

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

<b>APPLICANT</b> <u>Thomas J. Carey, P.O. Box 640, San Carlos, California 94070-0640</u>		
<b>OWNER</b> <u>Baba Trust 1980, 5 Naranja Way, Portola Valley, California 94028</u>		
<b>PLANS BY</b> <u>Thomas J. Carey, P.O. Box 640, San Carlos, California 94070-0640</u>		
<b>FILING DATE</b> <u>May 17, 1990</u>	<b>ENVIR. DET.</b> <u>Negative Declaration</u>	<b>REPORT BY</b> <u>CG</u>
<b>ASSESSOR'S PCL. NO.</b> <u>002-0164-015</u>		

- APPLICATION:**
- A. Negative Declaration.
  - B. Variance to waive 18 required parking spaces for a 6,900 square foot, 3-story office building on 0.10± developed acres in the General Commercial (C-2) zone.

**LOCATION:** 1301 H Street

**PROPOSAL:** The applicant is requesting the necessary entitlements to continue operation of an office building upon the expiration of an off-site parking lease.

**PROJECT INFORMATION:**

General Plan Designation:	Community/Neighborhood Commercial & Offices
1980 Central City Plan Designation:	General Commercial
Existing Zoning of Site:	C-2
Existing Land Use of Site:	Victorian Converted to Office

**Surrounding Land Use and Zoning:**

North:	Office; C-2
South:	Hotel/Restaurant; C-2
East:	Multi-Family; C-2
West:	Office; C-2

Property Dimensions:	40' x 110'
Property Area:	0.10± acres
Parking Required:	18 spaces
Parking Provided:	0 spaces
Square Footage of Building:	6,900 square feet
Height of Building:	50 feet, 3 stories
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Wood Siding
Roof Materials:	Composition Shingle

**BACKGROUND INFORMATION:**

On January 28, 1982, the Planning Commission approved a variance (P9608) to locate 17 required parking spaces off-site for a conversion of a vacant Victorian residential structure at 1301 H Street into a 6,700 square foot office building. These parking spaces were located at 1415 G Street which contained 24 apartment units with kitchens and 17 sleeping rooms without kitchens. In 1986, the 1415 G Street site was rezoned (P86-035) R-5 and 41 senior apartments were established. The Planning Commission, on October 12, 1989, and City Council on November 14, 1989, approved an amendment of the rezone condition (P89-309) to reduce to occupancy age of the senior residents from 62 to 55 years and older. A condition of this lowering of the age limit was that when the lease expired for the 17 spaces allocated to 1301 H Street, the spaces were to be used for the residents of the apartment complex only. Consequently, 1301 H Street is left without the required 17 parking spaces.

**PROJECT EVALUATION:** Staff has the following comments:

A. Land Use and Zoning

The subject site consists of 0.10± acres in the General Commercial (C-2) zone. The site is currently developed with an office building in a converted Victorian. The General Plan designates the site Community/Neighborhood Commercial and Offices. The 1980 Central City Community Plan designates the site General Commercial. The surrounding zoning is all General Commercial (C-2). The surrounding land use includes offices to the north, hotel/restaurant to the south, residential to the east, and offices to the west.

B. Applicant's Proposal

The applicant is proposing to waive all 18 of the required parking spaces for the 6,900 square foot office building. The applicant indicates that tenants of the building have not been using the off-site parking at 1415 G Street and have made other parking arrangements. The tenants have been parking at other off-site locations, as well as in the alley behind the building.

C. Staff Analysis

The office building contains 1,100 square feet of office used by psychologists which requires medical parking. The remaining 5,800 square feet contains general office space. The applicant indicates there are approximately 24 employees within the building. The total required parking is 18 spaces. The applicant has had a commercial broker searching for off-site parking to satisfy the parking requirements. They have been unable to locate any off-site parking with a long term lease. The off-site parking available can only be leased on a month-to-month or a one year lease. This would only be a temporary solution, resulting in additional variances every year. The applicant has agreed to provide an agreement with Regional Transit to provide 18 transit passes instead of the required parking. Staff has no objection to this solution. The site is located close to light rail and is on a bus line. There is also two hour on-street parking available for clients and two City parking garages within a block of the site. Staff has surveyed the area and found several on-street parking spaces available throughout the day. Staff does not see an increased adverse impact to the surrounding properties, in that the tenants currently do not use the available off-site parking and have made other arrangements for parking individually. The Planning Commission has approved a similar variance (P82-183) for 15 parking spaces in order to restore a 6,043± square foot residential structure into offices in the Office Building (OB) zone at 608 10th Street.

The structure is located in a design review area and requires Design Review/Preservation Board approval prior to any exterior modifications that may occur.

D. Agency Comments

The proposed project was reviewed by the City Traffic Engineering, Development Services, Building Inspections

and Water and Sewer Divisions, as well as the Sacramento Old City Association and the Midtown Business Association. The following comments were received:

Traffic Engineering

The proposed project is in an existing parking impacted area. Traffic Engineering prefers the applicant meet the parking requirements with off-site parking. At a minimum, the applicant should implement parking reduction measures in the Zoning Ordinance.

Engineering Development Services

The applicant should be aware of the following:

1. The project is in Flood Zone A-99 and any new buildings will be subject to the Building Department Requirements.
2. There is no record of the existing sewer service. If any new service is requested it would be required to meet the requirements of any moratorium in place at the time, related to the combined sewer system in the downtown area.

Neighborhood Comments

Staff has received letters in opposition to the project from neighboring residents and property owners. These letters are attached Exhibit H, Exhibit I and Exhibit J.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the project as proposed will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated the following mandatory mitigation measures into the project plans to avoid identified effects or to mitigate such effects to a point where clearly no significant effects would occur:

- A. The applicant shall submit to the Director of the Planning Division, within 90 days of approval by the Planning Commission, executed and recorded lease agreements (for a minimum of ten [10] year time frame) for 18 off-site parking spaces and/or an agreement (for a minimum twenty-five [25] year time frame) for 18 transit passes.

