

P94-016 - Delta Gamma Sorority House

REQUEST: Special Permit to establish a three-bedroom sorority use in an existing 2,300 square foot house in the Standard Single-Family (R-1) zone.

LOCATION: 5027 M Street
008-0223-008
East Sacramento Community Plan Area
Sacramento Unified School District
Council District 3

APPLICANT:	Margaret Hanson, 666-2737 5027 M Street, Sacramento, CA 95819
OWNER:	Delta Eta House Corporation of Delta Gamma 5027 M Street, Sacramento, CA 95819
APPLICATION FILED:	February 15, 1994
STAFF CONTACT:	Mike Dale, Assistant Planner, 264-5381

SUMMARY/RECOMMENDATION:

The City has required a Special Permit for dormitory/fraternity/sorority uses in the R-1 zone since 1964. The Planning Department discovered that the subject site has been operating as a location for a sorority house without the required Special Permit. The property owner was notified of the violation and subsequently submitted the application for the necessary entitlement to legally operate the sorority house. In the interim, the site has ceased operations in order for the City to consider the Special Permit application.

Staff has met with the applicant, with the adjacent neighbor, and with a representative of the East Sacramento Improvement Association to ascertain the effects of the sorority on the surrounding land uses. Staff found that the primary issues pertain to noise, litter, and safety. Staff believes that the proposal would be compatible with the surrounding neighborhood subject to the implementation of certain operating conditions. Staff therefore recommends **approval** of the requested entitlement subject to the conditions discussed below and identified in the attached resolution.

PROJECT INFORMATION:

General Plan Designation: Low Density Residential (4-15 du/ac)
Existing Land Use of Site: Single-Family Dwelling w/Detached Two-Car Garage
Existing Zoning of Site: Standard Single Family (R-1)

Surrounding Land Use and Zoning:

North: 51st Street, East Portal Park; R-1
South: M Street, Single Family Dwelling; R-1
East: 51st Street, East Portal Park; R-1
West: Single Family Dwelling; R-1

Property Dimensions: Triangular (135.5' x 180.0' x 126.42')
Property Area: 7,400 Square Feet
Square Footage of House: 2,300 Square Feet
Proposed Occupancy: 5 Occupants, 3 Bedrooms
Parking Required: 2 Spaces (1 Per 3 Occupants)
Parking Provided: 2 Spaces

OTHER APPROVALS REQUIRED: In addition to the requested entitlement, the applicant will also need to obtain approval of a building permit from the Building Division.

BACKGROUND: On October 12, 1993, the City Council amended the Zoning Ordinance to add a definition for sorority and fraternity uses and to extend the Special Permit requirements to houses located in the R-4, R-5 and C-2 zones in the "Old City." Upon implementing the new ordinance, the Planning Department discovered the existence of several sorority and fraternity uses which have been operating without a Special Permit even though one has been required for these types of uses since 1964. The uses were notified of their non-conforming status and given a deadline in which to apply for the Special Permit or be subject to nuisance abatement. This report is with regard to an existing sorority use which has applied for the necessary Special Permit.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The subject site is designated Low Density Residential (4-15 dwelling units per net acre) according to the General Plan. The actual density of the site is calculated to be under 6 du/na. The proposal, which will support 5 persons in one dwelling unit, is considered compatible with the General Plan designation and the Standard

Single-Family (R-1) zoning of the site.

Sorority uses are allowed in the R-1 zone subject to the granting of a Special Permit. Unless previously approved or modified as part of the Special Permit, the use is required to meet the development standards identified below.

B. Development Standards for Sorority Uses

1. Sleeping Quarters

The Zoning Ordinance requires that every room used for sleeping purposes have not less than one hundred square feet of floor area; and that fifty additional square feet of floor area be provided for each room occupant in excess of one. Bedroom #1 is shown to be approximately 209 square feet in size therefore capable of accommodating three persons, bedroom #2 is shown to be approximately 144 square feet in size therefore capable of accommodating one person, and bedroom #3 is shown to be approximately 135 square feet in size therefore capable of accommodating one person. The structure is therefore capable of accommodating a maximum of five occupants provided that adequate on-site parking is available.

