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16



CITY OF SACRAMENTO

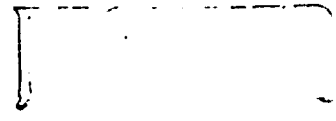
CITY PLANNING DEPARTMENT

915 "I" STREET
CITY HALL - ROOM 308

SACRAMENTO, CALIF. 95814
TELEPHONE (916) 449-5604

ETHAN BROWNING, JR.
PLANNING DIRECTOR

November 21, 1979



City Council
Sacramento, California

CITY HALL - ROOM 308

Honorable Members in Session:

SUBJECT: Appeal of the Planning Commission's Denial of a Variance Request to Waive Three Required Parking Spaces in a C-4 Zone. (P-8783)

LOCATION: 1625 - 18th Street

SUMMARY

The applicant is proposing to construct a 2,608 square foot commercial structure without off-street parking on a 40 foot by 70 foot parcel located in the C-4 zone. The Variance request to waive the required parking for the site was denied by the City Planning Commission.

BACKGROUND INFORMATION

The subject site is a vacant 2,800 square foot lot. It is located in an area that contains mixed land uses. There are existing residential, commercial, and industrial land uses surrounding the site. The proposed one-story warehouse would require provision of three off-street parking spaces. The applicant is seeking a waiver of all required parking. The proposed warehouse is to be designed with a large off-street loading area fronting on 18th Street. It is the applicant's intent to keep the vehicles used in the operation within the dock and interior warehouse area. In consideration of the request, the Commission made the following observations:

1. The proposed building with a loading dock would eliminate one and one-half on-street parking spaces.
2. The site is located in an area where on-street parking is a problem.

FILED
By the City Council
Office of the City Clerk
Cont 40
12-11-79
NOV 27 1979

FILED
By the City Council
Office of the City Clerk
Cont 40
1-29-80
DEC 11 1979

JAN 29 1980
OFFICE OF THE CITY CLERK

intent to
deny based
on K of F.
Due 2/12-80

Neighboring residents appeared at the Commission hearing and spoke in opposition to the Variance. The neighbors indicated that there was a parking problem in the area at the present time and did not want any new businesses located without parking. They also indicated that the proposed building was not compatible to existing residential structures.

The Planning staff recommended approval of the request because the site is a substandard size lot with a 40-foot width and there is no way of designing parking on this site to meet minimum standards of the Zoning Ordinance. There is a definite hardship in this case.

Attached are copies of letters from neighboring residents as well as the staff's report to the Planning Commission.

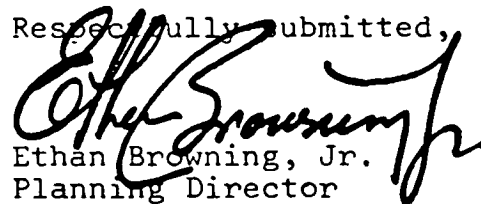
VOTE OF COMMISSION

At their regular meeting of October 25, 1979, the City Planning Commission denied the request by a vote of three ayes, six noes, on a motion to approve.

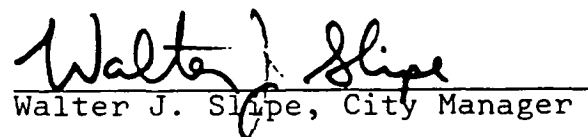
RECOMMENDATION

If the City Council concurs with the Planning Commission, the proper action would be to deny the appeal.

