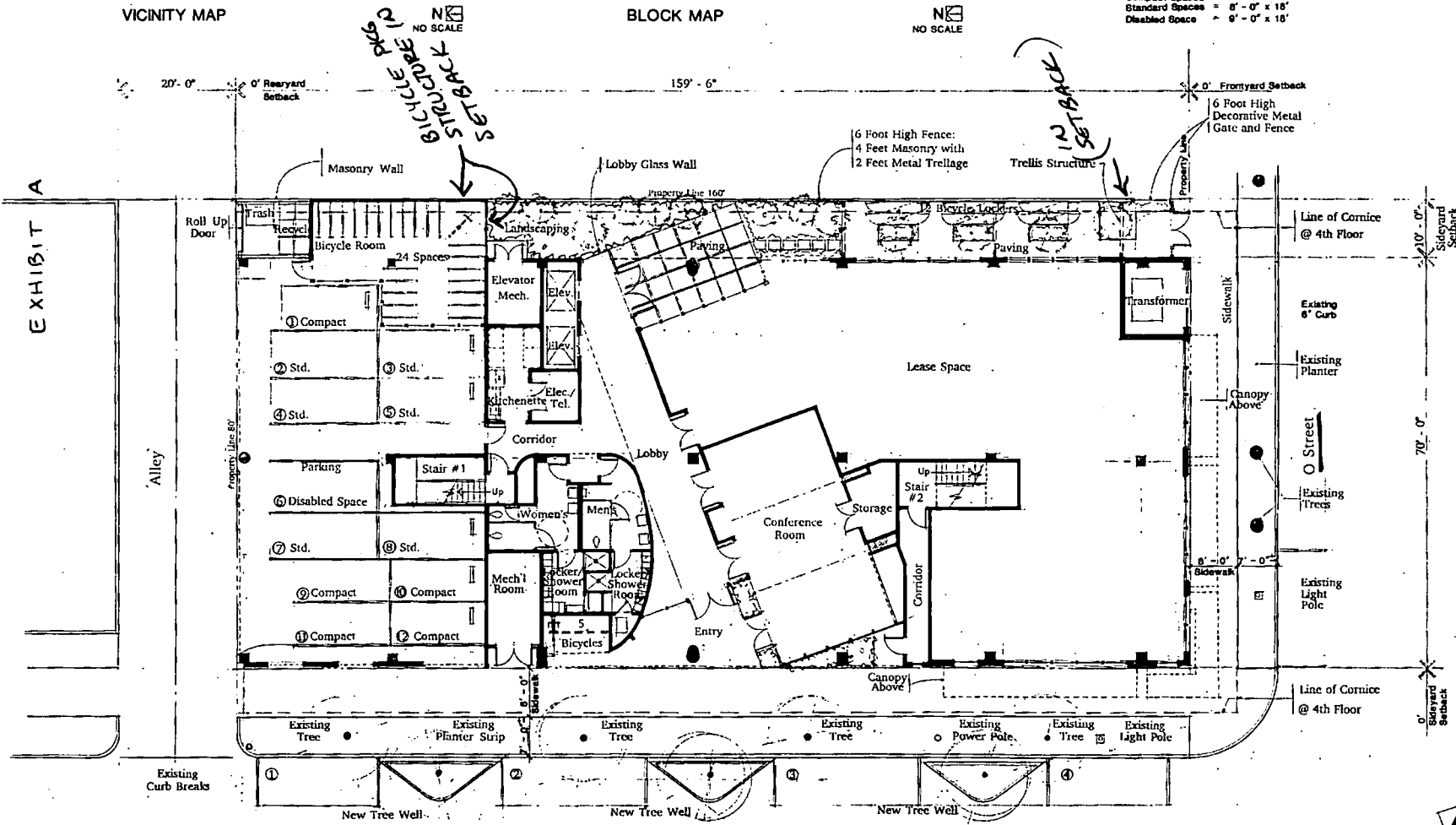
Project Number  
91078

California Health & Environment Center  
14th & O Streets  
Sacramento

Site Plan / First Floor Plan

Revisions  
May 20, 1992  
