

CITY PLANNING COMMISSION  
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT	Kinjiro Nakatogawa, 5628 Surf Way, Sacramento, CA 95822				
OWNER	Nichiren Buddhist Church, 5191 24th St., Sacramento, Ca 95822				
PLANS BY	Frank Hiyama, 1117 Swanston Drive, Sacramento, Ca 95818				
FILING DATE	January 27, 1993	ENVIR. DET.	Negative Declaration	REPORT BY	SLY
ASSESSOR'S PCL. NO.	019-171-020, 017, 019				

APPLICATION:

- A. Negative Declaration
- B. Special Permit Modification to add a 31 car parking lot for an existing church on 1.27 $\pm$  partially developed acres in the Standard Single Family, Executive Airport Overlay-3 (R-1){EA-3} zone.
- C. Variance to waive the required six foot masonry wall.
- D. Parcel Merger to merge three parcels into one parcel totaling 1.27 $\pm$  acres.

LOCATION: 2452 26th Avenue and 5191 24th Street

PROPOSAL: The applicant is requesting the necessary entitlements to construct a 31 car parking lot for an existing church on 1.27 $\pm$  partially developed acres in the (R-1) zone.

PROJECT INFORMATION:

General Plan Designation: Low Density Residential (4-15 du/na)  
Existing Zoning of Site: R-1  
Existing Land Use of Site: Church building, parsonage, and vacant

Surrounding Land Use and Zoning:

North: Apartments, Single Family, and Warehouse, C-2{EA-3} and M-1{EA-3}  
South: Single Family, R-1{EA-3}  
East: Single Family, R-1{EA-3}  
West: Single Family, R-1{EA-3} and C-2{EA-3}

Parking Required: 20 spaces  
Parking Provided: 63 spaces  
Property Dimensions: Irregular  
Property Area: 1.27 $\pm$  acres  
Square Footage of Buildings: Temple- 2,880 square feet  
Activity Building- 2,944 square feet  
Parsonage- 1,782 square feet  
Storage Container- 400 square feet  
Total- 8,006 square feet

APPLC. NO. P93-020

MEETING DATE June 10, 1993

ITEM NO. 4

00812

Height of Building: 40 feet  
Topography: Flat  
Street Improvements: Existing  
Utilities: Existing

**BACKGROUND INFORMATION:** On July 28, 1964, the Planning Commission approved a Special Permit to erect a 5,700 square foot church with off-street parking in the (R-1) zone.

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

A. Land Use and Zoning

The subject site is three rectangular parcels totaling 1.27± partially developed acres in the Standard Single Family (R-1) zone. The site is developed with a 2,880 square foot temple, a 2,944 square foot activity building, a 1,782 square foot parsonage, and a 400 square foot storage container. The General Plan designates the subject site as Low Density Residential (4-15 du/na). The surrounding land use and zoning for the site are apartments, a single family residence, and a warehouse, zoned General Commercial (C-2){EA-3} and Light Industrial (M-1){EA-3} to the north; single family, zoned (R-1){EA-3} to the south and east; and single family, zoned (R-1){EA-3} and General Commercial (C-2){EA-3} to the west.

B. Applicant's Proposal

The applicant is proposing to pave a vacant lot to create 31 additional parking spaces for the church. Any change or expansion of the church's physical characteristics or activities from the previously approved Special Permit requires a Modification of the Special Permit. The church owns three parcels which includes the vacant lot and two developed parcels. The existing common property line splits the existing parking area between the two western parcels and also the future parking area. The applicant is requesting to merge all three parcels into one parcel to eliminate the common property lines. The applicant is also requesting a variance to waive the required six foot masonry wall around the perimeter of the expanded parking lot.

