

P96-085 - 2nd Floor Garage - 2763 21st Street

- REQUEST:
- A. Environmental Determination
  - B. Special Permit to allow additional construction (2nd floor to garage) on an existing non-conforming structure which exceeds the 25% rear lot coverage and setback requirements (rear yard setback from alley & side yard setbacks).
  - C. Variance to allow a second floor addition of approx. 462 square feet on a detached accessory structure (garage) containing 572 square feet (total square footage to be approx. 1,034 s.f.) on 0.135± developed acres in the Standard Single Family Residential (R-1) zone.
  - D. Variance to increase the maximum allowed wall height for a detached accessory structure from 10 feet to 17 feet.
  - E. Variance to increase the maximum allowed building height for a detached accessory structure from 18 feet to approximately 22 feet.

LOCATION: 2763 21st Street  
APN: 013-0022-059  
Land Park Community Plan Area  
Sacramento Unified School District  
Council District 5

APPLICANT:	Maeda-Cuddy Taylor Associates 3065 Freeport Blvd. Sacramento, CA 95818 (916) 442-7622
OWNER:	Anna Macias & Siobhan Parry 2763 21st Street Sacramento, CA 95818
PLANS BY:	Maeda-Cuddy Taylor Associates
APPLICATION FILED:	8/6/96 APPLICATION COMPLETE: 8/6/96
STAFF CONTACT:	Colleen C. Laubinger, 264-5691

**SUMMARY:**

The applicant is requesting approval to construct a second floor on their existing detached garage. This addition is proposed for use as an exercise room with a spa/sauna and bathroom. The existing detached garage is a non-conforming structure which exceeds the 25% rear yard lot coverage, side yard, and alley setback requirements. Therefore, in order to allow this second floor, the project requires the discretionary planning entitlements described on the previous page.

**RECOMMENDATION:**

**Staff recommends approval of the project, subject to compliance with the conditions included in the attached Notice of Decision and Findings of Fact.** The primary issue relating to the proposed project is a concern that the addition may become a second living unit. Because of the lack of visibility created by its location behind the existing residence, and its location adjacent to the unimproved alley, the Police Department is opposed to the second level becoming a residential unit. Recently, the Fire Department has also expressed emergency access concerns against second residential units adjacent to unimproved alleys. This potential has been discussed with the applicant.

The applicant does not intend to create a second living unit within this structure. The applicant is proposing use as an exercise room including a spa/sauna and restroom. If the applicant later decides to create a second living unit, staff has informed the applicant of the additional approval process required to complete this development. Therefore, the project has been conditioned that it shall not become or be used as a second residential unit unless appropriate discretionary planning entitlements and compliance with residential unit building requirements are approved.

Staff's recommendation for approval of the second floor addition is based upon the project's compatibility with the surrounding land uses and upon the fact that the applicant is not expanding the footprint (lot coverage) with construction of this second level. The project site is completely surrounded by existing residential development. It is located adjacent to an alley where other two-story structures exist. Therefore, the current proposal is consistent with the designated and existing land uses in the area.

**PROJECT INFORMATION:**

General Plan Designation:	Low Density Residential (4-15 du/na)
Community Plan Designation:	N/A
Existing Land Use of Site:	Single-Family Residential
Existing Zoning of Site:	Standard Single-Family Residential (R-1)

**Surrounding Land Use and Zoning:**

North: Residential; R-1  
 South: Residential; R-1  
 East: Residential; R-1  
 West: Residential; R-1

**Setbacks for Structures on site:**

	Required	Provided
Front:	25'	15'
Side(north):	5'	0'-5' to house, 0' -2' to garage
Side(south):	5'	0' -4' to house, 0' to garage
Rear:	6'(from alley)	0' -5' existing from alley

Property Dimensions: irregular - 43' x 175.62'

Property Area: .0.135 $\pm$  developed acres

Square Footage of Detached Garage: 572 square feet existing (1,034 s.f.w/addition)