August 7, 1992  
FEB 5, 1993

Date  
Sheet  
A.1  
4  
P93-038



SITE PLAN / FIRST FLOOR PLAN

01332

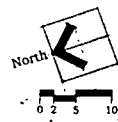
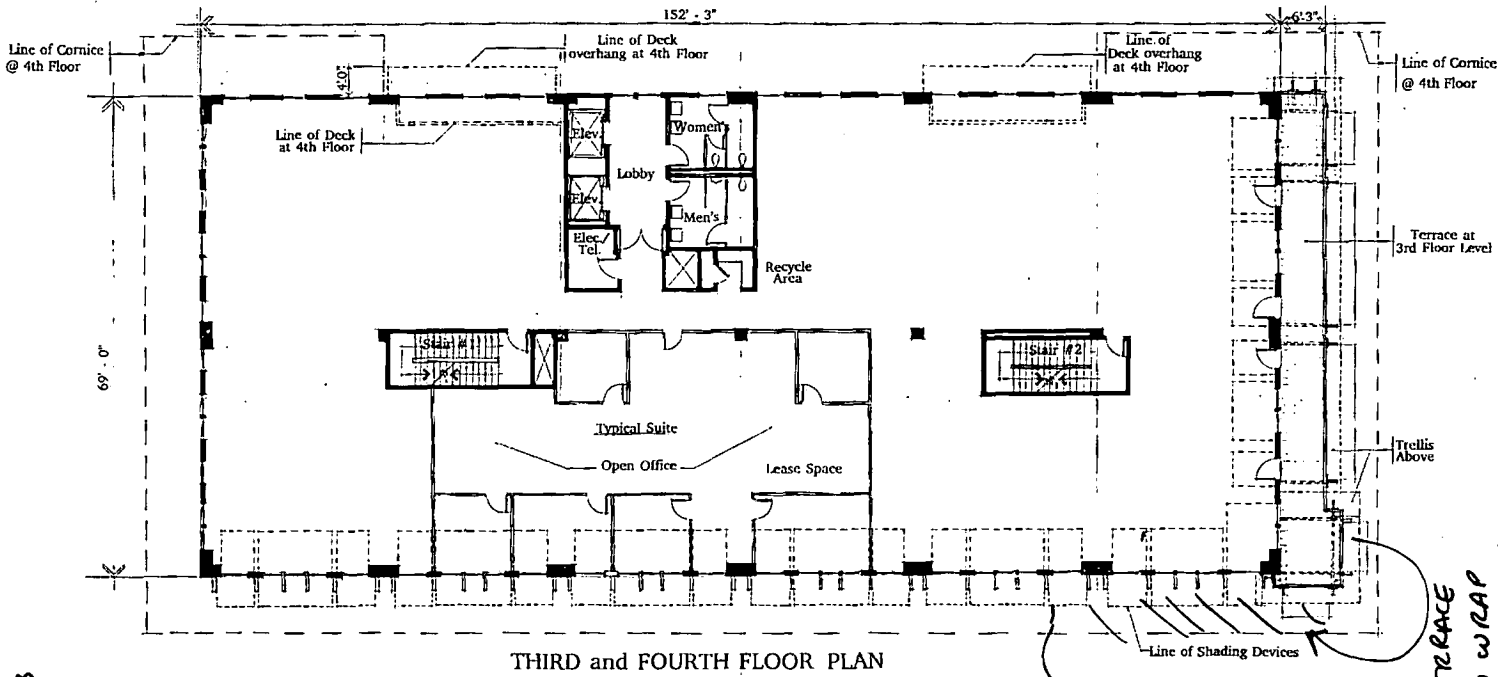