C. Site Plan Design

The site consists of three large rectangular parcels totaling 1.27± partially developed acres which has street frontage on 24th Street and 26th Avenue (see Exhibit A and C). There is an existing single story temple, a parsonage, and an activity building totaling 7,606 square feet on the two parcels which front on 24th Street. The third parcel has frontage on 26th Avenue and abuts the northeast corner of southern parcel. The existing common property line splits the existing parking area between the two western parcels. The Zoning Ordinance requires parking for a project to be located entirely on-site or have a variance for off-site parking. Additionally, the Zoning Ordinance requires a special permit for a stand alone parking lot located in the (R-1) zone. A parcel merger of the three parcels will eliminate the common property line between the lots, eliminate the need for the variance and the special permit, and bring the existing parking lot into conformance.

The proposed parking lot will be located on the vacant lot which fronts on 26th Avenue. The

lot will have one driveway located at the center of the street frontage to access the new 31 parking spaces. The parking area will be used primarily for extra parking for church bazaars which occur periodically throughout the year. The only connection to the existing parking lot from the proposed parking lot will be through a pedestrian gate located at the southwest corner of the proposed parking lot. Staff recommends the new parking area meet the shading requirements of the Zoning Ordinance. Staff also recommends that the front setback area on either side of the driveway be landscaped to include an automatic irrigation system and shrubs along the width of the lot adjacent to the first parking stalls to provide visual screening of the parking area from the street. The metal storage container is located on the south end of the vacant lot proposed for the parking area. The applicant intends for the container to remain. Staff recommends the container be screened from the street view by a lattice fence with climbing vines.

There is an existing wooden fence along the perimeter of the proposed parking lot area. The fence is in poor condition and falling down in some places. The Zoning Ordinance requires a six foot solid masonry wall be constructed along the property lines between residential and non-residential uses. The applicant is requesting a variance to waive the wall requirement. Staff recommends that a six foot solid wood fence with no gaps be constructed along the perimeter of the parking lot to replace the existing fence and provide a better visual and noise buffer for the surrounding properties.

**D. Staff Summary**

Staff supports the approval of the Special Permit Modification and the Parcel Merger to add the 31 car parking lot for an existing church in that additional off-street parking will be provided for large church functions, adequate setbacks will be provided, and landscaping will provide screening. Staff supports the approval of the Variance to waive the six foot masonry wall requirement in that a new six foot solid wood fence with no gaps as well as landscaping will be provided as a visual and noise buffer for the surrounding properties.

**E. Agency Comments**

The proposed project was reviewed by City Traffic Engineering, Engineering Departments, Building Inspections, the Fire Department, and SMUD. The following comments were received:

**1. Traffic Engineering staff comments:**

- a. The site will be allowed one driveway, centered in the parcel's frontage along 26th Avenue.
- b. The new driveway shall be constructed to City Standards (minimum width of 24 feet).
- c. All parking spaces shall be to City Standards.

**2. Engineering Development staff comments:**

- a. Comply with the City's Cross Connection Control Policy.

- b. Site will be allowed one driveway (24 feet minimum width) centered along 26th Avenue frontage.
- c. New driveway and parking spaces shall be to City Standards.
- d. On-site paving, grading, and drainage shall be approved by Public Works prior to issuance of a Building Permit.
- e. Notice: Property to be developed in accordance with this special permit may be subject to flooding. Interested parties should ascertain whether and to what extent such flooding may occur. The applicable base flood elevations for the property should be reviewed. Base flood elevations are contained in the U.S. Army Corps of Engineers Flood Insurance Study Working Map for the Sacramento Community, dated January 1989, available at the City of Sacramento's Department of Public Works, Development Services Division, 927 10th Street, Room 100.
- f. Applicant shall complete the following at the Public Works Department, Development Services Division, prior to a lot line merger being recorded:
  - 1. File a Certificate of Compliance, submit all required documents according to the submittal requirements checklist, and pay necessary fees.
  - 2. File a waiver of Parcel Map.
  - 3. Properly abandon any excess water services to the satisfaction of the Water Division (One service per lot is permitted.)
  - 4. Notice: Property to be merged in accordance with this certificate of compliance may be subject to flooding. Interested parties should ascertain whether and to what extent such flooding may occur. The applicable base flood elevations for the property should be reviewed. Base flood elevations are contained in the U.S. Army Corps of Engineers Flood Insurance Study Working Map for the Sacramento Community, dated January 1989, available for review at the City of Sacramento's Public Works Department, Development Services Division, Room 100, 927 10th Street.