2. Lounge Area

The Zoning Ordinance requires that a common lounge area be provided in a central location. The drawings show the existence of a recreation room in addition to separate living and dining rooms. Since each of these rooms may be used as a lounge area, staff believes that the site more than adequately meets the requirement for a centrally located common lounge area.

3. On-Site Manager

The Zoning Ordinance requires that a property owner or manager reside at the premises. According to the applicant, a resident sorority member has already been designated as the "House Manager." The applicant's proposal therefore satisfies this requirement. However, in order to emphasize the need for an on-site manager, staff recommends that this become a condition of approval.

4. Parking

The Zoning Ordinance requires that the facility provide one parking space per three occupants. Based on a calculated maximum occupancy of five persons (see "Sleeping Quarters" discussion, above), a total of two off-street parking spaces is required. Since two vehicles can be accommodated in the detached garage, staff finds that the project meets the minimum parking requirement.

The adjacent property owner has indicated that visitors and guests of the sorority

house frequently park their vehicles in front of his house which poses a problem for his family and guests. The subject site, being a corner lot, has more street frontage than most other single family lots in the area. Therefore, staff recommends that all residents, visitors, and guests park their vehicles only along the street frontage abutting the subject site (see depiction on Attachment B). The detached garage and associated driveway may also be used for parking.

5. Patio Area

The Zoning Ordinance requires that an outdoor patio area be provided: The patio area shall not face the street, and the size of the area shall be subject to Planning Commission review and approval. Though the site plan shows the existence of an outdoor deck at the structure's upper level, staff believes that the deck would not be large enough to constitute a patio area. However, upon visiting the site, staff found that the rear yard area is well maintained and could accommodate the required patio area. A tall fence is located between the subject site and the adjacent property owner thereby providing some screening from noise. Staff therefore recommends that the rear yard be designated as the outdoor patio area as shown on Exhibit A. Subject to this condition, staff believes that the project meets the requirement for an outdoor patio area.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The project constitutes the conversion of an existing small structure from one use to another where no modification is being made to the structure's exterior. The project therefore qualifies for a categorical exemption pursuant to California Environmental Quality Act Guidelines Section 15303(a). No further environmental review is required.

B. Neighborhood Response

The East Sacramento Improvement Association has submitted a letter in opposition to the project (see Attachment C). In general, the letter states that the project is incompatible with the surrounding land uses (i.e. single family residential), the project will exacerbate the shortage of on-street parking, the project will cause undesirable noise, and the project will cause local property values to decline.

Staff believes that the project would be compatible with the surrounding single family development subject to the imposition and implementation of the following operating conditions: 1) Staff recommends that the number of persons which may be on the site at any one time be limited to 25 persons. Staff believes that this

limitation is reflective of large family gatherings in single family residences. 2) Staff recommends that social activities, where more than 5 persons are on-site, cease by 10:00 PM. Staff believes that this limitation is reflective of acceptable activity levels in single family neighborhoods. 3) Staff recommends that parking only be allowed within the garage, on the driveway, or along the street frontages abutting the subject site. Staff believes that this limitation will reduce the traffic impacts upon neighboring land uses. 4) In addition, staff recommends that adequate lighting be provided so as to encourage the use of the garage during evening and early morning hours.

During the community meeting held April 13, 1994, the adjacent property owner expressed strong opposition to the proposal. The owner stated that the sorority has historically generated excessive noise and an inordinate amount of litter. The owner also contended that the sorority members frequently park their cars on the sidewalk thereby causing a hazard to pedestrians. Staff therefore recommends that the sorority members be responsible for litter clean-up within a 100 foot radius of the site (see Attachment B) and that members and visitors be prohibited from parking their vehicles on the sidewalk.