Respectfully submitted,


Ethan Browning, Jr.
Planning Director

FOR TRANSMITTAL TO COUNCIL:


Walter J. Slupe, City Manager

EBj:HY:jm
Attachments
P-8783

November 27, 1979
District No. 4

0000 0 2 0000
0000

NOTICE OF APPEAL OF THE DECISION OF THE CITY PLANNING COMMISSION
SACRAMENTO CITY PLANNING COMMISSION

DATE: NOVEMBER 2, 1979

NOV - 2 1979

RECEIVED

TO THE PLANNING DIRECTOR:

I do hereby make application to appeal the decision of the City Planning

Commission of OCTOBER 25, 1979 when:
(Date)

 Rezoning Application

Variance Application

 Special Permit Application

was: Granted, Denied by the Commission

GROUNDS FOR APPEAL: SEC. 6 OFF STREET PARKING
OF ZONING ORDINANCE SUB SEC. "D" ITEM
18 ALLOWS FOR WAIVERING OF ONSITE
PARKING FOR HARDSHIP LOTS.

PROPERTY LOCATION: 1625 18th ST.

PROPERTY DESCRIPTION: _____

ASSESSOR'S PARCEL NO. 007 - 311 - 18 .

PROPERTY OWNER: ROGER G.F. FONK

ADDRESS: 6230 GLORIA DRIVE

APPLICANT: same as above

ADDRESS: _____

APPELLANT: Roger G. Fonk
(SIGNATURE)

ADDRESS: 6230 GLORIA DR. SACR. CALIF.

FILING FEE: \$50.00. Receipt No. 4883

FORWARDED TO CITY COUNCIL ON DATE OF: _____

P- 8783

(4 COPIES REQUIRED)

7/78

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE October 25, 1979
 ITEM NO. 19 FILE NO. P-8283
M-

REZONING TENTATIVE MAP
 SPECIAL PERMIT EIR DETERMINATION
 VARIANCE EXT. OF PERMIT
 SUBD. MOD. OTHER

LOCATION: 1625 18th Street

Recommendation:

Favorable
 Unfavorable Petition Correspondence

PROPOSERS	
NAME	ADDRESS
<u>Roger Fong</u>	<u>6230 Gloria Drive</u>

OPPOSERS	
NAME	ADDRESS
<u>Steve Cassner</u>	<u>1720 Q Street</u>
<u>Bill Atherton</u>	<u>1800 P Street</u>
<u>Steve Larsen</u>	<u>(Pres. Old City Assoc.)</u>
<u>Richard Raymond</u>	<u>1730 P Street</u>

MOTION NO. _____

	YES	NO	MOTION	2ND
Augusta		<input checked="" type="checkbox"/>		
Flores	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
Fong		<input checked="" type="checkbox"/>		
Goodin	<input checked="" type="checkbox"/>			
Hunter		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Muraki	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
Simpson P		<input checked="" type="checkbox"/>		
Simpson S		<input checked="" type="checkbox"/>		
Silva		<input checked="" type="checkbox"/>		

MOTION:

TO APPROVE
 TO DENY
 TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
 INTENT TO APPROVE SUBJ. TO COND. & BASED ON FINDINGS OF FACT DUE _____
 TO RECOMMEND APPROVAL _____ & FORWARD TO CITY COUNCIL
 TO RATIFY NEGATIVE DECLARATION
 TO CONTINUE TO _____ MEETING
 OTHER denied (intent)
find. of fact due. 11-8

EXHIBITS: A. Site Plan
 B. Floor Plan
 C. Elevation
 D. Landscaping

41 10-25
CITY PLANNING

10/22/79
CITY PLANNING COMMISSION

To Whomever it concerns : OCT 25 1979

RECEIVED

Subject : 2626 L St
accounting office Building
addition of Second Story

I would be against the addition of a second story if it involves taking down any of the trees on the property. They are very old, unique, and part of the community. Especially the tall light green one between the buildings. They brighten my day when all else seems gloomy and hopeless.

1214 27th St #7 Sincerely
Diane Wragley PS ->

Sacto.

