

CITY PLANNING COMMISSION

915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Joesph Mohamed Sr., 4405 College Oak Drive, Sacramento, CA 95811		
OWNER	Joesph Mohamed Sr., 4405 College Oak Drive, Sacramento, CA 95811		
PLANS BY	J.E. Ross & Sons, 9521 Tonkin Drive, Orangevale, CA 95662		
FILING DATE	4-17-82	50 DAY CPC ACTION DATE	REPORT BY:TM:kmb
NEGATIVE DEC.	5-17-82	EIR	ASSESSOR'S PCL NO. 013-143-33

- APPLICATION:
1. Negative Declaration
 2. Special Permit to allow Residential Use in the C-2 zone.
 3. Variance to waive 4 of the required parking spaces

LOCATION: 2917 35th Street

PROPOSAL: The applicant is requesting the necessary entitlements to construct a 3,600 square foot structure with 2,400 square feet of commercial space on the first floor, and a 1,200 square foot residential unit on the second floor.

PROJECT INFORMATION:

1974 General Plan Designation:	Residential
1973 Oak Park Redevelopment Plan Designation:	Multi-family, Residential Low Density
Existing Zoning of Site:	C-2
Existing Land Use of Site:	Vacant

Surrounding Land Use and Zoning:

North:	Fire damaged commercial building; and C-2
South:	Post Office; and C-2
East:	Residential; and C-2
West:	Vacant; and R-2A

✓ Parking Required:	8 spaces	---Parking Provided:	4 spaces
Parking Ratio:	1:dwelling unit, 1: 300 sq. ft. of commercial use		
Property Dimensions:	40' x 150'		
Property Area:	6,000 sq. ft.		
Square Footage of Building:	3,600 (total)		

BACKGROUND INFORMATION: The subject site is located within the Oak Park Redevelopment Plan Area and, as such, is subject to both the Redevelopment Plan as well as Zoning Ordinance Requirements. The Zoning Ordinance standards prevail unless more specific standards are indicated in the Redevelopment Plan.

The project site was previously developed with a similar use which was destroyed by a fire. According to Section 12, of the Zoning Ordinance, which pertains to nonconforming structures and uses, the applicant must construct the new development per Ordinance standards or apply for a Variance.

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STAFF EVALUATION: In general, staff is supportive of the mixed land use concept for this site. However, staff does have some concerns

relative to the requested Variance and the overall development of the site. Staff's primary concerns are as follows:

1. The project site consists of a vacant 40' x 150' parcel with alley access. Staff has reviewed several new construction proposals for similar sized lots where the developer was able to accommodate the required on-site parking. Staff, therefore, cannot substantiate any hardship as to the granting of the Variance.
2. The Redevelopment Agency has approved an owner participation agreement for this project which will allow the development, as proposed, if the Commission grants the requested Special Permit and Variance. The Oak Park Project Area Committee also endorses this agreement, (see attached letter).

This agreement between the agency and the applicant supposedly stipulates certain development standards. Staff has reviewed this agreement and has found that the proposed development does not meet all of the Oak Park Plan nor Zoning Ordinance Requirements.

Some of these development standards may seem minor in themselves but staff finds that cumulatively, their omission significantly reduces the quality of the overall project. These omitted requirements, which are set forth in the Redevelopment Plan, the Development Agreement, and the Zoning Ordinance are as follows:

Redevelopment Plan (Land Use Provisions and Building Guidelines)

Page 21 (c)

Minimum Landscaped Open Space: Ten percent (10%). This area must be devoted exclusively to plant material and natural landscaping treatment. Parking lot planters and access roads may not be included in the calculation of this area.

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Development Agreement: All off-street parking facilities shall include landscape planters. The planters shall constitute a minimum of five percent (5%) of the parking lot area. Planters shall be located adjacent to all public streets and within and throughout the parking lot.

(xi) LANDSCAPE PLANTING: Landscape planting as used herein refers generally to lawns, shrubs and trees. All such planting shall include a self-contained irrigation system that provides even and adequate water distribution.

Page 7

Development Agreement:

(3) Trash Storage: All trash, including lawn, shrubs and tree cuttings are to be placed in a screened enclosure when stored for pickup. No collected trash of any kind is to be allowed to stand outside of an enclosure for more than eight (8) hours.

