

24 #

CITY OF SACRAMENTO



CITY PLANNING DEPARTMENT
327 TENTH STREET SACRAMENTO, CA 95814
SUITE 300 TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

February 4, 1982

APPROVED
BY THE CITY COUNCIL

*intent to deny appeal
Based on 4.74.
due 3-16-82.*

MAR 2 1982

OFFICE OF THE
CITY CLERK

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Appeal of City Planning Commission's denial of a special permit to allow the conversion of a residential structure into office use. (P-9559)

LOCATION: 1024 "F" Street

SUMMARY:

This is a request for entitlements necessary to convert a 2,160 sq. ft. structure into office use located in the R-0 zone. The Planning Commission, by split vote, denied the request and the applicant subsequently appealed the Commission's decision.

BACKGROUND INFORMATION

The subject site is located within the Alkali Flat project area. It is presently developed with a residential structure that is located in a preservation area and has been identified as an essential structure. The applicant is proposing to utilize the structure for office use. In consideration of the request, the staff and several Commissioners had concerns regarding the proposed office use. The site is located in an area that is predominantly residential. As indicated on the zoning map (Exhibit A of City Planning Commission report), the site is zoned R-0; however, it is surrounded by R-4A residential zoning. The extension of the R-0 zoning to this site is a spot zone which staff believes is not appropriate for the site. The development of an office on this site will encourage other office uses in the immediate area.

Staff and several Commissioners also felt that there are other sites within Alkali that are more appropriate for office uses. This was reinforced by the Alkali P.A.C. Their comments are attached for the Council's information.

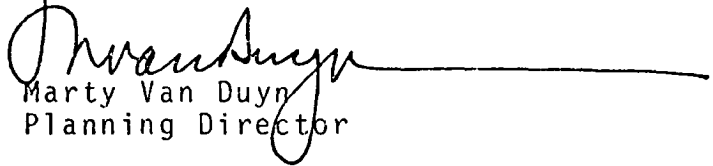
VOTE OF PLANNING COMMISSION

The Commission by a vote of four ayes, four noes, one absent denied the request for Special Permit.

RECOMMENDATION

The staff and Planning Commission recommend that the City Council deny the appeal subject to findings of fact due on February 23, 1982.

Respectfully submitted,


Marty Van Duyn
Planning Director

MVD:HY:cp
Attachments
P-9559

February 9, 1982
District No. 1

NOTICE OF APPEAL OF THE DECISION OF THE
SACRAMENTO CITY PLANNING COMMISSION

File 62

DATE: December 2, 1981

TO THE PLANNING DIRECTOR:

I do hereby make application to appeal the decision of the City
Planning Commission of November 25, 1981 when:
(Date)

 Rezoning Application Variance Application
 X Special Permit Application

was: Granted X Denied by the Commission

GROUNDS FOR APPEAL: The application for a special permit to allow office
use for the subject property was not approved by the Planning Commission as
a result of a tie vote(4 in favor/ 4 opposed). This is one of the most
historically and architecturally significant structures in the area, and can
not be appropriately renovated and accessible to the public if limited to a
residential use.

PROPERTY LOCATION: 1024 F Street

PROPERTY DESCRIPTION: Small but extremely ornate, one story victorian,
one bedroom, and approximately 1,200 useable square feet.

ASSESSOR'S PARCEL NO. 002 - 153 - 06

PROPERTY OWNER: STEVEN AND PAMELA BAIR

ADDRESS: 925 G Street, Sacramento, California 95814

APPLICANT: STEVEN AND PAMELA BAIR

ADDRESS: 925 G Street, Sacramento, California 95814

APPELLANT: *Steven D. Bair*
(SIGNATURE)

ADDRESS: _____

FILING FEE: \$60.00 RECEIPT NO. # 644

FORWARDED TO CITY CLERK ON DATE OF: _____

P- 9559
7266

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE 11-25-81

ITEM NO. 7 FILE NO. P-9559

M- _____

- GENERAL PLAN AMENDMENT
- COMMUNITY PLAN AMENDMENT
- REZONING
- SPECIAL PERMIT
- VARIANCE
- TENTATIVE MAP
- SUBDIVISION MODIFICATION
- ENVIRONMENTAL DET.
- OTHER _____

Recommendation:

- Favorable
- Unfavorable
- Petition
- Correspondence

LOCATION: 1024 F Street

<u>PROPOSERS</u>	
<u>NAME</u>	<u>ADDRESS</u>
<u>PAM BAER</u>	<u>925 G Street, SACRAMENTO</u>
<u>STEVE BAER</u>	<u>925 G Street</u>

<u>OPPOSERS</u>	
<u>NAME</u>	<u>ADDRESS</u>
<u>TIM QUINTERO</u>	<u>ALKALI FLAT PAC. - 530 12th ST. SACRAMENTO</u>

MOTION NO. _____

	YES	NO	MOTION	2ND
Augusta	✓			
Fong		✓		
Goodin		✓		
Holloway	✓			
Hunter		✓		
Larson	✓		✓	
Muraki	<u>Absent</u>			
Silva	✓			✓
Simpson		✓		

MOTION:

- TO APPROVE
- TO DENY
- TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- INTENT TO APPROVE SUBJ. TO COND. & BASED ON FINDINGS OF FACT DUE _____
- TO RECOMMEND APPROVAL _____ & FORWARD TO CITY COUNCIL
- TO RATIFY NEGATIVE DECLARATION
- TO CONTINUE TO _____ MEETING
- OTHER _____

(4)

CITY PLANNING COMMISSION

915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT Pamela A. Bair & Steven R. Bair, 925 G Street, Sacramento, CA 95814
OWNER Pamela A. Bair & Steven R. Bair, 925 G Street, Sacramento, CA 95814
PLANS BY _____
FILING DATE 9-18-81 50 DAY CPC ACTION DATE _____ REPORT BY: GM:bw
NEGATIVE DEC Exempt 15103(c) EIR ASSESSOR'S PCL. NO. 002-153-06

APPLICATION: Special Permit to establish an office use in the R-0 zone

LOCATION: 1024 F Street

PROPOSAL: The applicant is requesting the necessary entitlements to convert an existing 2,160 square foot vacant residential structure into office use.

PROJECT INFORMATION:

1974 General Plan Designation:	Residential-Office
1980 Alkali Flat Redevelopment Plan Designation:	Residential-Office
Existing Zoning of Site:	R-0
Existing Land Use of Site:	Vacant residential building
<u>Surrounding Land Use and Zoning:</u>	
North:	Residential; R-4A
South:	Residential and Vacant; R-4A
East:	Residential; R-4A
West:	Residential; R-4A
Parking Required: 5 spaces	Parking Provided: 5 spaces
Parking Ratio:	1:400
Property Dimensions:	34' x 160'
Property Area:	5,440 sq. ft./ .12 ac.
Square Footage of Building:	2,160 sq. ft.
Significant features of site:	Subject building identified as an Essential structure
Street Improvements:	Existing
Utilities:	Available to site

Property Characteristics: The subject site consists of a 34' x 160' lot located in the Alkali Flat Redevelopment Project area. The structure is located in Preservation Area No. 1 and has been identified as an Essential structure by the Preservation Board. The applicant proposes to renovate the 2,160+ square foot residential structure into law offices and provide five parking spaces on the rear of the lot.

BACKGROUND INFORMATION: During the process of updating the Alkali Flat Redevelopment Plan and considerations of land use/zoning changes, the Alkali Flat Project Area Committee and Planning Commission recommended that the residential land use designation and R-4A zoning be retained for the subject site based upon the structure's original use and surrounding residential uses.

APPLC. NO. P-9559

MEETING DATE November 25, 1981

CPC ITEM NO. 7

(5)

In August 1980 the City Council conducted a public hearing on the Alkali Flat Redevelopment Plan and proposed land use and zone changes. The applicant requested a zone change to R-O, and, contrary to the Project Committee, Planning Commission and staff's recommendation, approved the applicant's rezoning request.

STAFF EVALUATION: The Alkali Flat PAC and the Sacramento Housing and Redevelopment Agency staff have reviewed the applicant's proposal at its October 14, 1981 meeting and recommended against the special permit request. Their comments are included in the attached memorandum. The staff concurs with PAC's recommendation based on the following factors:

1. The City Zoning Ordinance defines the Residential-Office zone as follows: "This is a medium-density multiple family zone, generally located inside the "Old City" and in certain areas adjacent thereto and is established to provide additional environmental amenities in developments within said area. The zone permits development of office buildings subject to the granting of a special permit by the Planning Commission."

The half block area where the subject property is located is composed of a mix of residential and office uses. The western one-half of the half block area along with the subject site is zoned R-O, residential office (refer to Exhibit A, land use/zoning map). An office is located on 10th Street next to the alley and a special permit for office use was recently granted by the Commission for the renovation of 1010 F Street (November 12, 1981 CPC meeting).

As described above, the R-O zone is primarily a multi-family residential zone with a limited amount of office uses allowed where it is appropriate. It is staff's position that there is a sufficient number of office uses within this block and feels that by granting the applicant's special permit request would alter the predominant residential nature of this particular block. The location of the subject site for office use is inappropriate, based on adjacent and surrounding land uses.

2. The subject structure was originally developed for residential purposes and the site is surrounded by existing and proposed residential uses. The adjacent structures to the west and east of the subject site are residential uses. The row of six structures located across "F" Street to the north have recently been renovated for residential purposes. In addition, a 40-unit elderly housing project has been developed on this block with a new mini-park at the 11th Street location.

In addition, the Redevelopment Agency proposes to develop a residential project consisting of 24 units on the vacant parcels to the south across the alley from the subject site.

- 3. Staff has compiled statistics related to the amount of new office space being developed in the Alkali Flat Project area and adjacent areas. The table below summarizes the amount of developed and proposed office space:

Within Alkali Flat Project Area

Recently completed or under construction	117,857 sq. ft.	
Proposed	<u>57,500 sq. ft.</u>	175,357 sq. ft.

Adjacent to Project Area (principally 12th Street and I Street Corridors)

Recently completed or under construction	184,884 sq. ft.	
Proposed	<u>67,003 sq. ft.</u>	
	Sub-total	<u>251,887 sq. ft.</u>

*Grand Total 427,244 sq. ft.

