

PB 97-008
93-96-043

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, September 4, 1996, the Zoning Administrator approved with conditions, a special permit to allow the operation of a five room bed and breakfast a inn with an occasional wedding and/or reception and the waiver of a required masonry wall for the project known as Z96-100. Findings of Fact and conditions of approval for the project are listed on pages 3 and 4 of this report.

Project Information

- Request: 1. Zoning Administrator Special Permit to operate a five room Bed and Breakfast Inn on a .146± acre developed parcel in the Multi-Family (R-3A) zone.
2. Zoning Administrator Variance to waive the masonry wall which is required between the subject site and the neighboring properties.

Location: 1320 22nd Street

Applicant: Michael Richardson
1315 22nd Street
Sacramento, CA 95816

Property Owner: Roger Warren
104 Proctor Circle
Williamsburg, VA
23185

APN - 007-0152-021

General Plan Designation: Community Neighborhood Commercial and Offices
Existing Land Use of Site: Single Family Residence
Existing Zoning of Site: Multi-Family (R3A)

Surrounding Land Use and Zoning:

North: R-O; Office
South: R-3A; Single Family Residence
East: R-3A; Multi-Family Residence, Bed and Breakfast
West: R-3A; Single Family Residence

Property Dimensions: 80' X 80'
Property Area: 0.146± acres
Parking Required: 4 spaces
Parking Credit: 1 space
Parking Provided: 3-4 spaces
Square Footage of Building: 2,092 square feet
Height of Building: 2 1/2 stories, 30± feet

Z 00-124

Exterior Building Materials:	Wood
Roof Materials:	Shingles
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

Project Plans: See Exhibit A

Additional Information: The applicant is requesting to convert an existing single family residence into a 5 bedroom bed and breakfast inn. The building is listed as a Priority Structure on the city's Official Register of Historic Buildings. Two guest rooms, the Innkeepers room and kitchen will be on the first floor. Three additional guest rooms are located on the second floor. The site plan indicates four parking spaces off the alley on the northerly side of the lot.

A proposed bed and breakfast inn would typically require four parking spaces (one per each two guest rooms and one for the innkeeper). Historically, the existing residence did not have any on-site parking. The City Zoning Ordinance allows a parking credit of one space may be given for the past residence. With the one space credit, the total number of parking spaces required for this project is three parking spaces.

The applicant also requests the ability to have one small event (e.g. a wedding and/or reception) each week. Each event would have a maximum capacity of 30 people. No amplified music would be allowed. Conditions of approval will limit outdoor activities to 10 P.M. The applicant understands and agrees to these conditions.

In addition, the applicant is requesting a waiver of the masonry wall which is required between residential and non-residential uses. There is an existing wooden fence along the sides and rear which the applicant and neighbors prefer. The existing fence located in the front setback area exceeds the 3 foot maximum height limit for such fences. The fence has been there prior to 1981 and is considered a non-conforming fence; therefore, it is permitted to remain.

Project Review:

This request was reviewed by various departments. Their comments are as follows:

Police Department: Events held at this facility for which admission is charged, or public notice is given require a City of Sacramento Dance/ Concert Permit. In addition, any On-Sale Alcoholic Beverage Permit is subject to "core conditions" per an ABC- Police Department Liaison Agreement. Applicant must contact Police Department Licensing Coordinator (Lynne Ohlson) regarding these applications.

Fire Department: The Fire Department did not have any problem with the concept. Smoke detectors shall be provided as necessary. A recommendation was made to add a gate access to the backyard for outdoor functions. Discussion with the Fire Department staff indicated that events with less than 50 people are considered small and have little review by them.

Public Works, Transportation and Engineering: Parking spaces shall meet city standards. Handicapped parking may be required by building standards.

City Arborist: Both trees on the site can be saved or removed at the owner's discretion. Owner has indicated the desire to preserve the trees. The following steps are recommended in order to save the trees: 1) dimension of planter shall be 5 foot minimum from either side of the tree, 2) during construction of the parking lot, any roots greater than two inches in diameter, require approval of an ISA Certified Arborist prior to root cutting.