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Development Agreement:

(iii) Parking Design Objectives: Parking areas shall be designed with careful regard given to ease of ingress and egress, orderly arrangement, landscaping, amenity of view, environmental considerations and as an integral part of the total site design. Vehicle access to the parking areas shall be direct and not in conflict with vehicular movement to service the various uses within the site. Ingress and egress points shall be located at adequate distances from street intersections to avoid congestion and interference with traffic.

Also, the proposed parking lot does not satisfy the 50 percent shading requirement as stipulated by the Zoning Ordinance.

In conclusion, staff cannot find any special circumstances which warrant the granting of the Variance and further determines that the project is in need of substantial revisions.

STAFF RECOMMENDATION: Staff recommends the following actions:

1. Ratification of the Negative Declaration;
2. Approval of the Special Permits subject to conditions and based upon Findings of Fact which follow;
3. Denial of the Variance based upon Findings of Fact which follow;

Condition - Special Permit

- * 1. ~~The applicant shall redesign the proposed project to accommodate the required on-site parking. The revised plans shall be reviewed and approved by staff prior to the issuance of building permits.~~
- 2. The site plan shall be revised to include the following changes:
 - * a. ~~Ten percent of the total area must be devoted exclusively to plant material and natural landscaping treatment as required by the Redevelopment Plan.~~
 - b. The applicant shall provide for a screened six-foot high trash enclosure constructed out of durable materials and compatible to the rest of the proposed development. The trash enclosure shall be screened with plant material also.
 - c. The parking lot shall include landscape planters. The size and location of these planters shall be in compliance with the Zoning Ordinance 50 percent shading requirement. In no event shall the total amount of landscaped planters in the parking lot be less than 5 percent.
 - * d. ~~The applicant shall submit a revised parking lot design to the City Traffic Engineer to insure adequate ingress and egress.~~

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*Deleted by City Planning Commission 5/27/82

Findings of Fact - Special Permit

- a. The Special Permit, as conditioned, is based upon sound principles of land use in that the subject site is surrounded by a mixture of residential and commercial uses.
- b. The Special Permit, as conditioned, will not be detrimental to public health, safety or welfare in that adequate parking and setbacks will be provided.
- c. The Special Permit, as conditioned, is consistent with the Oak Park Redevelopment Plan Goal to;
"Increase and develop economic stability for the area by generating centralized commercial activities and enhancing property values. To provide for new housing within the means of the majority of area residents."

