

City Planning Commission
Sacramento, California

Members in Session

- Subject: A. Negative Declaration
- B. Time Extension for a variance to allow a staircase to project into the front setback an additional foot over the four feet allowed.
- C. Time Extension for a variance to reduce the side yard setbacks from 5 feet to 0 feet.
- D. Time Extension for a variance to reduce the rear yard setback from 15 feet to 3 feet.
- E. Time Extension for a variance to reduce the required maneuvering area from 26 feet to 22 feet on 0.07± developed acres in the Office Building (OB) zone.

Location: 604 10th Street

APN: 002-0151-0011

Background Information

On October 26, 1989, the Planning Commission approved the above variances in order to renovate an existing historical structure for use as an office. A condition for approval was that "a building permit would not be issued until the General Plan was amended to exclude areas designated A99 Flood Hazard Zone from areas considered 'subject to unreasonable risk of flooding'". The General Plan Amendment was adopted in February 1990.

The project is located in a Preservation area and is subject to review and approval of the Design Review/Preservation Board. The applicant received approval from the Design Review/Preservation Board on July 3, 1990. The applicant has submitted to the Building Division for plan check and has had to undergo numerous revisions to comply with the Building Code. A variance is valid for one year. The applicant is requesting the one year extension in order to complete the project.

Staff's Evaluation

Staff has reviewed the submitted plans. The project is the same as previously approved by the Planning Commission, except for changes to the elevations. The revised elevation have been approved by the Preservation Board (PB90-010). Staff has no objections to extending the variances for one year.

Environmental Determination: The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated the following mandatory mitigation measures into the project plans to avoid identified effects or to mitigate such effects to a point where clearly no significant effects will occur:

- A. The applicant agrees to pay such lawful fees, taxes or assessments imposed through the use of development fees, impact fees, fee districts, community facilities districts, assessment districts, or other fair, equitable, and appropriate mechanisms designed to address project impacts on the existing combined stormwater sewer system, and shall execute an agreement satisfactory to the City Attorney and suitable for recordation which obligates the applicant to pay fair, equitable and appropriate development or related fees, impact fees or assessments or taxes as and when enacted, imposed, or levied.
- B. The applicant will comply with the following State regulation:
- o Section 65-019 of the California Labor Code requires developers to identify all asbestos containing materials in existing building prior to

demolition or renovation.

If asbestos containing materials are identified on the project site, the applicant will determine the quantity of material to be removed and comply with the following applicable State and Federal regulations:

- o California Occupational Safety and Health Administration (CAL-OSHA) work safety standards must be applied to any demolition or renovation of structures that contain more than 100 square feet of asbestos containing materials. Specific standards are provided by CAL-OSHA (San Francisco Office: (415) 974-7633).
 - o Environmental Protection Agency (EPA National Air Emission Standards must be applied to any demolition or renovation of structures than contain more than 160 square feet or 260 linear feet of asbestos containing materials. Specific information is provided by PA (San Francisco Office: (415) 974-7633).
 - o In order to document compliance with these measures, the applicant will provide a copy of the awarded demolition bid to the City Environmental Coordinator prior to issuance of a building permit for demolition.
- C. If subsurface archaeological or historical remains including unusual amounts of bones, stones, or shells are discovered during excavation or construction of the site, work shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.

Recommendation: Staff recommends that the Planning Commission take the following action:

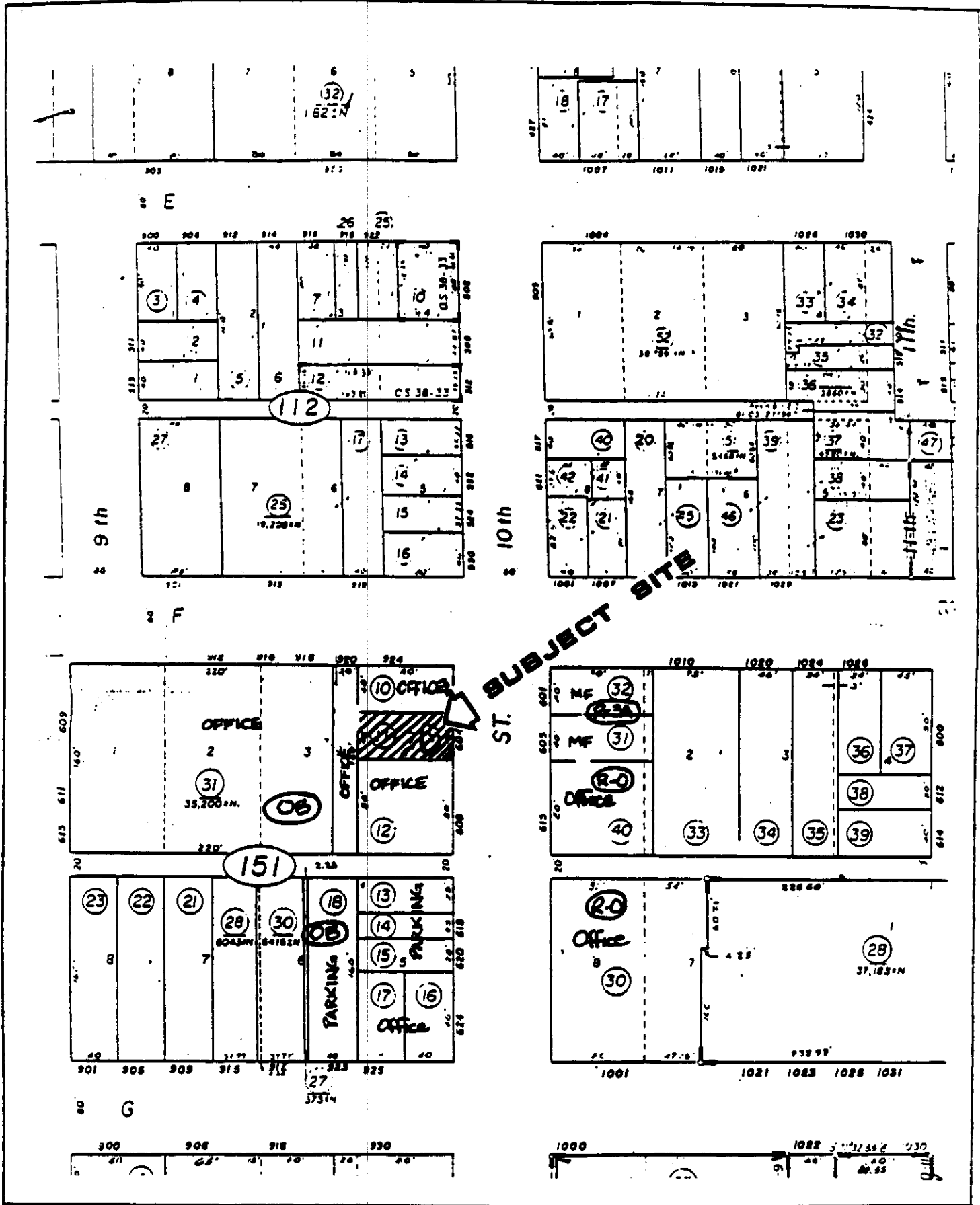
- A. Ratify the Negative Declaration
- B. Approve the time extension for a variance to allow a staircase to project into the front setback an additional foot over the four feet allowed, subject to conditions and based upon findings of fact which follow.
- C. Approve the time extension for a variance to reduce the side yard setbacks from 5 feet to 0 feet, subject to conditions and based upon findings of fact which follow.
- D. Approve the time extension for a variance to reduce the rear yard setback from 15 feet to 3 feet, subject to conditions and based upon findings of fact which follow.
- E. Approve the time extension for a variance to reduce the required maneuvering area from 26 feet to 22 feet, subject to conditions and based upon findings of fact which follow.

Conditions:

- 1. The second floor shall be used only as a storage area.
- 2. The applicant shall comply with the recommendations of the Preservation Board.
- 3. The applicant shall comply with the mitigation measures identified in the revised Negative Declaration.

Findings of Fact:

- 1. The variances, as conditioned, do not constitute a special privilege extended to one individual property owner in that the variances would be granted to other property owners facing similar circumstances.



VICINITY - LAND USE - ZONING

2. The variances do not constitute use variances in that it is an office building in an office zone.
3. Granting the variances would not be injurious to the public safety nor result in the creation of a public nuisance in that adequate parking is provided on site and a historical building is being rehabilitated.
4. The project, as conditioned, is consistent with the General Plan and the 1980 Central City Plan which designate the site Community/Neighborhood Commercial & Offices and Office, respectively.

Respectively submitted.