*These figures do not account for new office space being developed south of I Street within the Central Business District.

Based on these statistics, staff feels that there is an ample supply of new office space to satisfy the office demand in the vicinity of the subject site for quite some time.

- 4. It is staff's opinion that recent development activities in the vicinity of the subject site represent one of the foremost examples of neighborhood revitalization in the Central City. Not less than 15 structures have been rehabilitated or are in the process of renovation for residential use. A new 40-unit elderly housing project has recently been developed along with a new mini-park in the subject site's immediate vicinity.

The maintenance of residential use on the subject site in conjunction with the proposed new residential development south of the site will solidify the residential character of this area. The circulation plan for the Central City proposes to convert E and F Streets from one way major to two-way local operation which will further improve conditions for residential use.

In conclusion, based on these factors and the amount of new office space being developed in the Alkali Flat vicinity as previously noted, staff cannot support the applicant's special permit request.

- 5. The Alkali Flat PAC, at the October 14, 1981 meeting, voted to request the City Planning Commission to initiate the rezoning of the property located at 1024 "F" Street, from R-O, residential-office to R-4A, medium density multiple family zone. Staff supports PAC's request and recommends that the Commission initiate a rezoning of the subject parcel.

STAFF RECOMMENDATION: Staff recommends:

Denial of the special permit based on the findings of fact which follow.

Furthermore, staff recommends the Commission initiate rezoning of the subject property from R-0 to R-4A as requested by the Alkali Flat Project Area Committee.

Findings of Fact - Special Permit

1. The project is not based upon sound principles of land use in that:

The proposed office use is not compatible with the existing residential uses of the surrounding area and would alter the predominant residential character of the subject block.

2. The project will be injurious to the public welfare and safety and surrounding properties in that:

- a. the proposed office use will interrupt the continuity of residential uses along this portion of the block face;

- b. the proposed office use will increase vehicular traffic in the vicinity of the new mini-park and the residential neighborhood.

3. The proposal is not in harmony with the objectives of the 1980 Alkali Flat Redevelopment Plan and the 1980 Central City Plan which states respectively:

"Conserve all viable residential neighborhoods from encroachment of non-compatible uses and excessive vehicular traffic";

"To promote the restoration of historically or architecturally significant structures and the conservation of sound housing stock."

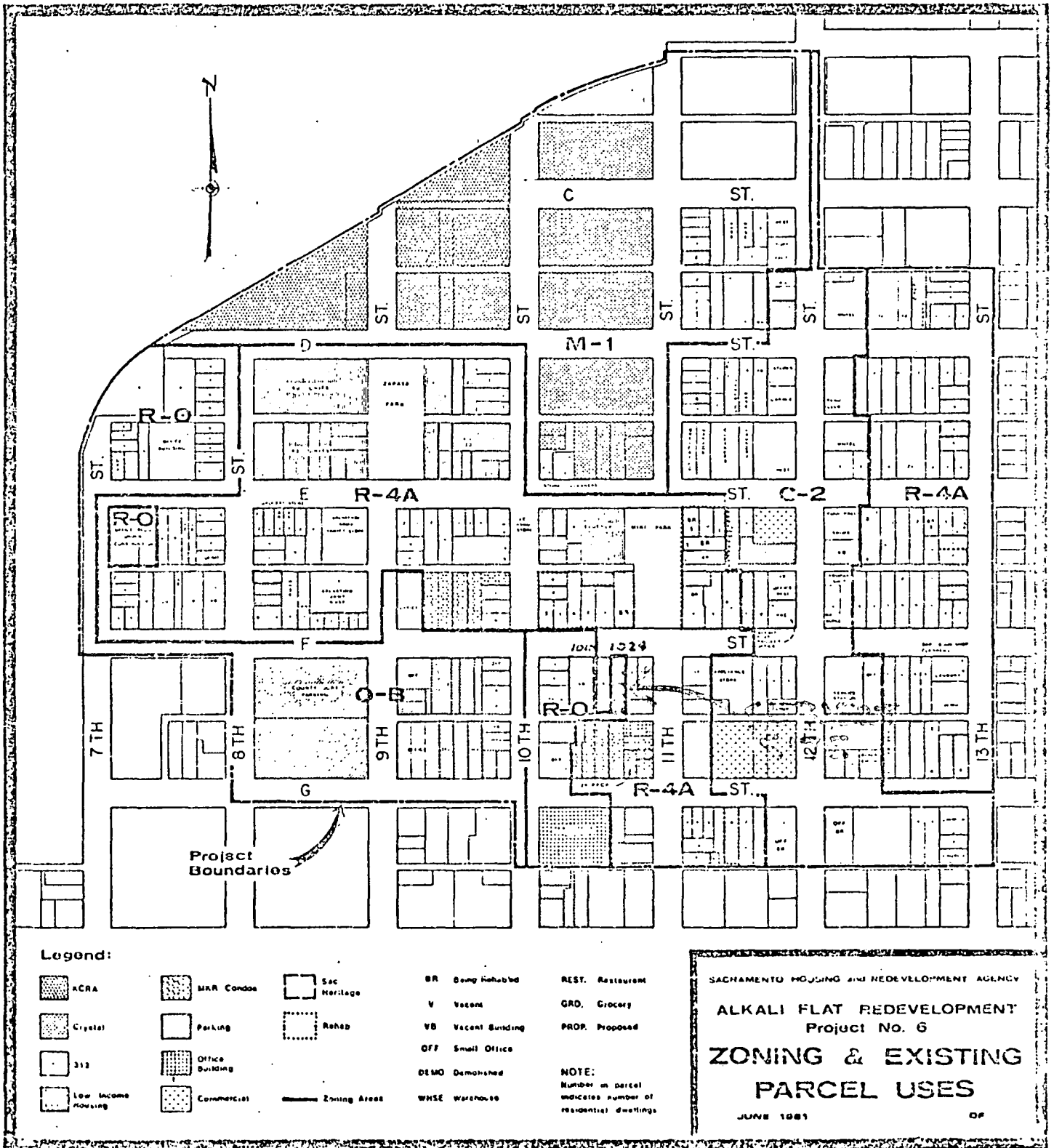
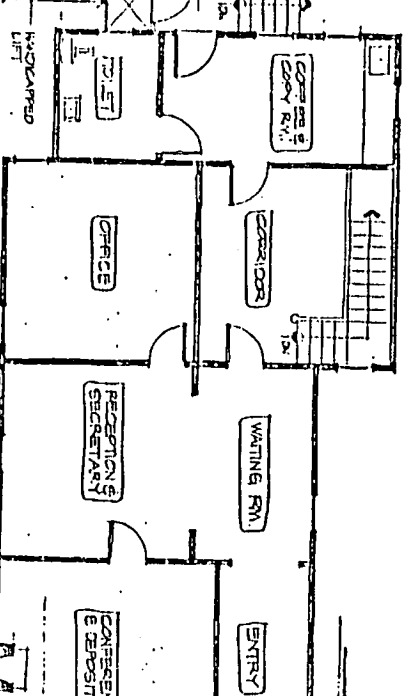