The adjacent neighbors were also contacted. They have indicated that they do not object to the waiver of the masonry wall, nor do they oppose allowing weddings and receptions to occur on the site.

Environmental Determination: This project will not have a significant effect on the environment and is exempt from environmental review pursuant to State EIR Guidelines California Environmental Quality Act, Section 15301(l)(3) and 15303(c).

Conditions of Approval

1. This permit involves a five guest room bed and breakfast inn with occasional weddings and/ or receptions. The maximum number of attendees at any event shall not exceed 30 individuals at any one event. Such events are limited to a maximum of five events per month, from 5 P.M. to 10 P.M. weekdays and 8 A.M. to 10 P.M. weekends and holidays.
2. All outdoor activities shall be in conformance with the City Noise Ordinance. No loud amplified music/ sound shall be emitted from the property.
3. Size of use areas and floor plans of the structure shall conform to the plans submitted.
4. The applicant shall obtain all necessary building permits prior to Certificate of Occupancy.
5. Events held at this facility for which admission is charged, or public notice is given require a City of Sacramento Dance/ Concert Permit. Any On-Sale Alcoholic Beverage

Permit is subject to "core conditions" per an ABC- Police Department Liaison Agreement. Applicant must contact Police Department Licensing Coordinator (Lynne Ohlson) regarding these applications.

6. Smoke detectors shall be provided as necessary. Gate access from the backyard to the alley shall be provided.
7. Note: Both trees on the site can be saved or removed at the owner's discretion. Owner has indicated the desire to preserve the trees. The following is recommended: 1) dimension of planter shall be 5 foot minimum from either side of the tree, 2) during construction of the parking lot, any roots greater than two inches in diameter, require approval of an ISA Certified Arborist prior to root cutting.
8. Three parking spaces are required per the Zoning Ordinance. The final site plan shall be reviewed and approved by Zoning Administrator staff.
9. The parking lot and exterior modifications to the structure (if any) are subject to Design Review/ Preservation Board staff review and approval.

Findings of Fact:

1. The proposed project, as conditioned, is based upon sound principles of land use planning in that:
 - a. the use has limited outdoor usage and is compatible with the surrounding commercial and residential uses; and
 - b. adequate on-site parking is provided.
 - c. adequate on-street parking is available during the hours other gatherings are permitted.
2. Waiving the masonry wall will not be materially detrimental to the other properties or uses in the area in that a wooden fence will be maintained along the side and rear property lines.
3. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that all outdoor uses will: comply with the City Noise Ordinance; be limited to 30 people; and end at 10 P.M.
4. The project is not considered a use variance as a Bed and Breakfast Inn is allowed in the R-3A zone.
5. The project is consistent with the General Plan which designates the subject site as

Community Neighborhood Commercial and Offices.

6. The variance request does not constitute a special privilege extended to one property owner. Similar variances have been granted to low impact commercial uses in mixed use (commercial/ residential) neighborhoods.