**ENVIRONMENTAL DETERMINATION:** The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact on the environment and has filed a negative declaration with no mitigation measures.

**RECOMMENDATION:** Staff recommends the Planning Commission take the following actions:

- A. Ratify the Negative Declaration
- B. Approve the Special Permit Modification to add a 31 car parking lot for an existing church subject to the conditions and based upon the findings of fact which follow.

- C. Approve the Variance to waive the required six foot masonry wall subject to the conditions and based upon the findings of fact which follow.
- D. Approve the Parcel Merger by adopting the attached resolution.

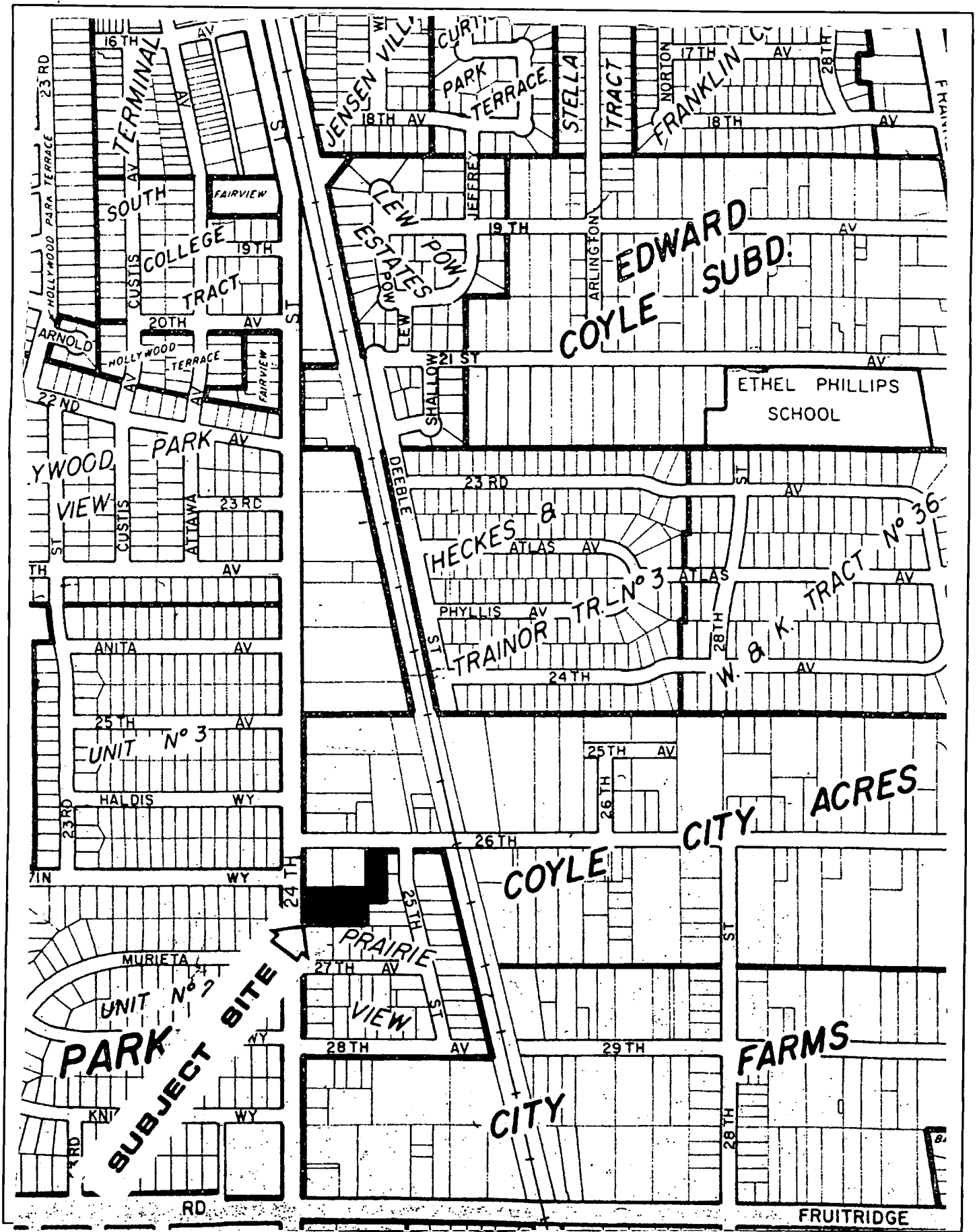
Conditions:

1. Any changes or additions to the existing structures or proposed parking area shall require a modification of the special permit.
2. Any signage shall meet the requirements of the Sign Ordinance and have a sign permit.
3. The applicant shall obtain a building permit for the parking lot and the storage container.
4. The front setback area on either side of the driveway shall be landscaped to include an automatic irrigation system and shrubs along the width of the lot adjacent to the first parking stalls. The landscaping shall be indicated on a revised site plan to be submitted for Planning staff review and approval prior to the issuance of building permits.
5. The parcel merger shall be recorded prior to the issuance of building permits.
6. The new parking area shall meet the shading requirements of the Zoning Ordinance.
7. The storage container shall be screened from the street view by a lattice fence with climbing vines. The storage container shall be indicated on the revised plans to be submitted for Planning staff review and approval prior to the issuance of building permits.
8. The applicant shall construct a six foot solid wood fence with no gaps along the perimeter of the parking lot to replace the existing fence. The new fence shall be indicated on a revised site plan to be submitted for Planning staff review and approval prior to the issuance of building permits.
9. The site shall be allowed one driveway (24 feet minimum width) centered along 26th Avenue frontage.
10. The new driveway shall be constructed to City Standards (minimum width of 24 feet).
11. All parking spaces shall be to City Standards.
12. Comply with the City's Cross Connection Control Policy.
13. On-site paving, grading, and drainage shall be approved by Public Works prior to issuance of a Building Permit.
14. Notice: Property to be developed in accordance with this special permit may be subject to flooding. Interested parties should ascertain whether and to what extent such flooding may occur. The applicable base flood elevations for the property should be reviewed. Base flood

