

REPORT AMENDED BY STAFF 5-25-89  
**CITY PLANNING COMMISSION**

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

APPLICANT	John and Alanna Lambeth - P.O. Box 1153, Newcastle, CA 95658				
OWNER	John and Alanna Lambeth - P.O. Box 1153, Newcastle, CA 95658				
PLANS BY	John and Alanna Lambeth - P.O. Box 1153, Newcastle, CA 95658				
FILING DATE	3-17-89	ENVIR. DET.	Exempt 15301	REPORT BY	BYBW:sg
ASSESSOR'S PCL. NO.	007-0021-011				

- APPLICATION:
- A. Special Permit to operate an eight room dormitory in an existing 2,240 sq. ft. residential structure on 0.07+ developed acres in the Multiple Family (R-3A) zone
  - B. Variance to waive the required three parking spaces for the dormitory use

LOCATION: 810 22nd Street

PROPOSAL: The applicant is requesting the necessary entitlements to continue operating an eight room dormitory facility.

PROJECT INFORMATION:

General Plan Designation:	High Density Residential (30+ du/na)
1980 Central City Community	
Plan Designation:	Multi-family
Existing Zoning of Site:	R-3A
Existing Land Use of Site:	Residential dormitory

Surrounding Land Use and Zoning:

North: ~~Multi-family; R-3A~~ Single family; R-3A (corrected by staff)  
South: Multi-family; R-3A  
East: Multi-family & single family; R-3A  
West: Multi-family; R-3A

Parking Required:	3 (1 space per 3 occupants)
Parking Provided:	0
Property Dimensions:	40' x 80'
Property Area:	0.07+ acres
Square Footage of Building:	2,240 sq. ft.
Height of Building:	3-story
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Wood siding
Roof Material:	Composition shingle

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site is a 3,200 square foot interior lot located in a Multiple Family (R-3A) zone. A three story residential structure approximately 2,240± square feet in size is located on the site. One residential unit is located on the bottom floor (basement) and the eight room dormitory is on the second and third floors (5 rooms on second floor/3 rooms on third floor). The structure is on a 0.07± developed lot. Surrounding land uses and zoning includes ~~multi-~~single family and multi-family to the north, south, and east and west, multi-family to the south, zoned R-3A. A single family unit is located to the east of the subject site. The site is designated High Density Residential (30+ du/na) by the General Plan and Multiple Family by the Central City Plan. (staff amended)

B. Applicant's Proposal

The applicant is requesting a special permit to operate an existing eight room dormitory on the subject site. The facility currently provides rental rooms for eight tenants. The residents are mostly low income people receiving General Assistance, Social Security or VA benefits. In addition, the applicant is requesting a variance to waive three required on-site parking spaces for the dormitory use.

C. Staff's Evaluation

The dormitory use was cited by the Nuisance Abatement Division as an illegal operation in early August 1988. The applicant has since then applied for a special permit with the City Planning Division to operate the dormitory use.

Planning staff and the City Building Inspector inspected the site and found the facility to be in satisfactory condition. Currently rooms are rented for \$150 and \$200 monthly. The dormitory is unlocked from 7:00 a.m. to 8:00 p.m. daily. Each tenant, however, has their own key to enter and exit the facility. The facility provides a common kitchen, bathroom and T.V. room for the residents. Staff was informed by the applicant that the rooms are rented to males only. The existing tenants are between the ages of 30 and 60 years old.

Each room has a lock on its door. The current owner purchased the building three years ago and informed staff that the rooms were rentals prior to his purchase.

Previous property owners did receive building permits to construct additional bedrooms in the late 30's and to modify the interior structure in 1973. Staff noticed space heaters and hot plates were in some of the rooms. The applicant will be required to remove all cooking and heating instruments from the rooms. The applicant is also required to meet all building code requirements prior to issuance of building permits. Staff informed the applicant to seek funding from the Sacramento Housing and Redevelopment Agency (SHRA) for building improvements, since the residents are low income and are receiving assistance. SHRA recently phoned Planning staff of the applicant seeking assistance. SHRA usually provides

assistance to these types of facilities and identifies them as single room occupancy structures.