Non-compliance with, or deletion of any of the above mitigation measures by any party will require the project to be reprocessed for additional environmental review. If this review determines that there is the possibility for significant adverse environmental impact due to the development of the project, additional mitigation measures may be required, or the applicant may be requested to prepare an Environmental Impact Report if identified impacts cannot be reduced to less than a significant level through mitigation.

On August 23, 1990, the applicant signed a certification of acceptance of the mitigation measures.

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

- A. Ratify the Negative Declaration.
- B. Approve the Variance to waive 18 required parking spaces for a 6,900 square foot, 3-story office building subject to conditions and based upon findings of fact which follow.

Conditions

1. The applicant shall submit to the Planning Director an agreement with Regional Transit to provide 18 transit passes to the tenants/employees of the building. This agreement shall be for a minimum twenty-five year time frame and shall be submitted to the Planning Director within 90 days of Planning Commission approval of the variance.
2. The amount of medical office space within the building shall not exceed 1,100 square feet.
3. The structure is located in a design review area and requires approval of the Design Review/Preservation Board for any exterior modifications.

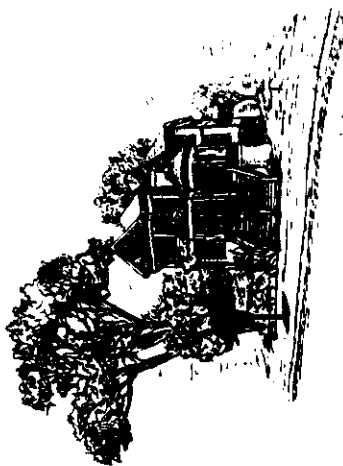
Findings of Fact

1. Granting the variance does not constitute a special privilege in that other property owners facing similar circumstances would be granted variances to waive parking as long as in lieu measures are provided.
2. Granting the variance does not constitute a use variance in the office uses are allowed in the General Commercial (C-2) zone.
3. The project will not be injurious to the public safety or welfare, nor result in the creation of a nuisance in that bus passes will be provided for tenants of the building in-lieu of parking spaces.
4. The project is consistent with the General Plan and 1980 Central City Plan which designate the site Community/Neighborhood Commercial and Offices, and General Commercial, respectively. The Central City Community Plan encourages the use of alternative means of transportation.

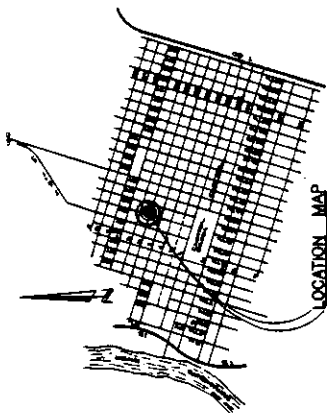


# 1301 H STREET

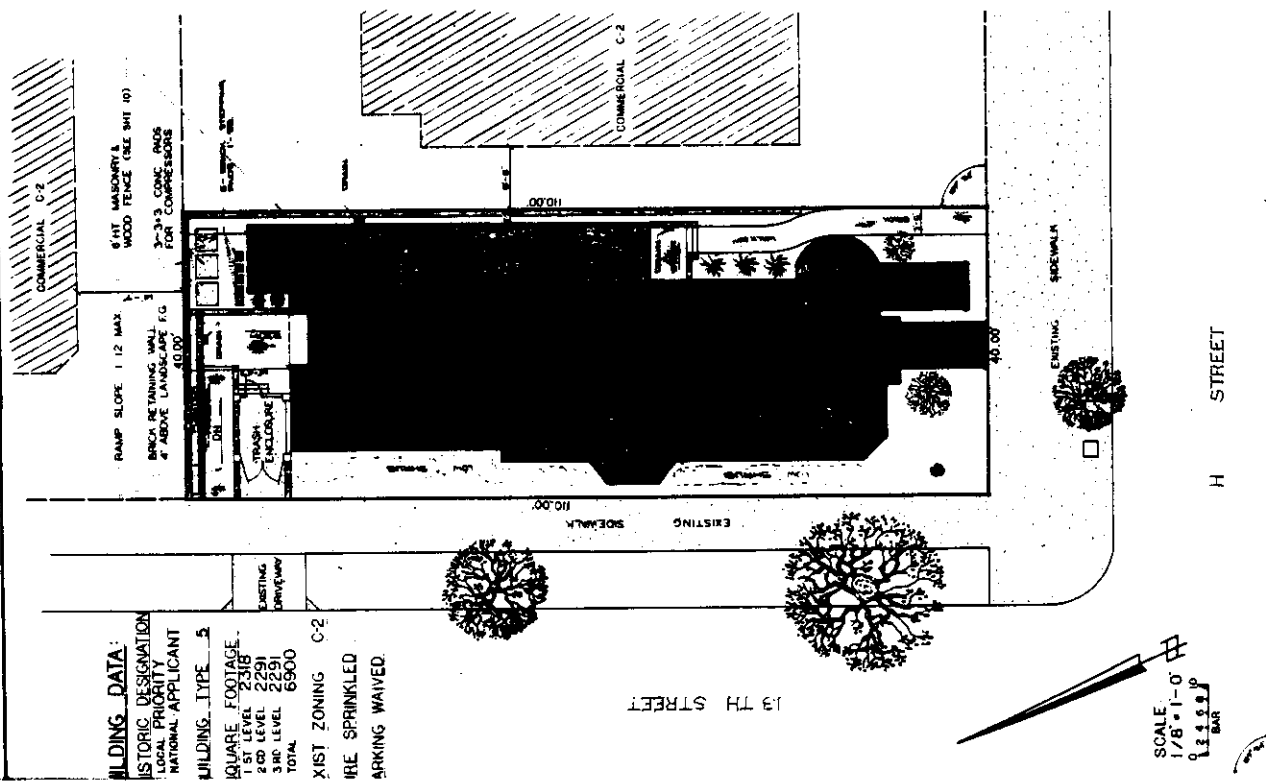
CALIFORNIA



SACRAMENTO



LOCATION MAP



**BUILDING DATA:**  
 HISTORIC DESIGNATION  
 LOCAL PRIORITY  
 NATIONAL APPLICANT

**BUILDING TYPE:** 5  
**SQUARE FOOTAGE:**  
 1ST LEVEL 2318  
 2ND LEVEL 2291  
 3RD LEVEL 2291  
 TOTAL 6900

**FIRE ZONING:** C-2  
**FIRE SPRINKLED:**  
**PARKING WAIVED:**

13 TH STREET

SCALE  
 1/8" = 1'-0"  
 0 2.4 4.8 9.6  
 BAR

H STREET

SITE PLAN  
 SCALE 1/8" = 1'-0"