EXHIBIT "A"
VICINITY MAP

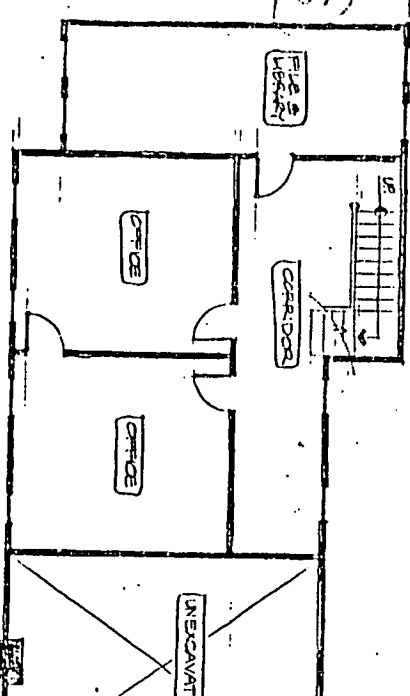
P-9559

11-25-81 (9)

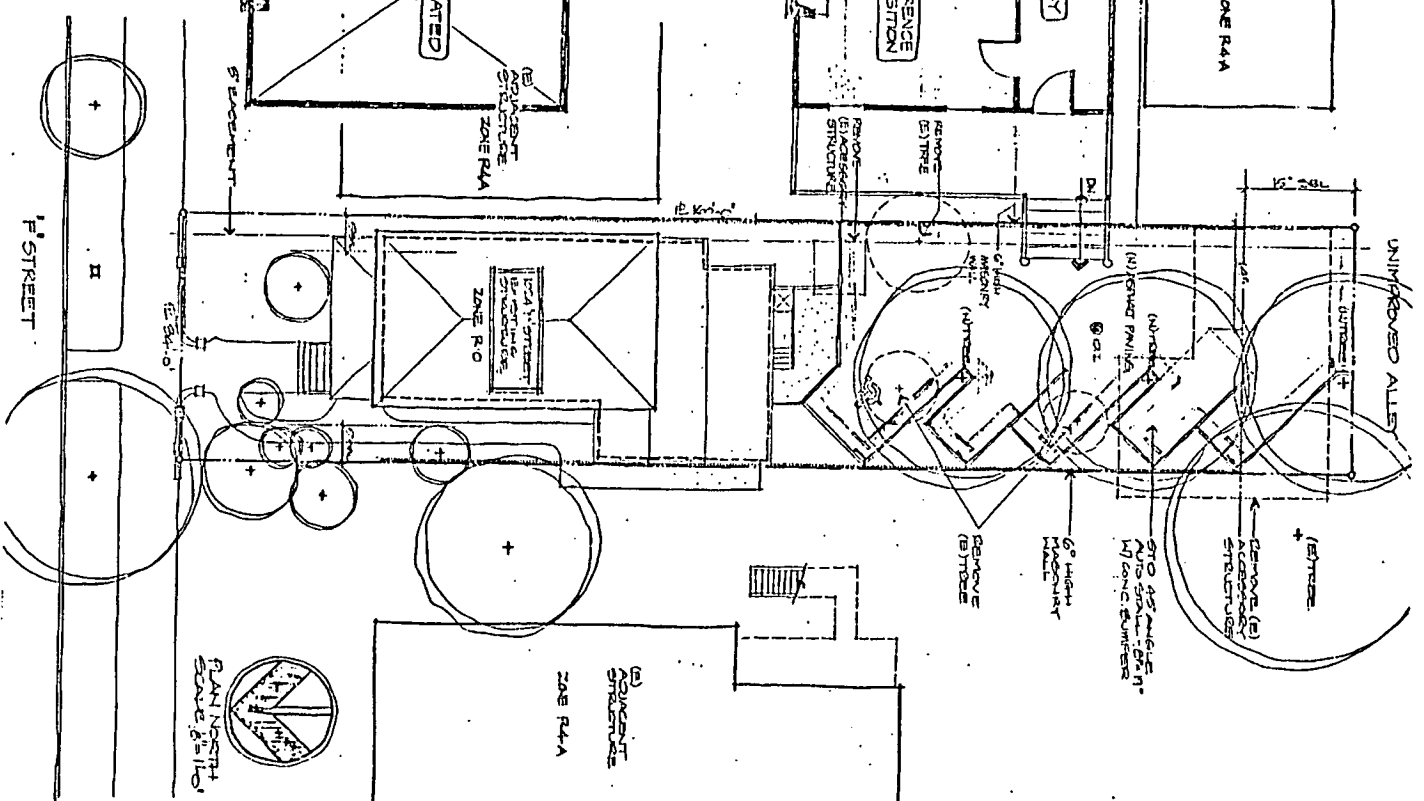
No. 7



FIRST FLOOR PLAN
1/15' S.F.



BASEMENT PLAN
1/4" = 1'-0" 1009 SF



1024 F STREET
victorian remodel

PREPARED FOR:
bair and bair

attorneys at law
925 G Street
Sacramento, CA



PROPOSED LEASE AREA DEVELOPMENT
Bair, FIRST STORY STRUCTURE 1151 SF
Bair, BASEMENT FLOOR 1009 SF
TOTAL DEVELOPED AREA - 2160 SF
2160 SF / 400 SF/AUT = 5 AUT SPACES REQ'D.
ZONED R-0 PROJECT SITE



ALKALI FLAT PROJECT AREA COMMITTEE

530 - 12TH STREET • SACRAMENTO, CALIFORNIA 95814 • (916) 446-6111

CITY PLANNING COMMISSION

NOV 2 1981

RECEIVED

TO: Gene Masuda
FROM: Tim Quintero
DATE: October 28, 1981
SUBJECT: Special Permit Request to establish an office use in Residential/Office zoned property for property located at 1024 F Street.

The Alkali Flat PAC met on October 14, 1981 to review the Special Permit Request for the property located at 1024 F Street.

Following review, the Alkali Flat PAC approved the following recommendations to the City Planning Commission:

1. Special Permit Request to establish office use.
The PAC recommends that the City Planning Commission deny the Special Permit Request.