Height of Building: proposed to be two stories, 21'10"  $\pm$

Exterior Building Materials: off-white stucco w/grey trim

Roof Material: Composition Shingle

Parking Provided: 3 car garage

Parking Required: 1 space

Topography: Flat

Street Improvements: Existing

Utilities: Existing

**OTHER APPROVALS REQUIRED:** In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

Permit/ApprovalAgency

Building Permit

Building Division

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

A. Policy Considerations

The project site is located within the Land Park Community Plan Area which does not include a specific land use designation. The single-family residence located on the site is consistent with the Low Density Residential land use designation of the Sacramento General Plan. The applicant is adding a second level for an exercise and spa/sauna/restroom; however, the total building footprint and lot coverage is not increasing. Therefore, the project is not increasing the existing non-

conforming lot coverage.

B. Site Plan Design/Zoning Requirements

1. Setbacks/Lot Coverage

The project site is located in the Standard Single-Family Residential (R-1) zone. Required setbacks for this zone are: a 25-foot front yard setback; a 5-foot interior side yard setback; a 12.5-foot street-side yard setback; and a 15-foot rear yard setback. Structures on properties abutting a public alley must be constructed a minimum of 6-feet from the right-of-way/property line. The Zoning Ordinance also specifies lot coverage maximums for the Standard Single-Family Residential (R-1) zone. Total lot coverage shall not exceed 40 percent; while only 25 percent of the rear yard setback (15' x width of lot) may contain accessory structures. The Ordinance also allows detached garages to be placed on side and rear property lines, when setback from the street at least 60 feet, provided the rear yard (last 15 feet) lot coverage does not exceed 25 percent.

The existing garage is a non-conforming structure because it does not meet the side yard setback requirements, nor does it meet the 25 percent rear lot coverage requirement. Because of these existing non-conforming situations, the project requires a Special Permit to add to the existing non-conforming structure. The addition does not expand the footprint of the detached garage thereby increasing any lot coverage or further reducing setbacks (only adds a second level directly above the existing garage). Therefore, staff recommends approval of the Special Permit subject to conditions.

2. Detached Accessory Structure Requirements

Section 5 of the Zoning Ordinance outlines the requirements for detached accessory structures. The structures are limited to single story with a maximum building height of 18 feet and a maximum wall height of 10 feet. The proposed building height is approximately 21 feet 10 inches (from grade to the peak of the roof). The proposed wall height, including the addition, is approximately 17 feet. There must be at least six feet between the main house and the detached garage. Currently there is 75 feet from the main house to the detached accessory structure.

The applicant is requesting a variance to allow a second floor on the detached garage for use as an exercise room and spa/sauna/restroom. In order to accomplish this, the applicant is also requesting a variance to allow the wall height to exceed the maximum 10 feet and a variance to allow the total structure height to exceed the maximum 18 feet. Staff recommends approval of these variances provided that the proposed second level not be used as a living area. It is only to be used as an exercise room and

spa/sauna/restroom for residents of the existing house. Conditions of approval, listed on the attached Notice of Decision and Findings of Fact, have been included in the project to ensure that the stated use is maintained. If the second level were to be used as a second residential living unit, a Special Permit and perhaps additional Variances would be required.

C. Building Design/Materials

Residences in the area are comprised of both one-story and two-story structures. Building construction materials include stucco and wood siding. These structures also include composition shingle roofing. Most of the existing garages adjacent to the alley are one-story and in need of repair and maintenance. Fencing along the alley is also in disrepair in several locations. This is an unpaved public alley which is overgrown with trees and weeds in many areas. It is apparent that not all of the residences utilize the alley access to their detached garages. Setbacks of less than the required 6-feet from the alley right-of-way appear to be common.