**CONTRACTOR**  
 MALIN CONSTRUCTION  
 5246 MISSION VIEW COURT  
 CARMICHAEL CALIFORNIA 95608  
 PHONE 916 483 6900

**DESIGN / DRAFTING**  
 WILLIAM MALIN DRAFTING SERVICE  
 5246 MISSION VIEW COURT  
 CARMICHAEL CALIFORNIA 95608  
 PHONE 916 483 6800

**STRUCTURAL ENGINEER**  
 MARR SHAFFER AND ASSOCIATES  
 2160 ROYALE ROAD SUITE 30  
 SACRAMENTO CALIFORNIA 95815  
 PHONE 916 927 3141

**CONSULTANTS**  
 ANGELLO VITIELLO NIYA INC  
 1945 I STREET  
 SACRAMENTO CALIFORNIA 95814  
 PHONE 916 446 0206

**OWNER**  
 THE BERGLUND TRUST  
 7343 FAIRWAY ROAD  
 LA JOLLA CALIFORNIA 92037

**SHEET INDEX**

- COVER SHEET / SITE PLAN
- FOUNDATION PLAN / DETAILS
- FLOOR PLAN - FIRST LEVEL
- FLOOR PLAN - SECOND LEVEL
- FLOOR PLAN - THIRD LEVEL
- ELEVATION - FRONT & REAR
- ELEVATION - WEST SIDE
- ELEVATION - EAST SIDE
- FRAMING DETAILS
- MISCELLANEOUS DETAILS
- MECHANICAL - FIRST LEVEL
- MECHANICAL - SECOND LEVEL
- MECHANICAL - THIRD LEVEL
- ELECTRICAL - FIRST LEVEL
- ELECTRICAL - SECOND LEVEL
- ELECTRICAL - THIRD LEVEL
- ELECTRICAL DETAILS

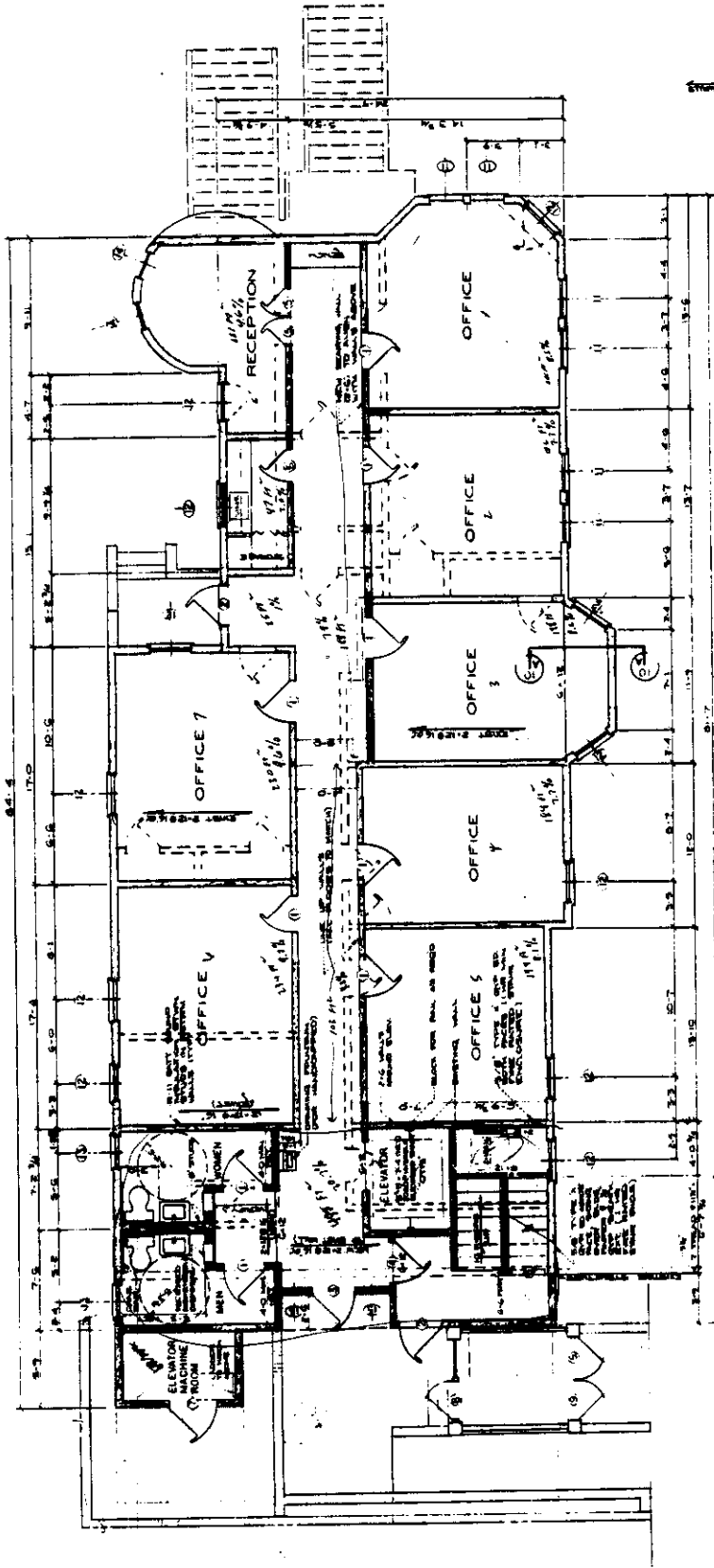
1301 H STREET  
 RENOVATION PROJECT

COVER SHEET - SITE PLAN

8  
 1  
 13

EXHIBIT A

# EXHIBIT B



NOTE: ALL FINISHES TO BE AS SHOWN ON SHEET 101-102. ALL WORK TO BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS AND NOTES ON SHEET 101-102.

