

# CITY PLANNING COMMISSION

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

APPLICANT	James L. Kouretas, 725-30th Street, Suite 101, Sacramento, CA 95816				
OWNER	James L. Kouretas, 725-30th Street, Suite 101, Sacramento, CA 95816				
PLANS BY	Comstock Johnson, architects, 3417 B Arden Way, Sacramento, CA				
FILING DATE	5-9-86	ENVIR. DET.	Cat. Ex. 15305	REPORT BY	DH:bw
ASSESSOR'S-PCL. NO.	003-111-17				

**APPLICATION:** Variance to waive six-foot solid masonry wall separating residential from non-residential uses on 0.29+ acres in the Heavy Commercial (C-4) zone.

**LOCATION:** Northeast corner of 30th and C Streets

**PROPOSAL:** The applicant is requesting the necessary entitlement to waive the requirement of a six-foot solid masonry wall.

**PROJECT INFORMATION:**

1974 General Plan Designation:	Commercial/Office
1980 Central City Community Plan Designation:	General Commercial
Existing Zoning of Site:	C-4
Existing Land Use of Site:	Office Building

**Surrounding Land Use and Zoning:**

North:	Roofing Company Office and Warehouse; M-1
South:	Single Family, Multi-Family, Vacant; C-4
East:	Single Family, Vacant Commercial Building; C-4
West:	Freeway (Bus. 80); TC

Parking Required:	37 spaces
Parking Provided:	37 spaces
Property Dimensions:	80' x 160'
Property Area:	0.29+ acres
Square Footage of Building:	14,990
Height of Building:	Three stories
Topography:	Flat
Street Improvements/Utilities:	Existing
Exterior Building Materials:	Red-brown brick; dark gray glass

**PROJECT BACKGROUND:** On February 15, 1984, the Design Review Board approved a three-story office building on the subject site (DR84-114). During discussion within the report, the issue of the six-foot solid masonry wall was mentioned. The applicant has completed construction of the office building and has constructed a seven-foot solid wood board fence adjacent to the residential use located to the east of the subject site. In order to use a wood fence adjacent to a residential use, a variance from the masonry wall requirement is necessary.

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

A. **Land Use:** The subject parcel is designated for Commercial/Office and General Commercial uses on the 1974 General Plan and 1980 Central City Community Plan respectively. The site and adjacent parcels are zoned Heavy Commercial (C-4).

Surrounding land uses include Interstate Business 80 to the west, a roofing contractor storage yard, office and warehouse to the north, and single family dwellings to the east and south. The applicant is requesting a waiver of the zoning ordinance requirement for a six-foot high solid masonry wall when residential uses abut a non-residential use. The first floor ground level of the office building is a parking lot for tenants of the building. Parking lots are usually required to have a solid masonry wall when they abut a residential use or zone to minimize the effects of noise, light and emissions. It should also be noted that the easterly (40' x 60' lot) property contains a single family dwelling as well as a vacant commercial building at the rear with access from the alley.

B. Variance for six - foot wall: Staff supports the request to waive the solid masonry wall and in-lieu recognize the seven-foot solid board fence as adequate for the following reasons:

1. The adjacent single family dwelling is a spot residential use surrounded on three sides by non-residential uses and a heavy commercial zone. The house is owned by the Yancey Company and staff believes it may possibly be converted or removed to allow for future office or commercial uses.
2. Only six parking spaces abut the residential property with four spaces abutting the dwelling. The remaining 31 spaces are located to the west of a wall which supports the building. The effect of the building wall to deflect and reduce noise and emissions is significant. The four parking spaces near the fence and dwelling are designated for compact cars. Automobile impacts are less for four small cars than the effect a 37-space parking lot without a wall dividing the parking lot.

In addition, there is a three-foot wide planting strip with shrubs and a concrete curb along the fence to protect the wood fence from damage.

3. The residence is far more impacted by the outdoor storage use with no screening to the east of the house which is also owned by the Yancey Company. The level of noise associated with the outdoor storage is equal to or greater than that associated with the office parking lot.

AGENCY COMMENTS: The project was reviewed by the City Fire Department and Building Inspection Division with no adverse comments received.

ENVIRONMENTAL DETERMINATION: The project is exempt from environmental review pursuant to State EIR Guidelines (CEQA, Section 15305).