Findings of Fact - Variance

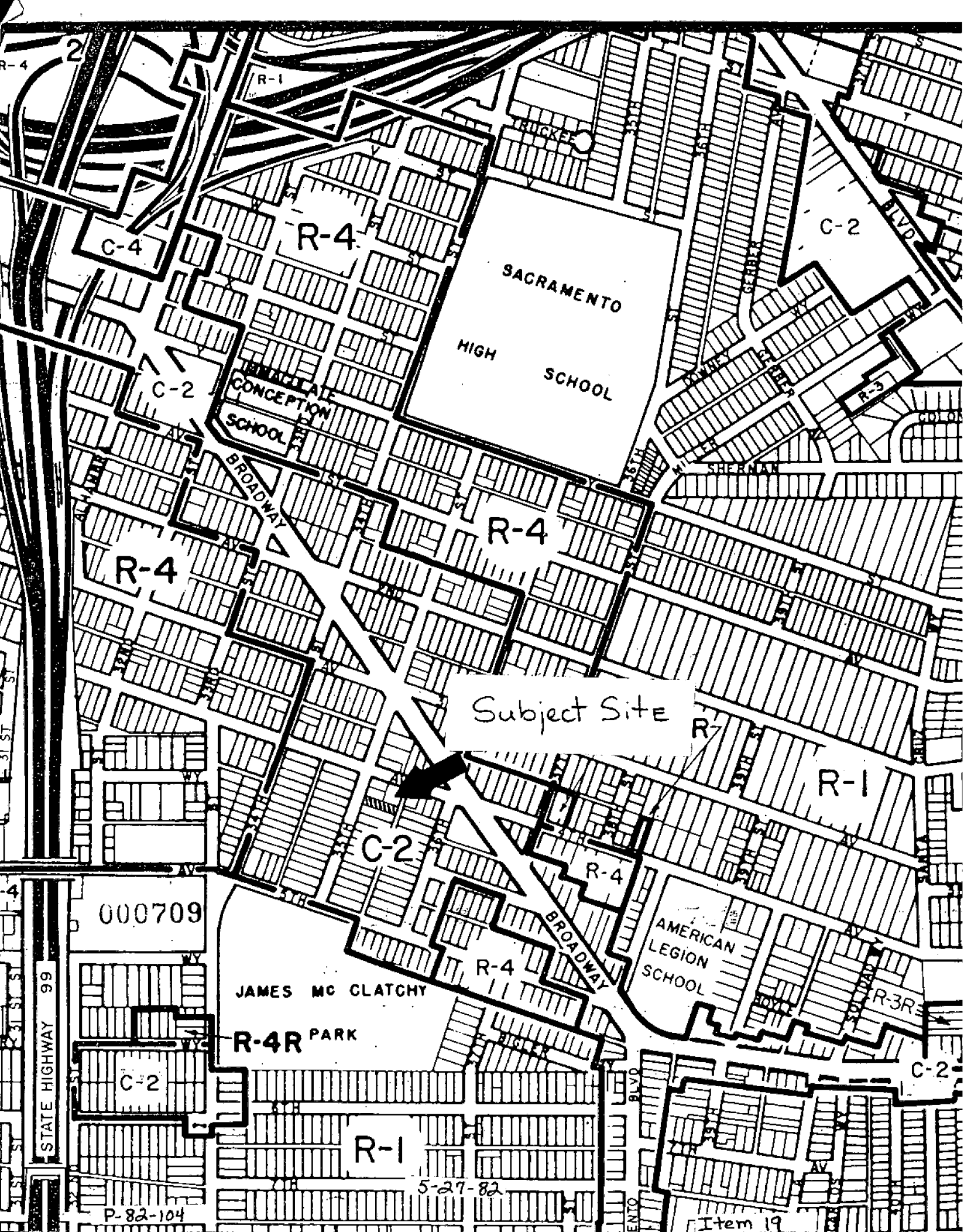
- a. The granting of the Variance would constitute a special privilege extended to an individual property owner.
- b. The variance, if granted, would be a disservice to surrounding properties in that it would congest the parking situation in the neighborhood as the area develops.