The applicant is proposing removal and replacement of the wood siding on the existing lower level with stucco for the finish exterior material of the entire detached garage/second level structure. Stucco will be off-white and will include light grey trim. The project has been routed to Design Review staff. Comments received recommend additional windows along the alley sides of the building, as well as addition of some type of trim or exterior building design to separate the first level from the second level addition along the exterior of the building.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project is exempt from environmental review pursuant to the California Environmental Quality Act, Categorical Exemption Sections 15303(e) and 15305.

B. Public/Neighborhood/Business Association Comments

The current request for entitlements was routed to the following neighborhood associations: the Sierra Curtis Neighborhood Assoc.; the Maple Park Neighborhood Assoc.; the Hollywood Park Neighborhood Assoc.; the Land Park Neighborhood Assoc.; the Broadway Business Assoc.; the Med Center Neighborhood Assoc.; the South Sacto. Chamber of Commerce; the South Sacto. Neighborhood Coalition; the Western Pacific Addition Neighborhood Assoc.; the Florin Road Community & Business Assoc.; and the Florin Road Partnership. As part of the early neighborhood notification process, a copy of the project application was also sent to adjacent property owners requesting comments or concerns regarding the proposed project.

As of this date, one neighbor has contacted the City by telephone indicating that they were in support of the project; however, they thought it could be improved with additional windows and exterior relief features. In order to provide visibility to the alley adjacent to the north property line, the project has been conditioned to add some windows to either the exercise room or restroom areas along this elevation.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. Because the detached garage is already existing and the proposal is to add a second level directly above the existing structure, most departments and agencies responded that they had no comments or that there were no concerns with the project (PG&E, City Utilities, City Solid Waste). The following is a summary of the comments that were received relating to the project:

1. Police Department

Comments received from the Police Department related to lack of visibility and inadequate public safety access along the alley (unimproved alley). The Police Department indicated that the proposed use would not create a law enforcement problem; however, they would be opposed to the structure becoming a second residential unit. The project has been conditioned that the structure not be used as a second residential unit. Additional review and discretionary approvals would be required in order to create a second residential unit.

2. City Public Works

The City Department of Public Works has reviewed the project proposal and indicated that there is the potential that easements are located beneath the existing structure. Therefore, the project has been conditioned that the applicant verify that no easements lie under the building location. If easements do exist, the applicant is to relocate the structure or abandon the easements.

3. City Utilities

The City Department of Utilities has reviewed the project proposal and indicated that there is a combined sewer system that runs north-south along the eastern property line of the parcel. Although there is no underground construction included with this proposal, the applicant should be advised of the location of this utility.

PROJECT APPROVAL PROCESS: The Planning Commission has the authority to approve

or deny the project entitlements. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

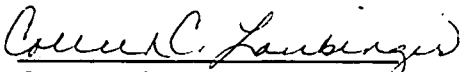
RECOMMENDATION:

Staff recommends the Planning Commission take the following action:

- A. Adopt the attached Notice of Decision & Findings of Fact with the environmental determination that the project is Exempt pursuant to CEQA;
- B. Adopt the attached Notice of Decision & Findings of Fact approving the Special Permit to allow additional construction (2nd floor to garage) on an existing non-conforming structure which exceeds the 25% rear lot coverage and setback requirements (rear yard setback from alley & side yard setbacks).
- C. Adopt the attached Notice of Decision & Findings of Fact approving the Variance to allow a second floor addition of approx. 462 square feet on a detached accessory structure (garage) containing 572 square feet (total square footage to be approx. 1,034 s.f.) on 0.135 $\pm$  developed acres in the Standard Single Family Residential (R-1) zone.
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Report Prepared By,