NOTE: ALL WORK TO BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS AND NOTES ON SHEET 101-102.

FIRST LEVEL FLOOR PLAN

SCALE 1/4" = 1'-0"  
 0 1 2 3 4 5 6 7 8 9 10  
 FEET

**1301 H STREET**  
**RENOVATION PROJECT**  
 FLOOR PLAN - FIRST LEVEL

3 of 13  
 S H T

EXHIBIT "A"

QUANTITY	ROUGH OPENING	DOOR	SCHEDULE	DOOR SIZE	REMARKS
1	2'-0" x 7'-0"	1	101-102	2'-0" x 7'-0"	
1	2'-0" x 7'-0"	1	101-102	2'-0" x 7'-0"	
1	2'-0" x 7'-0"	1	101-102	2'-0" x 7'-0"	
1	2'-0" x 7'-0"	1	101-102	2'-0" x 7'-0"	
1	2'-0" x 7'-0"	1	101-102	2'-0" x 7'-0"	
1	2'-0" x 7'-0"	1	101-102	2'-0" x 7'-0"	
1	2'-0" x 7'-0"	1	101-102	2'-0" x 7'-0"	
1	2'-0" x 7'-0"	1	101-102	2'-0" x 7'-0"	
1	2'-0" x 7'-0"	1	101-102	2'-0" x 7'-0"	
1	2'-0" x 7'-0"	1	101-102	2'-0" x 7'-0"	

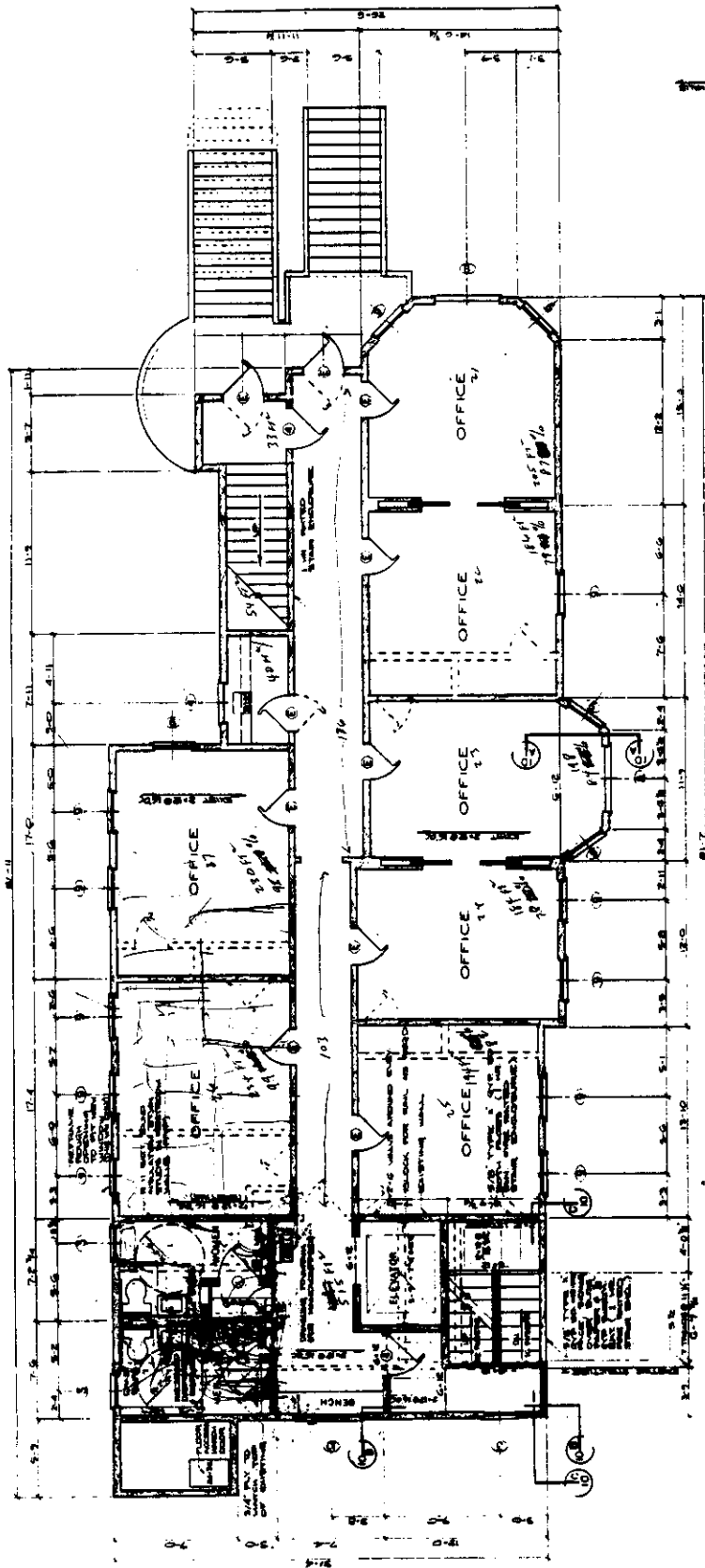
QUANTITY	ROUGH OPENING	WINDOW	SCHEDULE	REMARKS
1	2'-0" x 7'-0"	1	101-102	
1	2'-0" x 7'-0"	1	101-102	
1	2'-0" x 7'-0"	1	101-102	
1	2'-0" x 7'-0"	1	101-102	
1	2'-0" x 7'-0"	1	101-102	
1	2'-0" x 7'-0"	1	101-102	
1	2'-0" x 7'-0"	1	101-102	
1	2'-0" x 7'-0"	1	101-102	
1	2'-0" x 7'-0"	1	101-102	
1	2'-0" x 7'-0"	1	101-102	

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EXHIBIT C



NOTE: ALL NEW EXTERIOR WALLS SHALL BE CONCRETE BLOCK WITH 2" MIN. INSULATION TO EXTERIOR SURFACE. ALL NEW INTERIOR WALLS SHALL BE GYP-SANDWICH PANELS TO MATCH EXISTING FINISH.

