

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, October 13, 1999, the Zoning Administrator approved with conditions Special Permits to reduce the minimum interior dimensions of the detached garages, to waive one required parking space, to extend an existing non-conforming zero foot street side yard setback, and a Variance to reduce the required interior side yard setback from the project known as Z99-074. Findings of Fact and Conditions of Approval for the project are listed on pages 3-6.

Project Information

Request: **Zoning Administrator Special Permit** to reduce the required minimum 10' x 20' interior dimensions to 9.5' x 20' interior dimensions of the detached garages;

Zoning Administrator Special Permit to waive one required parking space for the mixed use development;

Zoning Administrator Special Permit for an historic structure to extend an existing non-conforming zero foot street side yard setback for four apartment units and a four space detached garage; and,

Zoning Administrator Variance to reduce the required interior side yard setback from five feet to three feet.

Location: 1500 Q Street (D4, Area 1)

Assessor's Parcel Number: 006-0292-001

Applicant: Ron Vrilakas
 1109 22nd St
 Sacramento, CA 95816

Property Owners: Aarons Family Trust, et. al.
 c/o Intra Pacific Commercial, Inc.
 9254 Madison Ave.
 Orangevale, CA 95662

Project Planner: Donna Decker

General Plan Designation: Special Planning District
Central City
Community Plan Area: Residential Mixed Use

Existing Land Use of Site: Vacant Building
 Existing Zoning of Site: Residential Mixed Use(RMX) zone
 R Street Corridor Special Planning District

| Surrounding Land Use and Zoning | | Setbacks | Required | Proposed |
|---------------------------------|---|-----------|-------------------|-------------------|
| North | R-5; Multi-Family Zone | Front(S): | N/R (Existing) | N/R (Existing) |
| South | RMX SPD; Residential Mixed Use R Street Corridor | Side(E): | 5' | 3' |
| East: | R-5, RMX SPD; Multi-Family Zone Residential Mixed Use R Street Corridor | Side(W): | 5' | 0'(Existing) |
| West: | R-5, RMX SPD; Multi-Family Zone Residential Mixed Use R Street Corridor | Rear(N): | 5' | 6' |

Property Dimensions: 40' x 160'
 Property Area: 0.15± acre
 Topography: Flat
 Street Improvements: Existing
 Utilities: Power P.G. & E.
 Water: City of Sacramento
 Sanitary Sewer: City of Sacramento-CSS
 Drainage: City of Sacramento-CSS

Project Plans: Exhibit A-C

Previous Files: P94-067

Background Information: On July 26, 1995, the Design Review/Preservation Board approved plans for the rehabilitation of the priority structure and construction of two new structures (PB95-020). This was prior to the fire that heavily damaged the listed structure. The project, as approved, would have included the rehabilitation of the priority structure with continuation of ground floor use as retail, a residential unit above, and the construction of two new building of similar size and appearance that would have ground floor retail and offices above.

After the fire the subsequent property owners applied for a demolition permit for removal of the remaining structure with the intention of selling a cleared site. However, per the provisions of the preservation ordinance, the Board and City Council suspended the demolition for a period that was adequate for the current applicants to acquire the necessary financial assistance to pursue saving the historic structure. With financial assistance from both the Capitol Area Development Authority (CADA) and the Sacramento Housing and Redevelopment Agency (SHRA) the applicants are proposing to rehabilitate the historic

structure with ground floor commercial with two residential units above and four dwelling units to the rear of the site.

Additional Information: The applicant proposes to rehabilitate the listed historic structure consisting of 1,090 square feet of first floor space for a commercial use. On the east side of the historic structure an addition providing a laundry area and restroom facility are proposed which encroach into the required 5 foot interior side yard setback. The applicant has requested a variance to reduce the required 5 foot interior side yard setback to 3 feet. Above the proposed first floor rehabilitated commercial space, the second floor will be reconstructed to provide two residential units; one 592 square feet and the second unit will be 583 square feet.

