

STAFF REPORT AMENDED 2-10-83  
CITY PLANNING COMMISSION  
915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT	G. Richard Brown - 555 Capitol Mall #950, Sacramento, CA 95814		
OWNER	First Baptist Church of Sacramento - 2324 L Street, Sacramento, CA 95816		
PLANS BY	Tomich & Yee - 1521 I Street, Sacramento, CA 95814		
FILING DATE	10-22-82	50 DAY CPC ACTION DATE	REPORT BY: DP:sg
NEGATIVE DEC	12-20-82	EIR	007-155-01,02,03,04,05, 11,12,13,14,16
		ASSESSOR'S PCL. NO.	

- APPLICATION:
1. Ratify the Negative Declaration
  2. Special Permit to expand a parking lot in the R-3A zone
  3. Special Permit for a 12,000± sq. ft. ancillary structure to the church to include a social hall in the R-3A zone
  4. Special Permit for a non-residential care facility for children in the R-3A zone
  5. Special Permit for a private elementary school in the R-3A zone
  6. Variance to waive the required parking for the new ancillary church structure (social Hall)
  7. Variance to waive a six foot high masonry wall adjacent to residentially zoned and used property
  8. Variance to provide less than the required percentage of solar shading

LOCATION: Block bounded by L, 23rd, and 24th Streets and Capitol Avenue

PROJECT DESCRIPTION: The applicant proposes to: 1) relocate the Armour house adjacent to the Diepenbrock mansion, 2) allow office uses in the Armour and Diepenbrock structures, 3) expand the existing parking, 4) construct a 12,000 square foot social hall, 5) allow a day care and private elementary school, and 6) remove three residential structures (Attachment I, Exhibits A1, B1, B2 and B3).

PROJECT INFORMATION:

1974 General Plan Designation:	Residential
1980 Central City Community Plan Designation:	Multi-Family Residential
Existing Zoning of Site:	Light Density Multiple Family (R-3A)
Existing Land Use of Site:	Church, residential, vacant residential, day care/elementary school

Surrounding Land Use and Zoning:

North:	Offices, Residential; R-3A, R-0
South:	Residential; R-3A, R-0
East:	Residential; R-3A, R-0
West:	Residential, Church; R-3A, R-0

Parking Provided:	Phase I: 79	Phase II: 49
Property Area:	1.4± acres	
Square Footage of Building(s):	Social hall 12,000± square feet	
Significant Features of Site:	Existing church; essential, priority and supportive structures	

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BACKGROUND INFORMATION: In June 1980, the applicant requested a demolition permit for the Diepenbrock mansion located at 2315 Capitol Avenue. The City suspended demolition for one year. In March 1981, the applicant submitted a master plan calling for expansion within the existing facilities as well as a new ancillary structure (social hall). The master plan indicated the removal of the five existing residential structures. In April 1981, the Preservation Board recommended that the City Council acquire the Diepenbrock

structure through eminent domain. In July, the City Council held a hearing on the condemnation of the Diepenbrock. During the same month, the applicant submitted demolition applications for four residential structures located in the southeast corner of 23rd and L Streets.

In August 1981, planning staff required the preparation of an environmental impact report on the master plan and the demolition permit applications. The applicant appealed that requirement to the Council. Although a hearing date was scheduled the applicant requested an indefinite continuance.

During the spring and summer of 1982, representatives of the City Attorney's office, the applicant and the neighborhood met to negotiate on the Diepenbrock mansion. In July 1982, the City Attorney reported back to the City Council (Attachment II) that an agreement had been reached regarding the residential structures, the land uses on the site, and the mechanism to fulfill the negotiations (a development agreement). Generally the negotiations call for an 18 month effort on the part of the applicant to secure the rehabilitation of the Armour and Diepenbrock structures and allow for an additional six months for the City to secure preservation of the structures.

In October 1982, a revised master plan reflecting the negotiations was submitted by the applicant. After reviewing the application, the Environmental Coordinator filed a Negative Declaration with mitigation measures (Attachment I, Exhibit A) on December 20, 1982. An appeal (Attachment I, Exhibit B) of the environmental determination was filed on December 30, 1982 by the L Street Association. On January 18, 1983, the Council denied the appeal and referred the project to the Planning Commission.

The project site is currently zoned Light Density Multiple Family (R-3A). The site is presently developed with five residential structures, a church facility (including a sanctuary, chapel, offices, classrooms, meeting rooms, social hall, and a library), a children's play yard and a parking area. Present uses on the site include the church and its related activities, a day care/elementary school (K-6), and rented residential units.

The residential structures include an essential structure (Diepenbrock mansion), a priority structure (Armour house), and supportive structures (the remaining residences located in the southeast corner of 23rd and L Streets). With the exception of the Diepenbrock, which lies vacant, the residential structures are rentals.