NOTE: SEE DRAWING TO BE FOR ALL NEW DOORS.

SECOND LEVEL FLOOR PLAN

SYMBOL	QUANTITY	ROUGH OPENING	DOOR	SCHEDULE	DOOR SIZE	MANUFACT.	NO. REMAINS
1	1	6'-0" x 7'-0"	SWING	1	3'-0" x 7'-0"	---	---
2	1	6'-0" x 7'-0"	GLASS	1	3'-0" x 7'-0"	---	---
3	1	6'-0" x 7'-0"	---	---	---	---	---
4	1	6'-0" x 7'-0"	---	---	---	---	---

SYMBOL	QUANTITY	ROUGH OPENING	WINDOW	SCHEDULE	WINDOW SIZE	MANUFACT.	NO. REMAINS
1	1	6'-0" x 7'-0"	---	---	---	---	---
2	1	6'-0" x 7'-0"	---	---	---	---	---
3	1	6'-0" x 7'-0"	---	---	---	---	---
4	1	6'-0" x 7'-0"	---	---	---	---	---

SCALE 1/4" = 1'-0" 012345678910

1301 H STREET  
RENOVATION PROJECT

FLOOR PLAN - SECOND LEVEL	S 4
	H 13

EXHIBIT "A"

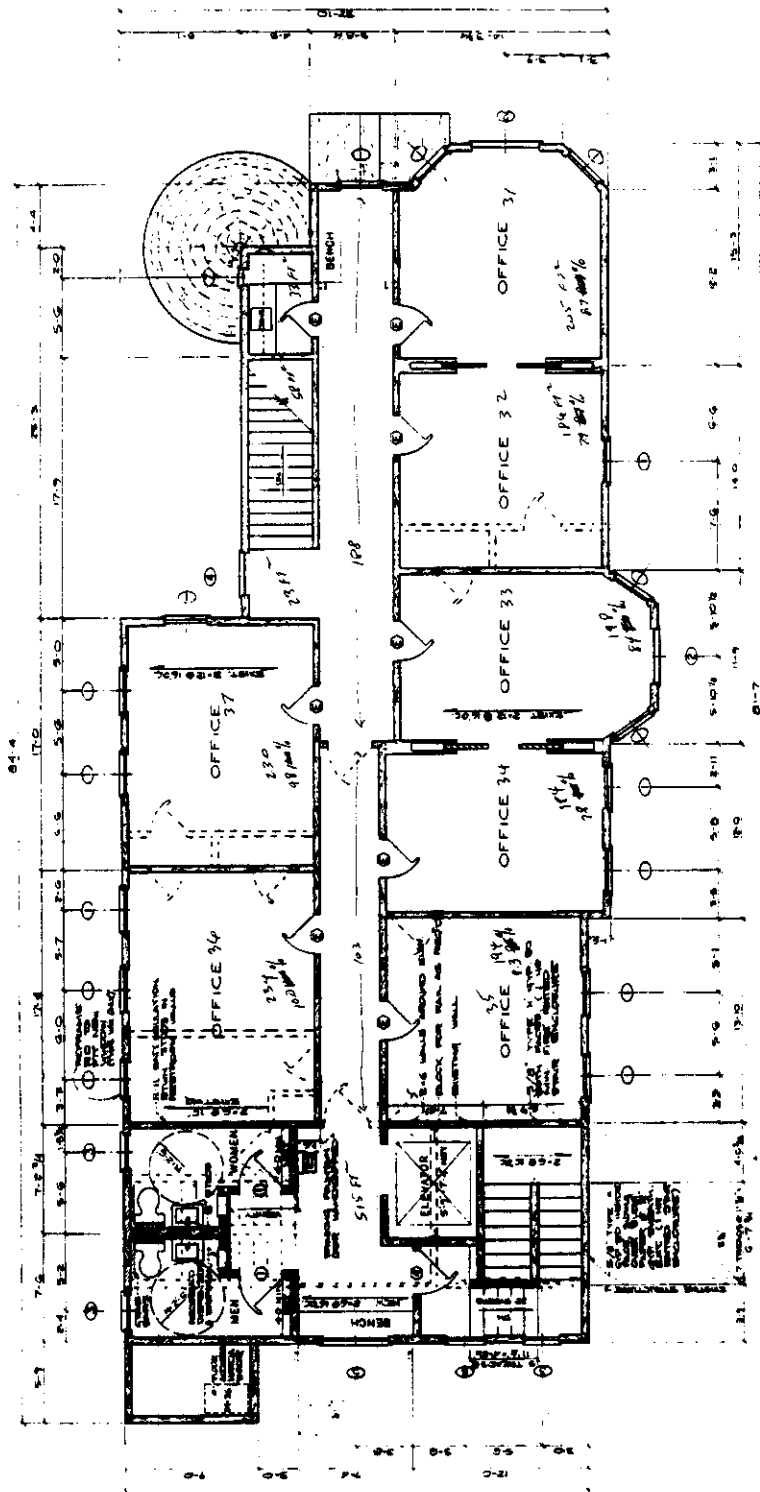
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# EXHIBIT D



NOTE: ALL NEW WORK TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS.

NOTE: ALL NEW WORK TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS.