The applicant also proposes to construct four residential units fronting on 15th Street. Each unit will have two stories, and will be 817 square feet. The units will be constructed 36" above grade conforming to the requirements of the current flood regulations. Each of the units will have entry stairs extending to the property line 4 feet from the property line to the face of the structure.

A detached accessory structure consisting of four garages, one for each unit, is proposed 6 feet from the rear property line with entry gained from the alley. The alley acts as the maneuvering area in compliance with the Zoning Ordinance. This structure will be constructed with zero setbacks on both the interior and street side yard property lines.

The existing Zoning Ordinance requires a minimum of a 5 foot side yard building setback distance from the property line to the closest point of the building. This development incorporates the rehabilitation of a listed historic structure which does not conform to the current Zoning Ordinance, but rather is constructed on the property line. The proposed four-plex unit is located 4 feet away from the property line. The reduction from five feet to four feet for the residential units, as well as the reduction from five feet to zero feet for the detached accessory structure, together are an expansion of the historic structure non conforming zero foot street side yard setback.

The project was noticed and staff did not receive any calls from neighboring businesses or residents.

The project was also noticed to the Fremont Park Neighborhood Association, the Downtown Neighborhood Association, and the Capitol Area Development Authority (CADA). No comments were received from any of the neighborhood groups.

Agency Comments

The proposed project has been reviewed by the Building Department, Fire Division, Public Works-Entitlements, Department of Utilities, and the City Arborist. The comments received pertaining to this project have been included as conditions.

Environmental Determination

This project will not have a significant effect on the environment and is categorically exempt from environmental review pursuant to the California Environmental Quality Act Guidelines, Section 15303(b)(c) and 15331.

Conditions of Approval:

General

1. The applicant shall obtain all necessary building permits prior to commencement of construction.
2. The design of the proposed building shall conform to the plans as shown on the attached exhibits and shall reflect the size and location as shown. If plans are revised, then a copy shall be given to the Planning Staff prior to the issuance of building permits.
3. The project is subject to Preservation Board review and approval. The plans shall comply with conditions prior to the issuance of building permits.
4. All signage shall have a sign permit and meet the requirements of the Sign Ordinance.

Building Department

5. The building design shall conform to the requirements of the 1997 California Building Code.
6. The applicant shall obtain all necessary building permits prior to commencement of construction.
7. The site and building shall meet all accessibility requirements.

Utilities Department

8. Only one domestic water service per parcel is allowed.
9. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.
10. This project is served by the Combined Sewer System (CSS). However, based on the information found in the variance request, we do not anticipate any significant impacts to the CSS. Consequently no Impact/Mitigation Agreement is required.
11. The proposed project is located in the 100-year floodplain, designated as an AR Zone (Base Flood Elevation at 24') on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated July 6, 1998. Within the AR zone the

following regulations will apply:

- All new residential and commercial development will be required to be constructed with the lowest floor, including basement, at or above the base flood elevation, or 3 feet above the highest adjacent grade, whichever is lower.
- Commercial projects will have the option of flood proofing in lieu of the elevation requirement.

Special Note: The Army Corps of Engineers is currently considering reducing the estimated 100-year flows on the American River. If the estimated flows are reduced, the AR flood zone may be replaced with a less restrictive flood zone thus precluding the requirement to elevate or flood proof this project. Please contact the Department of Utilities at (916) 264-1400 prior to building design for an up-to-date status of the flood zone.

12. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the on-site domestic, irrigation and fire suppression systems.
13. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
14. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Only source control measures are required. This will not affect site design. Refer to the draft "Manual of Standards for Design of New Development On-Site Stormwater Quality Control Measures", dated January 23, 1995, for appropriate source control measures.

Public Works-Entitlements

15. Repair or replace existing deteriorated curb, gutter, and sidewalk to the satisfaction of the Department of Public Works.
16. Automatic garage door openers shall be required for this project.
17. The applicant must either improve the alley to the satisfaction of the Department of Public Works or if the alley is already improved the applicant must repair or replace existing deteriorated alley to the satisfaction of the Department of Public Works.