Gene, the Alkali Flat PAC requests that the City Planning Commission initiate the rezoning of the property located at 1024 F Street, from R-0, Residential-Office to R-4, Medium Density multiple Family zone.

During the process of updating the Alkali Flat Redevelopment Plan, the City Planning Commission, City Planning Staff and the Alkali Flat PAC recommended that the R-4 zone be retained for property located at 1024 F Street.

The Alkali Flat PAC contends that the City Council's decision to rezone this property from R-4 to R-0 constitutes spot rezoning and is incompatible with the surrounding residential land use.

Tim Quintero

Tim Quintero, Director
Alkali Flat PAC Office

TQ/mc

P-9559

NOVEMBER 25, 1981

ITEM 15 7

14

Pamela A. Bair
Steven R. Bair

Bair & Bair
Attorneys at Law
Van Voorhies Mansion
925 G Street
Sacramento, California 95814

RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO

FEB 8 11 39 AM '82 Telephone
(916) 441-2247

February 8, 1982

Ms. Lorraine Magana
City Clerk
City of Sacramento
915 I Street
Sacramento, CA 95814

Re: Appeal of Special Permit Denial
(D1) (P-9559)

Dear Ms. Magana:

I request that the above appeal be continued
for hearing to the first Council Meeting in March.
This appeal is currently scheduled for February 9,
1982.