The applicant proposes to relocate the Armour house to the vacant lot to the west of the Diepenbrock and to attempt to secure rehabilitation of the Armour and Diepenbrock structures for office use within eighteen months. The applicant has indicated that the structures proposed for removal in the southeast corner of 23rd and L Streets will remain until arrangements are made for the Diepenbrock and Armour homes or two years have elapsed. The applicant proposes to expand the parking area, to abandon the public alley, and to merge lots. The final phase of development is the construction of a social hall in the southeast corner of 23rd and L Streets.

## STAFF EVALUATION

### Land Use.

Churches are considered a compatible use in a residential neighborhood. The facilities are used seven days a week from morning through early evening. The proposed social hall

would serve as an ancillary facility to the church and will be compatible in architectural design with the existing church building. The building will be placed on the site in conformance with all of the height and area requirements of the Zoning Ordinance.

The applicant is proposing office uses in the Armour and Diepenbrock structures (5,850± square feet). When the rehabilitation of the structures is secured, the parcels will be rezoned to residential-office (R-0) and special permits secured for office use. Scattered sites within 300 feet of the Diepenbrock are zoned R-0 and OB. The proposed office uses will be able to share the church's expanded parking facilities. A variance to reduce the rear yard setback in the R-0 zone will be required for the parcels containing the Diepenbrock and Armour homes.

The private day care facility and private elementary school currently lease the church facility. Present combined student enrollment in the kindergarten through 6th grade use is 111, with a capacity of 120 children. Existing school employees and volunteers number 20. The uses operate from 6:30 AM to 6:00 PM. While the use is not a primary function of the church (e.g. Bible study class), the day care/elementary school does maximize the use of the existing church facility. Because the day care/elementary school is not a primary function of the church but shares the on-site parking, staff recommends that the uses be eliminated 1) when occupancy is granted for office use in either the Diepenbrock or Armour structure if the on-site parking is not expanded and definitely 2) when the social hall is constructed.

Parking.

The site currently contains approximately 46 parking stalls. The results of a parking study (Attachment IF) indicate that the existing uses do not appear to impact on-street parking. The applicant is proposing 49 parking spaces in the southern portion of the block when the Diepenbrock and Armour structures are used for offices. After the removal of the residential structures in the southeast corner of 23rd and L Streets and prior to construction of the social hall, the master plan calls for an additional 30 spaces. Presently a vacant graveled lot exists on the most easterly parcel of the site.

To maximize the land area, staff recommends that the parking areas provide as close to 30% of the total parking stalls in compact spaces as possible.

To enhance the overall site, staff recommends that heavy landscaping to screen the parking areas from public street view be provided. In addition, staff recommends that the requested variance to reduce the required percentage of solar shading be denied.

To screen the church site uses from the abutting residential uses, staff recommends that the variance to waive the required wall be denied and that a solid masonry/stone wall be constructed along the adjacent property lines, as indicated on Attachment III.

To reserve as much on-site parking as possible to the primary activities of the church and to the office uses, staff recommends that the day care/school uses be eliminated 1) when the offices begin to occupy, if additional on-site parking is not provided and 2) when the social hall is constructed. Staff does not anticipate an increase in the church activities over the current activity level with the construction of the new social hall.

Aesthetics.

The project will alter the block face of Capitol Avenue and L and 23rd Streets. However, the applicant has indicated that the architectural design of the new social hall will be compatible in style and construction materials with the existing church structure. Proper landscaping along the public street frontages will assist in screening the parking areas from street view.

To assure compatibility, staff recommends that:

The Design Review/Preservation Board review and approve the master plan for:

- a. architectural design of the social hall;
- b. parking lot design, landscaping and signage;
- c. removal/relocation of the three structures located at the southeast corner of 23rd and L Streets;
- d. rehabilitation of the Diepenbrock; and
- e. relocation/rehabilitation of the Armour house.

The Design Review Preservation Board's comments regarding the master plan are attached (Attachment IV).

STAFF RECOMMENDATION: Staff recommends:

- 1. Ratification of the Negative Declaration;
- 2. Approval of a special permit to expand a parking lot subject to the conditions listed below;
- 3. Approval of a special permit for a 12,000 square foot, ancillary structure to the church to include a social hall subject to the conditions listed below;
- 4. Approval of a special permit for a non-residential care facility for children subject to the conditions listed below;
- 5. Approval of a special permit for a private elementary school subject to the conditions listed below;
- 6. Approval of a variance to waive the required parking for the ancillary structure subject to conditions listed below;
- 7. Denial of a variance to waive a six foot high masonry wall adjacent to residentially zoned and/or used property; and
- 8. Denial of a variance to provide less than the required percentage of solar shading.