95816

F-8783

I let him do just what

he wanted

to do the same to

down adjacent property
consisting of 8 small units
no parking at all.
Parking in a position on
this block, as it now
stands. There is a commercial
business on the other side
of me with no parking area,
mostly the dwelling on the block

Opposition
to # 19

Jean Germaine
155 San Benito Way
San Francisco CA

Marty

P-8783

OCT 19 1979

October 17, 1979

RECEIVED

Leona O. Smith
1209 Ridgeway Drive
Sacramento, Calif. 95822

Sacramento City Planning Commission
915 I Street - Room 308
Sacramento, Calif. 95814

Gentlemen:

I have your letter of October 16, 1979, referring to "P-8783 Variance to waive 3 required parking spaces in order to develop a 2,608+ sq. ft. commercial structure on 2,800+ sq. ft. in the heavy commercial C-4 zone. Loc 1625 18th Street APN:007-311-18."

I am the owner of 1618 18th Street. I am not able to attend your meeting of October 25, 1979. Mine is a 4-plex.

I have been over to my property week-days and week-ends. My tenants all have to use street parking (two of them do not have cars). However, this will not always be so. Regardless of the times that I have to be at my apartments, I have found it difficult to find ample parking. The people from the apartment house across the street are usually parked in front of my 4-plex. On week-ends, when I bring my gardner over to work with me, we have to park a distance away and carry the tools from my car.

The little grocery store on the corner is also building up business because of their sandwich trade. You can see the dining tables on the sidewalk.

I feel that if a business of any sort is planning to use this area, the entire corner should be considered so that ample parking will be available. You cannot "squeeze" a building into a space in this neighborhood!! After all, tenants do have company calling at times - and that requires space for still another car.

I VOTE NO ON THIS PROPOSAL.

Sincerely,

Leona Smith

Concern has been raised regarding the availability of delivery space so as to prevent double parking during loading and unloading times. The applicant has discussed with Traffic the possibility of creating an unloading zone only for working hours.

Staff also notes that the front yard setback of the adjacent apartment building and the single family residence is five and ten feet respectively. Staff requests the front yard setback of the proposed project be seven feet and that this setback area consist of a landscaped planter. If the Planning Commission approves of the staff recommendation with the attached conditions, the total square footage of the building will be reduced such that the required parking will be two spaces.

STAFF RECOMMENDATION: The variance be approved as per the following conditions and findings of fact:

Conditions

1. The applicant shall construct a seven foot wide landscaped planter in the front setback area.
2. Detailed landscaping plans shall be submitted to the Planning Director for his review and approval prior to the granting of a building permit.
3. Any more intensive uses than the proposed uses shall be subject to review and approval of the Planning Director.
4. The hours and days of operation shall be limited to 8 AM to 5 PM, Mondays through Fridays.
5. Final site plans will be subject to review and approval of the Architectural Review Board, especially in regard to the north and south elevations.