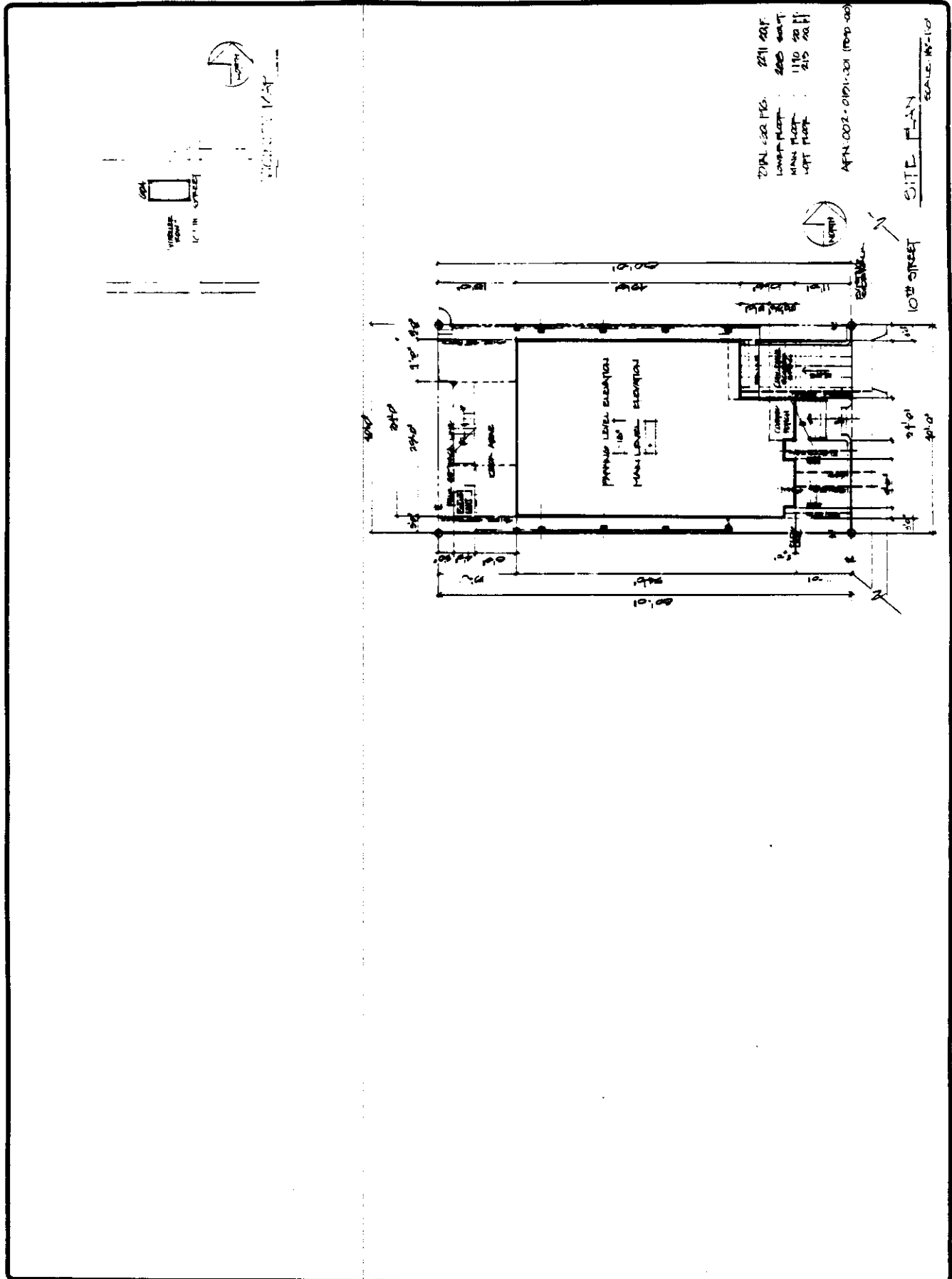
Joy Patterson
Joy Patterson
Senior Planner

Report Prepared By:

Jeanne Corcoran
Planner

EXHIBIT A
SITE PLAN

NO.	DATE	REVISION

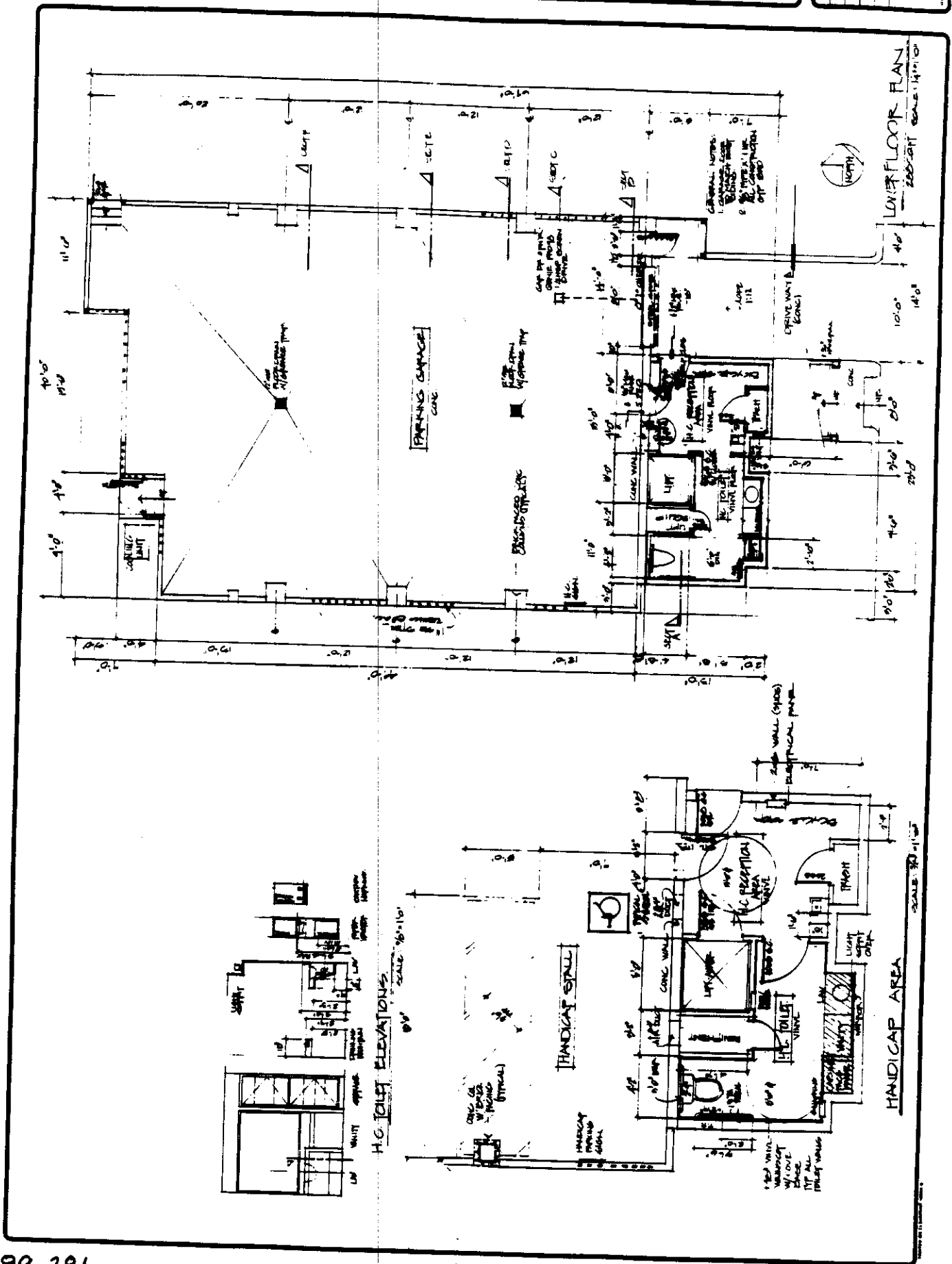


TOTAL SQ. FT. : 2211 SQ. FT.
 LOWER FLOOR : 2200 SQ. FT.
 MAIN FLOOR : 1110 SQ. FT.
 1ST FLOOR : 2415 SQ. FT.
 APR. 002 - 0101.00 (PROP. 000)

SITE PLAN
SCALE: 1/8" = 1'-0"

FLY	NO. 2806
DATE	9/27/83
BY	(3)

NO.	DATE	BY



CITY PLANNING COMMISSION

1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT	Richard Lehrfeld; 1010 F Street, #100; Sacramento, CA 95814		
OWNER	Richard Lehrfeld; 1010 F Street, #100; Sacramento, CA 95814		
PLANS BY	Compac Design Corp.; 1625 March Lane, Ste. B-2; Stockton, CA 95207		
FILING DATE	7/13/89	ENVIR. DET.	Neq. Dec.
ASSESSOR'S PCL. NO.	002-0151-011		
REPORT BY	CL		

- APPLICATION:**
- A. Negative Declaration.
 - B. Variance to allow a staircase to project into the front setback an additional foot over the four feet allowed.
 - C. Variance to reduce the side yard setbacks from 5 feet to 0 feet.
 - D. Variance to reduce the rear yard setback from 15 feet to 3 feet.
 - E. Variance to reduce the required maneuvering area from 26 feet to 22 feet on 0.07± developed acres in the Office Building (OB) zone.

LOCATION: 604 10th Street

PROPOSAL: The applicant is requesting the necessary entitlements to renovate an existing historical structure for use as an office.

PROJECT INFORMATION:

General Plan Designation:	Community/Neighborhood Commercial & Offices
1980 Central City Community Plan Designation:	Office
Existing Zoning of Site:	OB
Existing Land Use of Site:	Vacant

Surrounding Land Use and Zoning:	Setbacks	Required	Provided
North: Office; OB	Front:	5'	0'
South: Office; OB	Side(Int):	5'	0'
East: Office & Residential; RO & R-3A	Rear:	15'	3'
West: Office; OB			

Parking Required:	4 Spaces
Parking Provided:	4 Spaces
Property Dimensions:	40' x 80'
Property Area:	0.07± acres
Square Footage of Building:	1,975 square feet

Height of Building:	31 feet
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Beveled grooved siding
Roof Material:	Composition

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of 0.07± acres in the Office Building (OB) zone. The site is currently developed with a 1,551 square foot vacant office building. The Official Register lists this building as a priority structure. The General Plan designates the site Community/Neighborhood Commercial and Office. The 1980 Central City Plan designates the site Office. The surrounding land use and zoning includes office, zoned OB, to the north, south and west; and office and residential, zoned RO and R-3A, to the east.

B. Applicant's Proposal

The applicant is proposing to rehabilitate an existing historical building to use as an attorney's office. The applicant proposes to raise the building and provide parking below. The applicant is requesting a variance to allow the front staircase to project further than 4 feet into the front setback. The applicant is also requesting a variance to reduce the side setbacks from 5 feet to 0 feet. The existing building has 3 foot side setbacks. These setbacks will remain but the parking area below the building will expand to the property lines. The building itself meets the 15 foot rear setback but the raised deck and stairs extend to within 3 feet which requires a variance. An additional variance is requested to reduce the maneuvering area for the parking from 26 feet to 22 feet.