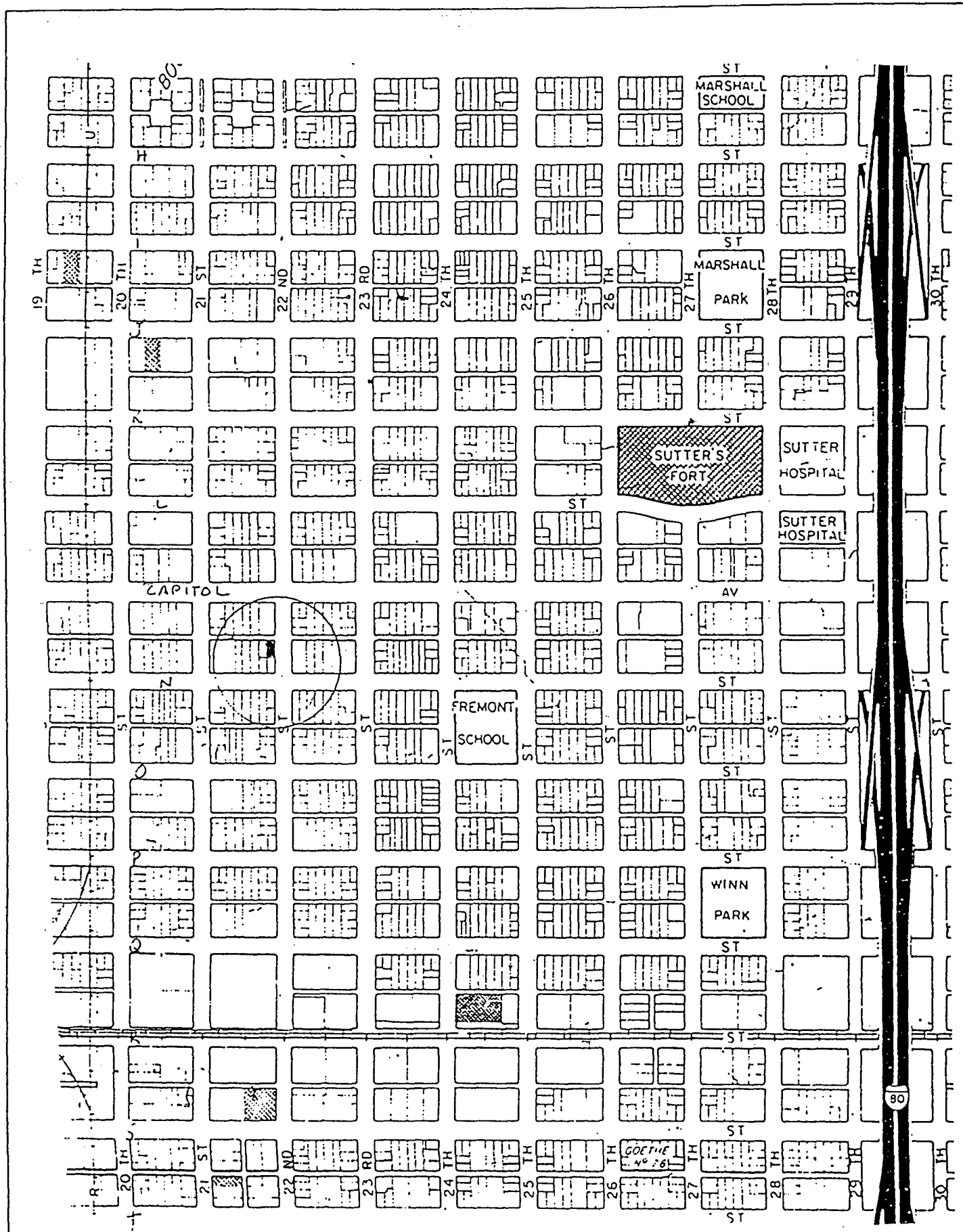
Joy D. Patterson

Joy D. Patterson
Zoning Administrator

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.