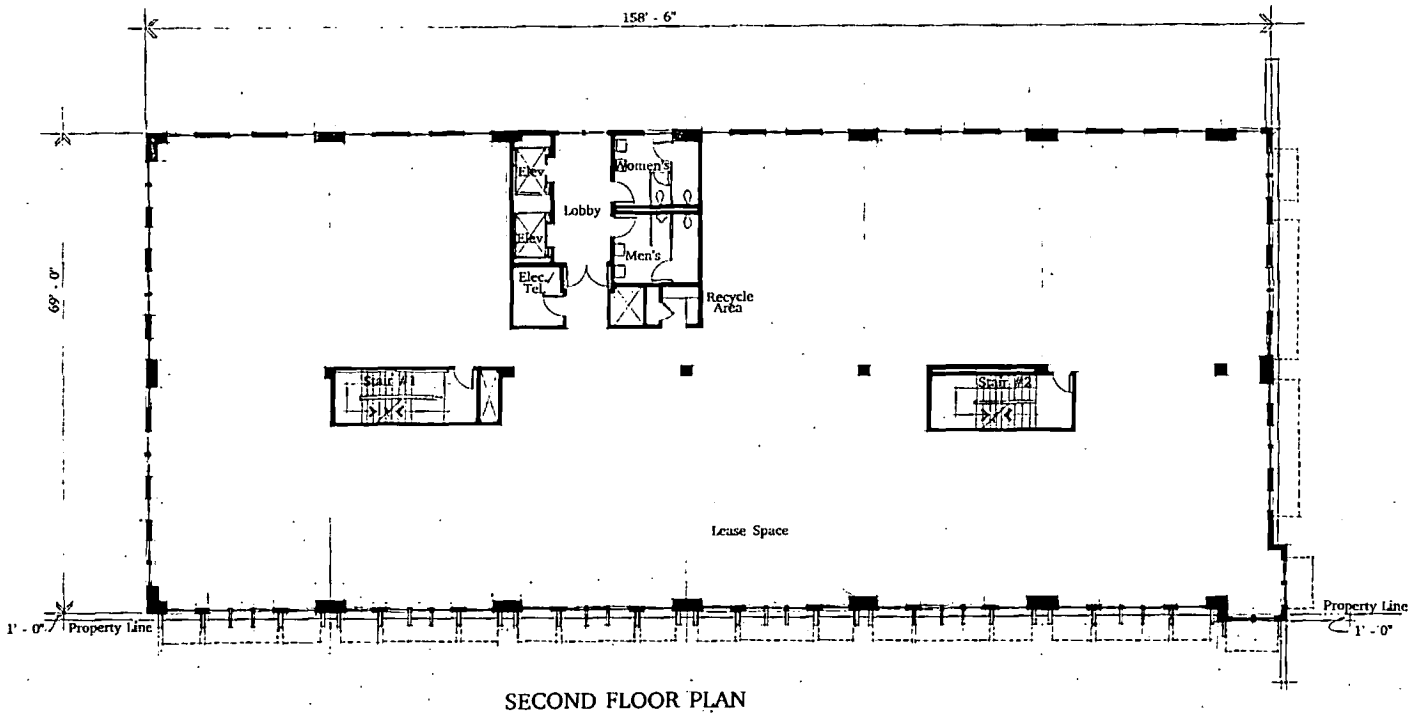


EXHIBIT B

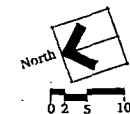


THIRD and FOURTH FLOOR PLAN

TERRACE TO WRAP AROUND TO 14th STREET (OPTIONAL)



SECOND FLOOR PLAN



01333



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2224 S Street  
Carmichael, CA 95628  
916-481-1234  
916-481-2254