Findings of Fact

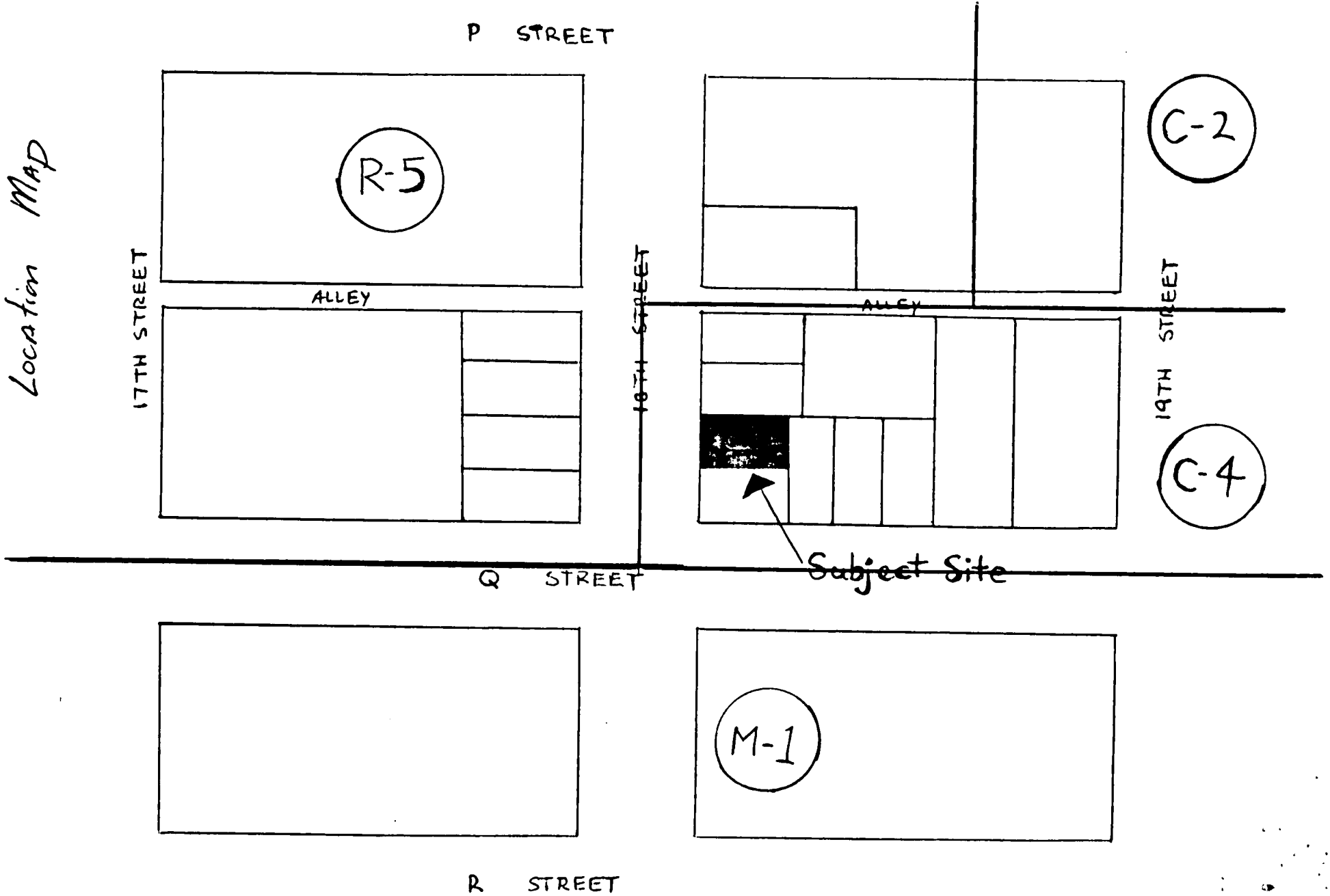
1. The variance will not constitute a special privilege in that the same variance would be appropriate for any property owner facing similar circumstances. The present zoning ordinance allows 40' x 80' lots within the downtown area the option of applying for a special permit to waive on-site parking requirements.
2. The variance is not a use variance since the proposed use is appropriate for the C-4 zoning.
3. The variance will not be injurious to public welfare, nor to property in the vicinity of the applicant because:
 - a. The creation of parking spaces on the subject site would cause a reduction of on-street parking spaces.
 - b. The proposed use will not generate significant parking demands.
 - c. The subject area is adequately served by Regional Transit.
 - d. The anticipated operating hours of the proposed building will be such that the heaviest parking demand will occur at times when apartment parking demand will be low.
4. The variance is in harmony with the general purpose and intent of the General Plan in that it permits the development of an otherwise economically undevelopable parcel of land for a use permitted in that zone.