C. Setback Variances

The applicant is requesting a variance to allow a staircase to project into the front setback. The Zoning Ordinance allows a staircase to project 4 feet into the front setback. This staircase is projecting 5 feet, an additional foot over the 4 feet allowed. The raising of the building makes it necessary to extend the staircase. Staff has no objection to this request.

The applicant is also requesting a variance to reduce the side yard setbacks from 5 feet to 0 feet. The existing building will remain three feet from the property line. The walls for the parking structure beneath the existing building are located on the property lines. Staff has no objection to this request. This area is necessary in order to provide parking on site.

A variance is requested to reduce the rear setback from 15 feet to 3 feet. Staff has no objection to this request. The main wall of the building meets the 15 foot setback requirement. Only a 268 square foot deck and staircase is projecting into the setback area.

D. Maneuvering Variance

The applicant is providing 1,551 square feet of office area. This requires 4 parking spaces which have been located beneath the building. The constraints of a 40 foot wide lot make an 18 foot parking stall and 26 feet of maneuvering area impossible. The applicant is only able to provide 22 feet of maneuvering and is, therefore, requesting a variance. In order to compensate for the reduced maneuvering area the applicant has increased the width of the parking spaces to 12 feet. Staff has no objection to this variance request.

E. Building Design

The building contains 1,975 square feet with 1,551 square feet of office on the first floor and 424 square feet of storage on the second floor. The second floor is to be used for storage only, not as office space.

The parking is located on the ground floor with an entrance from 10th Street. This entrance has a security door. Also located on the ground floor is the trash enclosure and bicycle lockers.

The exterior building material is beveled, grooved siding with a composition shingle roof. The design of the building is subject to review and approval of the Design Review/Preservation Board.

F. Agency Comments

The proposed project was reviewed by Traffic Engineering, Engineering Development Services, Building Inspections, Building Inspection - Fire, Alkali Flat PAC, Alkali Flat Neighborhood Improvement Association, and Sacramento Old City Association. The following comments were received:

Building Inspections

Compliance with U.B.C. or Historical Building Code will be required at exterior walls within 20 feet of property lines. More information is required to determine these requirements.

Building Inspection - Fire

1. If this is not a historical building and it has a commercial use,

it must be fire sprinkled.

2. The setback may not be allowed per U.B.C., more information is needed to evaluate it properly.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the project as proposed will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070 (B) 1 of the California Environmental Quality Act Guidelines, the applicant has incorporated the following mandatory mitigation measures into the project plans to avoid identified effects or to mitigate such effects to a point where clearly no significant effects would occur:

- A. The City shall not approve the final project building permit until the Land Use Planning Policy EIR is completed and approved (anticipated for December, 1989*).
- B. The applicant shall comply with all applicable mitigation measures imposed by the Land Use Planning Policy EIR prior to final project approval. The applicant is aware that applicable mitigation measures could substantially alter the proposed project and require additional future environmental review prior to the issuance of a City Building Permit.

*It is anticipated that residential projects located in the Sacramento River Levee Flood Failure area will not receive final project building permits until June, 1990. In the event the Land Use Policy is adopted (anticipated for December, 1989) the growth limitations of the policy will further prevent issuance of final project building permits until June, 1990 (or when decision makers determine it is appropriate to allow building to proceed).

- C. The City shall not approve the final project building permit until the General Plan is amended to exclude areas designated A99 Flood Hazard zone from areas considered "subject to unreasonable risk of flooding."

However, if the proposed flood policy and General Plan amendment are not approved the proposed project must be reevaluated prior to issuance of the final building permit to determine the level of significance of flood hazards associated with the project and to re-issuance of mitigation measures to address the identified impact.

- D. The applicant will comply with the following State Regulation:
 - o Section 65-019 of the California Labor Code requires developers to identify all asbestos containing material in existing buildings prior to demolition or renovation.

If asbestos containing materials are identified on the project site, the applicant will determine the quantity of material to be removed and comply with the following applicable State and Federal regulations:

- o California Occupational Safety and Health Administration (CAL-OSHA) work safety standards must be applied to any demolition or renovation of structures that contain more than 100 square feet of asbestos containing materials. Specific standards are provided by CAL-OSHA (San Francisco Office: (415) 974-7633).
- o Environmental Protection Agency (EPA) National Air Emission Standards must be applied to any demolition or renovation of structures that contain more than 160 square feet or 260 linear feet of asbestos containing materials. Specific information is provided by EPA (San Francisco Office: (415) 974-7633).

In order to document compliance with these measures, the applicant will provide a copy of the awarded demolition bid to the City Environmental Coordinator prior to issuance of a building permit for demolition.

Non-compliance with, or deletion of any of the above mitigation measures by any party will require the project to be reprocessed for additional environmental review. If this review determines that there is the possibility for significant adverse environmental impact due to the development of the project, additional mitigation measures may be required or the applicant may be requested to prepare an Environmental Impact Report if identified impacts cannot be reduced to less than a significant level through mitigation.