Conditions - Special Permit and Variance

- a. The applicant shall meet the height and area requirements of the Zoning Ordinance with the exception of the rear yard setback for the Diepenbrock and Armour structures.

- b. The parking area in the southern portion of the lot shall be installed per City standards prior to the issuance of occupancy for office use.
- c. The perimeter landscaping of the parking areas shall be designed to screen the parking areas from public street view. The plant specimens shall be varied between one and five gallon ground covers and shrubs.
- d. The applicant shall submit detailed landscaping and irrigation plans for the review and approval of the City Planning Director prior to the issuance of any building or parking facilities permits.
- e. The parking areas shall be constructed to City standards and shall meet the City's solar shade requirements. As close to 30% of the total parking stalls shall be compact spaces to maximize the land area.
- f. To reduce off-site light and glare, all exterior lights shall be shielded.
- g. To buffer residential from non-residential uses, a *masborty lot stoné/wávl/* shall be provided along project property lines abutting residentially zoned or used parcels. *pursúant/ tó/3.D.7/ of/ the City Zoning Ordínance.*  
(CPC amended to: ...uses, a wood or wrought iron fence with landscaping, subject to staff approval, shall be...)
- h. To assure aesthetic compatibility with the neighborhood, *ad/ kéndvng/ of párvvng/ dretas/ shávl/ of párvvng/ that/ fúets/ stúet/ síde.*  
(CPC amended to: ...neighborhood, a wrought iron fence with landscaping, subject to staff approval, shall be provided in the parking areas facing street side.)
- i. The applicant shall conscientiously attempt to secure the preservation of the Diepenbrock and Armour structures on the project site within 18 months of City approval of this application.
- j. The applicant shall allow the City an additional six months to secure preservation of the Diepenbrock and Armour structures, should the applicant fail to do so during the first 18 months.
- k. The total number of *pérvvng/ kó/ sérvé* the day care and elementary school shall not exceed *204*.  
(CPC amended to: ...of students at the day care and elementary school shall not exceed 115.)
- l. The hours of operation of the day care and elementary school shall be Monday through Friday, 6:30 AM to 6:00 PM.
- m. *The/ day/ care/ and/ elementary/ school/ uses/ shall/ cease/ with/ the/ issuance/ of/ a/ certificate/ of/ occupancy/ for/ office/ if/ the/ parking/ area/ is/ not/ provided/ in/ the/ southern/ portion/ of/ the/ block/ per/ the/ site/ plan.*  
(CPC amended to: A certificate of occupancy for the offices shall not be issued unless the parking area is provided...)

- n. *The day care and elementary school uses shall cease when a certificate of occupancy is issued for the social hall. (CPC amended to: Upon occupancy of the social hall, the City shall conduct a parking survey. If a parking deficiency is found, the applicant shall modify or reduce the occupancy of the day care, elementary school, or social hall, or other mitigation measures, in order to remedy the parking deficiency. If the day care/school is requested to cease functioning, the cessation will not occur prior to the end of the ten current school year.*
- o. The applicant shall secure the approval of the Design Review/Preservation Board regarding:
1. architectural design and exterior construction materials of the social hall;
  2. parking lot design, landscaping and signage;  
*(CPC added: The parking lot in the northwest corner of the block shall be redesigned to better protect the Hardy parcel (APN 001-155-01) from traffic noise, lights, and/or fumes.*
  3. removal/relocation of the three residential structures located at the southeast corner of 23rd and L Streets;
  4. rehabilitation of the Diepenbrock; and
  5. relocation and rehabilitation of the Armour house.
- p. In the event that the Diepenbrock and Armour structures are to be demolished, the applicant shall provide measured drawings and photographs to the City to the specifications of the City Preservation Director prior to demolition.
- q. During periods of on-site construction, the applicant shall control dust by watering down the site.
- r. All street trees and the existing on-site tree adjacent to the Diepenbrock shall be retained unless deemed unhealthy by the City Arborist or, due to a house move must be removed. Removed street trees shall be replaced.
- s. Both ends of the alley shall remain open.
- t. The applicant shall reserve an easement for the existing water line in the alley. The applicant shall not construct any structures over said easement.

Findings of Fact - Special Permit

- a. The proposal is based upon sound principles of land use in that:
1. churches are a compatible use in a residential neighborhood;

2. the day care/school use maximizes the use of existing structures and facilities;
  3. on-site parking is provided.
- b. The proposed project will not be injurious to the general public in that:
1. on-site parking will be provided;
  2. The day care/elementary school will utilize the classrooms and facilities located in an existing church.
- c. The proposed uses are consistent with the General Plan in that they conform with the Land Use Element Goal #1 to "Allocate residential, commercial, industrial and other land uses in such a manner as to result in a desirable urban environment which satisfies the needs of the total community."

