

REPORT AMENDED BY CPC 6-23-88
CITY PLANNING COMMISSION
1231 'I' STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT John Terry, Monighan + Terry Architects - 1901 Capitol Ave., Sacto. 95814
OWNER Jack and Joan Freels - 8145 Morningside Drive, Loomis, CA
PLANS BY John Terry, Monighan + Terry Architects - 1901 Capitol Ave., Sacto. 95814
FILING DATE 5-20-88 **ENVIR. DET.** Neg. Dec. 6-9-88 **REPORT BY** JP:sg
ASSESSOR'S PCL. NO. 007-0311-020

- APPLICATION:**
- A. Negative Declaration
 - B. Amend General Plan from High Density Residential to Community Neighborhood Commercial for 0.07+ acres
 - C. Amend 1980 Central City Plan from Multiple Family Residential to Neighborhood Commercial for 0.07+ acres
 - D. Rezone 0.07+ acres from Multiple Family (R-5) to Limited Commercial (C-1) Zone for an appliance repair shop and office

LOCATION: 1617 18th Street

PROPOSAL: The applicant is requesting the necessary entitlements to locate an appliance repair shop for electronic equipment and an office for the proposed business in an existing 3,080+ square foot commercial building.

PROJECT INFORMATION:

General Plan Designation: High Density Residential
1980 Central City Community Plan Designation: Multiple Family Residential
Existing Zoning of Site: R-5
Existing Land Use of Site: Concrete block commercial structure

PROJECT INFORMATION:

North: Two-family residential; R-5
South: Apartment; R-5
East: Surface parking lot; R-5
West: Single family/multiple family; R-5

Parking Required: 0 spaces (six parking spaces credited)
Parking Provided: 0 spaces
Property Dimensions: 40' x 80'
Property Area: 0.07+ acres
Square Footage of Building: 3,080+ square feet
Height of Building: One-story
Exterior Building Materials: Concrete block, wood

BACKGROUND INFORMATION: On April 23, 1987 the Planning Commission approved a variance to replace a non-conforming use (models and office for custom kitchen contractor) with another non-conforming use (electronic machinery repair and leasing, office and storage) in the existing commercial structure located on the subject site (P88-119). This decision was appealed to the City Council. On June 23, 1987 the City Council denied the

appeal and approved the change in non-conforming use. The City Council's decision was then appealed to the Superior Court (Atherton v. City of Sacramento, et al, Case No. 353551). On appeal the Court found that the City had erred in granting the variance. The Court held that the City's Zoning Ordinance did not allow for a change from one non-conforming use to another non-conforming use and ordered the City to set aside its decision granting the variance. The City has complied with the Court's order.

PROJECT EVALUATION: Staff has the following comments regarding this proposal.

A. Land Use and Zoning

The subject site is a 40' x 80' lot located adjacent to a public alley and in the Multiple Family (R-5) Zone. A 3,080+ square foot one-story concrete commercial building is located on the subject site. Surrounding adjacent land uses are single family and multiple family residential in the R-5 Zone to the north, south and west and a surface parking lot in the R-5 Zone to the east. The site is designated High Density Residential by the General Plan and Multiple Family Residential by the 1980 Central City Plan.

B. Applicant's Proposal

The applicant is requesting that the subject site be rezoned from the Multiple Family (R-5) to Limited Commercial (C-1) Zone in order to locate an appliance repair shop in the building on the subject site (Exhibits B-D). Specifically, the proposed business would consist of electronic equipment repair and leasing. Typical electronic equipment serviced by the business would include vending machines, video games and VCR's. Approximately 800 square feet of the structure would be devoted to a showroom, office and restroom use. The remainder of the building would be used for electronic equipment repair and storage. On-site employees would include a bookkeeper, a receptionist, a manager and a technician. Two other employees of the business would be service persons who do not spend the majority of their time at the business site, but who are in trucks traveling from client to client as directed by a paging system. The applicant has indicated that the vast majority of the business of leasing and repairing (99%) would be done off-site at the customers' business locations. Sales/leasing would be done at the customer location through the service representatives and brochures; and the applicant anticipates very little walk-in or customer traffic at the subject site. The applicant has also indicated that the repair activities would not generate any noise, as the items repaired are electronic machines.

C. Staff Evaluation

As noted above, the subject structure is a concrete one-story commercial building approximately 40 years old. Previous uses located in the building include a kitchen showroom, a pinball machine repair shop, a termite service and a plumbing shop.