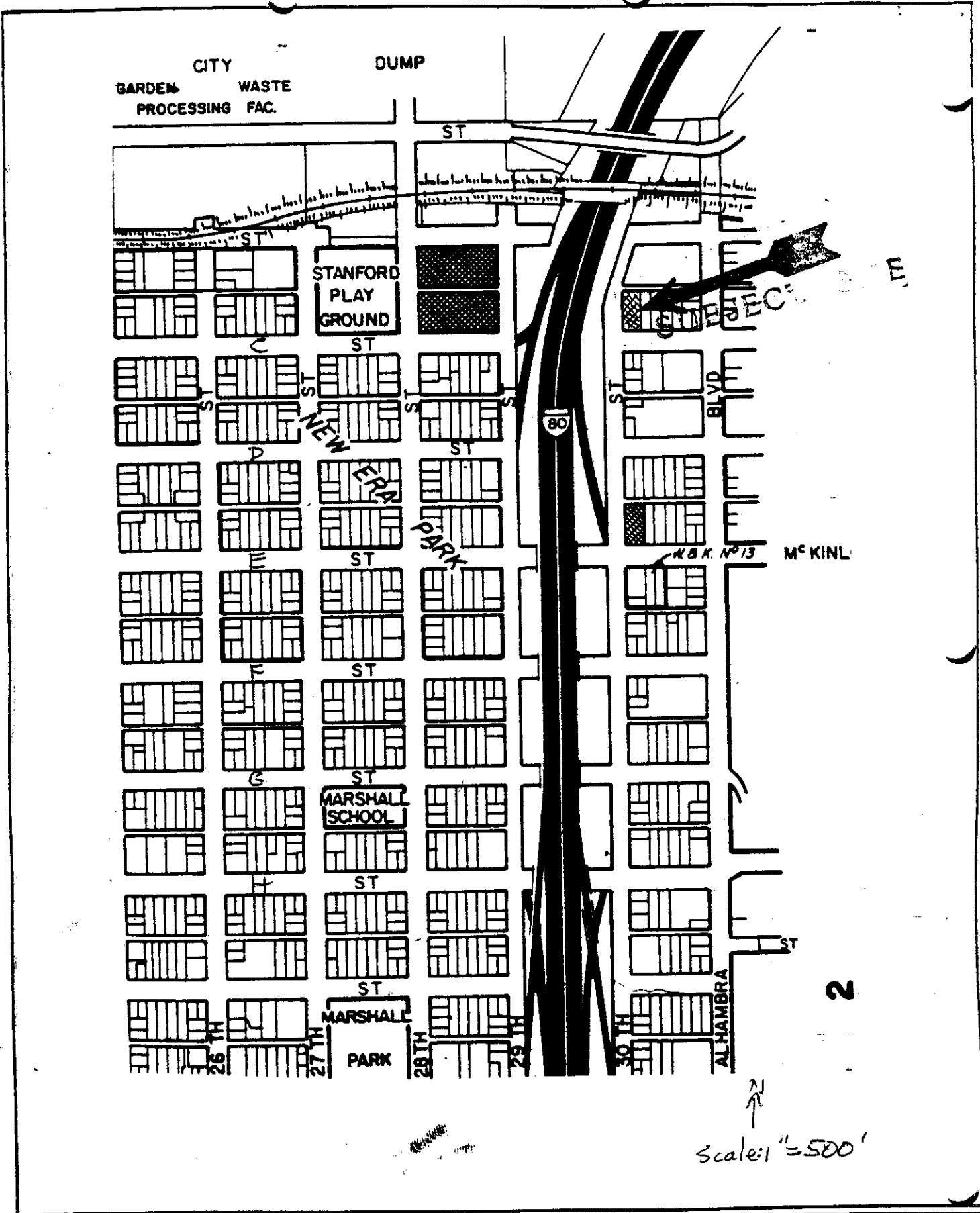
RECOMMENDATION: Staff recommends the Commission approve the variance, subject to a condition and based upon Findings of Fact which follow.

