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CITY PLANNING COMMISSION

927 - 10th Street, Suite 300 - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Stacy & Anthony Osmundson, 5 Jenny Court, Sacramento, CA 95814				
OWNER	Stacy & Anthony Osmundson, 5 Jenny Court, Sacramento, CA 95814				
PLANS BY	U. Paul Nekrassoff Drafting Service, 2444 Glendale Lane, Sacramento, CA 95825				
FILING DATE	9-10-82	50 DAY CPC ACTION DATE		REPORT BY	TM:bw
NEGATIVE DEC	10-4-82	EIR		ASSESSOR'S PCL. NO.	002-156-13 and 14

APPLICATION:

1. Negative Declaration;
2. Special Permit to establish a parking lot in the Medium Density Multiple Family R-4A zone;
3. Variance to reduce the required maneuvering space for compact cars from 24 feet to 23 feet;
4. Variance to reduce the required 50% shading of surfaced areas to 25% ;
5. Variance to reduce the required four foot planter to three feet and two feet;
6. Variance to waive the required six-foot bumper curb;
7. Variance to waive the required six-foot solid wall adjacent to residential uses;
8. Variance to allow a six-foot fence to project into the required front yard street and side yard setbacks;
9. Variance to allow the percentage of compact car spaces to exceed 30% (68%).

LOCATION:

1100 G Street

PROPOSAL:

The applicant is requesting the necessary entitlements to complete construction of a partially developed parking lot located in the Medium Density Multiple Family R-4A zone.

PROJECT INFORMATION:

1974 General Plan Designation:	Residential-Office
1980 Central City Community Plan Designation:	Residential-Office
Alkali Flat Redevelopment Plan:	Residential-Office
Existing Zoning of Site:	R-4A
Existing Land Use of Site:	Partially improved parking lot

Surrounding Land Use and Zoning:

North: Parking lot; R-4A
South: Vacant & Residential; R-4A
East: Residential; R-4A
West: Parking lot; R-4A

STAFF EVALUATION:

The applicant is requesting a special permit to develop a parking lot in a residential zone as well as numerous variances to waive certain development standards pertaining to parking lot improvements and fences.

The stated reason for the parking lot is to provide additional parking for 1000 G Street (Christopher Center) as well as overnight and weekend parking for residents in the adjacent area.

APPLC. NO. P82-219

MEETING DATE October 14, 1982

CPC ITEM NO. 11

The stated reason for the variances is primarily related to decorative and environmental concerns.

Staff has the following comments on these requests:

Special Permit - The proposed (and partially constructed) parking lot is located on property zoned Medium Density Multiple Family R-4A with an R-0 overlay designation. Under the R-4A zoning it is permissible to develop seven dwelling units on these parcels providing that the parking requirements and other aspects of the Zoning Ordinance are met. Staff's primary concern relative to the special permit is that, if approved, it would preclude the development of residential units at this location and further erode the viability of the remaining residential uses in the area.

The Alkali Flat Redevelopment Plan sets forth numerous goals and policies which relate to the development of residential units within the project area. Specifically, under the implementation portion of the plan it is stated that:

"The intent of this Plan is to maintain and attempt to increase the number of existing dwelling units within the Project Area through new construction and rehabilitation."

Due to recent rezonings and approved conversions of residential structures into offices, and development of residentially zoned properties into parking lots, the project area has lost a significant number of dwelling units and potential dwelling units. The special permit, if approved, will add to this erosion process and be contrary to the implementation goal as stated above.

As indicated in the applicant's statement of intent, it is proposed that these parking spaces are necessary for day time use of the Christopher Center (1100 G Street) occupants. The Christopher Center office was approved by the Commission with a requirement of 204 parking spaces. Staff has discovered, in conjunction with another request, that if a shortage exists, it is due to the manager/owner of the center leasing out parking spaces. An example of this is evident by exhibit A, which indicates 5 spaces are currently leased out to the owner of 1022 G Street.

In addition, staff has surveyed the parking lot at the Christopher Center several times during peak usage (11 A.M. and 3 P.M.) and found an average of 70 spaces available out of 207 on-site spaces.

In summary, staff finds that a residential use would be far more desirable and consistent with the goals and strategies of the 1980 Central City Plan and the 1980 Alkali Flat Redevelopment Plan than would a substandard 18 car parking lot.