Upon implementation of the above conditions, staff believes that noise, litter, and traffic impacts will be negligible. Non-compliance with these conditions would result in a violation of the special permit subject to subsequent revocation.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. The following comments have been received and will be included among the conditions of approval on the attached resolution.

1. Planning Department - The Building Division has indicated that the proposed change of occupancy should be reviewed for compliance with Uniform Building Codes.
2. Fire Department - The Fire Department has indicated that smoke detectors (hard wire) should be installed in all sleeping areas and common areas.

PROJECT APPROVAL PROCESS: The Planning Commission has the authority to approve or deny the Special Permit described below. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

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


- Adopt the attached Resolution approving a Special Permit to establish a three-bedroom sorority use in an existing 2,300 square foot house in the Standard Single-Family (R-1) zone.

Report Prepared By,



Mike Dale
Assistant Planner

Report Reviewed By,



Steve Peterson
Senior Planner

Attachments

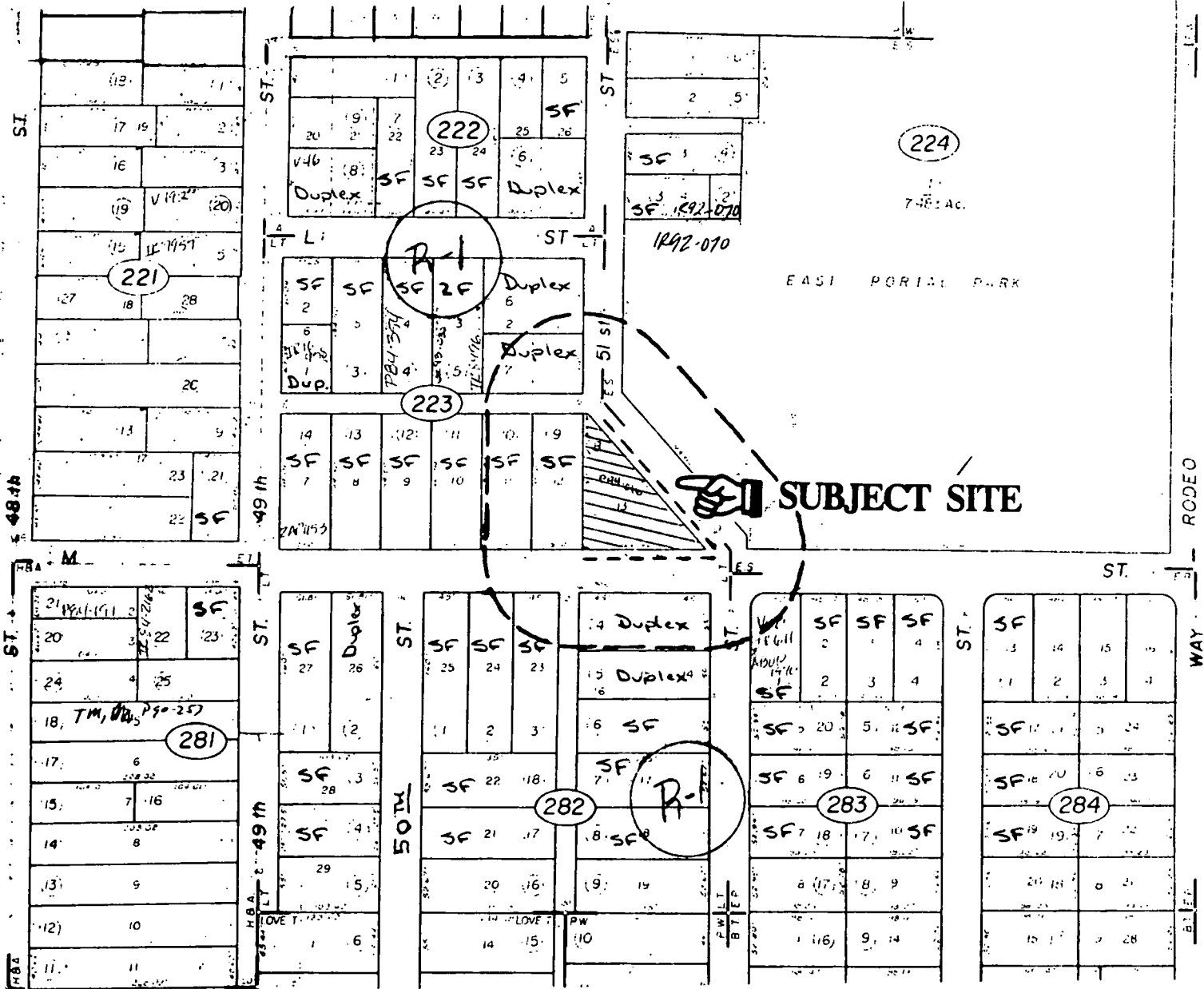
Attachment A
Attachment B
Attachment C
Resolution
Exhibit A
Exhibit B