Variance - Condition

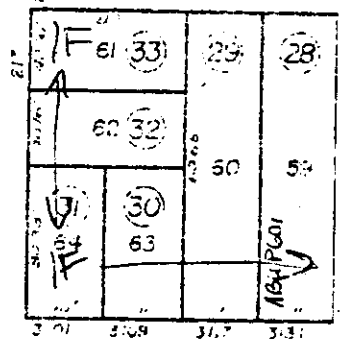
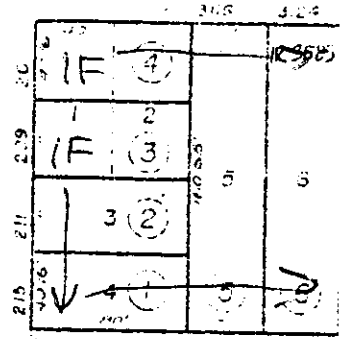
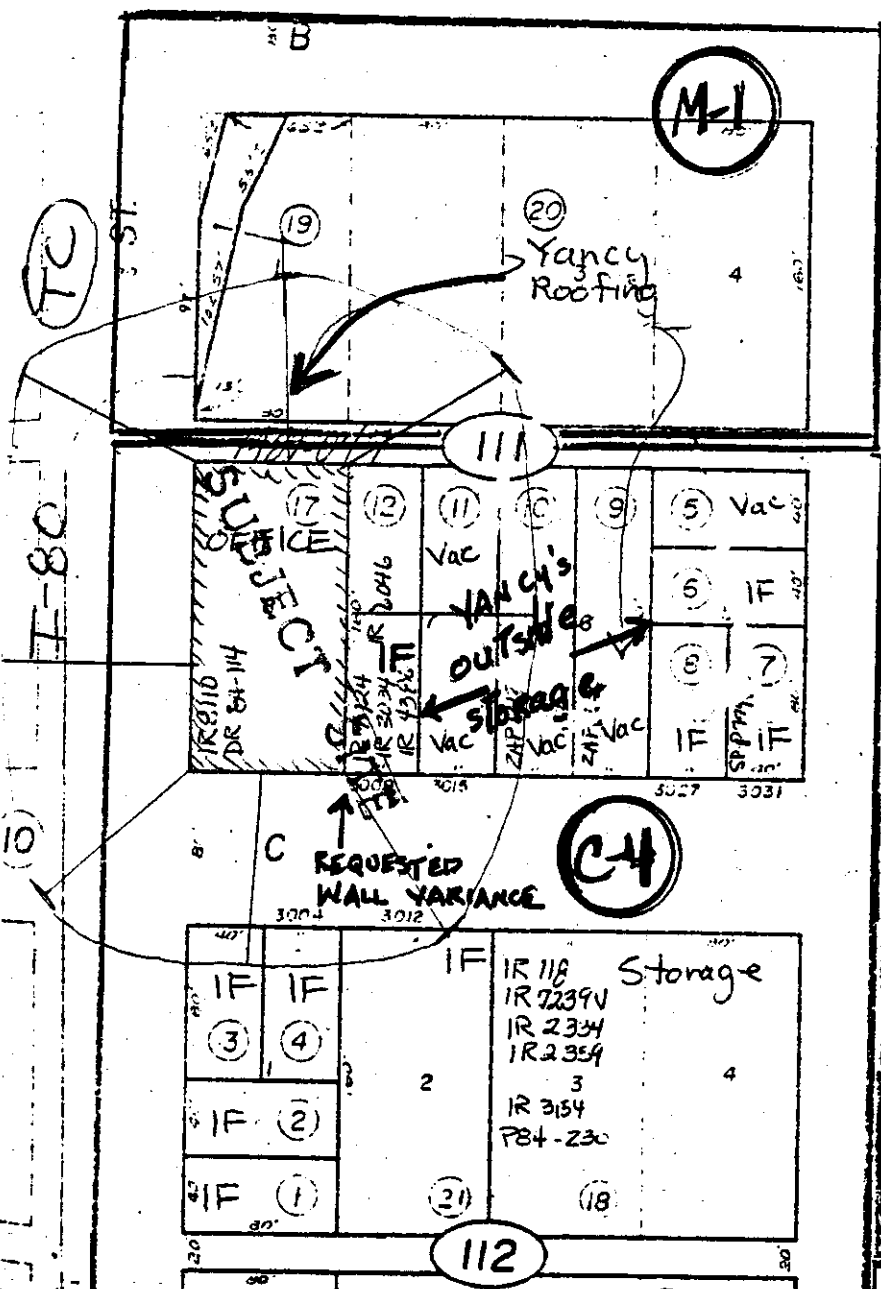
The seven-foot fence shall be maintained in a sound condition. If any boards are destroyed by vehicles, they are to be replaced by the owner of the office/building.