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

- A. Ratify the Negative Declaration.
- B. Approve the variance to allow a staircase to project into the front setback an additional foot over the 4 feet allowed, subject to conditions and based upon findings of fact which follow.
- C. Approve the variance to reduce the side yard setbacks from 5 feet to 0 feet, subject to conditions and based upon findings of fact which follow.
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- E. Approve the variance to reduce the required maneuvering area from 26

feet to 22 feet, subject to conditions and based upon findings of fact which follow.

Conditions

1. The second floor shall only be used for storage area.
2. The building is subject to review and approval of the Design Review/Preservation Board.
3. The applicant shall comply with the conditions of the Negative Declaration which include:
 - a. The City shall not approve the final project building permit until the Land Use Planning Policy EIR is completed and approved (anticipated for December, 1989*).
 - b. The applicant shall comply with all applicable mitigation measures imposed by the Land Use Planning Policy EIR prior to final project approval. The applicant is aware that applicable mitigation measures could substantially alter the proposed project and require additional future environmental review prior to the issuance of a City Building Permit.

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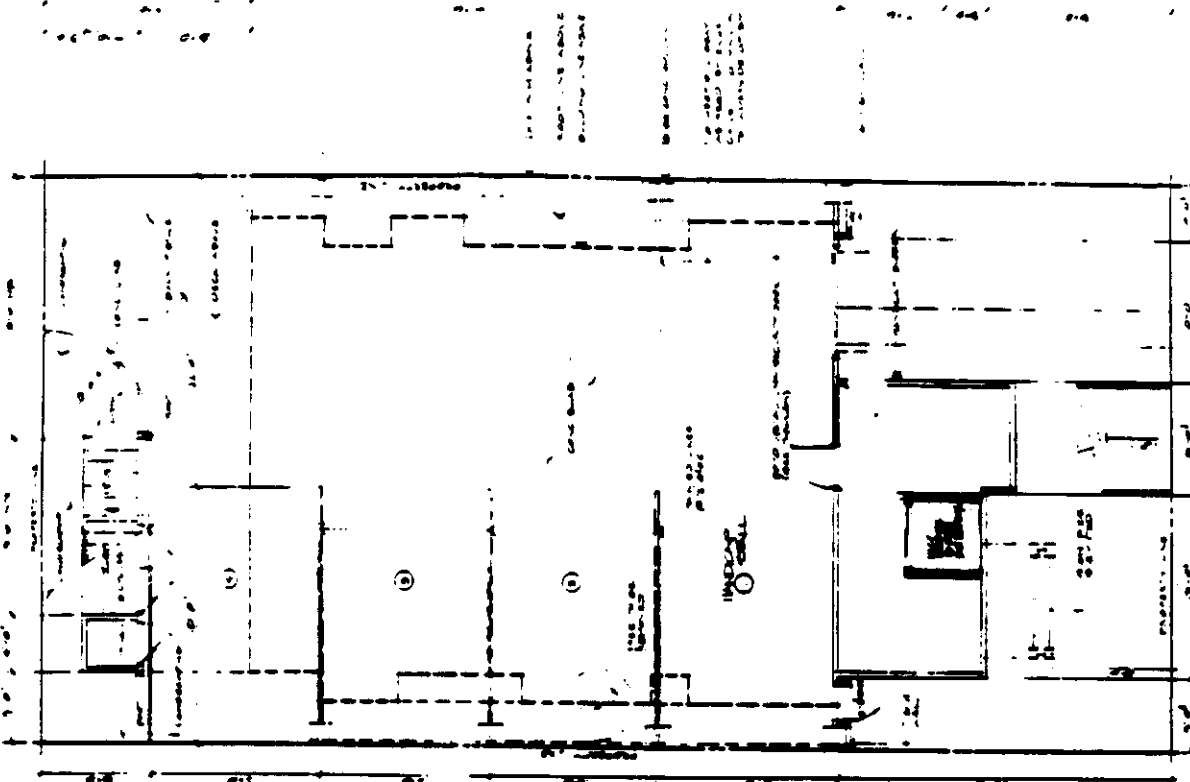
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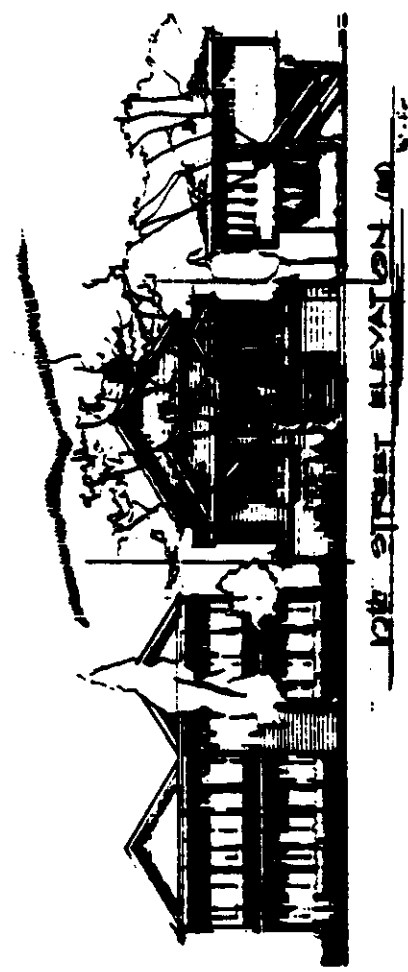
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Findings of Fact:

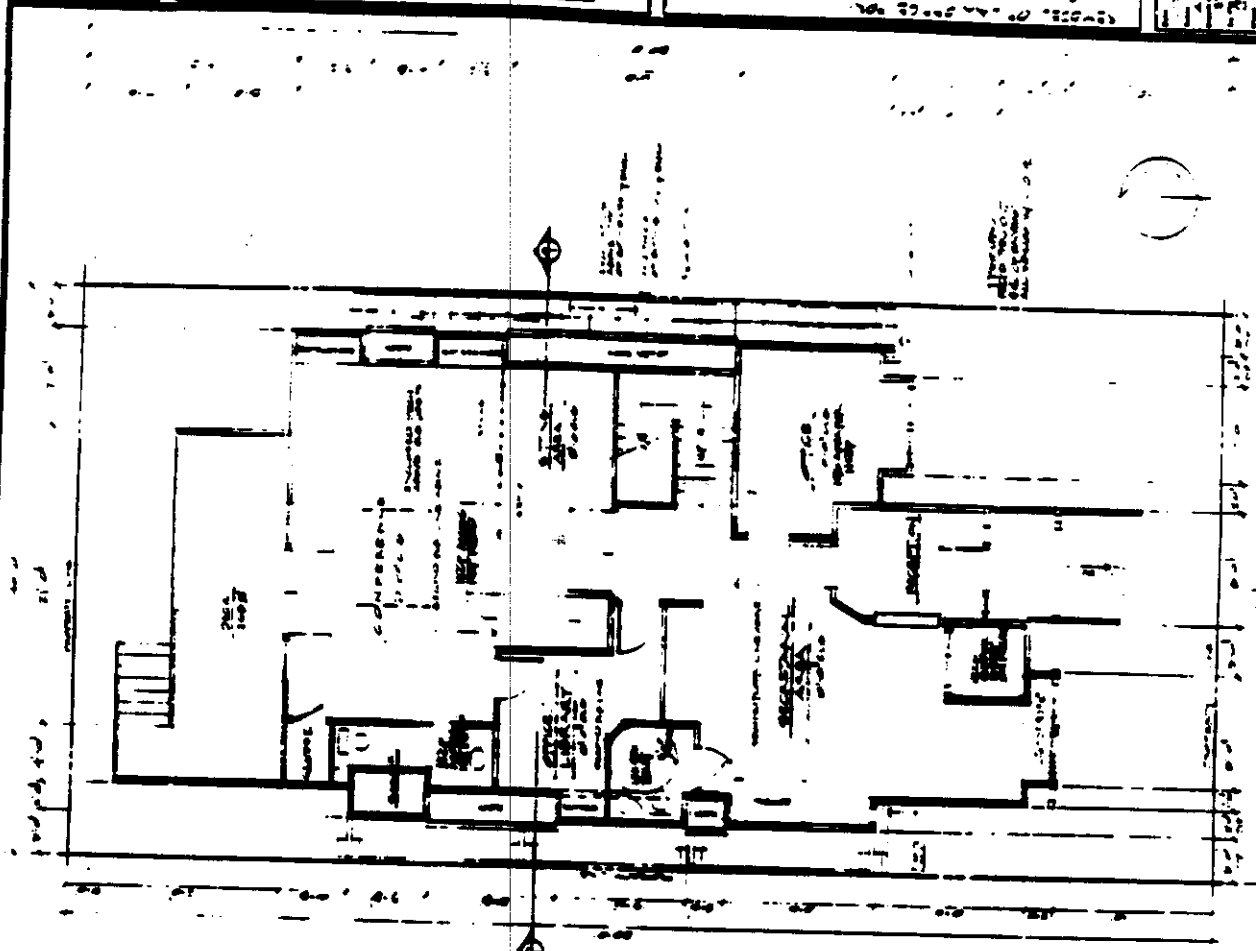
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3. Granting the variances would not be injurious to the public safety nor result in the creation of a public nuisance in that adequate parking is provided on site and a historical building is being rehabilitated.
4. The project, as conditioned, is consistent with the General Plan and 1980 Central City Plan which designate the site Community / Neighborhood Commercial & Offices and Office, respectively.