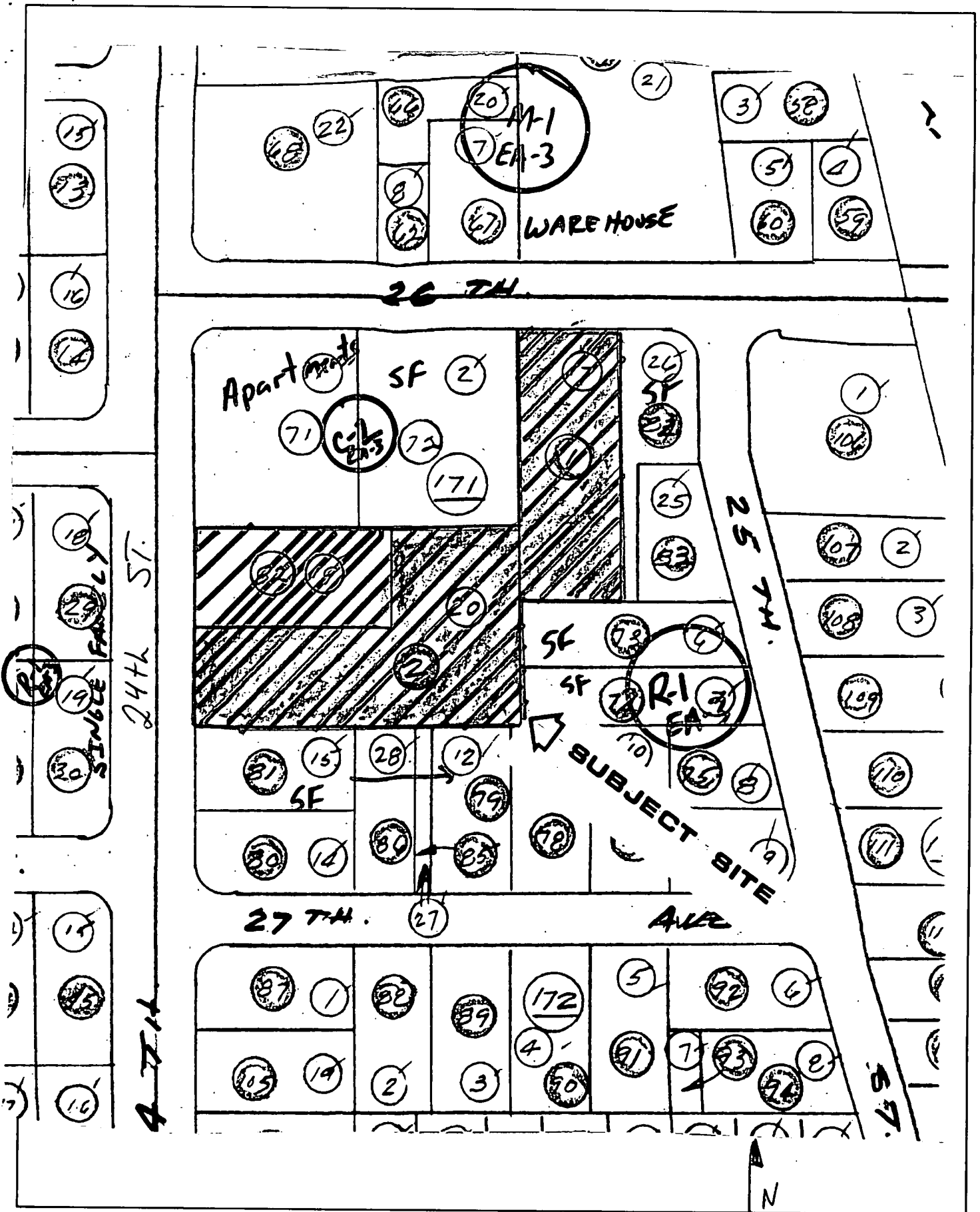
elevations are contained in the U.S. Army Corps of Engineers Flood Insurance Study Working Map for the Sacramento Community, dated January 1989, available at the City of Sacramento's Department of Public Works, Development Services Division, 927 10th Street, Room 100.

Findings of Fact:

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
  - a. the use will not significantly impact the surrounding commercial tenants and residential development;
  - b. additional off-street parking will be provided for large church special functions; and
  - c. adequate landscaping and a new fence will provide a visual and noise buffer for adjacent properties.
2. The project will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that:
  - a. the project, as conditioned, is compatible with the existing neighborhood; and
  - b. additional parking with adequate setbacks and landscaping will be provided.
3. Granting the variance does not constitute a special privilege extended to an individual property in that, any individual property owner would be granted a variance facing similar circumstances.
4. Granting the variance request does not constitute a use variance in that a church is allowed in the (R-1) zone with a special permit.
5. The project is consistent with the General Plan which designates the site as Low Density Residential (4-15 du/na). A church is permitted in the Standard Single Family (R-1) zone with a special permit.

