

P97-029 - ACCESSORY STRUCTURE - V STREET

- REQUEST:
- A. Exempt - Section 15301(e)(1);
 - B. Special Permit to expand a non-conforming residential structure on 0.07+ developed acres in the General Commercial (C-2) zone;
 - C. Variance to allow a residential accessory structure to exceed the 18 foot height limit by four feet (total height 22 feet);
 - D. Variance to allow an residential accessory structure to exceed the 10 foot wall height by 10.6 feet (total height 20.6 feet);
 - E. Variance to allow a residential accessory structure to have a second floor.

LOCATION: 2007 V Street, North side of V between 20th & 21st Streets
010-094-016
Central City Community Plan Area/Poverty Ridge
Sacramento City Unified School District
Council District 4

APPLICANT:	Ed Cox, 442-7407 2118 E Street, Sacramento, CA 95816
OWNER:	Phyllis Ehlert/Dennis Blegen 2007 V Street, Sacramento, CA 95818
APPLICATION FILED:	3-26-97
STAFF CONTACT:	Jeanne Corcoran, 264-5317

SUMMARY: The applicant is requesting the necessary entitlements to expand a non-conforming residential unit in the General Commercial (C-2) zone. The applicant proposes to add approximately 50 square feet at the rear of the existing 930± square foot home for additional closet space and develop a two story garage for additional storage and work space. The lot is a substandard 40' X 100' (4,000 sq. ft.) lot in an area with a mix of residential,

commercial and office uses.

RECOMMENDATION: Staff recommends approval of the project subject to conditions. This recommendation is based on the project's consistency with policies regarding the preservation of residential units within the Central City.

PROJECT INFORMATION:

General Plan Designation:	Community/Neighborhood Commercial & Offices
Central City	
Community Plan Designation:	General Commercial
Existing Land Use of Site:	Single Family Residential
Existing Zoning of Site:	C-2

Surrounding Land Use and Zoning:

North: Residential; C-2
 South: YMCA, Office; C-2
 East: Commercial, Office; C-2
 West: Residential, Office; C-2

Setbacks:	Required	Provided
Front:	13'	13' (Existing)
Side(w):	0'	2' (Existing)
Side(e):	0'	10' (Existing)
Rear:	0'	45' (Existing from house)

Property Dimensions:	40' x 100'
Property Area:	0.09± net acres
Square Footage of Building:	930 sq. ft. (main structure existing) 980 sq. ft. (main structure proposed) 260 sq. ft. (existing garage) 513 sq. ft. (proposed accessory structure)
Height of Building:	20.5 feet, 2 stories (accessory structure)
Exterior Building Materials:	Stucco
Roof Material:	Composition Shingle
Parking Provided:	1 space
Parking Required:	1 space

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

Permit

Design Review
Building Permit

Agency

Design Review Staff
Development Services Division

BACKGROUND INFORMATION: The proposed project is an expansion of a non-conforming residential structure in the General Commercial (C-2) zone. The Zoning Ordinance allows for residential uses in the C-2 zone with a special permit. The residential use is approximately 60-70 years old and more than likely constructed when the site was zoned residential. In verifying zoning for the site, staff was able to establish that the site has been zoned C-2 since 1964.

In 1991, the City Council adopted the Central City Housing Strategy (M90-051) a comprehensive set of programs and policies aimed at encouraging new housing construction while preserving existing housing stock and strengthening neighborhoods.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The proposed project is consistent with the General Plan land use designation of Community/Neighborhood Commercial and Offices in that residential uses are permitted with a special permit. Furthermore, the project complies with the policies to provide affordable housing to all income groups, improve the quality and character of residential neighborhoods in the city and to support and encourage mixed commercial, office and residential development.

General Plan Policies:

" . . . adequate quality housing opportunities be provided for all income households and that projected housing needs are accommodated." (GP p1-31)

"Improve the quality of residential neighborhoods Citywide by protecting, preserving and enhancing their character." (GP p2-10)

"Promote mixed use development of neighborhood/community commercial districts through new construction and revitalization." (GP p.4-18)

Central City Community Plan:

The proposed project is consistent with the Central City General Plan policies which promote preservation of existing housing and supports the rehabilitation of housing units which enhance the vitality and desirability of the units.

"Provide the opportunity for development of new housing in certain commercial

corridors located within residential neighborhoods by allowing housing development as a matter of right." (CCCP p 4)

Central City Housing Strategy:

The Central City Housing Strategy encourages maintenance and rehabilitation of sound housing stock to preserve residential neighborhoods.

B. Zoning Considerations

1. Special Permit Uses:

The proposed project is an expansion of a residential use in a General Commercial (C-2) zone. Section 2-H-8 of the Zoning Ordinance provides review and approval by the Zoning Administrator for expansion of uses that were established prior to a special permit requirement. Since this project also includes variances, which the Zoning Administrator does not have the authority to review, the project must be heard by the Planning Commission.

A special permit may be granted for an expansion of the use if the use does not extend beyond the original site and is consistent with the findings for a special permit.