Findings of Fact - Variance

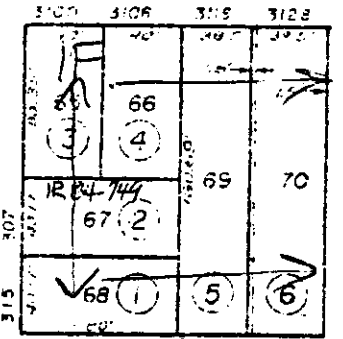
1. Granting the variance does not constitute a special privilege extended to one individual property owner, in that under similar circumstances, the waiver of the masonry wall and in-lieu construction of the wood fence have been warranted.
2. Granting the variance will not be injurious to the public welfare nor to the property in the vicinity, in that the residence is surrounded on three sides by non-residential uses, two of which have no masonry walls but chainlink fencing. The wood board fence is compatible with the design of the new office building, existing board fence and residence.
3. Granting the variance does not constitute a use variance, in that fences are allowed separating residential from non-residential uses.
4. The proposed project is consistent with the City's Discretionary Interim Land Use Policy, in that the site is designated for commercial by the 1980 Central City Plan, and the office use and fence conform with the plan designation.



# VICINITY MAP



**R-1**



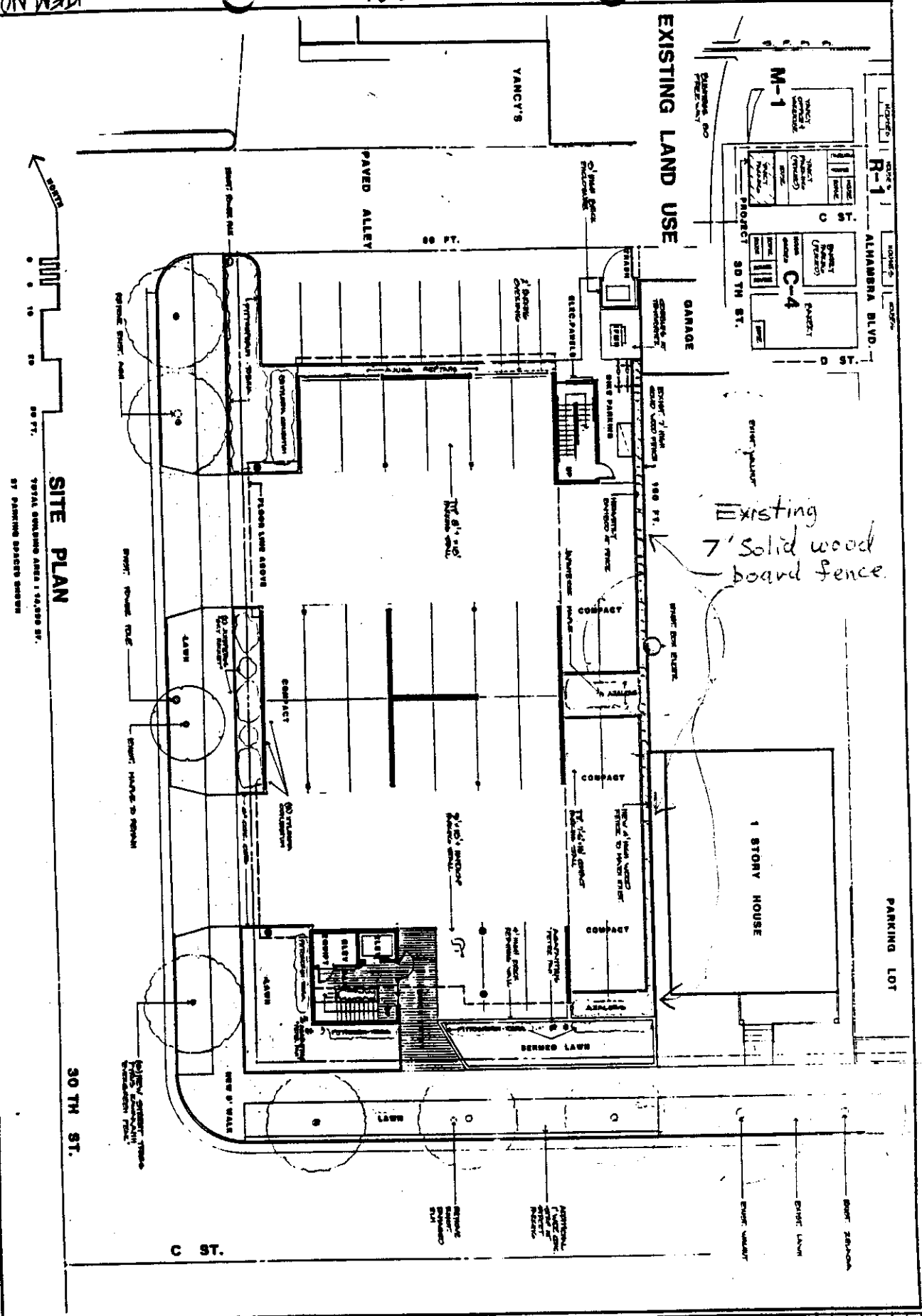
Scale: 1" = 100'