D-8783

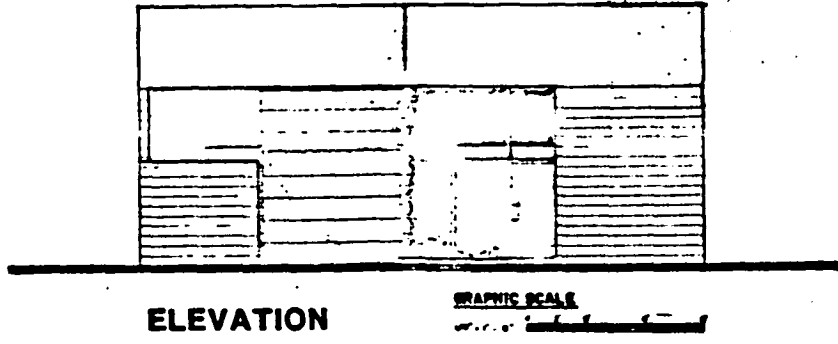
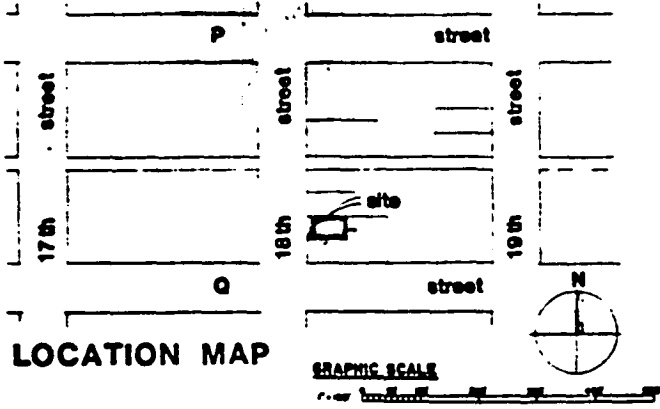
October 25, 1979