City Arborist

18. Prior to construction, the contractor shall place 6 ft. chain link fencing around trees. There are four existing trees on the 15th Street frontage, from north to south, consisting of a 34", 43", 38" and a 41" English Elm. Call the City Arborist for placement of fencing.
19. Contact City Arborist (768-8604) prior to removing any curb, gutter, sidewalk, and existing driveway aprons.
20. Existing street trees lie within the Caltrans right of way. Obtain encroachment permit prior to beginning construction activities. Secure permit from Caltrans to prune low limbs over lot.
21. Prior to installation, the City Arborist must review and approve placement of utilities if they extend across the park strip where trees are located.
22. During grading and excavation for foundation, any roots greater than 2" in diameter must have ISA certified arborist approval prior to cutting. City Arborist will perform root inspection for sidewalk repair.
23. City Arborist shall review landscape plan for park strip where trees are located.
24. The street side sidewalk must be removed a maximum of 2' due to the size of the trees. A plan showing sidewalk redesign shall be submitted to the City Arborist for approval prior to removal or reconstruction of the sidewalk.

Findings of Fact-Special Permit:


1. The project, as conditioned, is based upon sound principles of land use and is compatible with the surrounding uses in that:
 - a. the proposed commercial and residential mixed use is compatible with the surrounding properties;
 - b. the proposed project will rehabilitate a priority listed structure;
 - c. the project will develop the remainder of the site and provide additional multi-family residential units.
2. The project, as conditioned, will not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 - a. adequate on-site parking and maneuvering will be provided;
 - b. a vacant portion of the site will be developed, additional residential units will be

constructed along with landscaping, and;

- c. the proposed building is of adequate shape and size for the proposed use.
- 4. The project is consistent with the General Plan which designates the site as Special Planning District, is consistent with the Central City Community Plan which designates the site as Residential Mixed Use, and is consistent with the Zoning which designates the site as Residential Mixed Use, R Street Corridor Special Planning District.

Findings of Fact-Variance:

- 1. 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.
- 2. Granting the variance request does not constitute a use variance in that the multi-family dwelling is residential use that is permitted in the Residential Mixed Use(RMX) zone, R Street Corridor Special Planning District.
- 3. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance.
- 4. The project is consistent with the General Plan which designates the site as Special Planning District, is consistent with the Central City Community Plan which designates the site as Residential Mixed Use, and is consistent with the Zoning which designates the site as Residential Mixed Use, R Street Corridor Special Planning District.