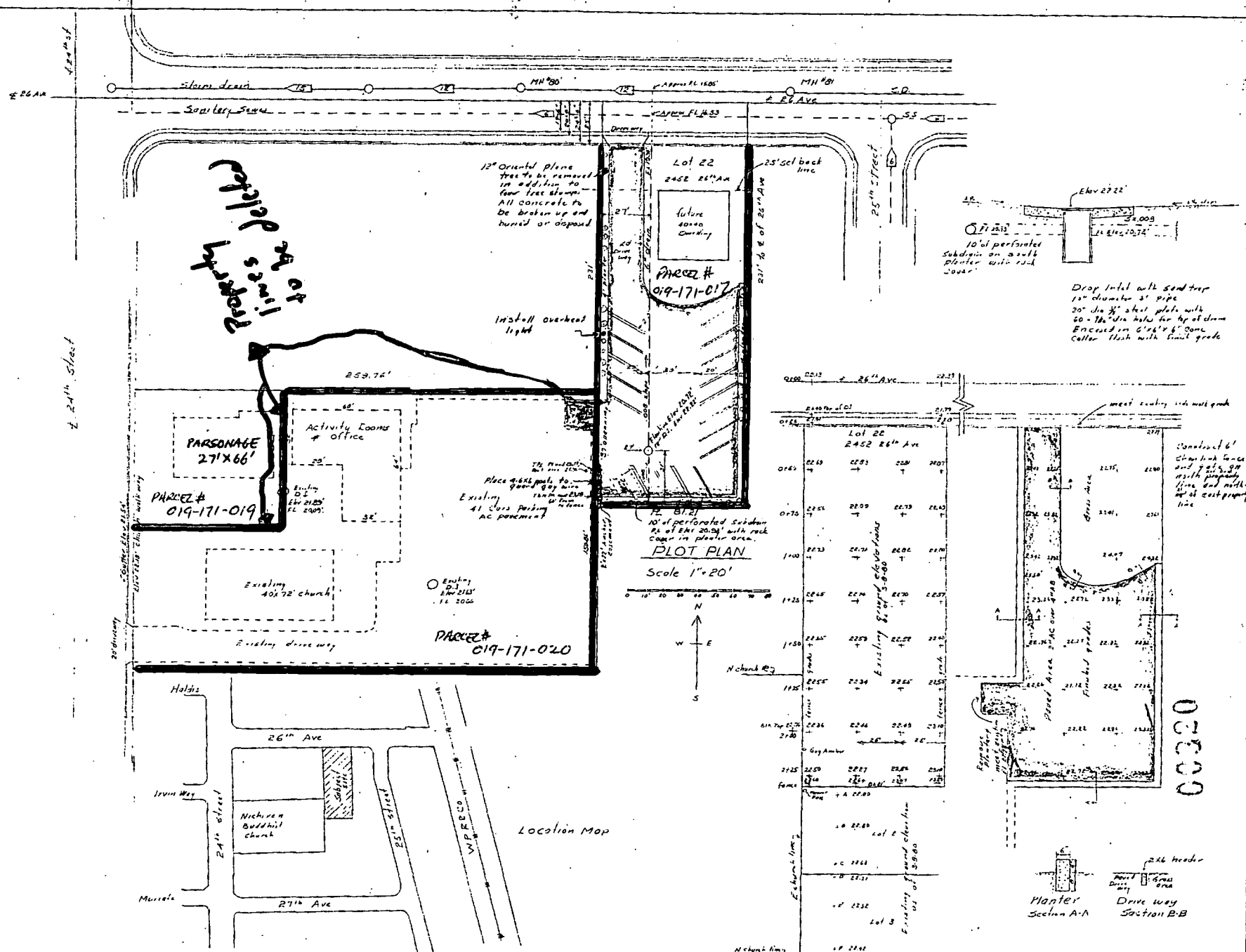


VICINITY MAP



**LAND USE & ZONING MAP**





BENCH-MARK Elev 21.99  
BM 18-17 Hill nail in  
conc. base of street light  
standard NE corner Irwin  
Way and 23rd street

Parking and future dwelling unit  
on 8121'x204' portion of Lot 22, Coyle City  
Acres, filed 4-8-21 in bk. 16 of Maps, Map  
No 28 recorded in Sacramento County.