Prior to 1980 the subject site and adjacent parcels to the south of the alley were zoned Heavy Commercial (C-4) (Exhibit A). In 1980 the subject site along with adjacent vacant lots or lots with residential structures on them to the south of the alley were zoned from C-4 to High Density Multiple Family (R-5) as there were several high density residential uses in the neighborhood and the

properties to the north (across the alley) and on the west side of 18th Street were zoned R-5. This made the existing commercial building on the site non-conforming with the residential zone. Other existing commercial structures on the same half block between 18th and 19th Streets however were rezoned to General Commercial (C-2) rather than to a residential zone and an existing market on the northwest corner of 18th and Q Streets was rezoned from R-5 to the Limited Commercial (C-1) Zone.

Planning staff finds it highly unlikely that the existing commercial structure on the 3,200 square foot subject site would be torn down and replaced with a residential unit. In order to provide the required landscaping and parking for a new residential use the site would most probably have to be combined with one or more of the adjacent lots. Until this occurs the existing commercial building on the site would most probably remain vacant.

Planning staff finds that the most restricted commercial zone, Limited Commercial (C-1) would be an appropriate zone for the site. The C-1 Zone allows by right a limited amount of commercial (Exhibit E). These land uses are compatible with residential uses and the zone acts as a transitional zone between residential and general commercial uses.

D. Parking

The existing building covers almost the entire parcel and was constructed without parking spaces. This is a common situation for older commercial structures, especially in the Central City area. Planning staff's policy has been to credit all existing structures built before the City's parking requirements with the number of parking spaces that would be required for the land use. If the use in the structure becomes more intense, such as a change from a warehouse to a retail commercial, the parking for the new use, minus the parking credit would be required. If the existing structure was removed from the site, the full number of parking spaces for the new construction and land use would be required.

Previous land uses in the commercial building on the subject site and the proposed land use have all been General Commercial uses requiring one parking space for every 500 gross square feet. (Previous uses - kitchen showroom, pinball machine repair shop, termite service, plumbing shop; proposed use - electronic equipment repair). The building is credited with six parking spaces. As noted above, if the C-1 zoning is approved and a more intense use, such as a 30-seat restaurant, proposed to locate in the building, the new business would need to apply for a variance to locate the additional required parking off-site or to waive the additional parking. The parking credit effectively limits the use of the existing building on the subject site to general commercial or other land uses which require six or fewer parking spaces unless the new business desires to go through the variance process.

Although no parking would be required for the proposed electronic equipment repair use if the rezoning to C-1 was approved, the applicant has indicated that he will lease three parking spaces at an existing auto repair shop located at 1626 19th Street.

ENVIRONMENTAL DETERMINATION: The City's Environmental Coordinator has determined that the proposed project will not have an adverse impact on the environment and has filed a negative declaration.

RECOMMENDATION: Planning staff recommends the following actions:

- A. Ratify the Negative Declaration;
- B. Recommend approval of the General Plan Amendment from High Density Residential to Community Neighborhood Commercial for 0.07+ acres and forward to City Council;
- C. Recommend approval of the 1980 Central City Community Plan Amendment from Multiple Family Residential to Neighborhood Commercial for 0.07+ acres and forward to City Council; and
- D. Recommend approval of the Rezoning of 0.07+ acres from Multiple Family (R-5) to Limited Commercial-Review (C-1-R) and forward to City Council.

The Planning Commission recommended approval of the rezoning. Only the following limited commercial land uses shall be permitted to locate on the subject site:

1. Bakery (maximum 6,400 sq. ft.)
2. Barber/beauty shop
3. Cleaning, laundry agency
4. Florist
5. Food store, delicatessen - no gasoline sales
6. Laundromat - self service cleaner
7. Offices (medical clinic or medical offices not permitted)
8. Photographic studio
9. Prescription pharmacy, optician
10. Appliance repair shop

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APPLC. NO. P88-233 MEETING DATE June 23, 1988 ITEM NO. 16