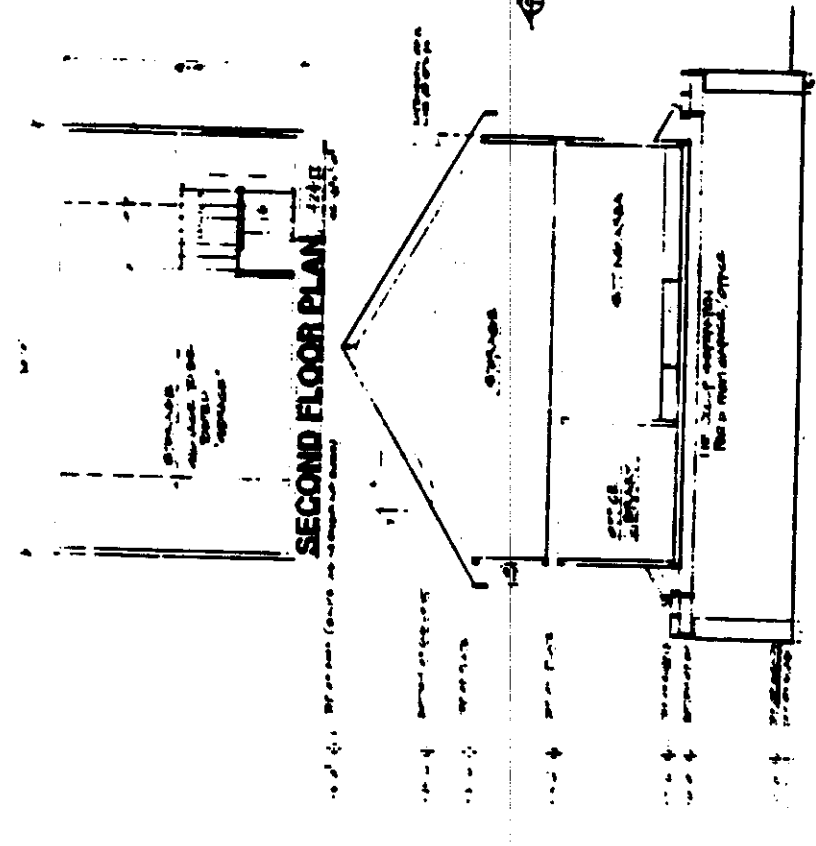
GROUND FLOOR PLAN
& SITE PLAN



10-26-89

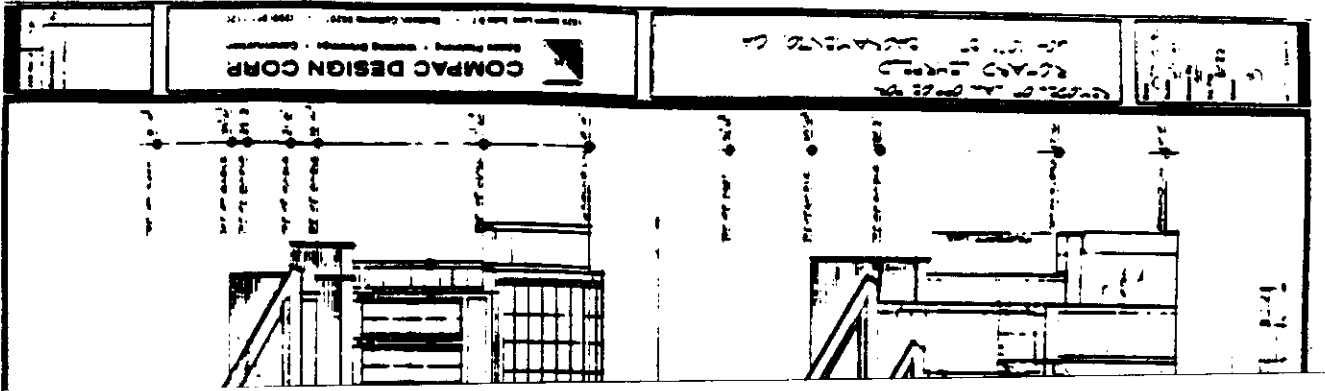


FIRST FLOOR PLAN



SECOND FLOOR PLAN

SECTION A



C. Staff Analysis

Even though the parcel will be larger (50' X 66'), it will still be smaller than the standard 52' X 100' R-1 lot. The applicant is aware that further development of the small site will likely require the approval of variances for reduced building setbacks and lot coverage. The 25 foot front yard setback and 15 foot rear setback would only allow a ten foot deep building on the site. Lot coverage in the R-1 zone allows a maximum coverage of 40 percent. The 40 percent lot coverage would allow a building foot print of approximately 1320 square feet. A garage would also be required within that 1320 square foot area.

Staff feels that approval of the merger creates a better situation in some ways. The two existing 33±' X 50' parcels are unusable. By combining the two, building plans could be developed for the site. It is likely, however, that any plans would require variances for setbacks and lot coverage.

D. Agency Comments

The proposed project was reviewed by Traffic Engineering, Engineering Development Section, Building, and Fire Divisions. The following comments have been received from the Engineering Development Division:

We request that the following conditions and comments be made a condition for approval of this lot line merger:

- 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) Pay off or segregate any existing assessments;
- 4) Place a note on final lot line adjustment: Sewer and water services to each lot shall be purchased and installed at time of obtaining building permits;

ENVIRONMENTAL DETERMINATION:

The Environmental Services Manager has determined that the project is exempt from environmental review pursuant to State EIR Guidelines (California Environmental Quality Act, Section 15305(a)).

RECOMMENDATION: Staff recommends that the Planning Commission approve the lot line adjustment by adopting the attached resolution.