The applicant proposes to expand the existing single family residence by adding approximately 50 square feet to the structure to allow for closet area. Staff finds that this expansion will not interfere with other buildings on the site and does not go beyond the site. The distance between the accessory structure and the main unit will be 13 feet, a minimum six foot separation is required. Staff supports the proposal to expand the unit.

2. Variances for accessory structure.

The applicant proposes to raise the existing structure and construct a new single car garage underneath. The second story of the structure will be used as a storage and work space. The Zoning Ordinance provides for accessory structures to be single story and limited to a 10 foot wall height and 18 foot height limit. These limitations were established to prevent accessory structures from being illegally converted to second residential units. The applicant proposes to develop a two story accessory structure to provide more storage and usable space without encroaching into the open area of the rear yard. Staff supports the applicant's request to have a second story accessory structure, which exceeds the wall and height requirements. Since the site is a substandard lot, the development of a two story accessory structure will enhance the livability of the residential structure, while preserving open area for the occupants.

The project site is in an area developed with a mix of uses on predominately small lots heavily landscaped with trees. The structure will be located at the rear of the site and to the rear of the property adjacent (north) to it. As mentioned above the area is currently heavily landscaped with trees, which should screen the structure from adjacent properties. The structure will be constructed on the rear (north) and side (east) property line, per the UBC, a one-hour fire wall will be required and no windows or openings will be allowed.

C. Building Design

The proposed project is located in the Central City Design Review area and will require review and approval by design review staff. The building will be the substantially the same as the existing structure since the applicant proposes to raise the existing structure to the second level. Therefore, the pitch of the roof and building materials will remain the same and consistent with the existing house. The applicant proposes a new double hung window and stucco exterior in place of the garage door on the second level.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301(e)(1)), since the project is an addition of an existing structure which will not result in an increase of more that 50 percent of floor area.

B. Public/Neighborhood/Business Association Comments

The project was routed to Sacramento Old City Association (SOCA), Central City Alliance of Neighborhoods (CCAN), Poverty Ridge and Richmond Grove neighborhoods associations. The following comments were received:

SOCA reviewed the application and had no comments.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. The following summarizes the comments received:

1. Police

No potential law enforcement problem is perceived since the proposed occupancy is for storage and work space. Project must be conditioned for future proposed changes which might allow residential use.

Note: Currently, residential uses in the C-2 zone require a special permit. However, should this regulation change, residential units are still required to comply with setbacks and would require additional variances to permit a residential structure on the property line.

2. Fire

Project shall comply with Fire Code.

3. Utilities

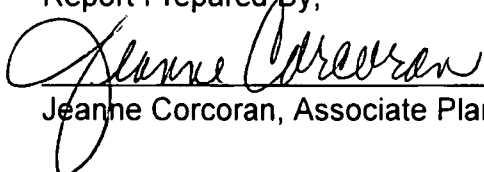
There is no water main or sewer (combined sewer system) main adjacent to this parcel. Only one domestic water service per parcel is allowed.

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny the special permit and variances. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

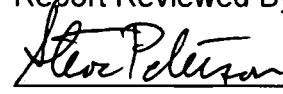
RECOMMENDATION: Staff recommends the Planning Commission take the following actions

- A. Environmental Determination: Exempt - 153 01(e)(1)
- B. Adopt the attached Notice of Decision approving the special permit to expand a non-conforming residential structure on 0.07+ developed acres in the General Commercial (C-2) zone;
- C. Adopt the attached Notice of Decision approving the variance to allow a residential accessory structure to exceed the 18 foot height limit by four feet (total height 22 feet);
- D. Adopt the attached Notice of Decision approving the variance to allow an residential accessory structure to exceed the 10 foot wall height by 10.6 feet (total height 20.6 feet);
- E. Adopt the attached Notice of Decision approving the variance to allow a residential accessory structure to have a second floor.

Report Prepared By,


Jeanne Corcoran, Associate Planner

Report Reviewed By,


Steve Peterson, Senior Planner

Attachments

Attachment A	Notice of Decision
Exhibit A-1	Site, Floor and Elevation Plan
Attachment B	Vicinity Map
Attachment C	Land Use and Zoning Map

P97-029.SR

**NOTICE OF DECISION AND FINDINGS OF FACT FOR
2007 V STREET ACCESSORY STRUCTURE,
LOCATED AT 2007 V STREET, SACRAMENTO, CALIFORNIA
IN THE GENERAL COMMERCIAL (C-2) ZONE. (97-029)**

At the regular meeting of May 28, 1998, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. Environmental Determination - Exempt Section 15301(e)(1);
- B. Approve the Special Permit to expand a non-conforming residential structure on 0.07+ developed acres in the General Commercial (C-2) zone;
- C. Approve the Variance to allow a residential accessory structure to exceed the 18 foot height limit by four feet (total height 22 feet);
- D. Approved the Variance to allow a residential accessory structure to exceed the 10 foot wall height by 10.6 feet (total height 20.6 feet);
- E. Approve the Variance to allow a residential accessory structure to have a second floor.