■ Consultant

■ Project Number  
91078

■ Project

California  
Health  
&  
Environmental  
Center

14th &  
O Streets

Sacramento

■ Sheet Title

UPPER  
FLOOR

■ Revisions  
FEB 5, 1993

■ Date

■ Sheet Number

■ A.2

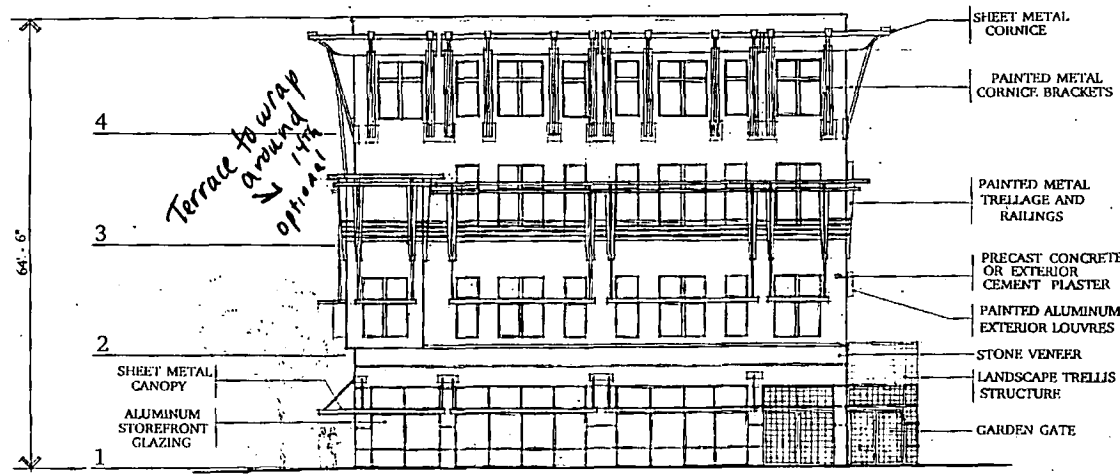
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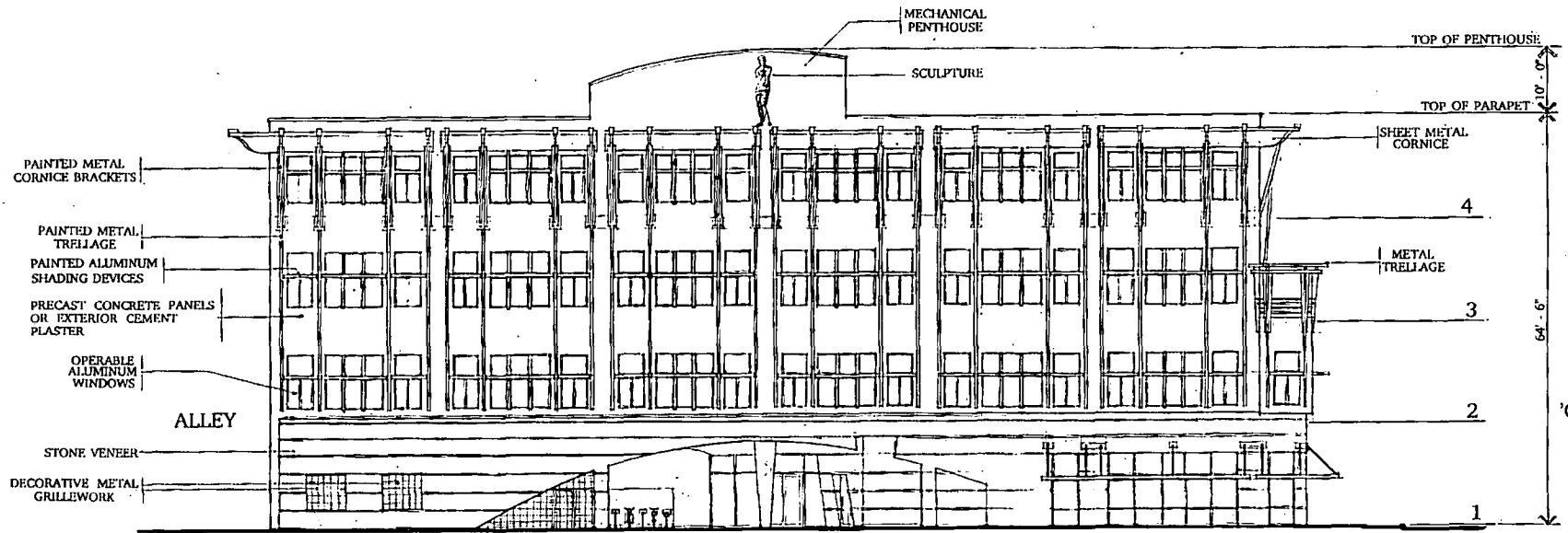
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EXHIBIT C