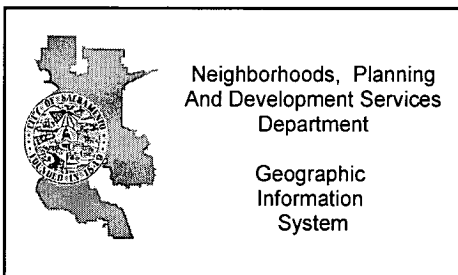
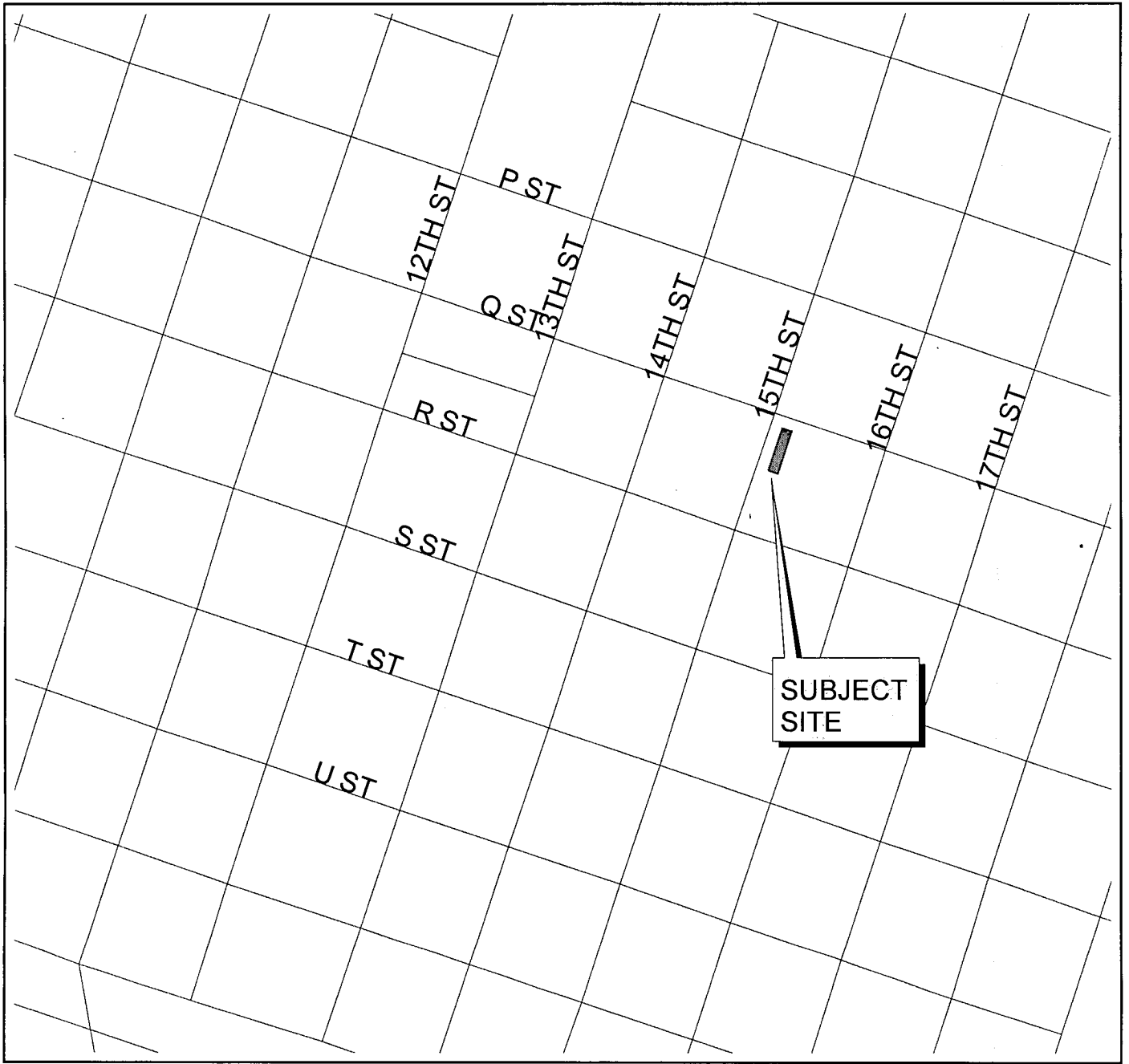


Joy D. Patterson
Zoning Administrator

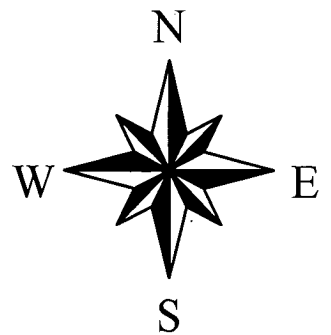
The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

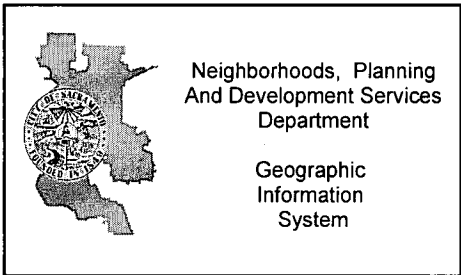
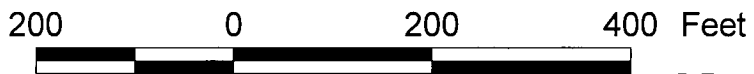
A use for which a Special Permit is granted must be established within two years after such permit is approved. If such use is not so established the Special Permit shall be deemed to have expired and shall be null and void. A Special Permit use which requires a Building Permit shall be deemed established 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.