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Subject Site

SACRAMENTO
HIGH
SCHOOL

CONCEPTION
SCHOOL

AMERICAN
LEGION
SCHOOL

JAMES MC GLATCHY

R-4R PARK

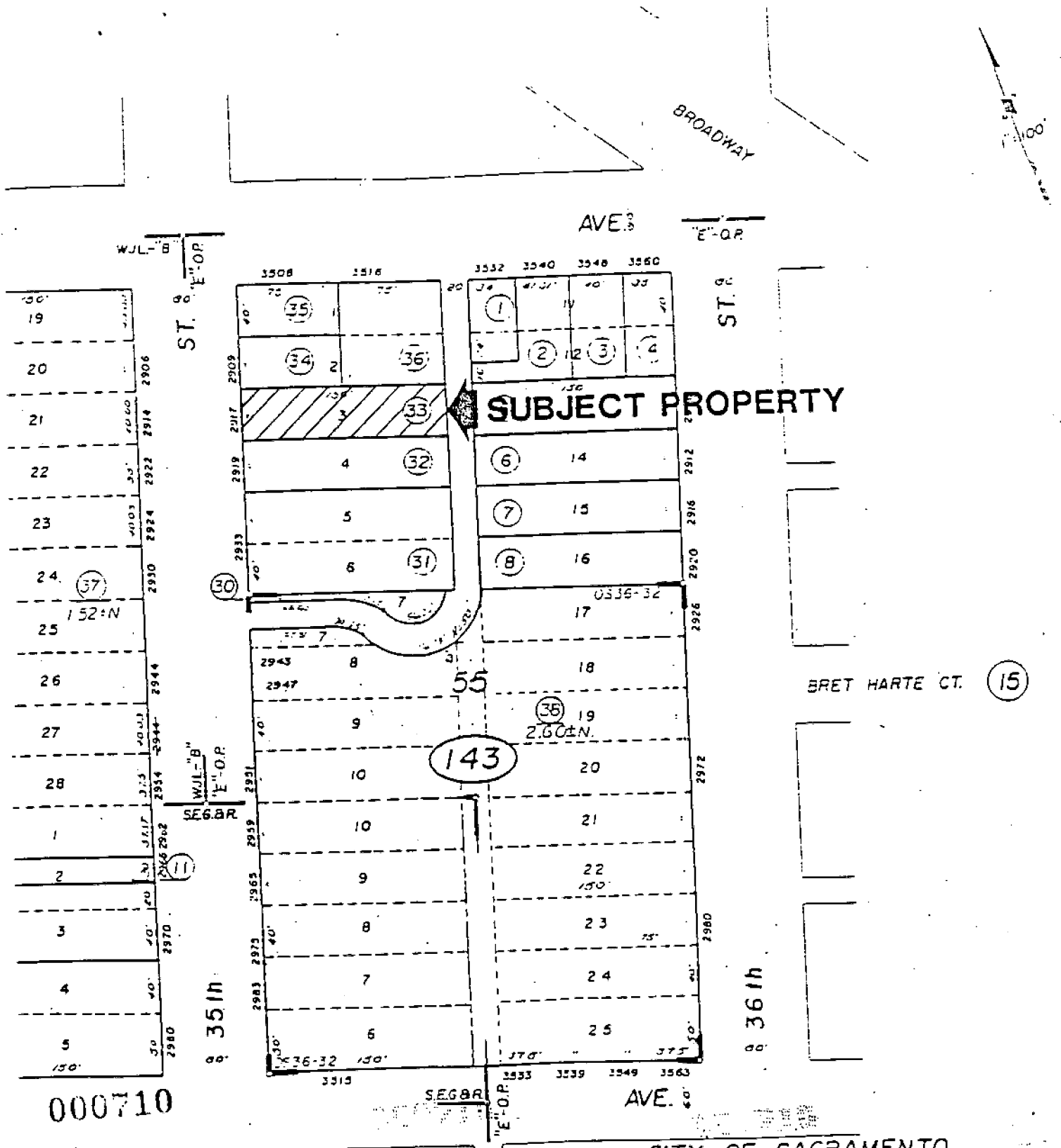
STATE HIGHWAY 99

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5-27-82

P-82-104

Item 19