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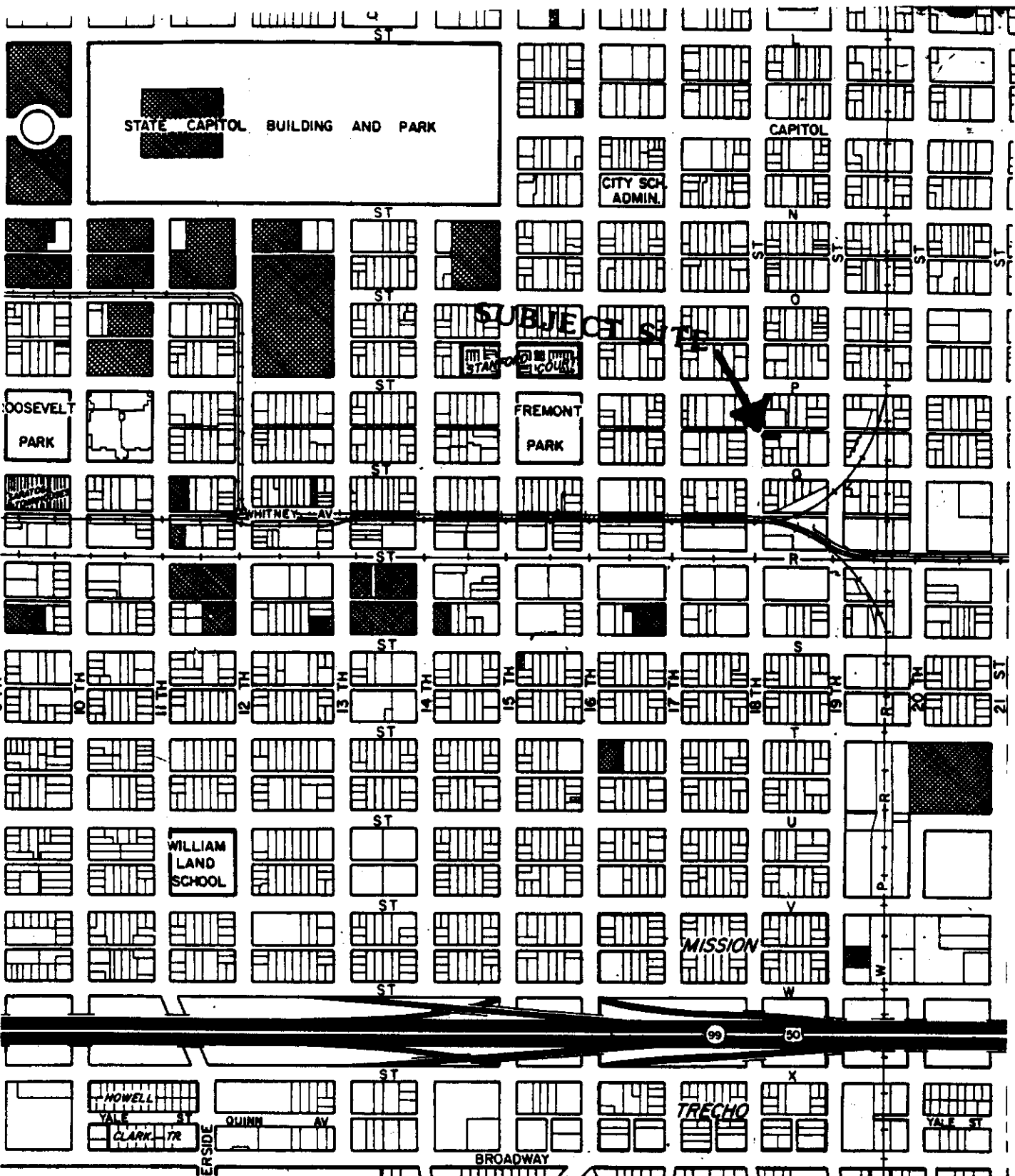
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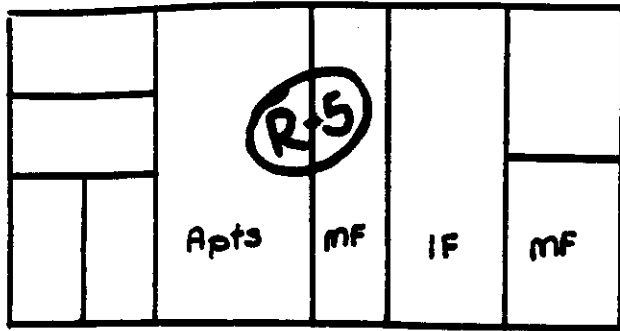