Report Reviewed By,



Colleen C. Laubinger  
Associate Planner



Barbara L. Wendt  
Senior Planner

Attachments

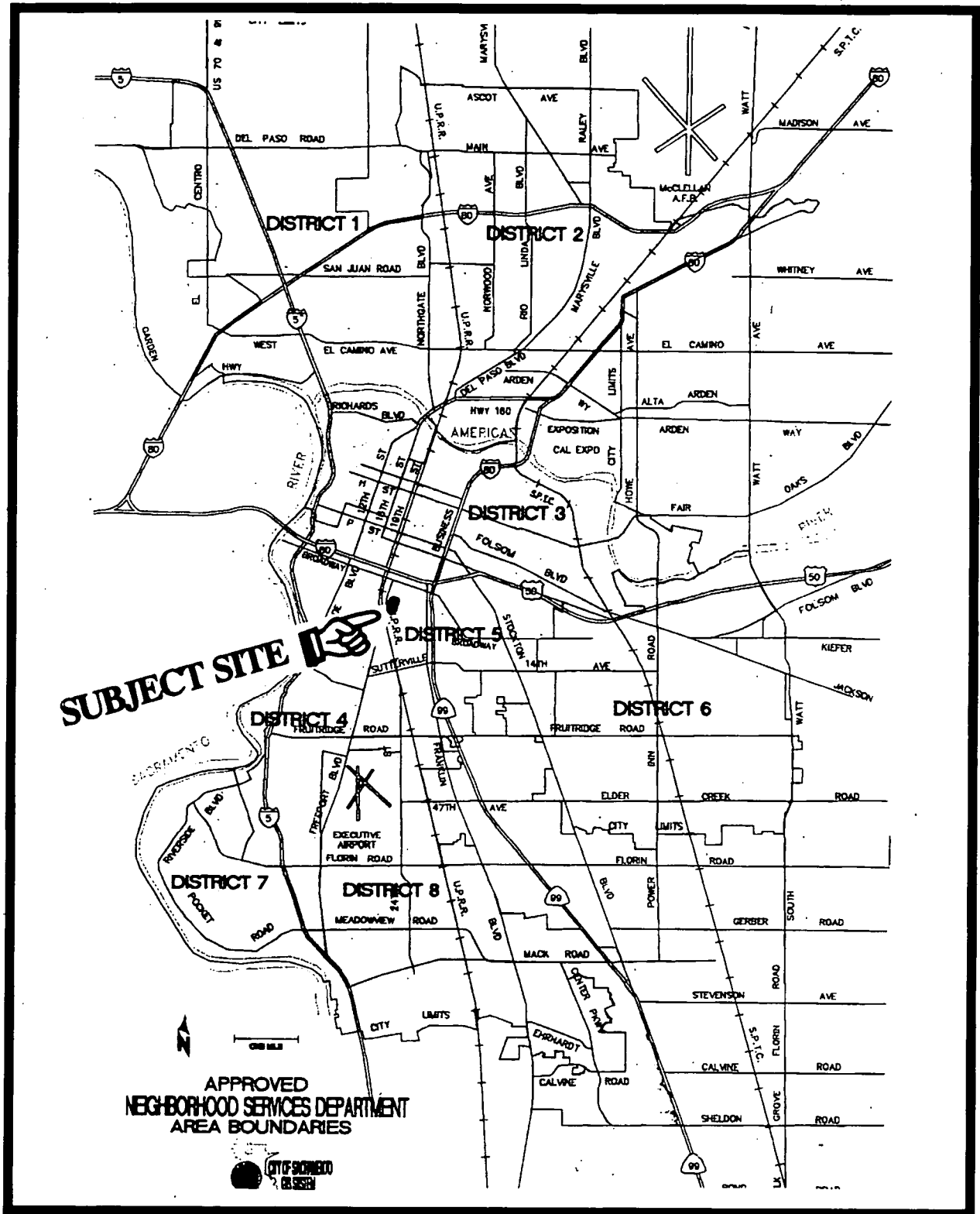
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|--------------|---|
| Attachment 1 | Notice of Decision & Findings of Fact       |
| Exhibit 1-A  | Site Plan, Building Elevations & Floor Plan |
| Attachment 2 | Vicinity Map                                |
| Attachment 3 | Land Use & Zoning Map                       |