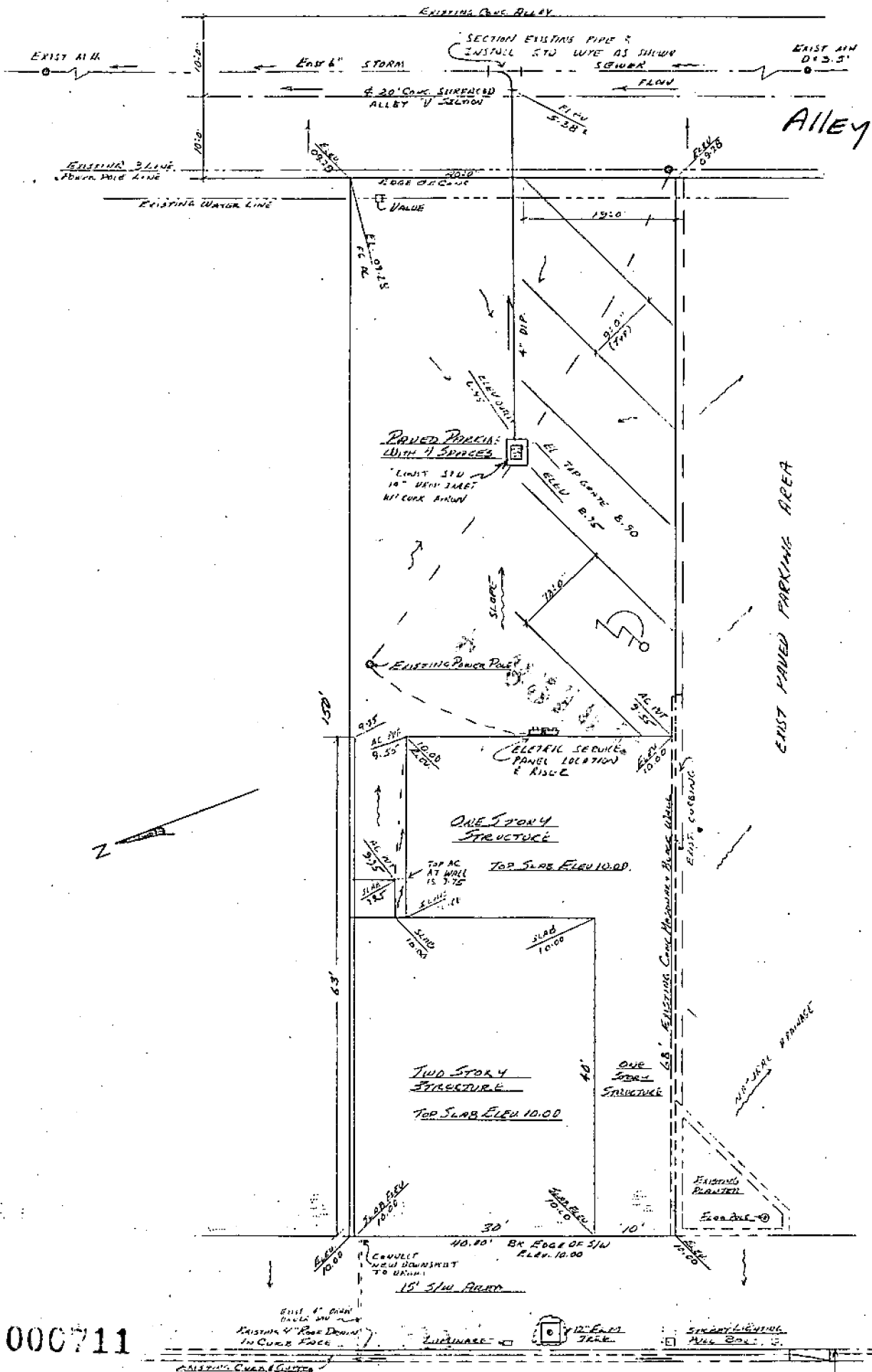


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CITY OF SACRAMENTO
Assessor's Map Bk. 13 -Pg. 14
County of Sacramento, Calif.

(25)

(5)



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EXIST. 4" CURB
DASHES AND
EXISTING 4" ROSE DOWN
IN CURB FACE

35TH AVE SITE PLAN

SCALE 1/8" = 1'-0"