VICINITY MAP

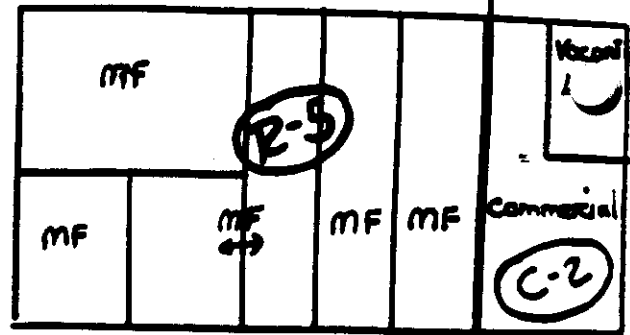
P88-233

June 23, 1988

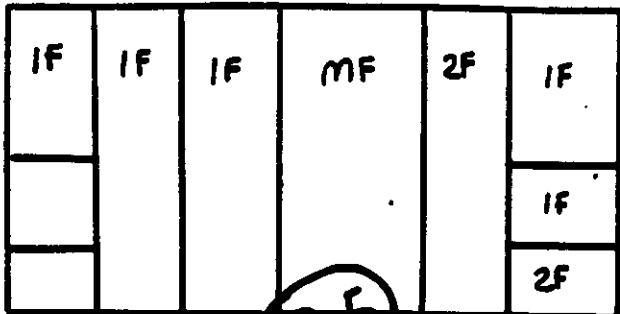
Item 16



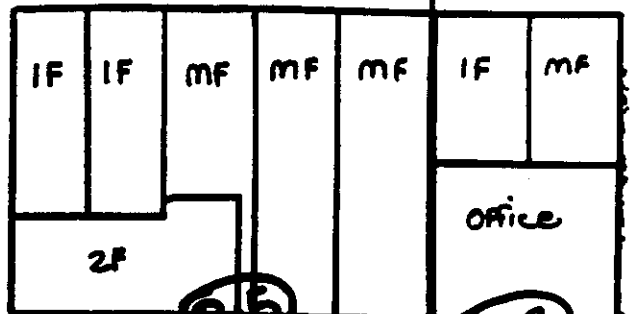
P Street



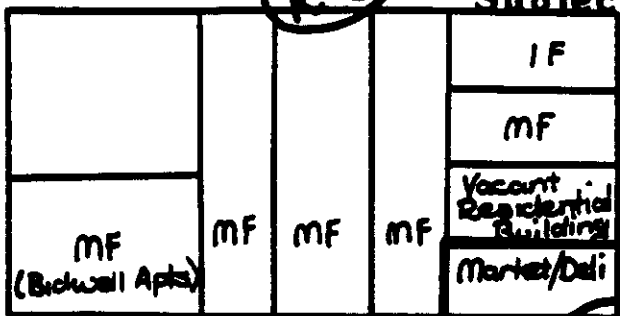
17th Street



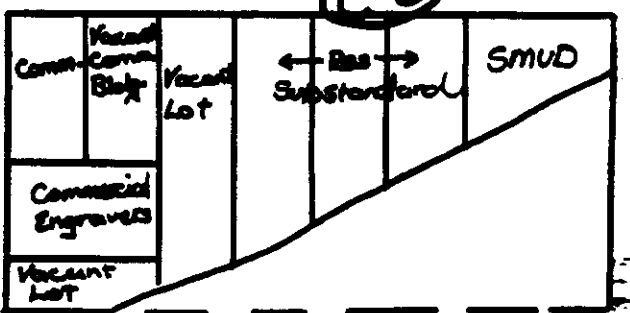
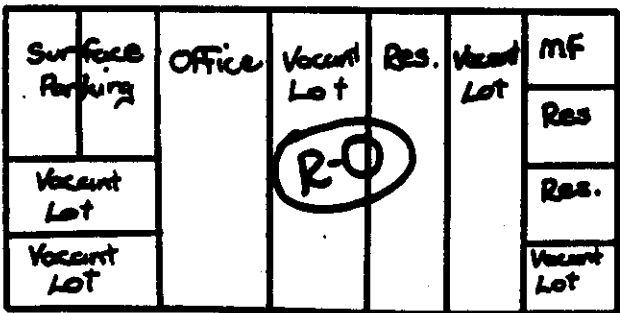
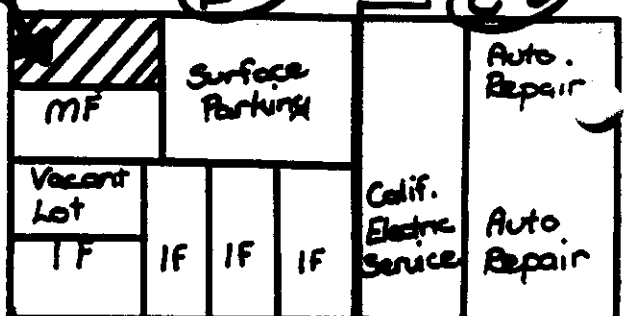
18th Street