ATTACHMENT 2

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VICINITY MAP

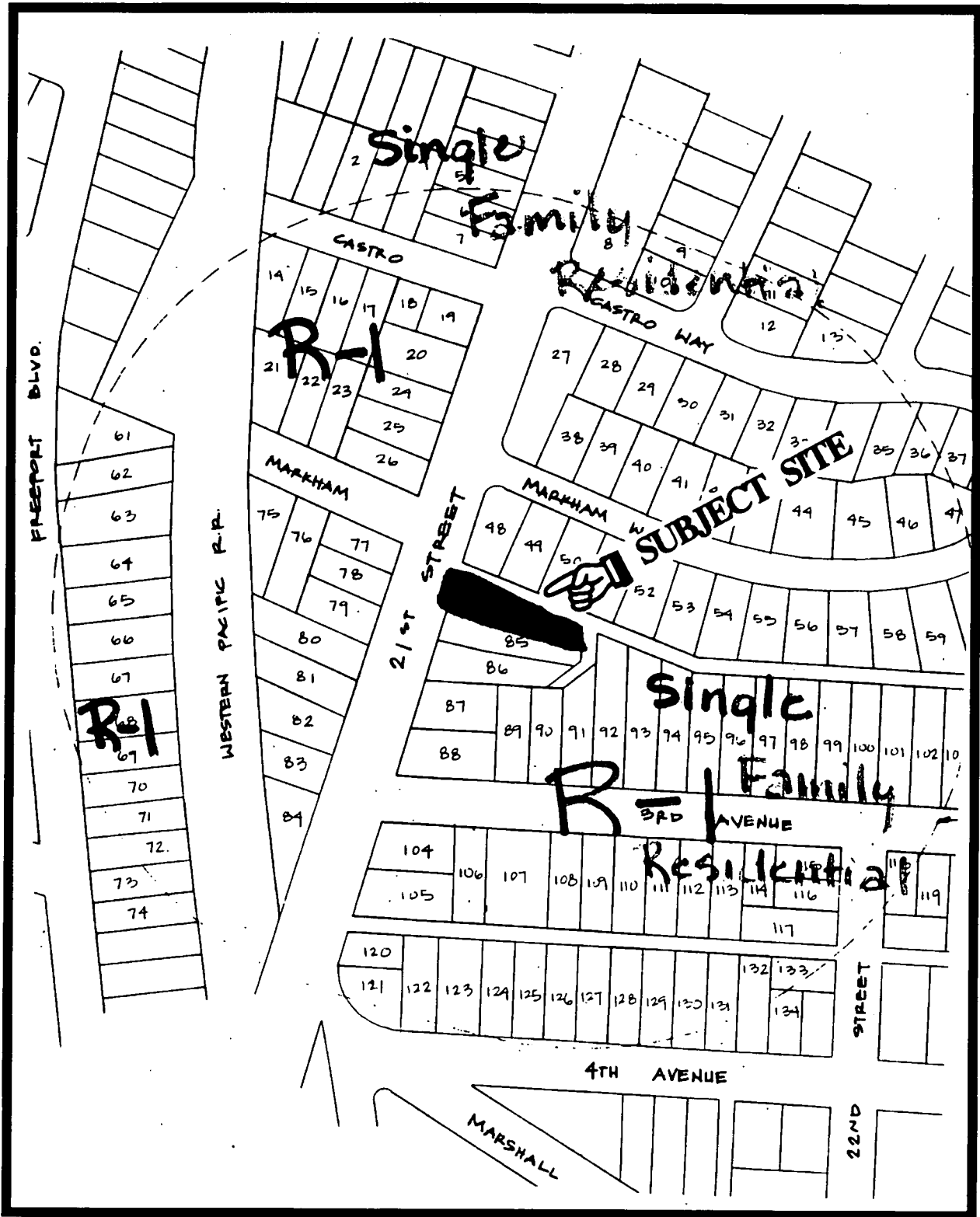


ATTACHMENT 3

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LAND USE AND ZONING MAP