3-2-82

Very sincerely yours,

BAIR & BAIR



Steven R. Bair

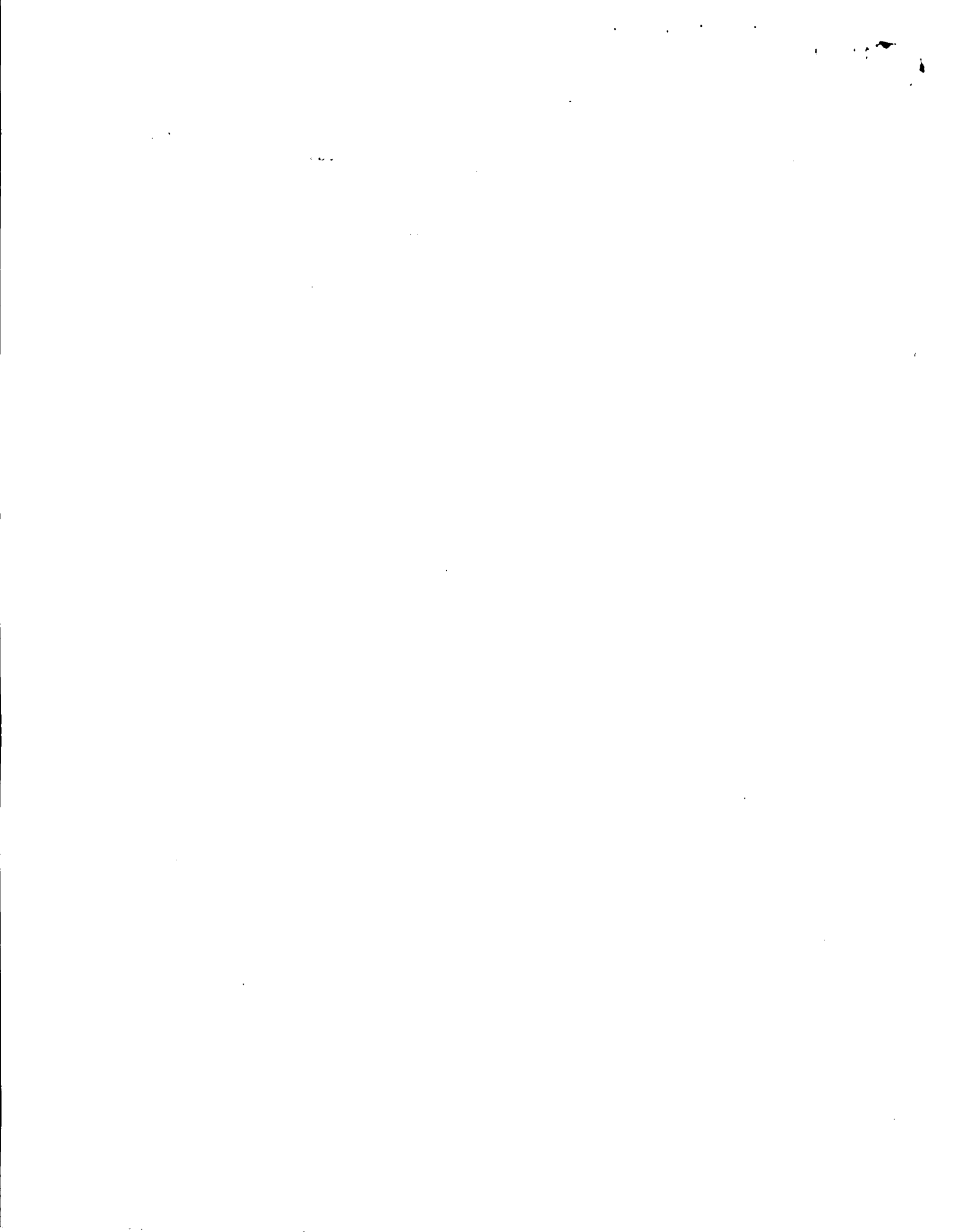
SRB/bb

APPROVED
BY THE CITY COUNCIL

FEB 9 1982

OFFICE OF THE
CITY CLERK

Cont. to
3-2-82



24

STAFF REPORT AMENDED 11-12-81
CITY PLANNING COMMISSION

915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Shepard Johnson - P.O. Box 1406, Roseville, CA		
OWNER	Sacramento Heritage Inc. - 630 I Street, Sacramento, CA		
PLANS BY			
FILING DATE	9-17-81	50 DAY CPC ACTION DATE	REPORT BY: GM:sg
NEGATIVE DEC. EX.	15103c, 15111b	ASSESSOR'S PCL. NO.	002-153-04

- APPLICATION:
1. Special Permit to locate an office use in the R-0 zone.
 2. Variance to reduce required parking spaces from 13 to 8 spaces.
 3. Variance to reduce the 50% parking area shade requirement to 29%.

LOCATION: 1010 F Street

PROPOSAL: The applicant is requesting the necessary entitlements to convert a 5,000+ square foot vacant residential structure into office use.

PROJECT INFORMATION:

1974 General Plan Designation: Residential-Office
1980 Alkali Flat Redevelopment
Plan Designation: Residential-Office
Existing Zoning of Site: R-0
Existing Land Use of Site: Vacant Two-Story Residential Structure