Subject Site



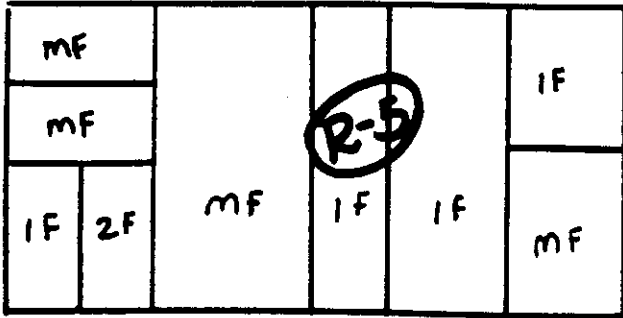
Q Street



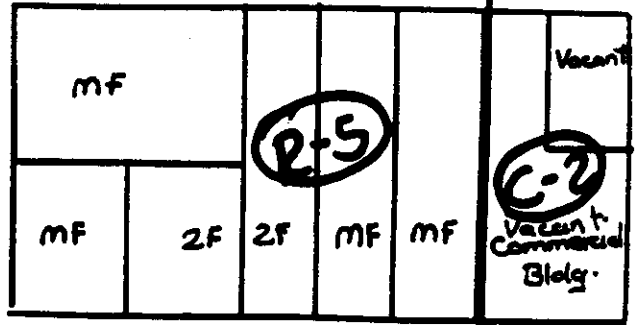
LAND USE & ZONING MAP

EXHIBIT A

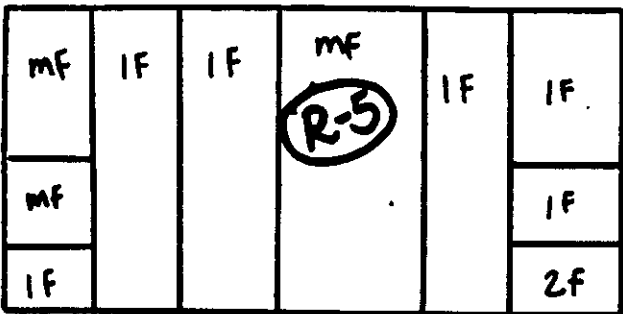
Zoning/Land Use Survey Prior to 1980 Rezoning