THIRD LEVEL FLOOR PLAN

SYMBOL	TYPE	ROUGH OPENING	SCHEDULE	DOOR/SWITCH	MANUF.	NO.	REMARKS

SYMBOL	TYPE	ROUGH OPENING	SCHEDULE	WINDOW	SIZE	MANUF.	NO.	REMARKS

UPPER 14110 012345678910  
LILLIAN B. BROWN

**1301 H STREET**  
RENOVATION PROJECT

FLOOR PLAN - THIRD LEVEL

SHEET 5 OF 13

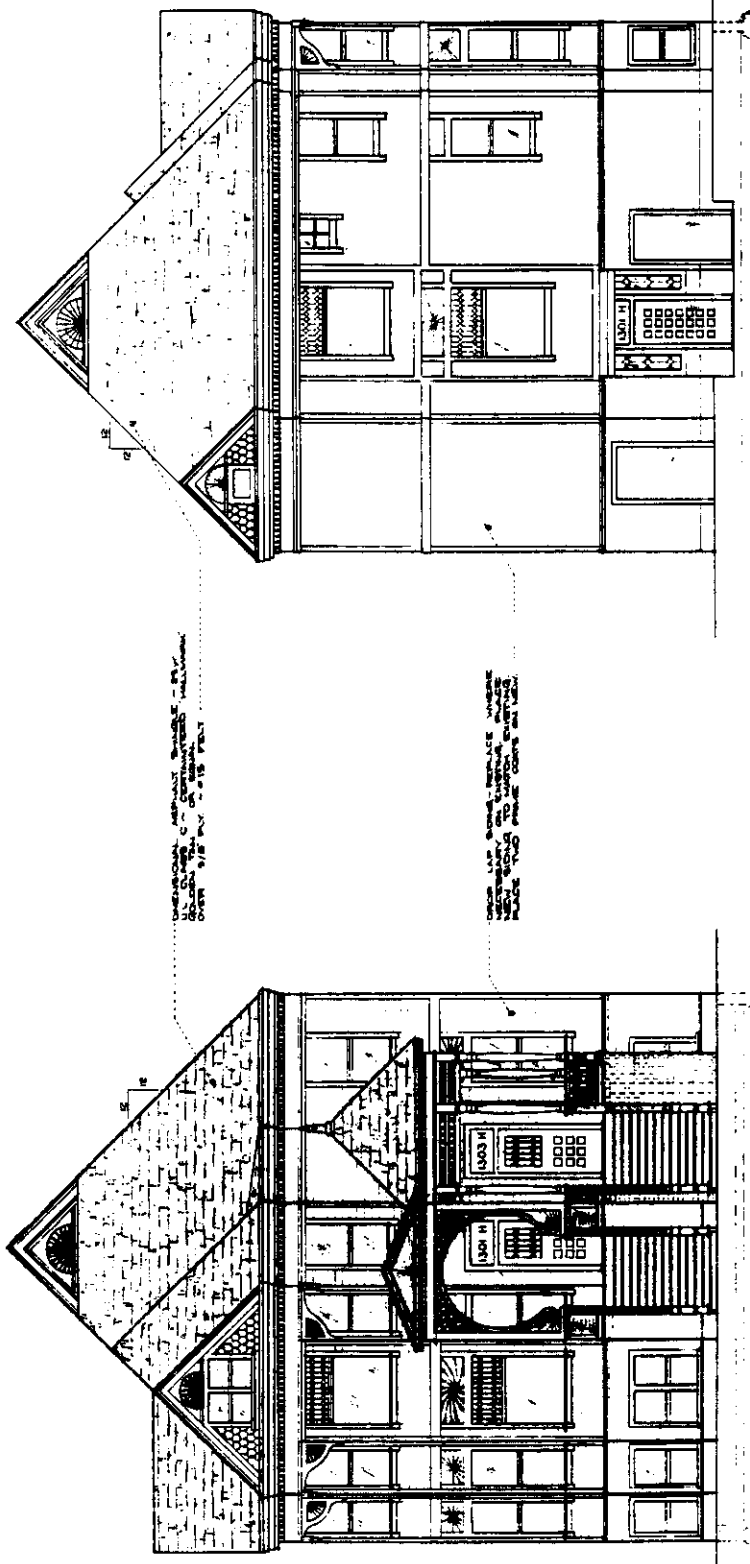
EXHIBIT "D"