# LAND USE & ZONING MAP

ITEM NO. 2

215-84

DR 84-114



**SITE PLAN**  
 TOTAL COVERED AREA: 14,288 SF.  
 57 PARKING SPACES SHOWN

Existing  
 7' Solid wood  
 board fence.

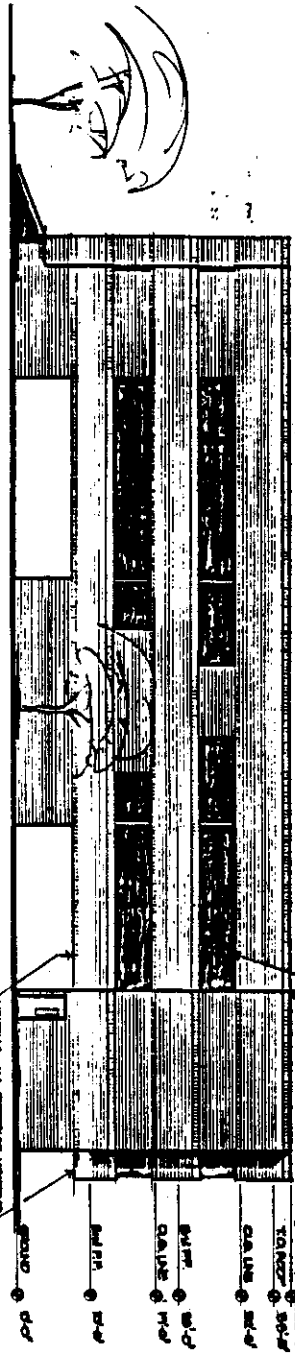
<b>30th &amp; 'C' OFFICE BUILDING</b> JAMES L. KOURTAS, OWNER SACRAMENTO, CALIFORNIA		<b>P 86195</b>	<b>COMSTOCK JOHNSON</b> ARCHITECTS 2012 ARDEN WAY SACRAMENTO, CALIFORNIA 95811 (916) 482-3400	SHEET NO. 1 OF 1
--	--	----------------	---	---------------------