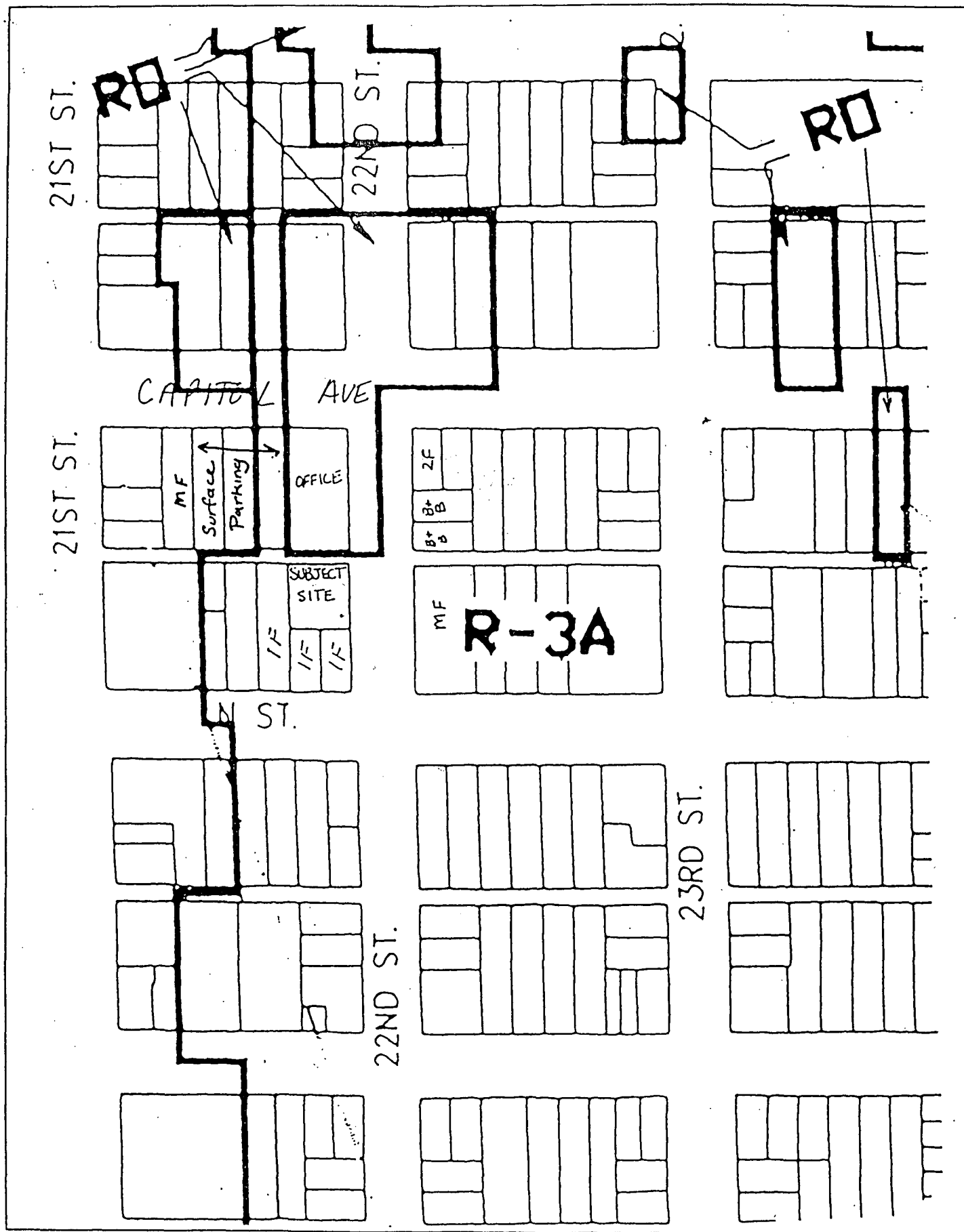
The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