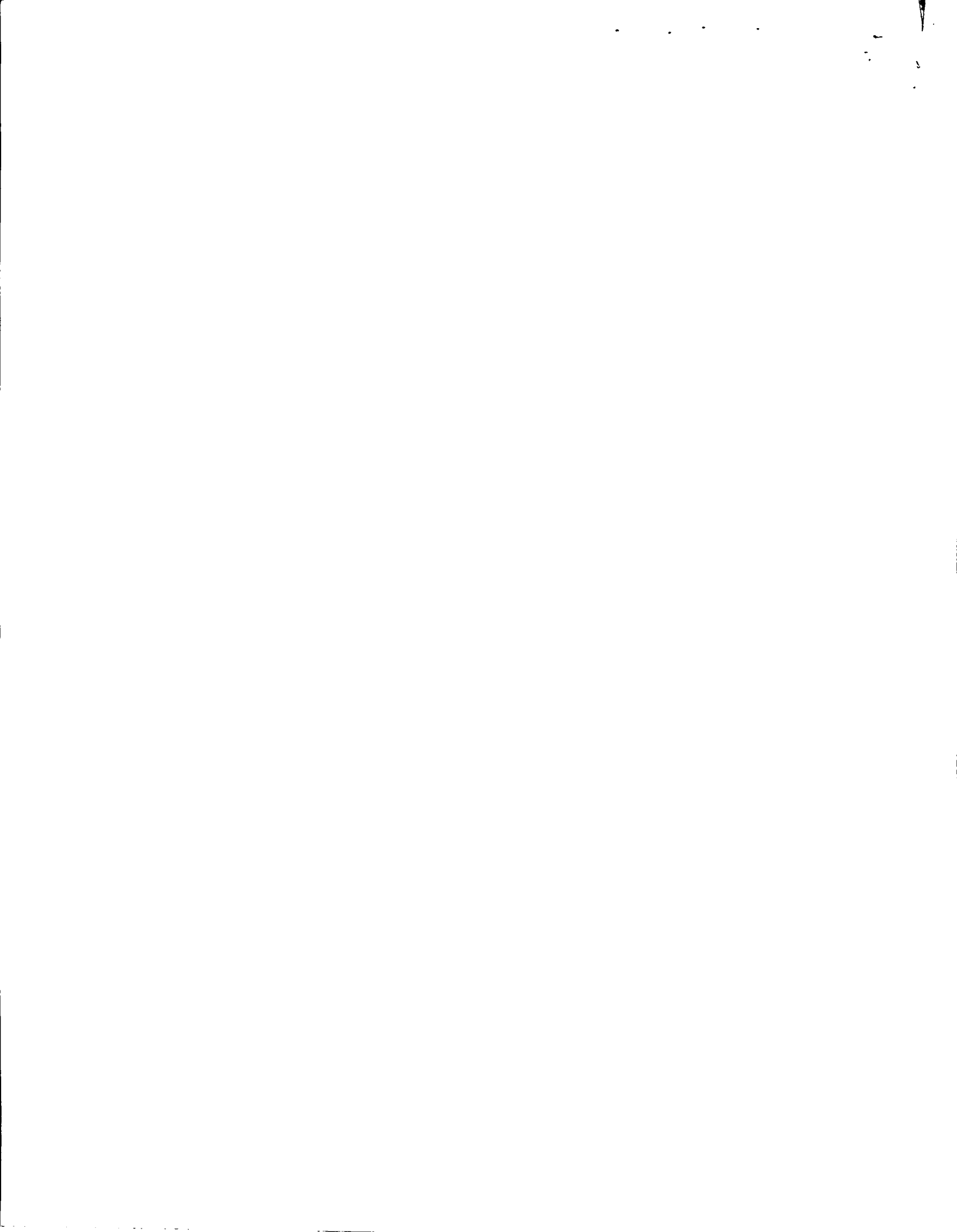
Surrounding Land Use and Zoning:

North: Residential; R-4A
South: Vacant & Office; R-0 & R-4A
East: Residential; R-4A
West: Office & Residential; R-0

Parking Required: 13 Spaces
Parking Provided: 8 Spaces
Parking Ratio: 1/400
Property Dimensions: 73' x 160'
Property Area: 11,680 Sq. Ft./ .27 Ac.
Square Footage of Building: 5,000 Sq. Ft.
Significant Features of Site: Building listed on the National Register and identified as an Essential Structure by the Preservation Board
Street Improvements: Existing
Utilities: Available to Site

BACKGROUND INFORMATION: The subject site consists of a 73' x 160' lot located in the Alkali Flat Redevelopment Project Area. The subject structure has been identified by the Preservation Board as an Essential Structure and the building has been placed on the National Register of Historic Places.

Due to a fire and the potential of further damage or demolition, the City in 1979, transferred Community Development funds to Sacramento Heritage Inc. to purchase the property. Following acquisition, a feasibility study was commissioned by the Preservation Board to determine the economic feasibility of rehabilitation. The consultants estimated rehabilitation costs



of approximately \$450,000 and determined that rehabilitation would be feasible if the structure was allowed to be used for commercial purposes (i.e. office use).

As a result of this finding, the Alkali Flat PAC and the Planning Commission recommended the R-0 zoning for the property. In 1980 the City Council adopted the R-0 land use and zoning designation for the subject site as part of the Alkali Flat Plan update.

The applicant is requesting the necessary entitlements from the Commission in order to proceed with the rehabilitation of the structure for office use. The Alkali Flat PAC has reviewed the subject proposal at its October 14, 1981 meeting and recommends approval of the project subject to conditions. The Sacramento Housing and Redevelopment Agency staff also supports the proposal. Their comments are included in the attached memorandum.