Vicinity Map
Land Use and Zoning Map
Letter From Neighborhood Organization
Special Permit
Site Plan, Floor Plans
Elevations

Attachment A
Vicinity Map



Attachment B
Land Use and Zoning Map



— — — — — indicates 100' radius for litter pick up

- - - - - indicates allowable on-street parking for residents, visitors, and guests

JUNE 23, 1994

Attachment C
Letter From Neighborhood Organization**EAST SACRAMENTO IMPROVEMENT ASSOCIATION***Neighbors helping neighbors since 1958*

APRIL, 13, 1994

RECEIVED

APR 14 1994

Ans'd

Mr. Mike Dale
Planning and Development
(Planning Division)
1231 I Street Room 300
Sacramento, Ca. 95814

Re: Application for Special Permit
Delta Eta House Corporation
5027 M Street

Dear Mr. Dale,

On behalf of the members of our Association, we wish to voice our opposition to the application for a Special Permit on the above referenced house in East Sacramento. The purpose of the permit appears to be the recognition of a Sorority House operated by DeltaEta Sorority.

We have informed residents and property owners in the immediate vicinity of the application by Delta Eta Sorority, Corporation for a Special Permit. We have knowledge that many neighboring residents are opposed to the Special Permit.

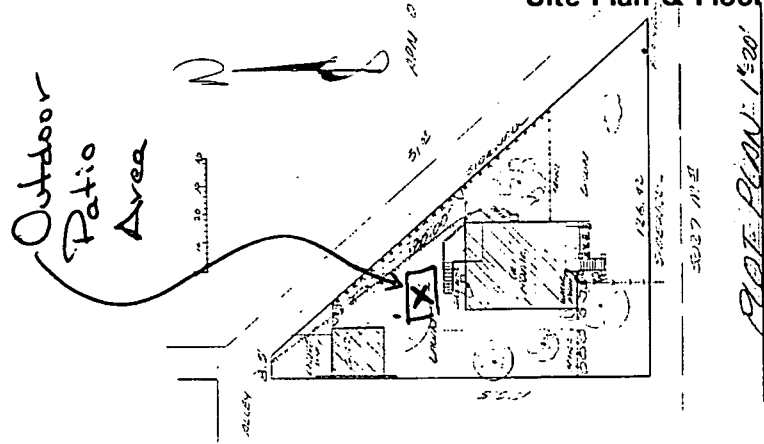
On behalf of our members, we believe that it is inappropriate to operate a Sorority House in a neighborhood composed of single family residences(R-1). We further believe, that parking is already impacted by use and special events at East Portal Park, immediately opposite the house at 5027 M Street. We further believe that the existence of a Sorority House in this quiet neighborhood could lead to a noise nuisance and a definite decline in property values for area home owners.

The Association asks that we be given notice of any action, including a hearing before the Planning Commission on this matter.