Staff has no objection to the eight room dormitory as long as the building is brought up to code and no more than eight rooms are rented. Staff recommends that the dormitory use not exceed eight rental rooms. Denial of the special permit will displace tenants and create increased loitering and transients in the area. Staff surveyed the area and observed that there is only one other dormitory/lodging type of use within a 300 foot radius (see zoning exhibit) of the subject site.

D. Parking

The zoning ordinance requires that a total of one parking space per every three occupants shall be required for a dormitory use. Based on the required parking, three spaces are required. Currently, there are eight persons residing at the facility including the manager and only one has an automobile. No parking spaces are provided on the site, however, on-street parking is available. There is two-hour parking, except with a "K" permit, along 22nd Street which the subject site fronts on. Residents residing at the site, with a vehicle, are allowed to obtain a "K" permit from the city.

Planning staff has inspected the subject site on two different days, twice in the morning and twice in the early afternoon hours, and has found on-street parking available on 22nd Street between H and I Streets. Staff also noticed that after 8:00 a.m. most of the vehicles on-street have left. Staff finds that the on-street parking is sufficient for the facility since only one resident has an automobile and parking is available on the street. Staff, however, recommends that only one guest per room be allowed to rent at the facility due to potential traffic impacts. The applicant also informed staff that no more than two residents have owned a car in the three years that he's been owner of the facility.

E. Neighborhood and Agency Comments

The special permit and variance requests were sent to two community organizations, the Sacramento Old City Association (SOCA) and the Midtown Business Association. SOCA stated that they had no major opposition to the facility and their position was neutral. The Midtown Business Association is basically in favor of more upscale housing and is opposed to the project based on the use illegally operating without a permit.

The permit was also routed to City Traffic, Engineering, the Fire Department, Building and City Police. The following comments were received.

Building Department

1. Permit required for R-3 to R-1 conversion.
2. The applicant shall meet all building code requirements.

ENVIRONMENTAL DETERMINATION: The project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301).

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

- A. Approve the special permit request, subject to conditions and based upon findings of fact which follow; and
- B. Approve the variance request, subject to conditions and based upon findings of fact which follow.

Conditions

- 1. A maximum of eight tenants including management shall be allowed to reside at the use; only one tenant per room is allowed to rent at the facility.
- 2. The dormitory facility shall not exceed a total of eight rooms.
- 3. All cooking and heating instruments shall be removed from the rooms. (staff amended)
- 4. All heating devices which do not meet U.B.C. requirements shall be removed from the rooms. (staff added)
- 5. The applicant shall meet all building code requirements prior to issuance of building permits.