Item 19

Location Map

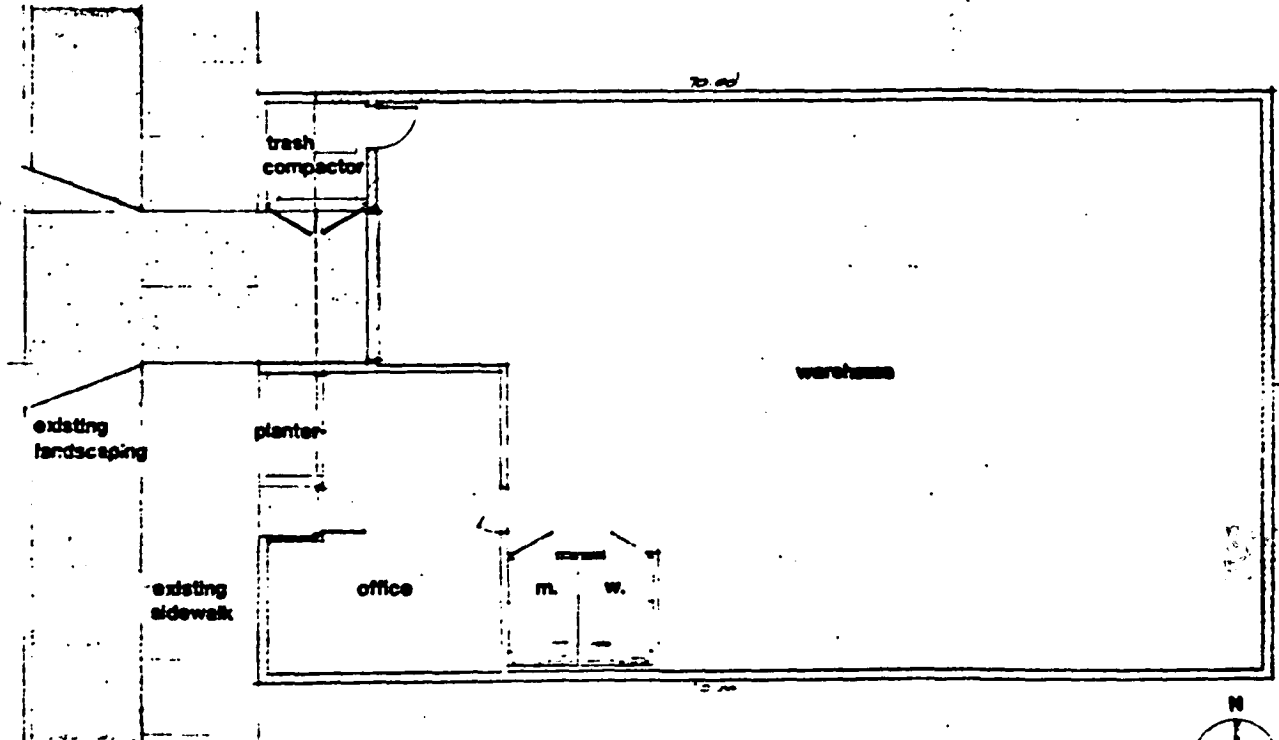


R8783



TABULATION

warehouse	2,208 s.f.
office & restrooms	402 s.f.
total building	2,608 s.f.
site area	2,800 s.f.



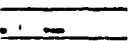
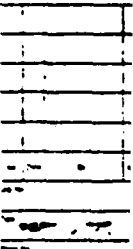
SITE DEVELOPMENT & FLOOR PLAN

October 25, 1978

881

THURSDAY

1625 18th S
COMMERCIAL
DEVELOPMENT



P. 8783

In the matter of the decision of the
Planning Commission on application
P-8783 for a Variance to waive three
required parking spaces to develop
commercial structure in C-4 zone at
1625 18th Street

FINDINGS OF FACT

On October 25, 1979 the City Planning Commission indicated an intent to deny the subject variance based on findings of fact due November 8, 1979.

Based on documentary and oral evidence submitted at the public hearing, the Planning Commission denied the variance and hereby finds:

1. The variance will constitute a special privilege in that the Zoning Ordinance requires all office and warehouse facilities to provide on-site parking.
2. The variance will be injurious to the public welfare in that severe congestion occurs along 18th Street. Any additional on-street parking will result in the creation of hazardous traffic conditions.
3. The variance is not in harmony with the general purpose and intent of the General Plan as it will result in the creation of undesirable traffic conditions along 18th Street.

Approved by the Commission
on November 8, 1979 for the
October 25, 1979 City Plan-
ning Commission meeting.

Chairman
City Planning Commission

November 9, 1979

Leona O. Smith
1209 Ridgeway Drive
Sacramento, Calif. 95822

Ms. Lorraine Magana
Office of the City Clerk
915 I Street
Sacramento, Calif. 95814

Dear Ms. Magana:

Re: (P-8783) appeal of wiver of 3 required parking spaces
variance was denied at earlier vote. *11-27-79*

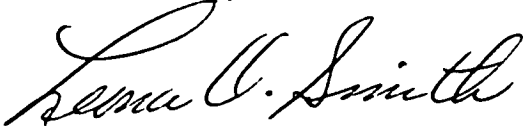
My vote was NO the first time I was contacted regarding the above.

I am disappointed that I have to do all this work again - but here are some of my reasons:

1. This old neighborhood has very few garages - most of the residents park on the street (Grandfather's Clause - we were here first).
2. The small grocery store on the corner of 18th & Q Street has built up a pretty good business and their little sandwich concession attracts customers to their outside tables & chairs.
3. Mine is only a 4-plex and I only have two tenants who own cars. Two of my tenants do not drive - this will not always be the case.
4. The larger apartment house across the street has tenants and visitors parking in front of my 4-plex already.
5. I often have to carry my garden tools 1/2 a block in order to work in my yard - because of the lack of parking spaces.

I am quite disappointed that this contact had to be made again. If this business wants more space - why doesn't he take the vacant lot and the old house on the corner (I believe that it is condemned anyway).

Sincerely,



Leona O. Smith

RECEIVED
CITY CLERK'S OFFICE
SACRAMENTO
NOV 13 12 55 PM '79