SOUTH ELEVATION - 'O' STREET



WEST ELEVATION - 14th STREET



#15

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Consultant

Project Number

91078

Project

California  
Health  
&  
Environmental  
Center

14th &  
'O' Streets  
Sacramento

Apr 1 22 1993

Sheet Title

EXTERIOR  
ELEVATIONS

Revisions  
FEB 5, 1993

Date

Sheet Number

A.3

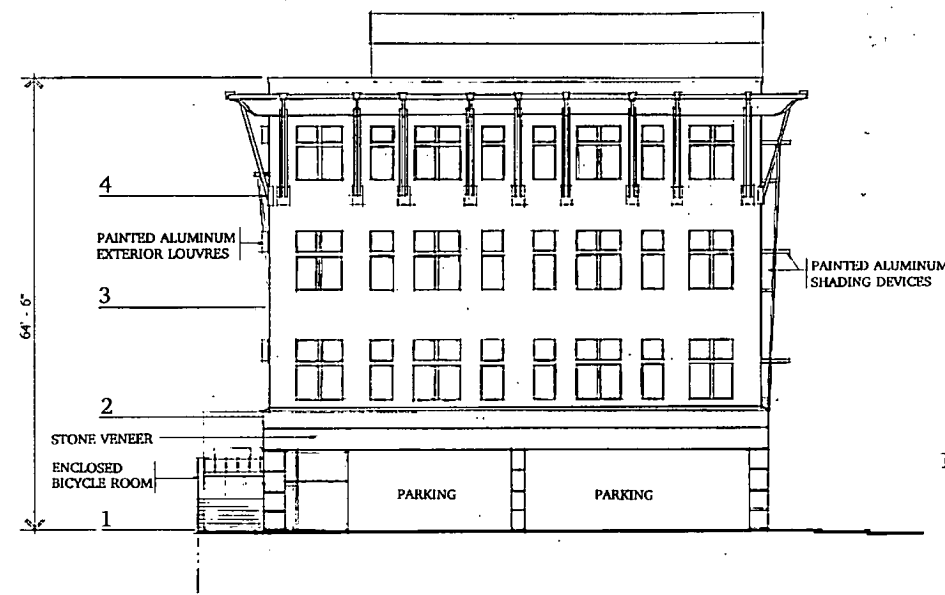
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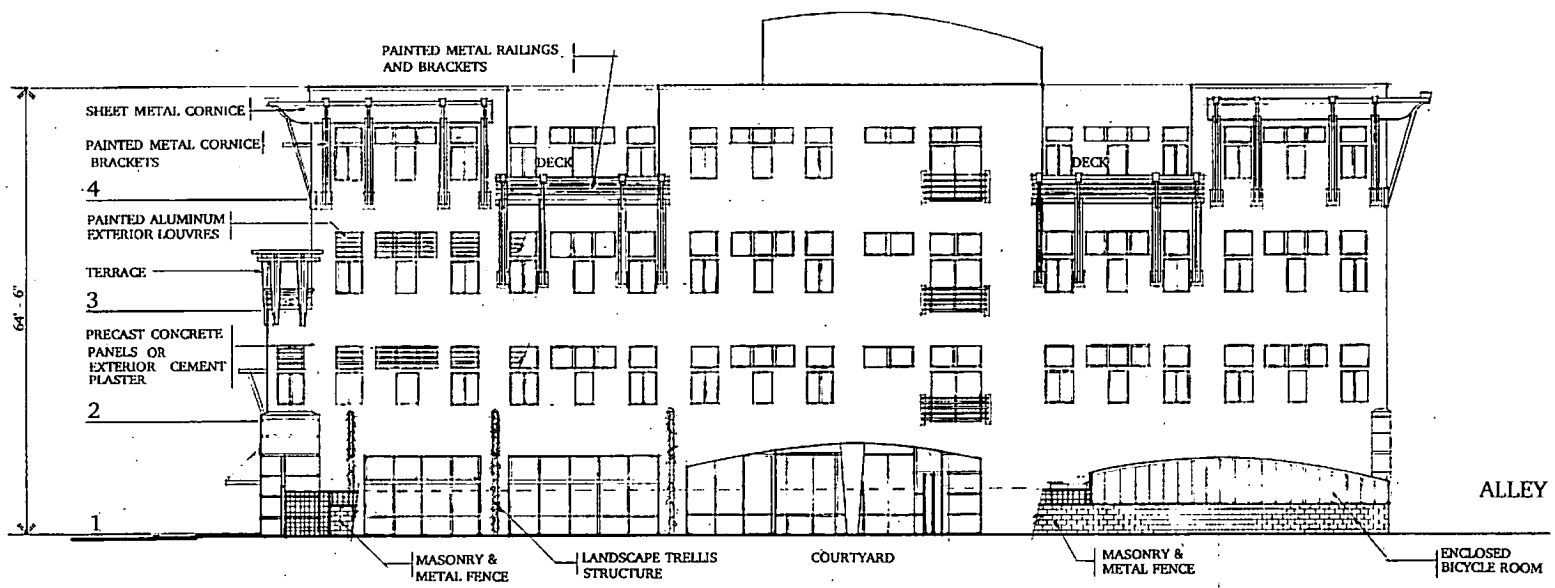
April 22, 1993

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NORTH ELEVATION - ALLEY

01935



EAST ELEVATION - SIDEYARD

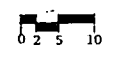


EXHIBIT D