Also, staff finds that there is not the evidence which supports the contention of the applicant that the parking is necessary for the Christopher Center occupants. In addition, the subject area is a preferential parking area for residents, thereby on-street parking is available and reserved for area residents.

Variations - Parking Lot Improvement - The Zoning Ordinance sets forth approximately eight development standards which must be applied to development of a parking lot of this nature. Of these standards, the applicant is requesting that six be waived or modified.

These standards are necessary to assure public safety through proper functional design as well as aesthetic considerations. Other projects throughout the City have been required to adhere to these standards.

The Zoning Ordinance sets forth the following ground rules which govern the granting of a variance, specifically these rules state;

1. No special privilege: A variance cannot be a special privilege extended to one individual property owner. The circumstances must be such that the same variance would be appropriate for any property owner facing similar circumstances.
2. Use Variance prohibited: The consideration of "use variances" is specifically prohibited. These are variances which request approval to locate a use in a zone from which it is prohibited by Ordinance.
3. Disservice not permitted: A variance must not be injurious to public welfare, nor to property in the vicinity of the applicant.
4. Not adverse to General Plan: A variance must be in harmony with the general purpose and intent of the Zoning Ordinance. It must not adversely affect the General Plan or specific plans of the City, or the Open Space Zoning regulations.

No hardship has been demonstrated or facts offered which allow or justify the granting of a variance request given these rules, the fact that the applicant partially improved the lot unknowingly or knowingly of the required improvements does not justify the granting of the variances.

Variations - Fencing Requirement - The applicant is requesting two variations related to fencing requirements to allow a wrought iron fence instead of a masonry wall and to allow a fence over three feet high within the front yard and street side setback. Again, in reference to the standards for variance approval as set forth in the Zoning Ordinance, staff cannot find any justification for the granting of these variations.

STAFF RECOMMENDATION: The staff recommends the following actions;

1. Ratification of the Negative Declaration;
2. Denial of the Special Permit based upon findings of fact which follow;
3. Denial of the Variance to reduce the required maneuvering area based upon findings of fact which follow;
4. Denial of the Variance to reduce the required shading of surfaced areas based upon findings of fact which follow;

5. Denial of the Variance to reduce the width of the four foot planter based upon findings of fact which follow;
6. Denial of the Variance to waive the bumper curb based upon findings of fact which follow;
7. Denial of the Variance to waive the required six foot masonry wall based upon findings of fact which follow;
8. Denial of the Variance to allow a six foot fence within the front yard street side yard setback based upon findings of fact which follow;
9. Denial of the Variance to allow the percentage of compact car spaces to exceed 30% (68%) based upon findings of fact which follow;