Findings of Fact - Approval of Variance

- a. The granting of the variance to provide less than the required parking is not a special privilege in that:
1. the church related activities exist today;
  2. existing uses (day care/elementary school) will cease with occupancy of the social hall.
- b. The variance does not constitute a use variance in that churches are an allowed use in a residential zone by special permit.
- c. The variance is not injurious to the public welfare nor to property in the vicinity in that on-site parking is provided.
- d. The proposal is not adverse to the General Plan or 1980 Central City Plan in that church uses are allowed in a residential zone and on-site parking will be provided.

Findings of Fact - Denial of Variances

- a. The variances, if granted, would constitute a special privilege.
- b. The variances are detrimental to surrounding property in that the adjacent parcels are zoned and used for residential land use.

REQUESTED ENTITLEMENTS

Presently Requested Entitlements

1. Special Permit to expand a parking lot in the R-3A zone;
2. Special Permit for a 12,000± sq. ft. ancillary structure to the church to include a social hall in the R-3A zone;
3. Special Permit for a non-residential care facility for children in the R-3A zone;
4. Special Permit for a private elementary school in the R-3A zone;
5. Variance to waive the required parking for the new ancillary church structure (social hall);
6. Variance to waive a six-foot high masonry wall adjacent to residentially zoned and used property;
7. Variance to provide less than the required percentage of solar shading;

Postponed Entitlements

8. Rezone from Light Density Multiple Family (R-3A) to Residential Office (R-0) for the Diepenbrock and Armour homes;
9. Special Permit for offices (5850± sq. ft.) in the R-0 zone;
10. Variance to waive on-site parking for office uses in the R-0 zone;
11. Variance to provide off-site parking for offices in the R-3A zone;
12. Design Review/Preservation Board approval of the Master Plan, including approval of:
  - a. architectural design of the social hall;
  - b. parking lot design, landscaping and signage;
  - c. relocation of the three structures located at the southeast corner of 23rd and L Streets;
  - d. rehabilitation of the Diepenbrock;
  - e. relocation/rehabilitation of the Armour house;
13. Variance to reduce the rear yard setback in the R-0 zone;
14. Lot Line Adjustment to create 3 parcels from 9 parcels;
15. Abandonment of the public alley.



<u>Weekly Activities</u>	<u>Time</u>	<u>Attendance</u>
<u>Mondays:</u>		
Adult Activity Center	9:00 a.m. - 2:00 p.m.	100
<u>Tuesdays:</u>		
Visitation Teams	7:00 p.m. - 9:00 p.m.	15-30
<u>Wednesdays:</u>		
Men's Prayer Breakfast	6:30 a.m.	8
Women's Chorale Rehearsal	10:30 a.m. - 12:00 p.m.	15-20
Church Family Dinner	5:45 p.m. - 6:30 p.m.	135-200
Bible Study	6:30 p.m. - 7:30 p.m.	100
Senior High Fellowship	7:00 p.m.	12-20
<u>Thursdays:</u>		
Chancel Choir Rehearsal	7:30 p.m. - 9:30 p.m.	45
<u>Sunday:</u>		
Breakfast Club for Singles	8:30 a.m.	25
Seven Adult Classes	9:15 or 9:30 a.m.	150
Classes for Children of all Ages	9:30 a.m.	150
Morning Worship Services and Coffee	10:45 a.m.	400
Evening Worship Services	6:00 p.m.	90
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Two Bell Choirs Rehearsal		15-20
Library open Sunday mornings and Wednesday evenings		

<u>Monthly Activities</u>	<u>Time</u>	<u>Attendance</u>
<u>Tuesdays (usually first Tuesday):</u>		
Bus Tours with Pastor (cars are parked at Church, buses leave and return there)	all day	40-80
<u>Wednesdays:</u>		
Three Boards and the Cabinet meet on different Wednesdays		12-36
Youth Committee Meeting		
<u>Thursdays:</u>		
Women's Society Luncheons	12:00 noon	75-100
Women's Society Circles-- nine circles	various times	10-20 each
Leisure Time Club	7:00 p.m.	100
<u>Fridays:</u>		
Covenant Club Luncheon	12:00 noon	20
<u>Sundays:</u>		
Capitol Senior Citizens Club Dinner	12:15 p.m.	200
New Member Reception		200-400
<u>On Occasion:</u>		
Wedding receptions, other receptions, funerals, recitals and concerts, regional meetings for the denomination, area, Women's societies, other related organizations such as United Church Women, training courses for Contact Crisis Line, ecumenical hymn sings, etc.		up to 550

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