**LOCATION**  
2452 26<sup>th</sup> Avenue  
Sacramento, California

CIVIL ENGINEER  
FRANK HIYAMA  
Lead Hiyama  
3080  
CE NO 8173

OWNER  
NICHIRAN BUDDHIST CHURCH  
5191 24<sup>th</sup> STREET  
SACTO CALIF

**EXHIBIT B**

Application for Lot Line Merger  
Submitted by Nichiren Buddhist Church, 5191 24th St,  
Sacramento, CA 95822.

Description of parcel to be created by merging parcel  
#019-171-020 (5191 24th St) and parcel #019-171-017 (2452  
26th Ave):

Deed Holder: NICHIREN BUDDHIST CHURCH, a California  
corporation.

The following described Real Property in the State of  
California, County of Sacramento, City of Sacramento.

Lot 20, as shown on the official "Plat of Coyle City  
Acres", filed in the office of the County Recorder of  
Sacramento County, on April 8, 1921, in Book 16 of  
Maps, Map No. 28. EXCEPTING THEREFROM the North 76  
feet of the West 185.74 feet measured to the center of  
the road on the West.

PLUS: All that portion of Lot 22, as shown on the  
"Plat of Coyle City Acres", filed April 8, 1921 in Book  
16 of Maps, Map No. 28 , in the office of the County  
Recorder of Sacramento County, described as follows:

Beginning at a point on the West line of said Lot 22,  
located North 246.57 feet from the Southwest corner of  
said Lot 22, said point of beginning being further  
described as the Northwest corner of Lot 2, as shown on  
the "Map of Prairie View", recorded April 30, 1946 in  
Book 23 of Maps, Map No. 17; thence from said point of  
beginning along the West line of said Lot 22, North 231  
feet to the Northwest corner of said Lot 22, which  
corner is located on the center line of Coyle Avenue  
(now 26th Avenue) a 50 foot public road; thence, along  
the North line of said Lot 22 and along the center line  
of said 26th Avenue, East 81.21 feet to a point located  
West 10.00 feet from the Northwest corner of Lot 1 of  
said Prairie View; thence parallel with the West line  
of said Lot 1, South 231 feet to the North line of said  
Lot 2 of Prairie View; thence along said North line,  
West 81.21 feet to the point of beginning.

PLUS: The North 76 feet of the West 185.74 feet of Lot  
20, as shown on the Official "Plat of Coyle City Acres",  
filed in the Office of the County Recorder of Sacramento  
County on April 8, 1921 in Book 16 of Maps, Map No. 28,.  
The measurements are computed to the center line of the road  
on the West.