STAFF EVALUATION: Staff also supports the special permit request for office use. This recommendation is based on the following factors:

1. As discussed in the background section, the architectural and historic value of the subject property has been determined to be highly significant. Staff acknowledges the unique circumstances related to the project and efforts to preserve the subject property and therefore supports the special permit request. Office uses are located immediately to the west and across the alley south of the subject site. The proposed office use is compatible with the adjacent land uses and consistent with the Central City Plan.
2. The applicant is requesting a variance to waive five of the required 13 parking spaces. Staff, along with PAC, has concerns about the shortage of parking in the Project Area and feels this problem will worsen with the imposition of the residential parking permit program in the near future.

The site plan shows eight spaces located at the rear of the site, 90° to the alley. Staff notes that the site can physically accommodate the required number of spaces by revising the parking layout (see revised parking plan, Exhibit A). This arrangement would involve the elimination of most of the rear yard landscaping and the removal of a large walnut tree. The approximate diameter of the tree is three feet at the base and stands 30-40 feet high.

Staff prefers that the tree be retained and a variance be granted to waive two spaces located closest to the building in order to save the tree. Staff, therefore, recommends that the applicant revise the parking layout based on staff's plan, taking into account measures to preserve the walnut tree.

3. Staff recommends that the applicant provide a minimum of five bicycle parking facilities for the subject project. A minimum of three of the bicycle parking facilities shall be Class I facilities and the remaining facilities may be Class II or III.

4. The applicant is requesting a variance to reduce the 50% parking area shade requirement to 29% based on the submitted site plan. The applicant proposes to plant a row of trees along the north edge of the parking area. However, because the parking spaces are located south of the planting of trees, the area in shade amounts to 29% at the time the calculations are made due to the 60° sun angle and the relationship of the trees to the parking area.

Given the same circumstance related to lot orientation, the applicant may not be able to achieve the 50% shade requirement based on the revised parking plan proposed by staff. Some shade will be gained by the retention of the walnut tree. Staff encourages the applicant to plant shade trees in the remaining landscaped areas adjacent to the parking area. Staff requests that a detailed shading, landscape and irrigation plan be submitted based on the revised plan prior to the issuance of a building permit.

STAFF RECOMMENDATION: Staff recommends the following actions:

1. Approval of the special permit, subject to conditions, for office use based on the findings of fact which follow.
2. Approval of the variance, subject to conditions, to waive two of the required parking spaces based on the findings of fact which follow.
3. Approval of the variance, subject to conditions, to reduce a portion of the 50% shade requirement based on the findings of fact which follow.

Conditions of Approval

- A. The applicant shall revise the parking layout based on staff's modification (~~Exhibit A~~/A) taking into account measures to preserve the walnut tree. (*CPC approved Scheme B*)
- B. The applicant shall provide five bicycle parking spaces, of which three spaces shall consist of Class I facilities.
- C. The applicant shall provide a detailed tree shading, landscape and irrigation plan for review and approval by staff prior to issuance of building permits.

Findings of Fact - Special Permit

- A. The proposed project, as conditioned, is based on sound principles of land use in that:
 1. The proposal is compatible with surrounding land uses with office uses located west and south of the subject site.
 2. The proposal, as conditioned, will result in the preservation of a structure listed on the National Register and Essential Structure identified by the Preservation Board.

- B. The project, as conditioned, is not injurious to the general public nor surrounding property in that rehabilitation of the subject structure will preserve the architectural integrity of the block face and improve the physical appearance of the area.
- C. The project, as conditioned, is consistent with the goals and objectives of the 1980 Central City Plan and 1980 Alkali Flat Redevelopment Plan which states respectively,
 - "support programs for the preservation of historically and architecturally significant structures which are important to the unique character of the Central City."
 - "To maximize private participation and investment towards redevelopment of the Project Area."

Findings of Fact - Variance

- A. The variances to waive two parking spaces and reduce a portion of the parking area shading requirement does not constitute a special privilege extended to one property owner in that:
 - 1. The preservation of a mature walnut tree prevents the development of the required number of parking spaces.
 - 2. The location of the parking area in relationship to the lot orientation does not permit the site to be developed in compliance with the Zoning Ordinance related to parking lot shading requirement.
- B. The project will not be injurious to the public welfare and surrounding properties in that rehabilitation of the subject structure will benefit the cultural and architectural heritage of the community as well as eliminate a dangerous and blighted building in the Project Area.
- C. The project is compatible with the 1974 City General Plan which states, "Give strong emphasis to the preservation of historically and architecturally significant structures in Sacramento."



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

915 I STREET
CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5428

LORRAINE MAGANA
CITY CLERK

March 3, 1982

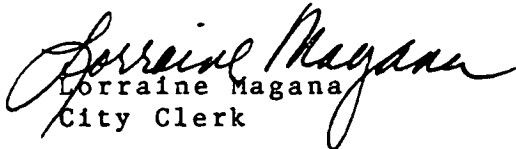
Steven R. Bair
Pamela A. Bair
925 "G" Street
Sacramento, CA 95814

Dear Mr. and Mrs. Bair:

On March 2, 1982, the Sacramento City Council heard your appeal from City Planning Commission action denying you a Special Permit to establish office use in the R-0 Zone at 1024 "F" Street..

The Council adopted by motion its intent to deny your appeal contingent on Findings of Fact which are due March 16, 1982.

Sincerely,


Lorraine Magana
City Clerk

LM/mm/24

cc: Planning Department