Special Permit - Findings of Fact

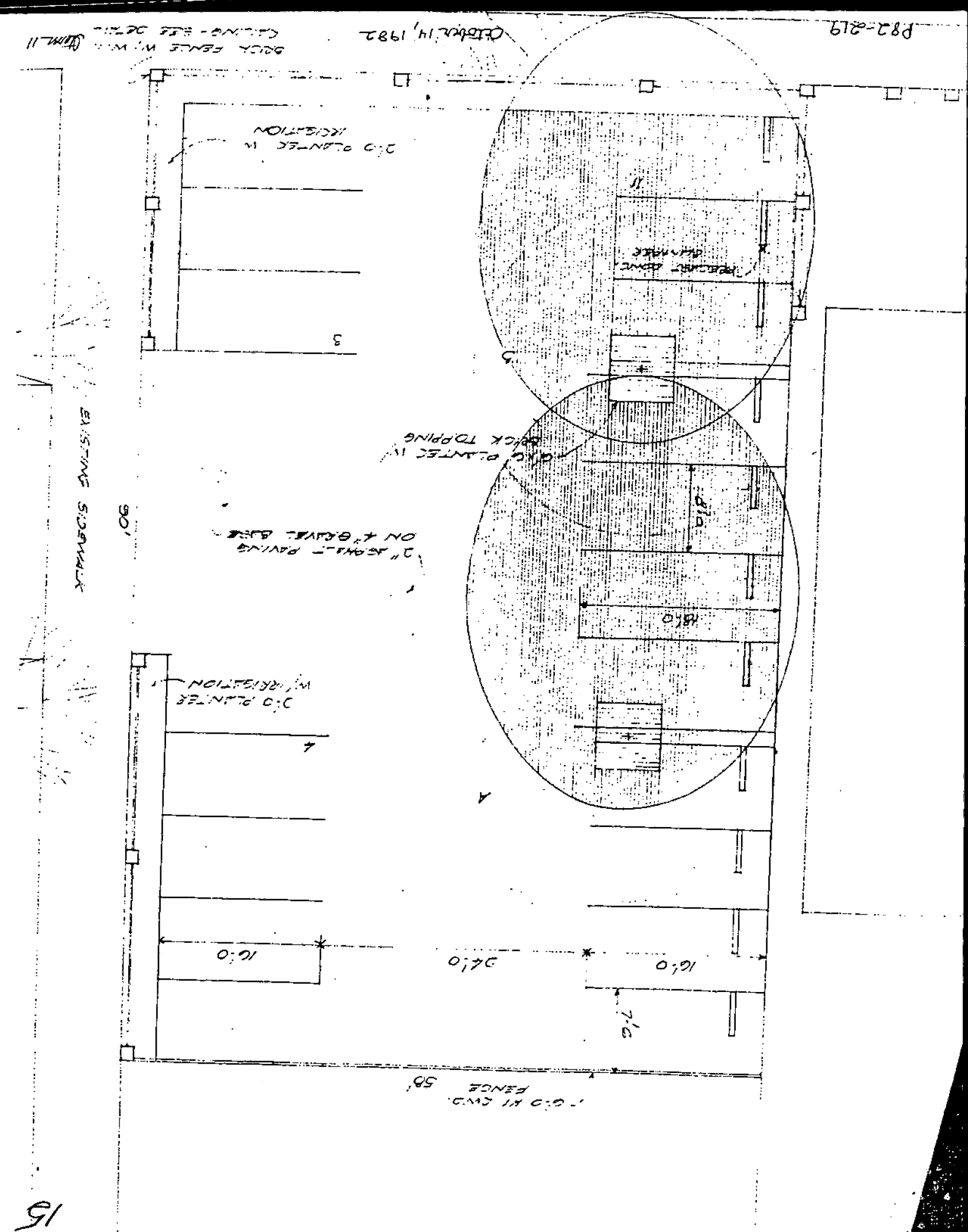
- a. The Special Permit is not based upon sound principles of land use in that, if approved, it would allow the development of a commercial parking lot in a residential zone adjacent to a residential use.
- b. The Special Permit, if granted, would be contrary to the following residential policy of the Land Use Element of the General Plan; "Prevent the intrusion of incompatible uses into residential area throughout the City".

VariANCES (Parking Lot Requirements) - Findings of Fact

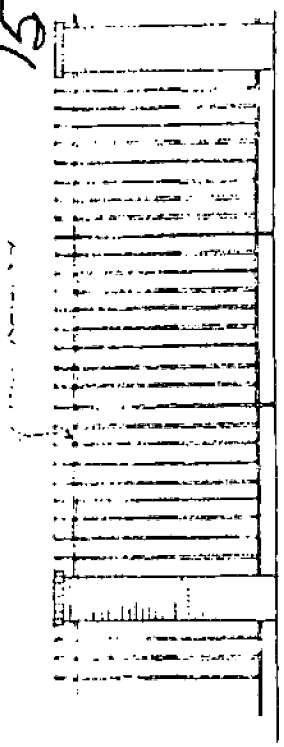
- a. These VariANCES, if granted, would constitute a special privilege extended to one property owner in that these standards are required of all parking lots.
- b. These VariANCES, if granted, would constitute a disservice to the general public in that the parking facility would lack the necessary improvements and therefore would not function properly due to restricted maneuvering room, lack of curbs etc. In addition, the facility, due to not meeting the required landscaping improvements, would present an eyesore to the general public.
- c. These VariANCES, if granted, would constitute a disservice to the general public in that the uniform improvements required of all such parking lots would be substandard or lacking for this site.
- d. These VariANCES, if granted, would be contrary to the General Plan goal as stated in the Circulation Element to; "Provide transportation facilities that insure safe, aesthetic, efficient and convenient movement of people and goods throughout the City".