P-86-195

June 12, 1986

item 22

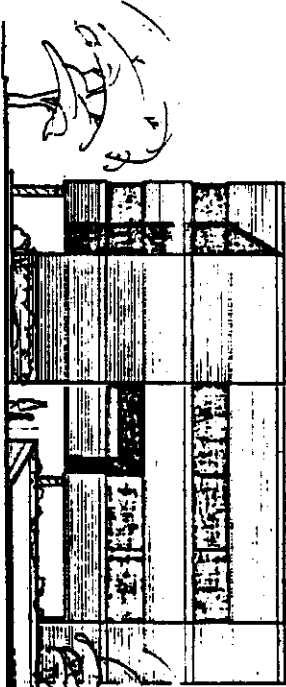
EAST ELEVATION



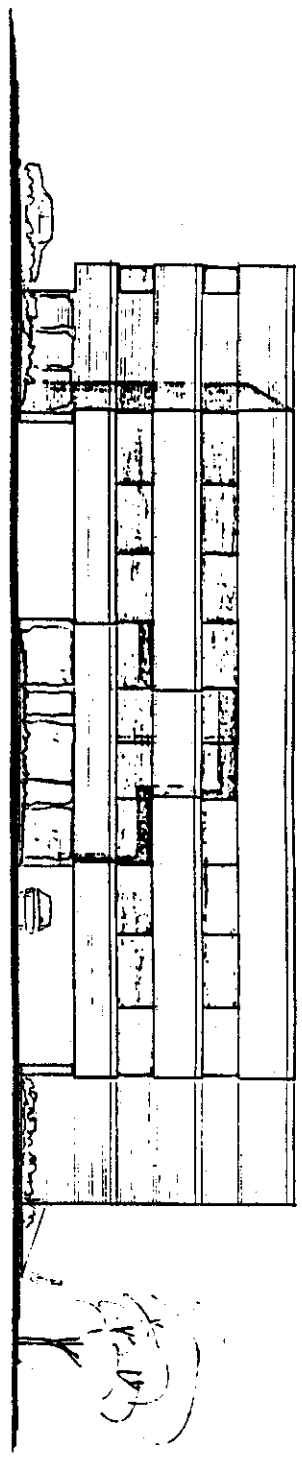
NORTH ELEVATION



SOUTH ELEVATION



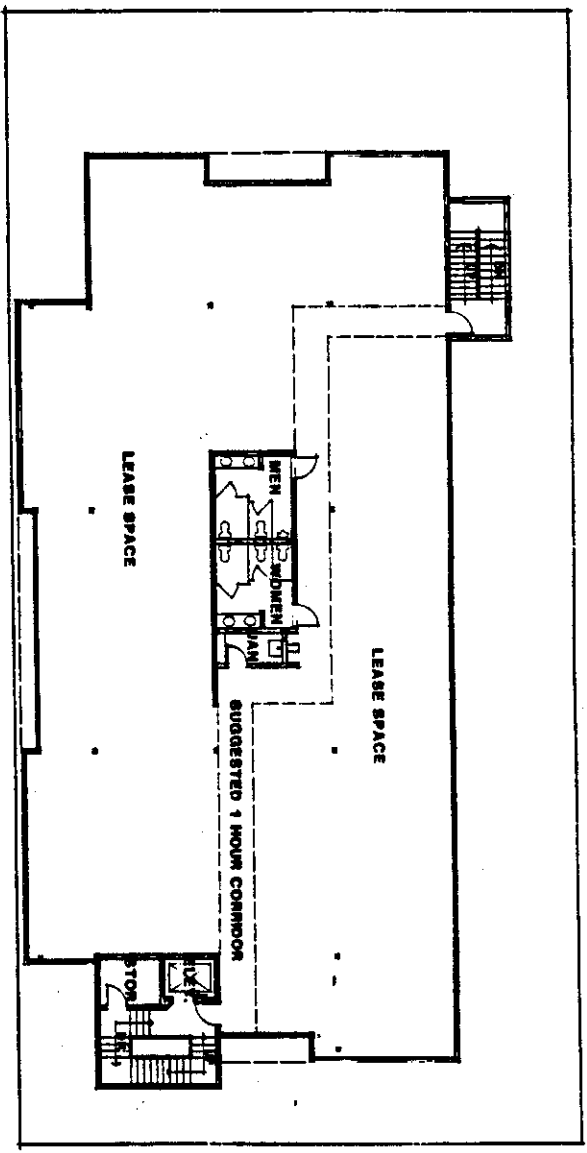
WEST ELEVATION



1'-0" = 1'-0" (VERTICAL SCALE)  
 1" = 1'-0" (HORIZONTAL SCALE)  
 1/4" = 1'-0" (SECTION SCALE)  
 1/8" = 1'-0" (SECTION SCALE)

4	30th & 'C' OFFICE BUILDING	P 86195	COMSTOCK JOHNSON ARCHITECTS	DATE	PROJECT NO.	SCALE	DATE	PROJECT NO.	SCALE
				JAMES L. KOURETAS, OWNER	SACRAMENTO, CALIFORNIA	JUNE 12, 1986	MEM 20		