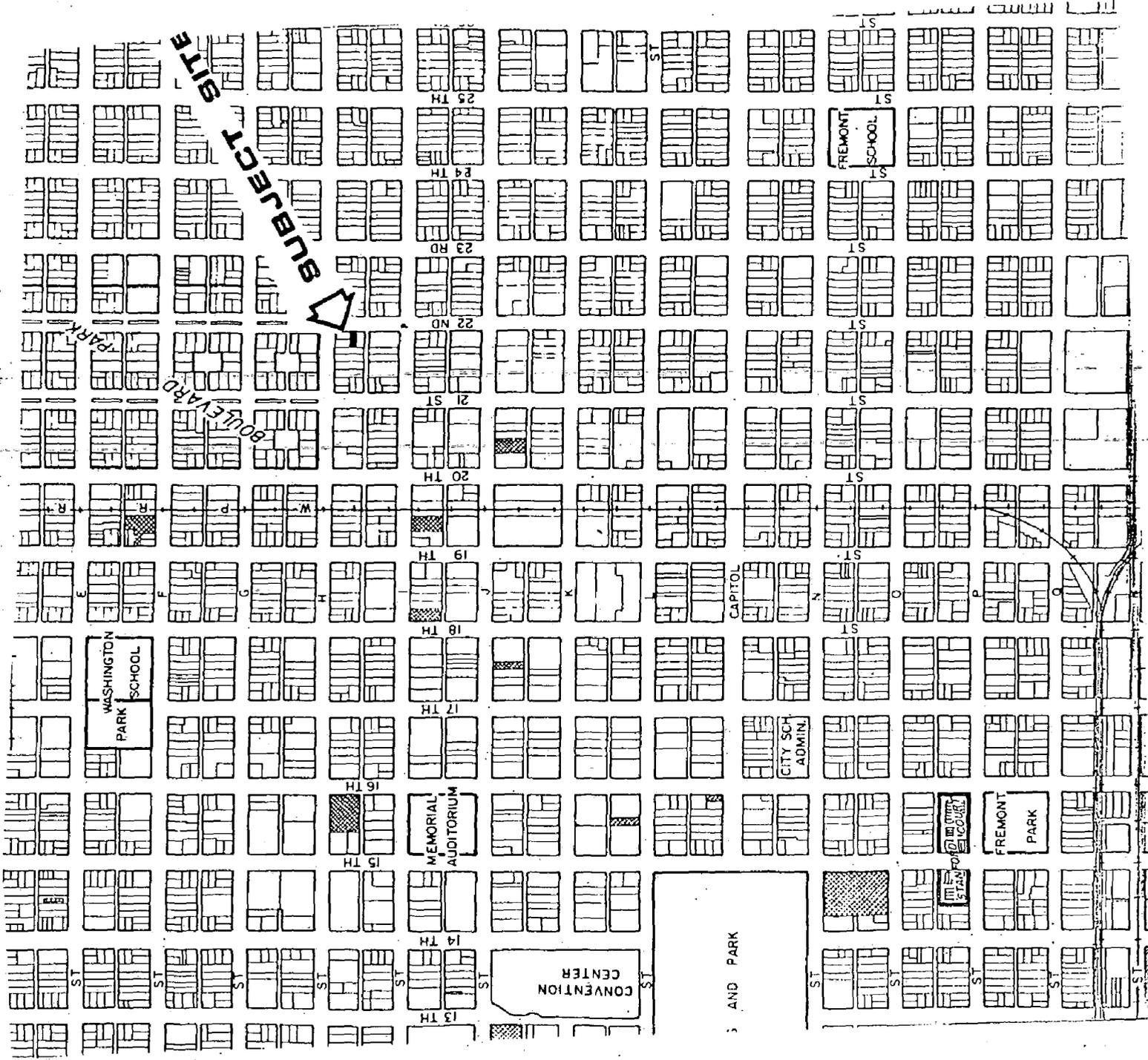
Findings of Fact - Special Permit

- 1. The project, as conditioned, is based upon sound principles of land use in that:
  - a. the dormitory is located in a structure large enough to accommodate eight tenants including the manager;
  - b. there is only one similar dormitory type of use in the area; and
  - c. the dormitory use is compatible with the surrounding land uses which consist of mostly multi-family residential uses.
- 2. The project, as conditioned, will not be detrimental to the public health, safety or welfare, nor be injurious to surrounding properties in that:
  - a. a resident manager does reside on-site and the dormitory is locked between the hours of 8:00 p.m. and 7:00 a.m. daily; and
  - b. the applicant is required to meet all building code requirements prior to issuance of building permits.

3. The project, is consistent with the General Plan and 1980 Central City Plan which designates the site for High Density Residential (30+ du/na) and Multi-Family respectively.