cc: File (original)
ZA Log Book
Applicant



VICINITY MAP

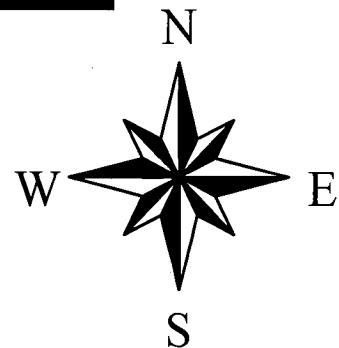




Neighborhoods, Planning
And Development Services
Department

Geographic
Information
System

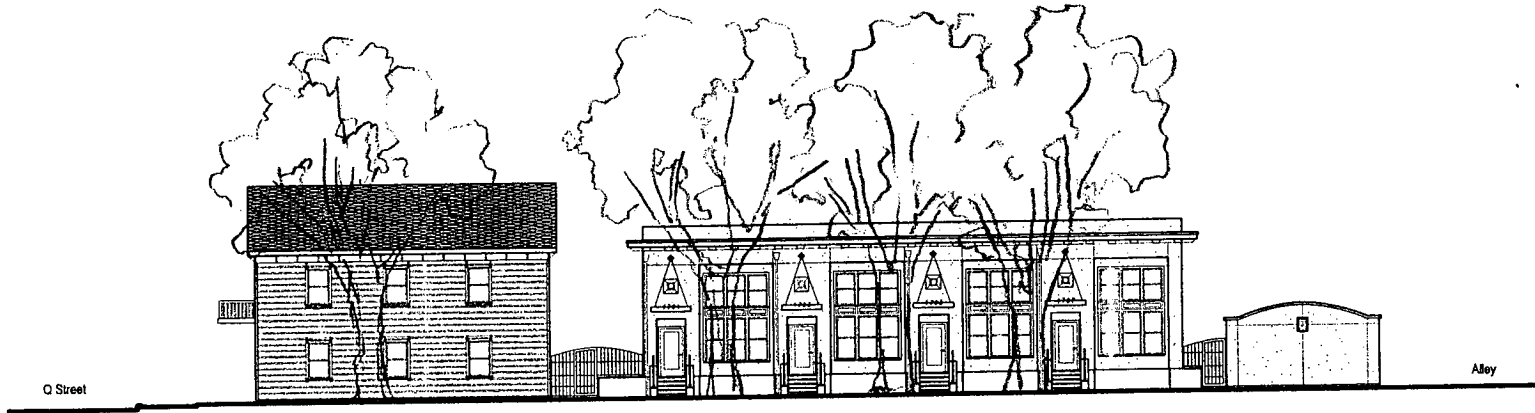
LAND USE AND ZONING



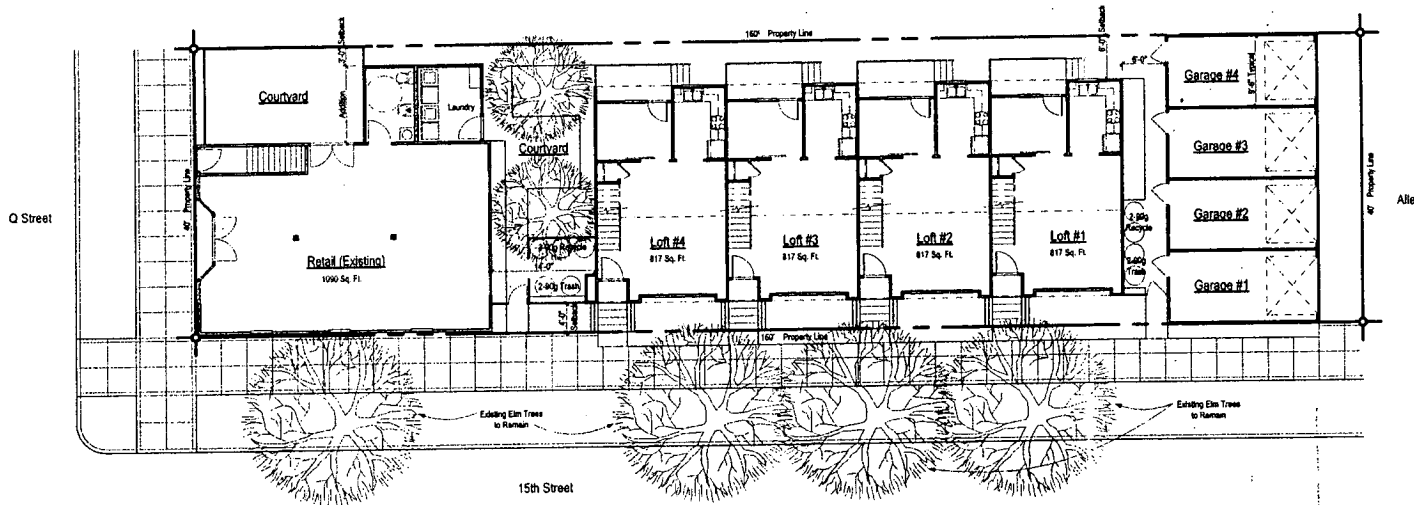
Z99-113

October 13, 1999

Item 2



15th Street Elevation (West) 1/8" = 1'-0"