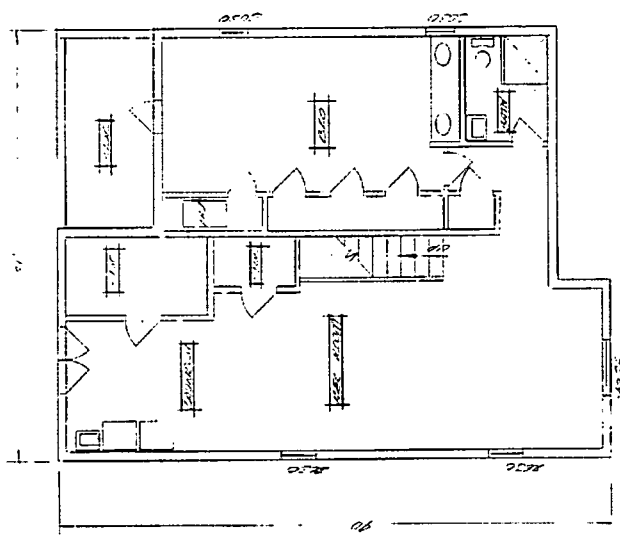
Sincerely,
JIM COLLINS, PRESIDENT

Linda Cook, Board Member
East Sacramento Improvement Association

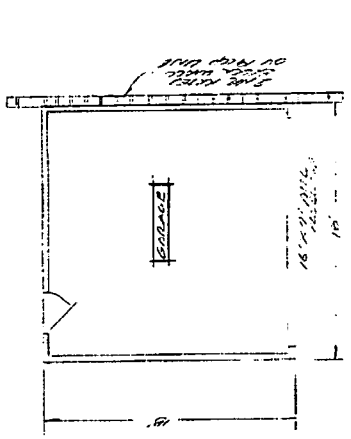
Exhibit A
Site Plan & Floor Plans



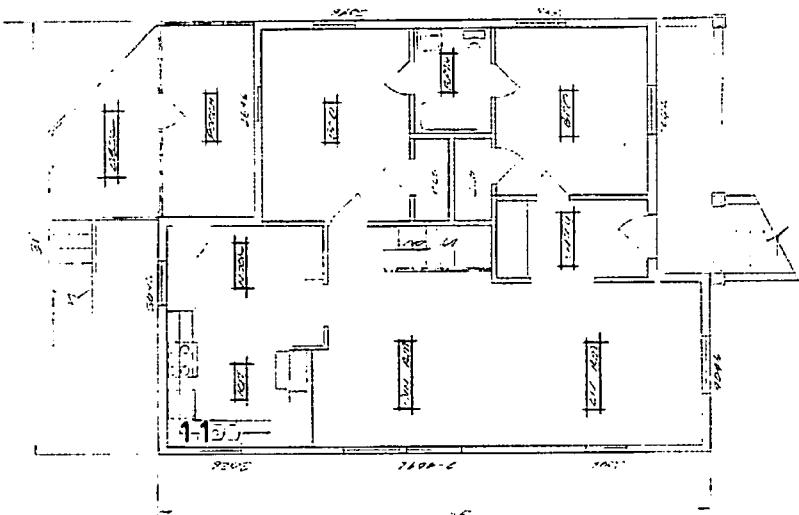
ROOF PLAN: 1/20'



LOWER LEVEL

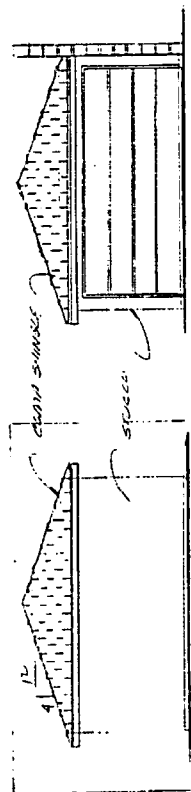


GARAGE FL. PLAN 1/4"=1'