P Street



17. Street

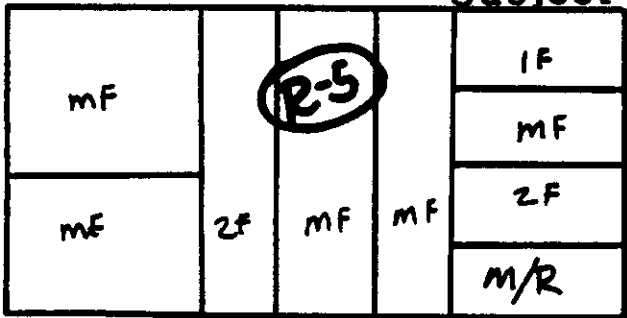


18th Street



19th Street

Subject Site



Q Street

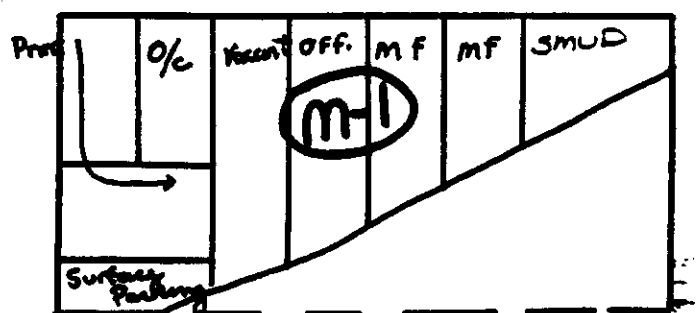
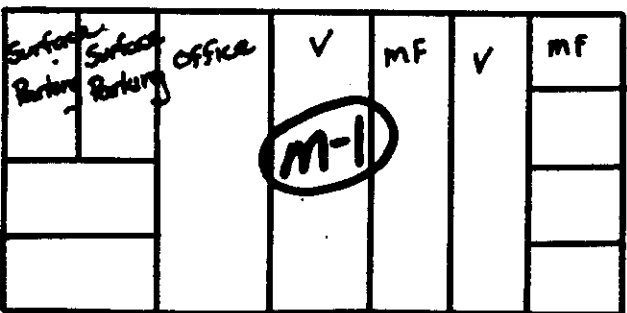
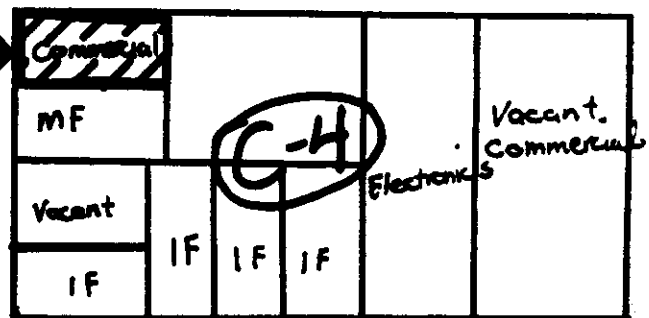
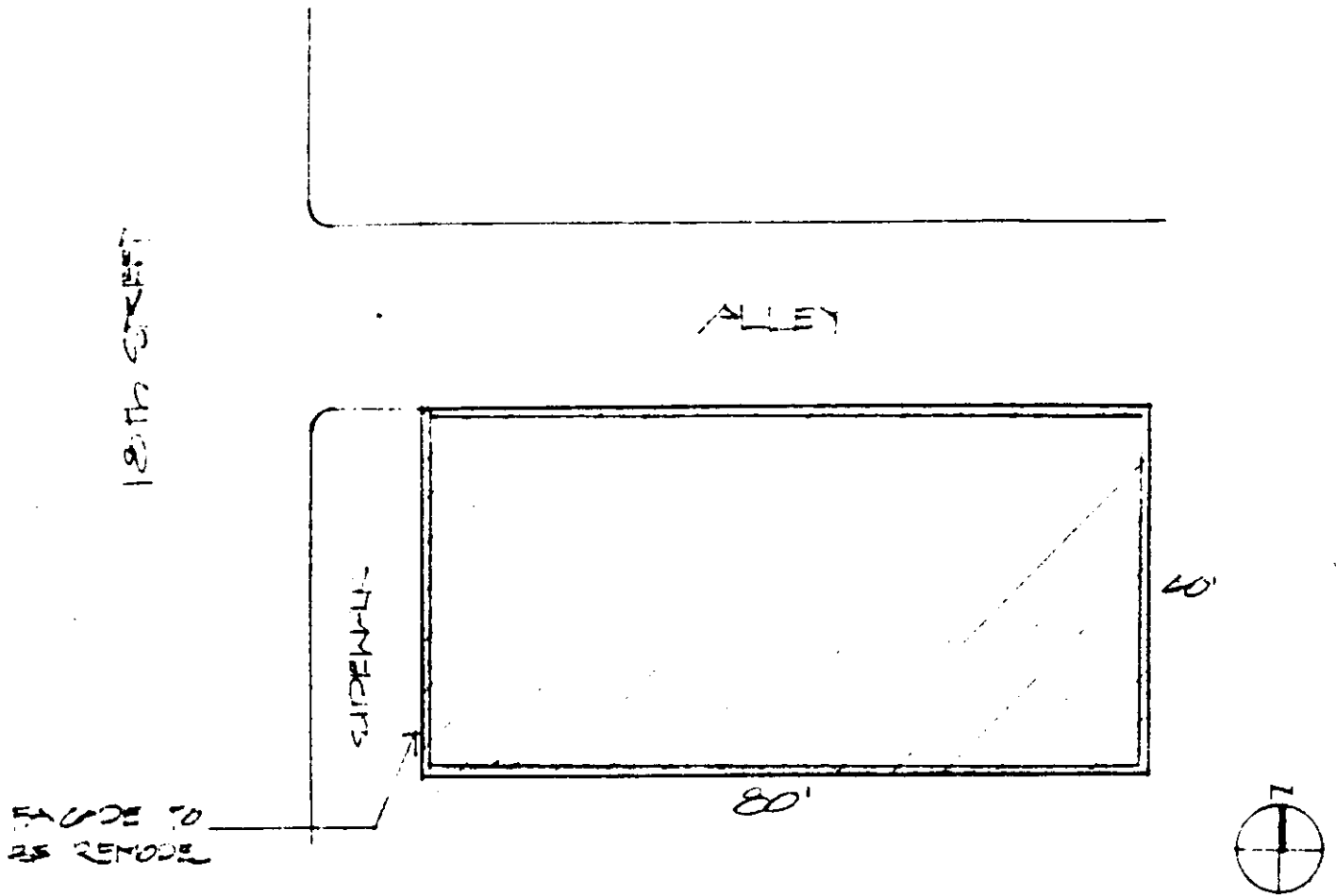