Site / First Floor Plan 1/8" = 1'-0" North



916.441.4685

1500
Q STREET

MIXED-USE
DEVELOPMENT

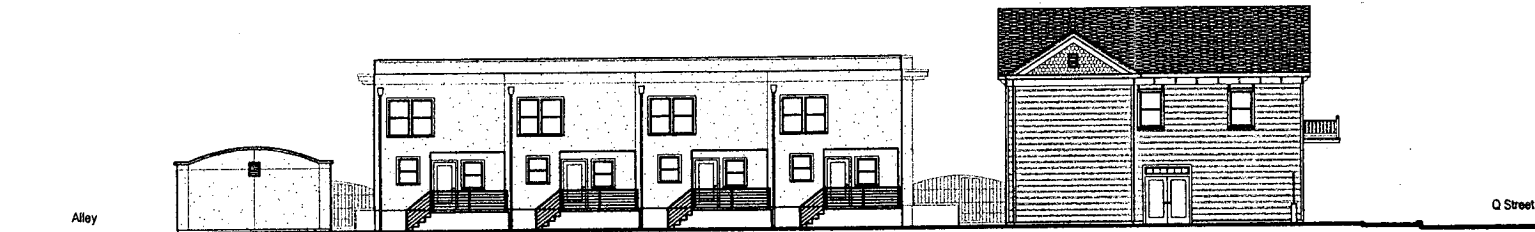
SEPTEMBER 9, 1999

EXHIBIT A

Z99-113

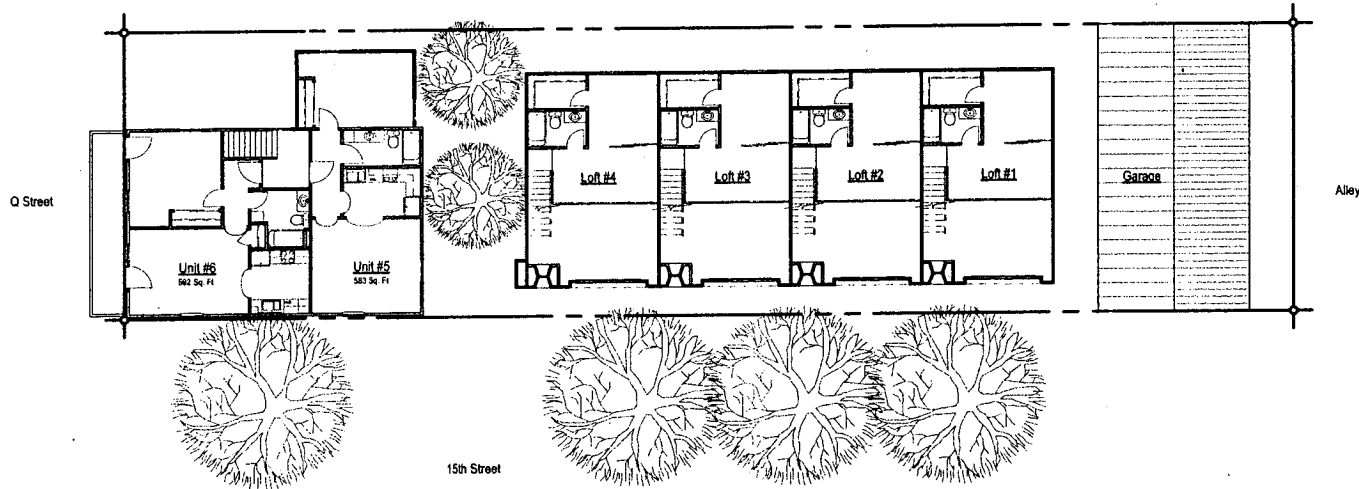
October 13, 1999

Item 2



East Elevation

1/8" = 1'-0"



Second Floor Plan

1/8" = 1'-0"

North



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1500
Q STREET

MIXED-USE
DEVELOPMENT

SEPTEMBER 9, 1999

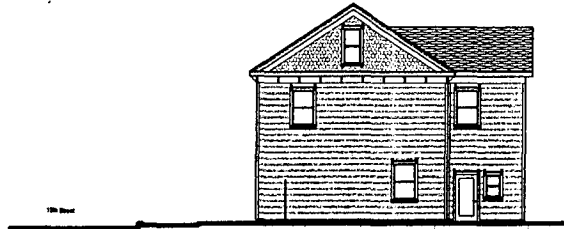
EXHIBIT B