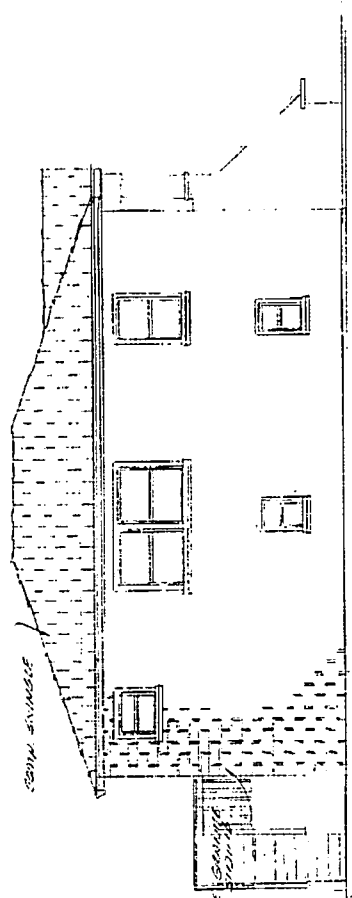


UPPER LEVEL

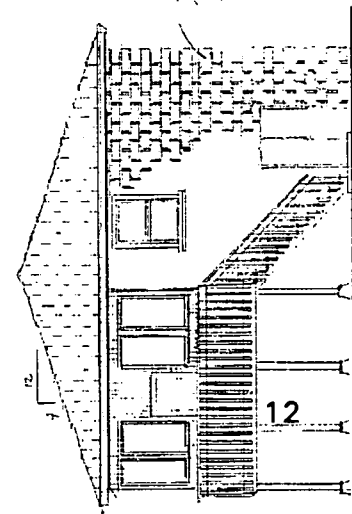
Exhibit B
Elevations



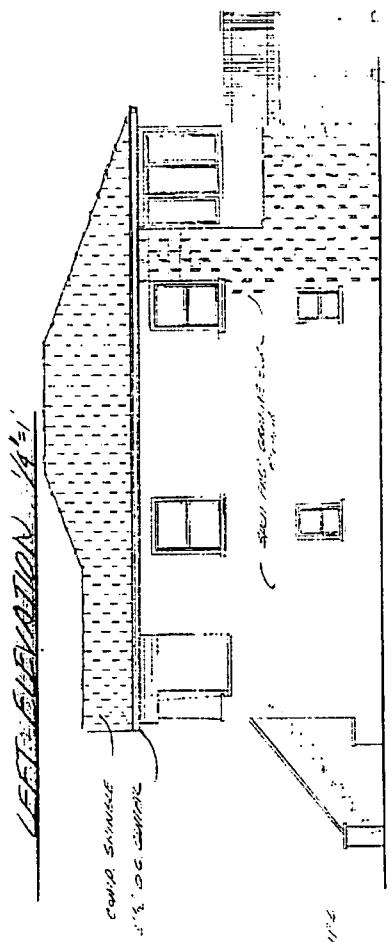
SIDE ELEVATION 1/2"



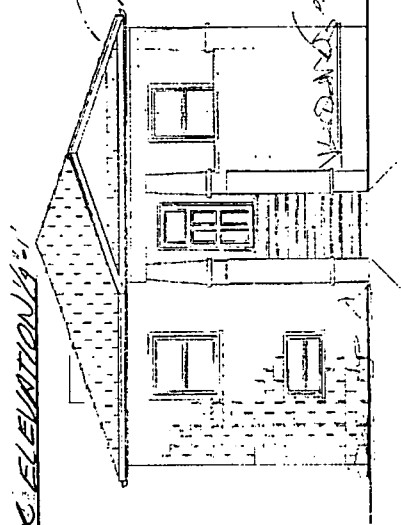
FRONT ELEVATION 1/2"



REAR ELEVATION 1/2"



LEFT ELEVATION 1/2"



FRONT ELEVATION 1/2"

RIGHT ELEVATION 1/2"