EXHIBIT B

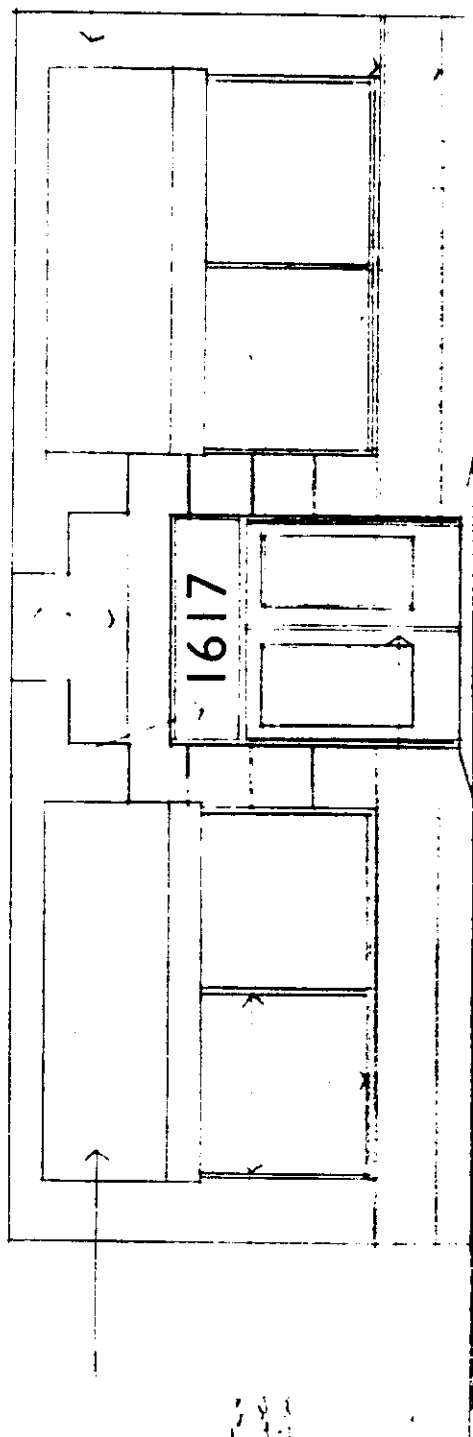
Site Plan



SITE PLAN

EXHIBIT C

Elevation



CONCRETE
GREEN PAINTED STAIR

CORED METAL
PILLS & GREEN
ENTRANCE NUMBER

CONCRETE
GREEN PAINTED STAIR
BLACK LINE

WEST ELEVATION

P88-233

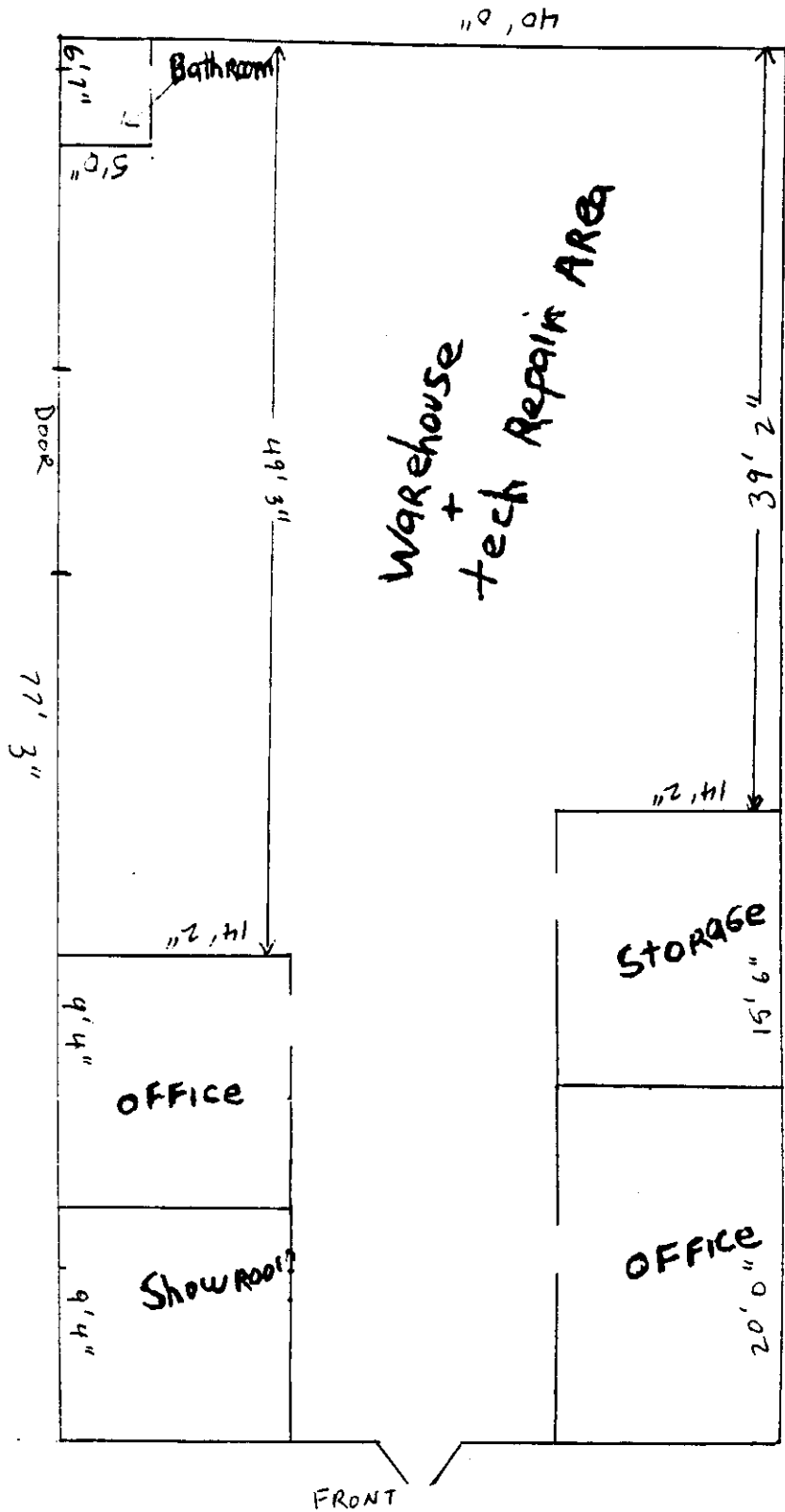
June 23, 1988

WHITE STK
BLACK LINE
GREEN PAINTED STAIR
CONCRETE

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EXHIBIT D

Floor Plan



← North

1617 18th Street

June 23, 1988

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EXHIBIT E

Permitted Land Uses In C-1 Zone

1. Bakery (Maximum 6,400 sq. ft.)
2. Bank (Drive up window not permitted)
3. Barber/Beauty Shop
4. Cleaning, Laundry Agency
5. Convenience Market, no gasoline sales. Special Permit for extended hours.
6. Florist
7. Food Store Delicatessen- No gasoline sales
8. Laundromat - Self Service Cleaner
9. Offices
10. Medical Clinic or Office
11. Photographic Studio
12. Prescription Pharmacy Optician
13. Reducing Salon - Masseur, Racquetball, Judo School
14. Restaurant-Bar (Drive-up window not permitted)
15. Retail Stores and Services - the following retail sales and services are not permitted: auto sales, rental and service, auto paint and repair, equipment, tool sales and rental yard, furniture stores, lumber yard, machine shop, mini-storage, pet shop, printing, blueprinting and reproduction, RV storage yard.
16. Christmas Tree Sales Lot
17. Bed and Breakfast
18. Bar
19. Appliance repair shop

June 23, 1988

To: Sacramento City Planning Commission

From: Dorothy B. Kingen, 1730 P St Sac. 95814

Re: Proposed Project. P88-233

I am opposed to the rezoning of 1617 18th St as proposed in the above project description because I believe it to be an illegal and irrational move on the part of the city.

The proposal is completely unacceptable to the neighbors in that part of the city known historically as Richmond Grove/Fremont Park Neighborhood.

Further, I have 2 questions:

1. Why is the Planning Commission trying so hard to assist the owner of 1617 18th St in turning an unwise investment he made in a residential area into a profitable operation (machine repair shop and storage) at the expense of the quality of life in the neighborhood?
2. Why is the Commission, itself, ignoring their own regulations in regards to zoning?

I will look forward to your response.

Dorothy B. Kingen, Member
Richmond Grove/Fremont Park Neighbors
Organization

CITY OF SACRAMENTO
CITY PLANNING DIVISION
JUN 23 1988

RECEIVED

P-88-233

Item #16