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**EXHIBIT E**



FRONT ELEVATION

REAR ELEVATION

SCALE 1/4" = 1'-0"  
 0 1 2 3 4 5 6 7 8 9 10  
 FEET SCALE

1301 H STREET RENOVATION PROJECT	
ELEVATIONS - FRONT & REAR	6 S.H. 5 1. 13

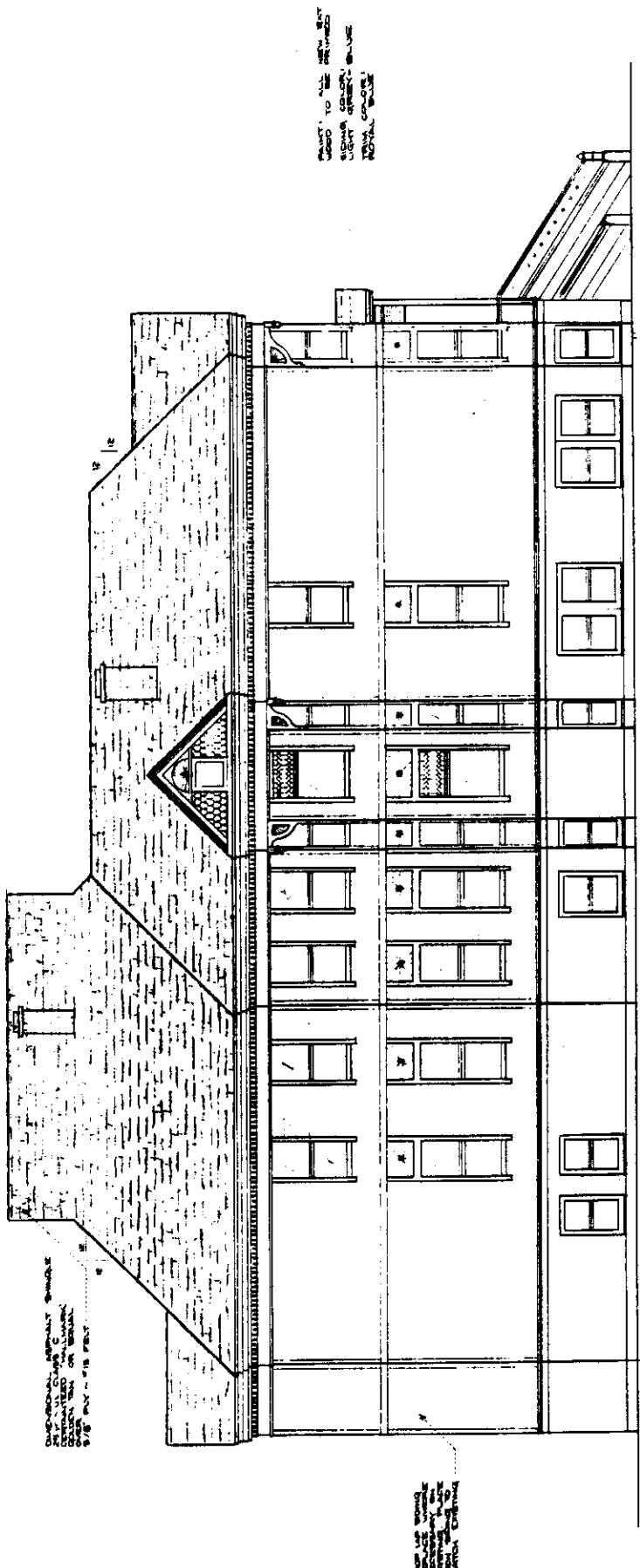
EXHIBIT

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~~April 11, 1991~~

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**EXHIBIT F**



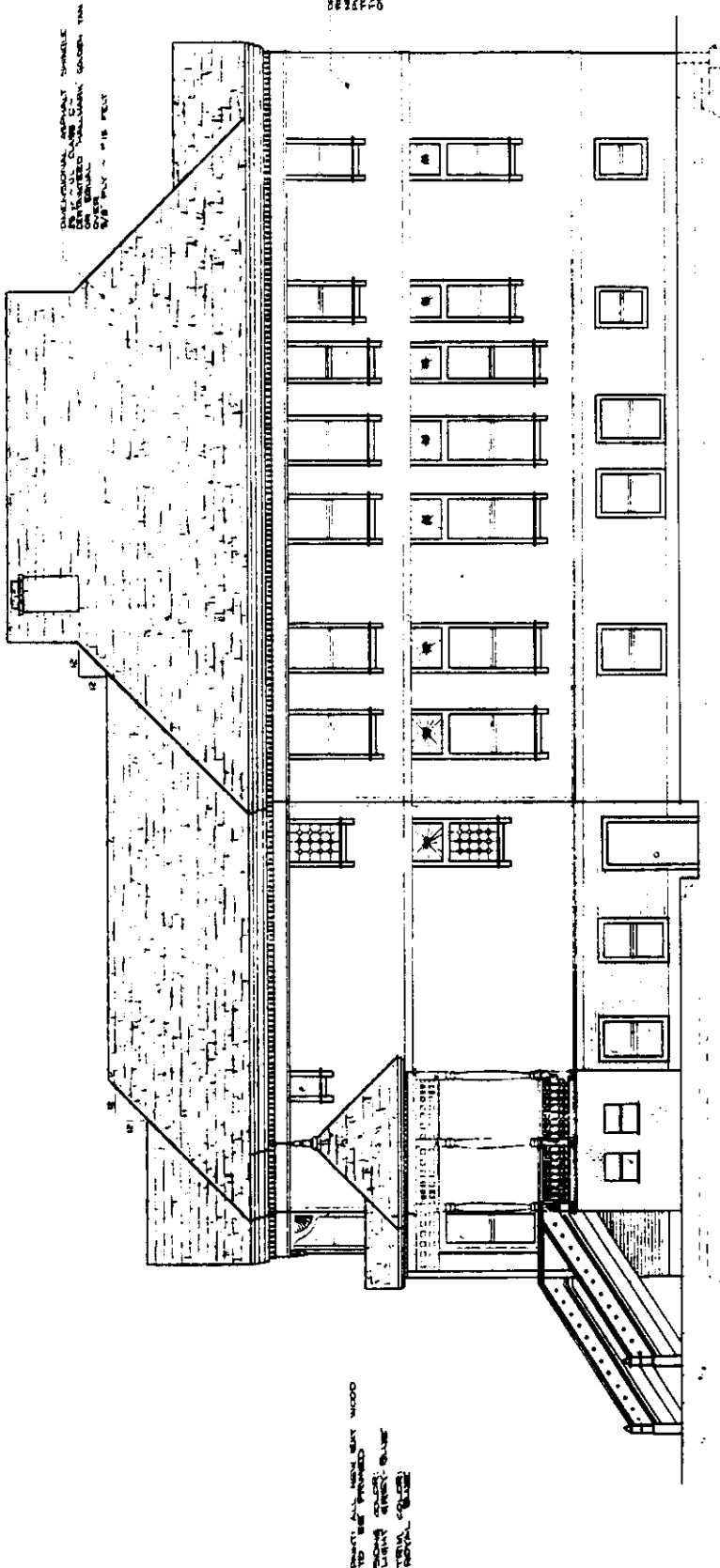
WEST SIDE ELEVATION  
 SCALE 1/4" = 1'-0"  
 0 1 2 3 4 5 6 7 8 9  
 FEET

1301 H STREET	
RENOVATION PROJECT	
ELEVATION - WEST SIDE	7 of 13

EXHIBIT "F"

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**EXHIBIT G**



RESISTANCE ANCHORS TO BE INSTALLED  
 IN ALL WALLS TO BE RENOVATED  
 OR REBUILT - SEE SHEET 1301-100  
 FOR DETAILS - SEE SHEET 1301-100