cc: File
Applicant/ Owner- Michael Richardson
ZA Log Book



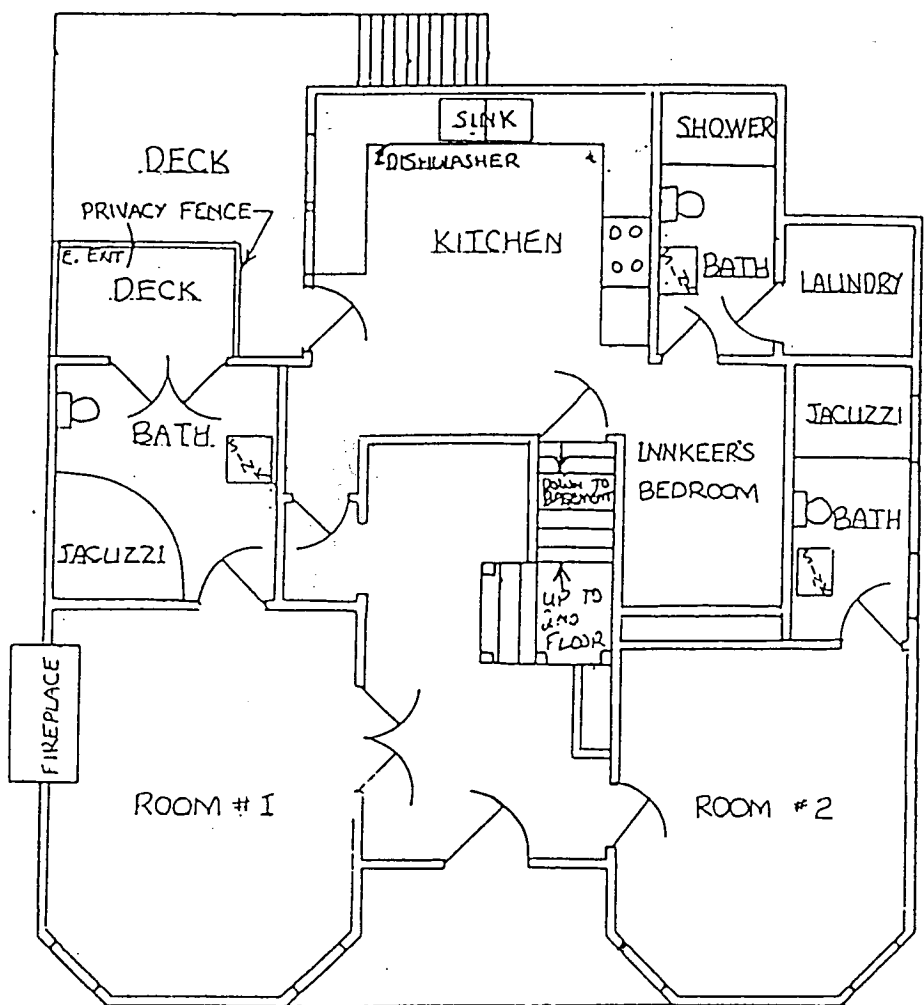
VICINITY MAP



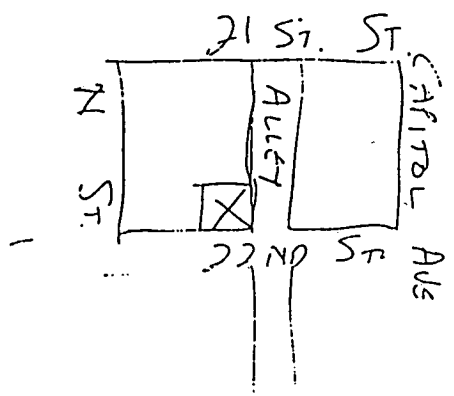


LAND USE & ZONING MAP





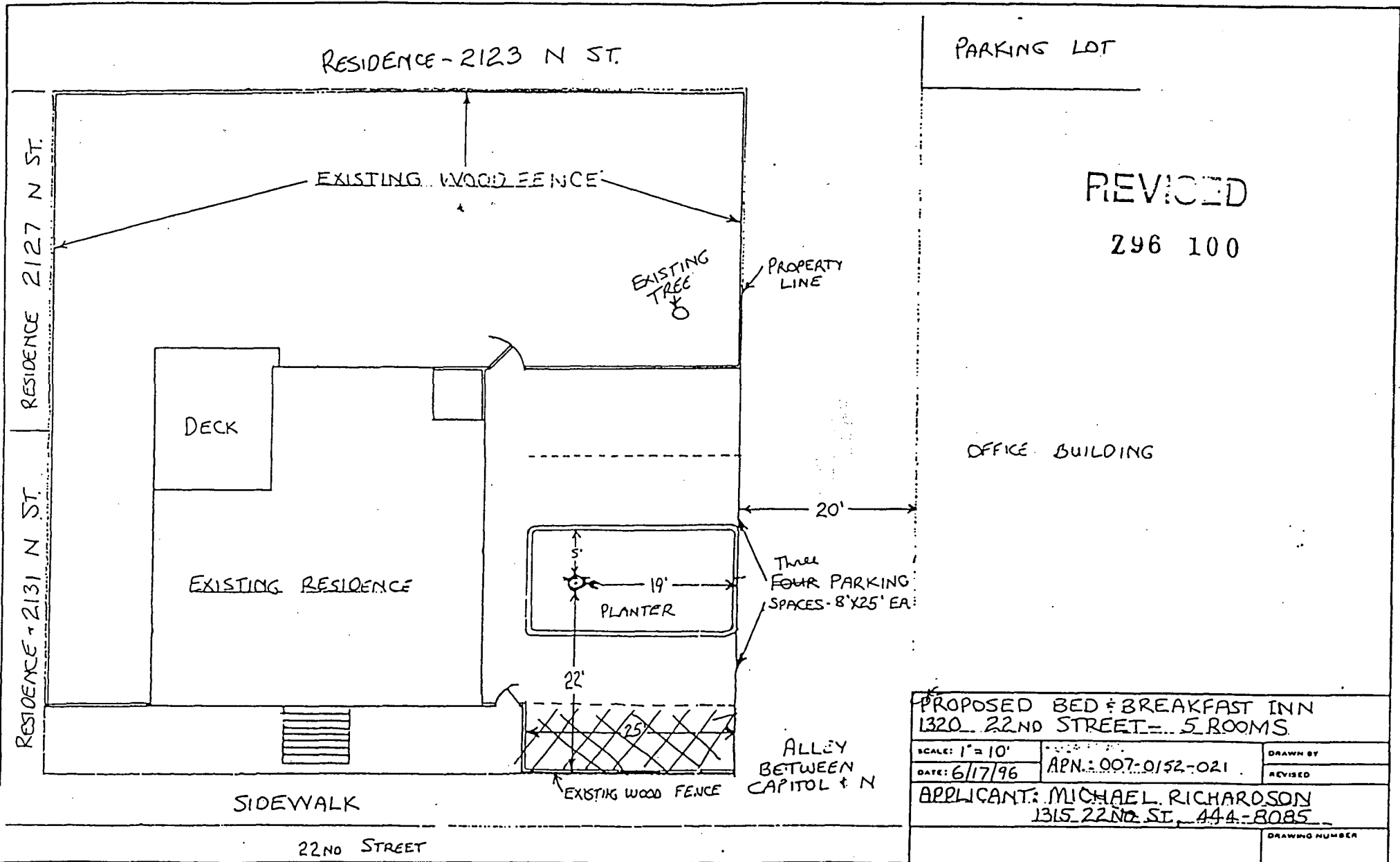
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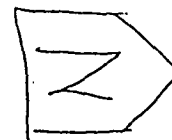