Date: March 3, 1993

Prepared by: Kinjiro Nakatogawa

Kinjiro Nakatogawa

P93020

00001 JUNE 10, 1993

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P43-020

REVISIED 1  
JUNE 10, 1993

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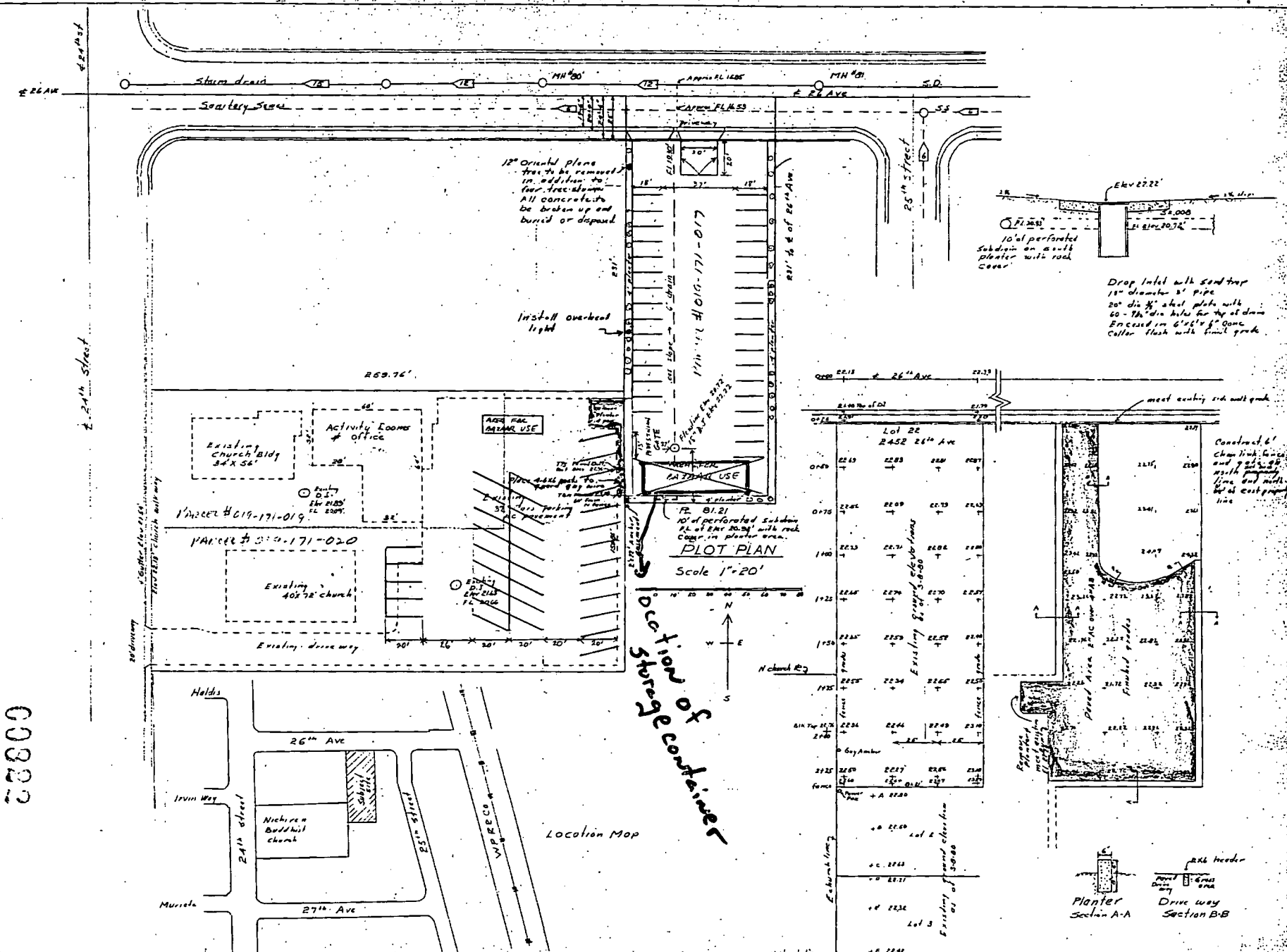


EXHIBIT - C

## LETTER OF AGENCY

Date: 1-20-93

City of Sacramento  
 Department of Planning and Development  
 1231 I Street, Suite 200  
 Sacramento, CA 95814

Gentlemen:

I, the undersigned legal owner of record, hereby grant permission to:

Applicant: Kinjiro Nakatogawa Phone: 443-3245Applicant's address: 5628 Surf Way, Sacramento CA 95822

to apply for the following entitlement(s):

- Plan Amendment  
 Rezoning  
 PUD Designation  
 Tentative Map  
 Lot Line Adjustment  
 Subdivision Modification  
 Special Permit  
 Planning Director's Special Permit  
 Variance  
 Planning Director's Variance  
 "R" Review (Development Plan Review)

The subject property is located at 2452 26th AveAssessor's Parcel Number #019-171-017

*Kinjiro Nakatogawa*  
 Kinjiro Nakatogawa, President  
 Signature of owner of record (must be original)

Nichiren Buddhist Church  
 Name of owner of record

5191 24th St, Sacramento, CA 95822 456-8371  
 Address of owner of record Phone

P93 020

Application Number \_\_\_\_\_

00823