VariANCES (Fencing Requirements) - Findings of Fact

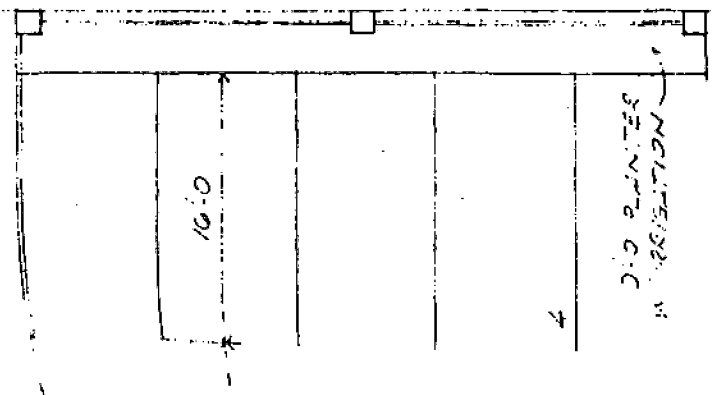
These VariANCES, if approved, would constitute a special privilege being extended to one property owner in that the fencing projects into the required front yard and street side yard setback area.



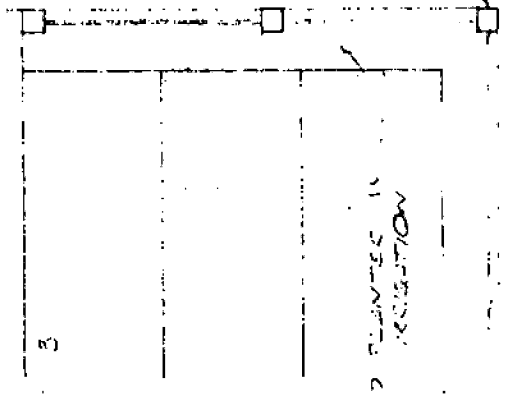
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FENCE DETAIL
SCALE 1/4" = 1'-0"



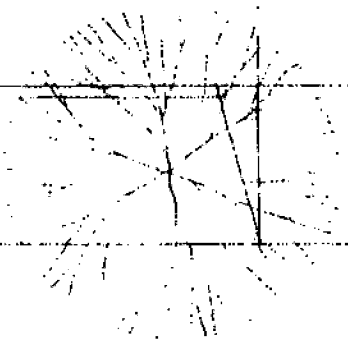
4 PLANTERS IN ROW
 IN ALLEYSIDE



3 PLANTERS IN ROW
 IN ALLEYSIDE

11TH ST.

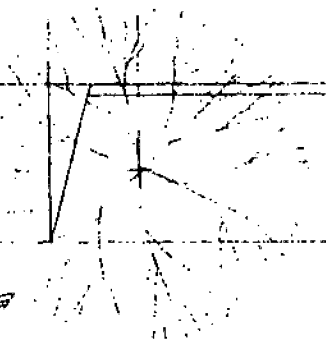
EXISTING TREE



05'-0" DRIVEWAY - NEW

3'-0" DRIVEWAY

EXISTING TREE



PARKING PAVING = 1400 S.F.
 SIDEWALK 25' W.D. 4400' x 50% = 5500 S.F.
 FULL SHADE TREES PROVIDED
 "A" TREES - QUERCUS AGROBOLUS
 1 @ 804 = 804 S.F.
 "B" TREES - QUERCUS RUBRA
 @ 918 = 918 S.F.
 TOTAL SHADE = 1740 S.F.

10 PARKING SPACES SHOWN
 (4 @ 8'x18', 14 @ 7'6" x 10')



October 14, 1982

Sheet 11

82-219 800A FENCE WITH
 CURB - SEE DETAIL

CHRISTOFER CENTRE
1000 G STREET - SUITE 100
SACRAMENTO, CALIFORNIA 95814
(916) 446-1123 6223

September 10, 1982

To whom it may concern.

Subject: Parking Christofer Centre, 10th & G Street
Mr. and Mrs. Dennis Grey

This is to advise any interested party that Mr. & Mrs.
Dennis Grey have been assigned five parking spaces.
Numbers 824 thru 828 in the Christofer Centre garage,
and these spaces will be available to them on an indef-
inite basis or as long as they desire to rent them.

Very truly yours,

Christofer Centre
Potter, Taylor and Scurfield
Agents for owners

By

John E. Scurfield

POTTER, TAYLOR & SCURFIELD, MANAGERS