Findings of Fact - Variance

1. Granting the variance does not constitute a special privilege extended to an individual applicant in that similar parking variances have been granted for similar uses.
2. Granting the variance is not a use variance in that dormitory uses are allowed in the R-3A zone subject to a special permit.
3. Granting the variance will not be detrimental to the public health, safety or weifare nor to adjacent properties, in that:
  - a. on-street parking with a permit is available for existing tenants and residents in the area;
  - b. only a total of eight tenants including the manager are allowed to reside at the facility; and
  - c. management resides at the facility and the doors are locked between the hours of 8:00 p.m. and 7:00 a.m.



**SUBJECT SITE**

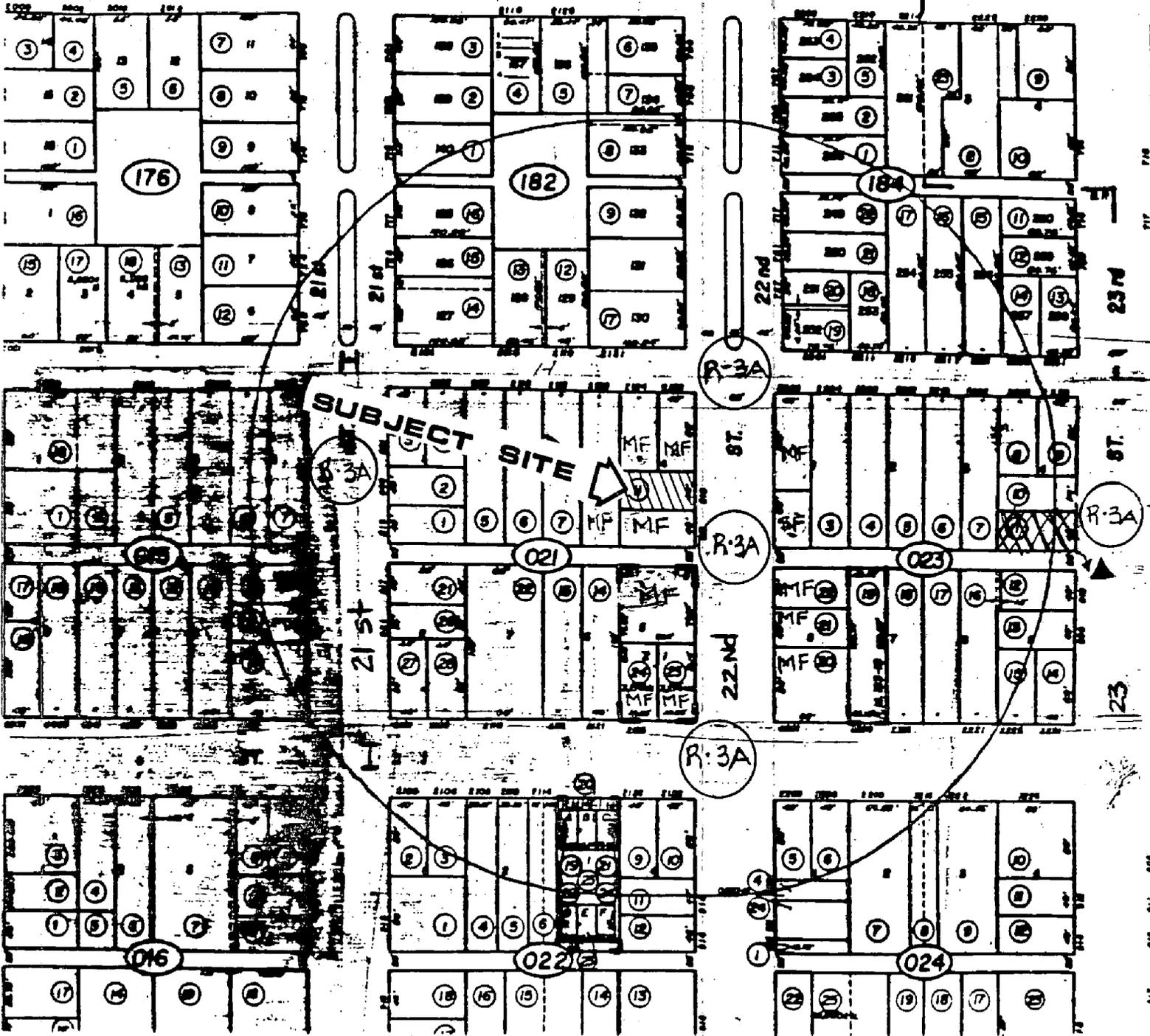
**VICINITY MAP**

P87-149

5-25-89  
6-8-89  
7-13-89

Bitem # 10

ST. 1 G 6



# LAND USE & ZONING MAP

P89-149

5-25-89/12  
~~6-8-89~~  
7-13-89

Item # 12

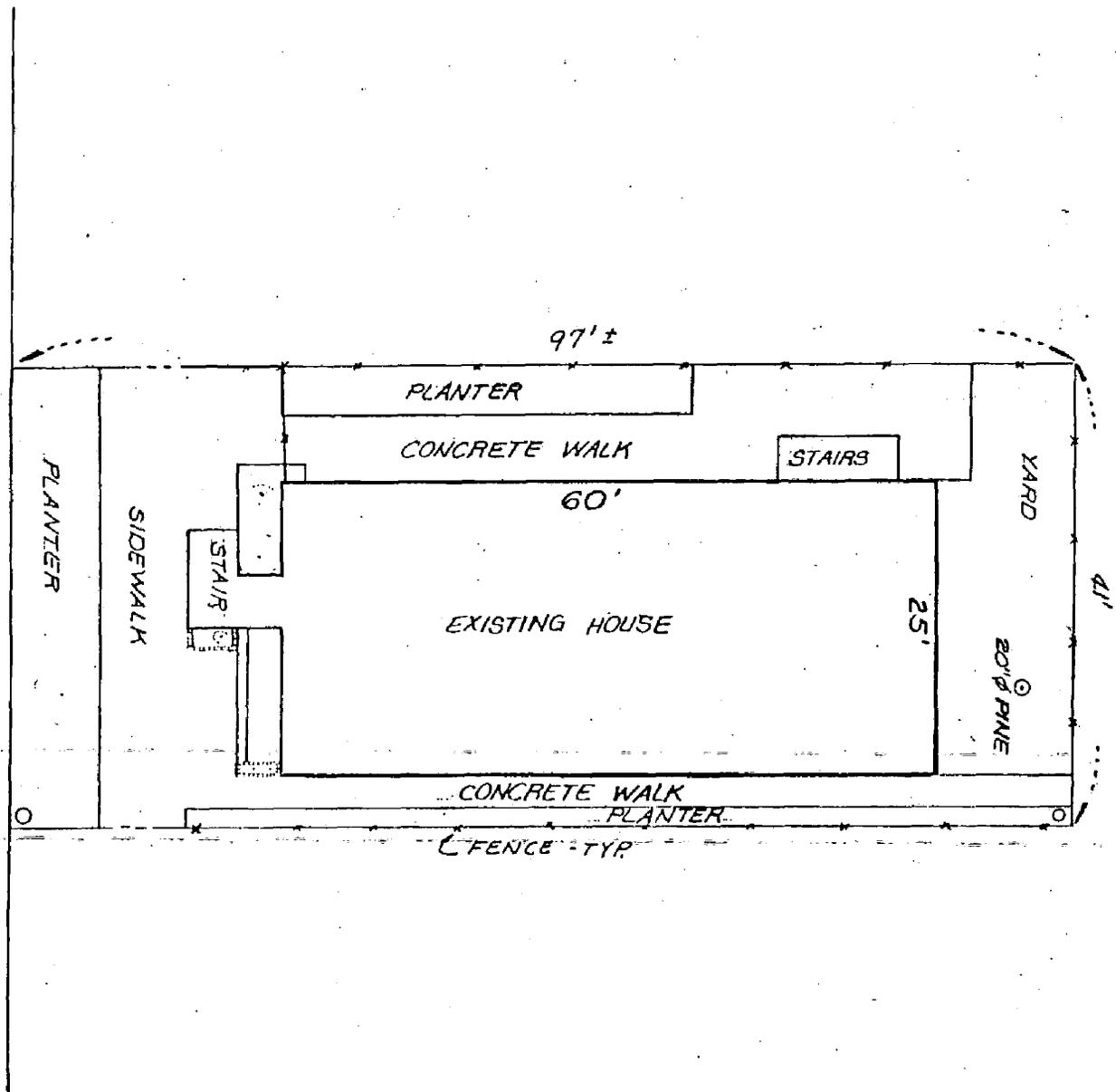
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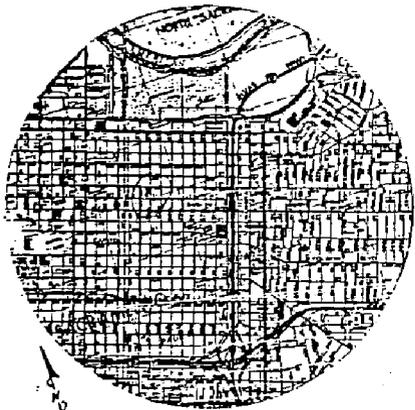
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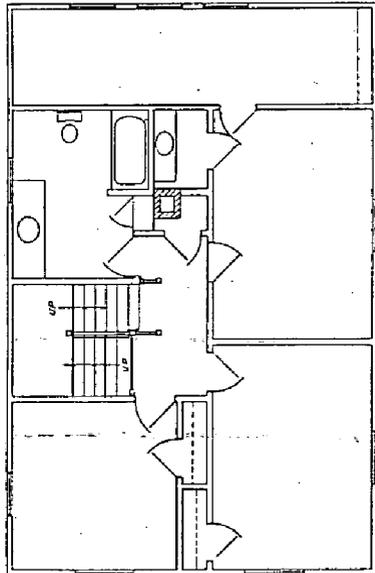
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22<sup>nd</sup> STREET