SECOND FLOOR PLAN

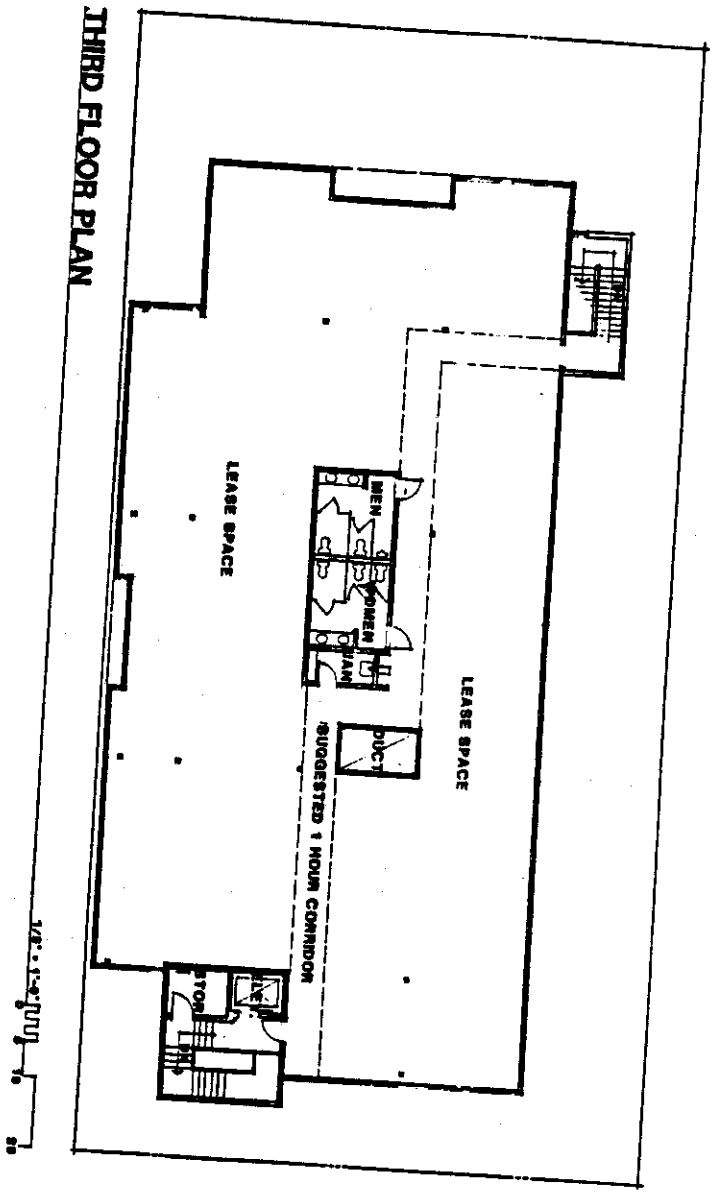


1/8" = 1'-0"

	30th & 'C' OFFICE BUILDING JAMES L. KOURETAS, OWNER SACRAMENTO, CALIFORNIA	<b>P 86195</b>	<b>COMSTOCK JOHNSON</b> ARCHITECTS <small>311 1/2 BROADWAY SACRAMENTO CALIFORNIA 95805 916-483-3400</small>	NO.	DATE	BY	CHECKED	APPROVED
				1	6/12/86	JLM	JLM	JLM



THIRD FLOOR PLAN



	<b>30th &amp; 'C' OFFICE BUILDING</b> JAMES L. KOUNETAS, OWNER SACRAMENTO, CALIFORNIA		<b>P 86195</b>	<b>COMSTOCK JOHNSON</b> architects <small>317 &amp; ARDEN WAY SACRAMENTO CALIFORNIA 95817 (916) 485-3000</small>	<table border="1"> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </table>																				
-86-195	June 12, 1986		item 22																						

May 29, 1986 JUN 5 1986

RECEIVED

Planning Commission,

I am writing this letter in regards to the office building just recently completed on 30<sup>th</sup> & C Street, concerning the fire wall that was supposed to be built before the building was even built. I was told that a 10 ft fire wall would be built between my house, and the office building, this has not been done, and I understand it may never come about. I am very concerned about not having the protection of the fire wall. My 70 yr old mother lives with me, she is disabled, if a fire ever started, I hate to think of the outcome if my mother was ever in the house at the time. All three bedrooms are next to the building and there is very little space separating my house from the building, and the cars that will be parking, is very close to the fence. What if a spark should catch on the fence that is there now? What if some should throw out a lit cigarette out the window of their car? Then what? Do you think

that wooden fence would be of any protection to me?

One other thing I would like to bring to your attention is there are transients sleeping in the parking area now, I can hear them at night, and this winter I am afraid there will be many more, what if they started a fire to keep themselves warm and dry? And as most of them are under the influence of alcohol.

I have lived lived in this house since March of 82, and when it was sold to Yancey, Tom Yancey guaranteed me at the time that there were no plans for the house to either be moved or torn down. Tom Yancey has put lots of money and labor in my house in the last 8 months. I wish you would reconsider, and demand that a 10 foot fire wall be built, for my protection, and mainly for my mothers protection.

Thank you for your Time  
Judith Ahern  
3009-"C" St