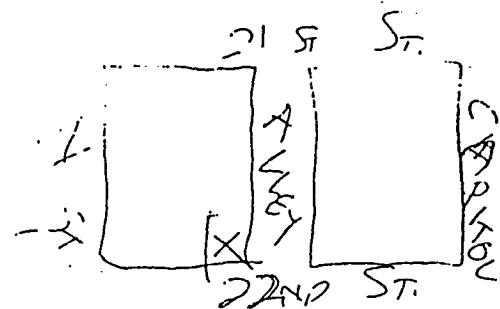
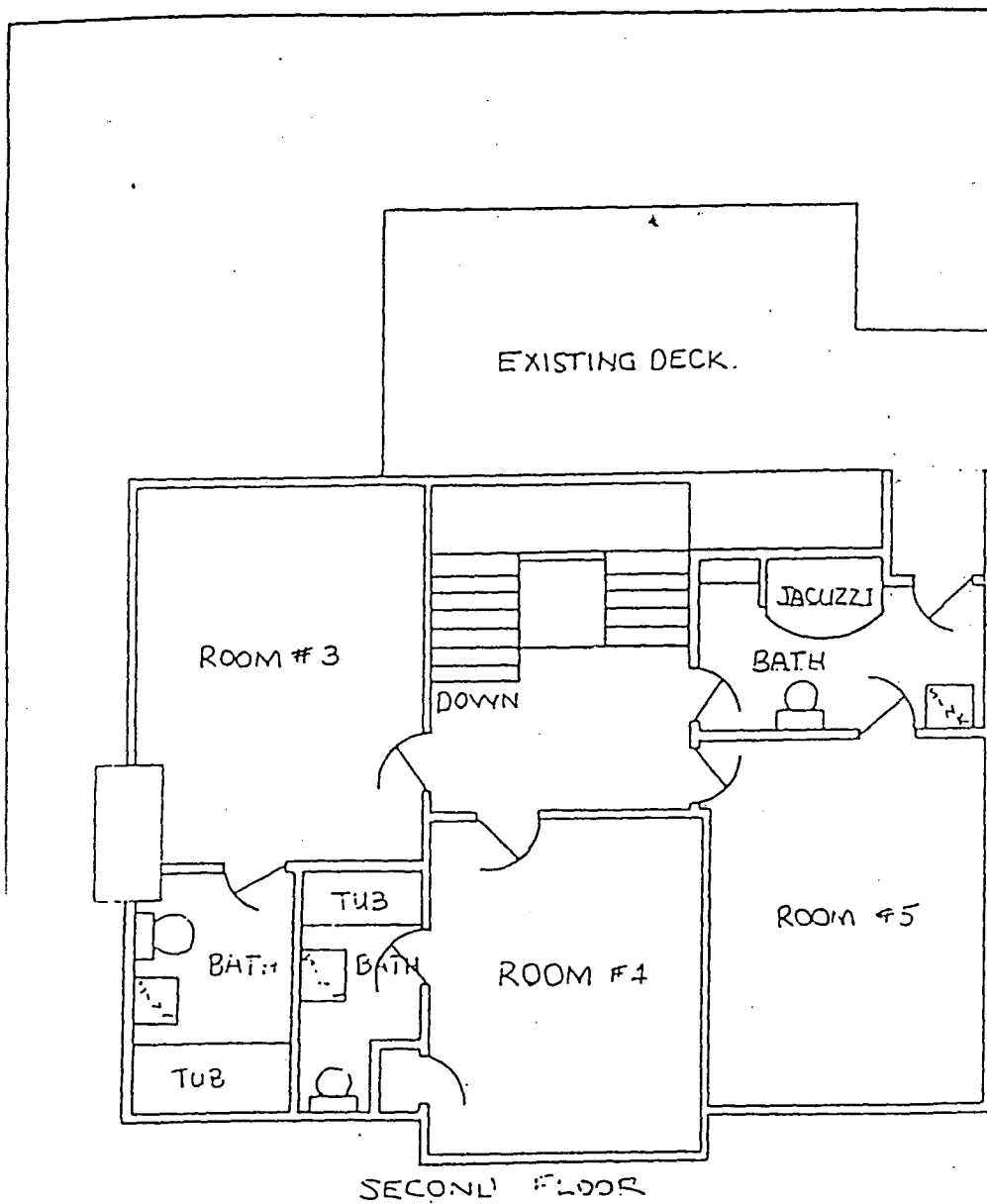


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AUG 01 1996
CITY OF DENVER
CITY PLANNING DIVISION

1 296 100

BED & BREAKFAST INN - 5 ROOMS 1320 22ND STREET		
SCALE 3/16" = 1'	APPROVED BY	DRAWN BY
DATE 7/2/92		REVISED
144-3051		
		DRAWING NUMBER





RECEIVED

AUG 01 1996

1 Z96 100

CITY PLANNING DEPT.

BED & BREAKFAST INN - 5 ROOMS
1320 22ND STREET

SCALE: 3/16" = 1'	APPROVED BY:	DRAWN BY MR
DATE: 7/31/96		REVISED
APPLICANTS: M. RICHARDEC... & JANE ROVEY 444-8055		
		DRAWING NUMBER