5-27-82

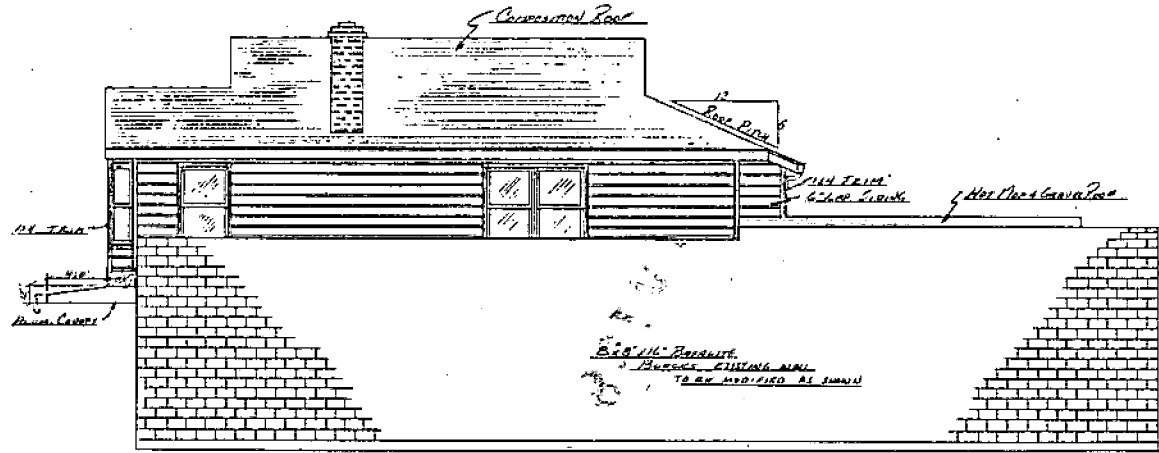
35TH AVE
Item 19

11/20/84 12:51
 1/8" = 1'-0"
 D.G.
 J.E.R.
 MODIFIED
 SHAF
1
 OF 7

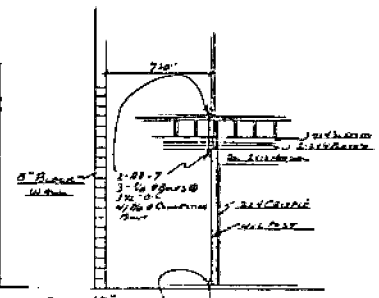
P. 82-104

5-27-82

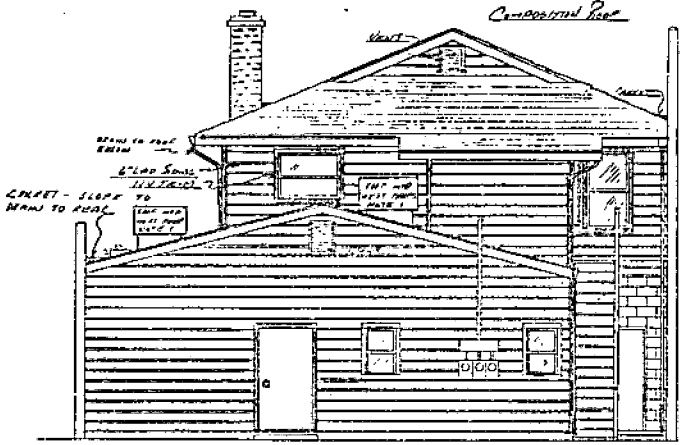
Item 19



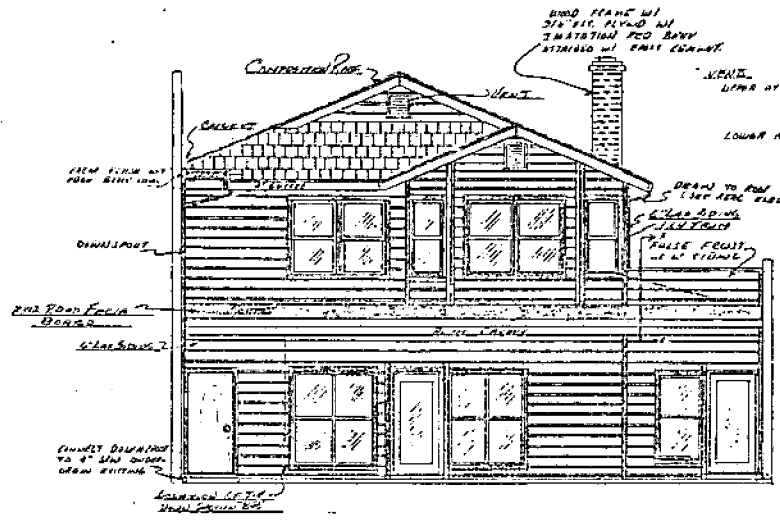
RIGHT ELEVATION
SCALE 1/4" = 1'-0"



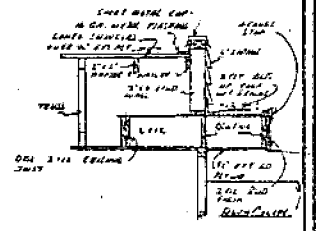
SECTION 'B-B'



REAR ELEVATION
SCALE 1/4" = 1'-0"



FRONT ELEVATION
SCALE 1/4" = 1'-0"



SECTION 'X-X'

NOTE 1 - SEE CITY OF INDEPENDENCE
DETAIL FOR USE SEE 2A
ATTACHED.

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REVISION	BY
1004-01	
11-04-01	
12-04-02	
1/12-82	
10-6-82	

THE INDEPENDENT PLANS
COMMERCIAL RESIDENTIAL BLDG. 2917 35TH ST.
PREPARED BY J.F. ROSS & SONS, CITY OF INDEPENDENCE, MISSOURI

J.F. ROSS & SONS
1117 1/2 N. 11TH ST. INDEPENDENCE, MO. 64601

THICKET ST.
1/4" = 1'-0"
J.F.R.
THICKET
6
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