2

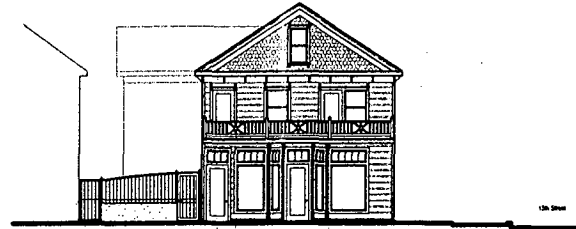
Z99-113

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Item 2



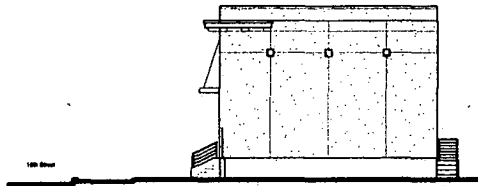
South



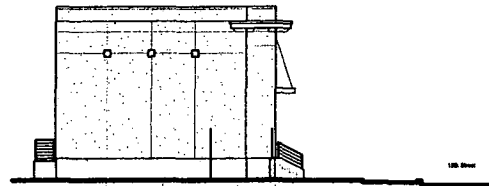
North

1500 Q Street Elevations

1/8" = 1'-0"



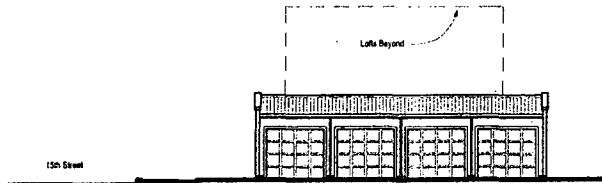
South



North

Lofts Elevations

1/8" = 1'-0"



South



North

Garage Elevations

1/8" = 1'-0"



916.441.4685

1500 Q STREET

MIXED-USE DEVELOPMENT

SEPTEMBER 9, 1999

EXHIBIT C