DO NOT SCALE  
 THIS DRAWING  
 FOR CONSTRUCTION  
 PURPOSES  
 SEE SHEET 1301-100  
 FOR DETAILS

DO NOT SCALE  
 THIS DRAWING  
 FOR CONSTRUCTION  
 PURPOSES  
 SEE SHEET 1301-100  
 FOR DETAILS

EAST SIDE ELEVATION  
 SCALE 1/4" = 1'-0"  
 1 1/2" = 1'-0"  
 1/8" = 1'-0"

1301 H STREET	
RENOVATION PROJECT	
ELEVATION - EAST SIDE	8
	13

EXHIBIT "G"

P90-232

May 9  
 April 11, 1991

Item # ~~1~~ 1

EXHIBIT H

October 23, 1990

City Planning Commission  
1231 I Street  
Sacramento, CA 95814

Dear Sir or Madam;

The undersigned tenants of 720 13th Street wish to protest the request Permit # 90-232 to waive the requirement to provide 18 parking spaces for the office complex at 1301 H Street.

We find it increasingly difficult to find street parking near to our homes. We have made the commitment to live and work downtown and we feel that we should receive consideration for our efforts to keep downtown a mixed use area. If any of us needs to return home during the work day for illness or even to retrieve an item it is virtually impossible to find parking within 3 blocks. The Sterling Hotel has greatly impacted our ability to park both day and night. It appears more reasonable to expect individuals to park in a parking garage and walk 3 blocks to work than to expect individuals to haul babies, laundry, household items and groceries several blocks each day.

We hope that you will consider our request to deny this variance; thus insuring that the neighborhood is a hospitable place for people to live.

Sincerely,

Glynis Wood-Alberts



Roxanne C. Femling



Jeffrey Gifford



Linda Betcher



Carrie Ladd



Sarah K. Hamlyn



Sean Timberlake

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~~April~~ 11, 1991

Item # 27

October 25, 1990

CITY PLANNING DIVISION

Sacramento City Planning Commission  
 1231 I Street  
 Sacramento, California 95814

OCT 31 1990

**RECEIVED**

Dear Sir/Madam:

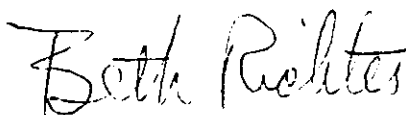
I was amazed to learn yesterday that you are considering a proposal (Permit No.90-232) to grant 18 street parking permits to the office building located at 1301 H Street.

Based on this proposal, and the fact that you permitted some developer to renovate and open the Sterling Hotel across the street from that address, it appears to me that you are not aware that there are people who reside in the 13th and H Streets area. There are.

Street parking in this area, even for residents who appropriately have permits, is horribly over-congested. One evening event at the Sterling (to say nothing of Music Circus time in the summer) guarantees that I will have to park for the night on the sidewalk in front of my building when I return home from work or the grocery store. Trying to find a parking space in front of the building where I live during a weekday (and sometimes on weekends) is impossible.

Don't add to the mistakes you have already made in this area by granting street parking permits to the office building at 1301 H Street. The developer of that building and the developer of the Sterling Hotel knew full well what the parking situation was here when they undertook those projects. Let them either live with the situation or, better still, pay for parking for their tenants and guests in the city lots in the area.

Sincerely,



Beth Richter  
 720 13th St., #6  
 Sacramento CA 95814

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 April 11, 1991

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#1

EXHIBIT J

APR 08 1991

RECEIVED

1773 13th Street  
Sacramento, Ca. 95819  
April 8, 1991

Planning Division  
Department of Planning and Development  
City of Sacramento  
1231 "I" Street  
Sacramento, Ca. 95814

Attn: Gladys Gros

Dear Sirs:

We own the property located at 717 13th Street. We are writing to object strongly to the proposed variance which would waive all parking requirements for the offices located at 1301 H Street (project number P90-232.) Our property is located next door to the 1301 H Street property. If the variance is granted, it will affect us, and the neighborhood as a whole, in a very negative way. Furthermore, to grant such a variance would constitute blatantly unequal treatment of property owners in the area.

We are currently in the process of rehabilitating our property, a Victorian duplex. When complete, the building will be in mixed residential/office use. The office use comprises 1140 square feet. This is approximately one-sixth of the office footage at 1301 H street. For our minimal office footage, the City is requiring us to provide two parking spaces (one of which is oversized to accommodate the handicapped.)

Complying with the City's parking ordinance forced us to make various negative compromises in the design of our building and the site. We will have no exit in the rear of our building, because the parking area takes up the space that would go to a landing and stairs. Also, we will not be able to provide any landscaping in the rear to serve as a visual buffer and to enhance the site's appearance. Space for this too is taken up by the parking.

The City's parking requirements forced us, even more fundamentally, to change our intended use of the property. When

As we stated in a year and a half ago, we intended to rehabilitate the whole building -- 2280 square feet -- for office use. We were informed by City staff that with this amount of office footage we would have to provide four parking spaces -- two more than the lot can accommodate. We were advised further: "Don't even bother applying for a variance for fewer spaces. You'd be wasting your time." The change in our plan, which we made because of this, will have significant negative financial consequences to us.

As we have gone through the rehabilitation process, now nearing its end, we have become painfully aware that there is, in fact, a very serious parking problem on 13th Street, on H Street, and in the entire immediate area. During the day, there are usually no parking spots at all available on the streets in the vicinity. We ourselves have been forced, on many occasions, to park several blocks away when visiting our construction site. We cannot imagine how street parking space is expected to materialize for 18 additional cars on a daily basis.

Please bring this letter, and our objections, to the attention of the members of the Planning Commission before any action is taken on the variance proposed for 1301 H Street.

Sincerely,

*John L. Saltonstail, Jr.*

John L. Saltonstail, Jr.

*Adriana Gianturco*

Adriana Gianturco

*Robert Fairbanks*

Robert Fairbanks