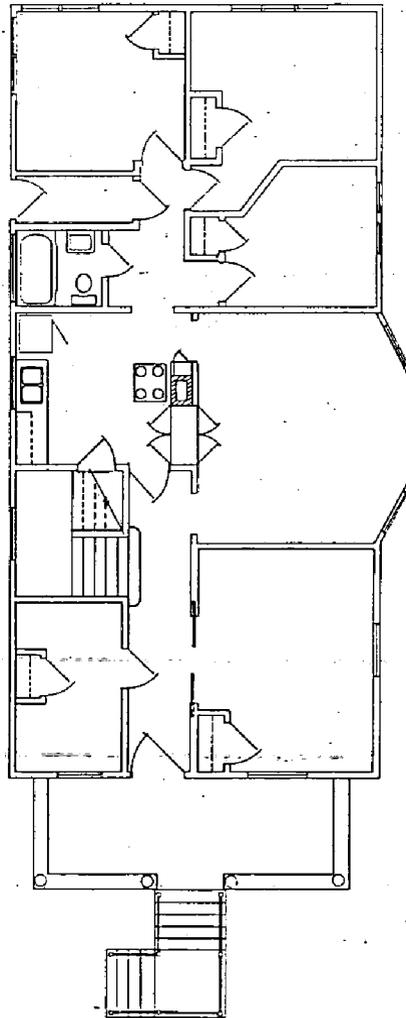




VICINITY MAP



SECOND FLOOR  
1/4" = 1'-0"



FIRST FLOOR  
1/4" = 1'-0"



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810 22nd STREET

SCALE 1/4" = 1'-0"

7-13-89  
16-8-89

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