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

- A. Categorical Exemption: The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section #15301(e)(1) of the CEQA Guidelines.
- B. Special Permit to expand a non-conforming residential structure in the General Commercial (C-2) zone: The Special Permit to expand a non-conforming residential structure is approved subject to the following findings of fact and conditions of approval:
 1. The project is based upon sound principles of land use in that:
 - a. the proposed project is an expansion of an existing single family residential use;
 - b. residential uses are permitted in the C-2 zone with a special permit, and

FINAL CONDITIONS
Approved by CPC 5-28-98

- c. the proposed project enhances the viability of the single family unit by providing additional storage area while preserving outdoor open space on a substandard lot.
 2. The proposed project will not be detrimental to the public health, safety or welfare, nor result in the creation of a nuisance in that:
 - a. the project shall comply with building and fire codes, and;
 - b. adequate parking is being provided for the single family use
 3. The proposed project is consistent with the policies of the General Plan, Central City Community Plan and the Central City Housing strategy to preserve residential uses, provide affordable housing to all income groups, improve the quality and character of residential neighborhoods and support and encourage mixed commercial, office and residential development.
- C. Variance to allow a residential accessory structure to exceed the 18 foot height limit:
Variance to allow a residential accessory structure to exceed the height limit is **approved** subject to the following findings of fact:
 1. The proposed project is not a special privilege extended to an individual property owner in that the variance would be granted to other property owners facing similar circumstances in which additional space for storage and work space is provided on a substandard lot and provides adequate screening form adjacent uses.
 2. The proposed project will not be injurious to the public welfare nor to the properties in the vicinity in that the project will comply with building codes and adequate parking is provided.
 3. The proposed project does not constitute a use variance in that residential uses are permitted by special permit in the C-2 zone.
 4. The project is consistent with policies of the General Plan and Central City Community Plan to preserve housing, provide affordable units and improve the quality and character of residential neighborhoods.
- D. Variance to allow a residential accessory structure to exceed the 10 foot wall height:
Variance to allow a residential accessory structure to exceed the 10 foot wall height is **approved** subject to the following findings of facts:
 1. The proposed project is not a special privilege extended to an individual property

owner in that the variance would be granted to other property owners facing similar circumstances in which additional space for storage and work space is provided on a substandard lot and provides adequate screening from adjacent uses.

2. The proposed project will not be injurious to the public welfare nor to the properties in the vicinity in that the project will comply with building codes and adequate parking is provided.
3. The proposed project does not constitute a use variance in that accessory structures for residential uses are permitted by special permit in the C-2 zone.
4. The project is consistent with policies of the General Plan and Central City Community Plan to preserve housing, provide affordable units and improve the quality and character of residential neighborhoods.

E. Variance to allow a residential accessory structure to have a second floor: Variance to allow a residential accessory structure to have a second floor is **approved** subject to the following findings of fact and conditions of approval:

1. The proposed project is not a special privilege extended to an individual property owner in that the variance would be granted to other property owners facing similar circumstances in which additional space for storage and work space is provided on a substandard lot.
2. The proposed project will not be injurious to the public welfare nor to the properties in the vicinity in that the project will comply with building codes and adequate parking is provided.
3. The proposed project does not constitute a use variance in that accessory structures for residential uses are permitted by special permit in the C-2 zone.
4. The project is consistent with policies of the General Plan and Central City Community Plan to preserve housing, provide affordable units and improve the quality and character of residential neighborhoods.

CONDITIONS OF APPROVAL


B. The Special Permit to expand a non-conforming residential structure (Exhibit A-1) in the General Commercial (C-2) zone is hereby approved subject to the following conditions:

- B1. The project shall be reviewed and approved by the Design Review staff prior to issuance of a building permit.

- B2. The project shall be constructed per the attached plans.
- E. The Variance to allow a residential accessory structure to have a second floor (Exhibit A-1) is hereby approved subject to the following conditions:
 - E-1. The project shall comply with building and fire codes.
 - E-2. The project shall be reviewed and approve by the Design Review staff.
 - E-3. The project shall be constructed per the attached plans.
 - E-4. The project shall be an accessory structure for storage and work space only and shall not be used as sleeping or living quarters or commercial office/business space. Any change of use to this structure shall require compliance will applicable zoning and building codes.

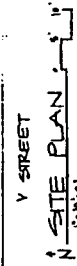
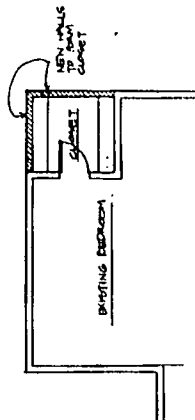
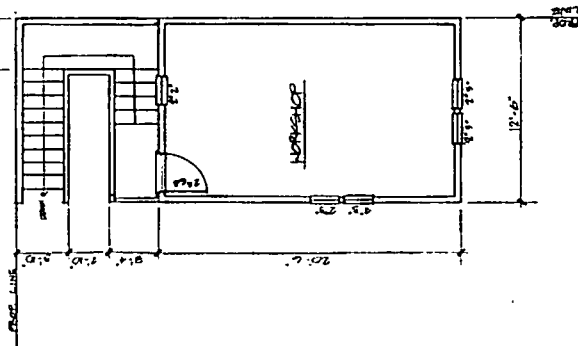
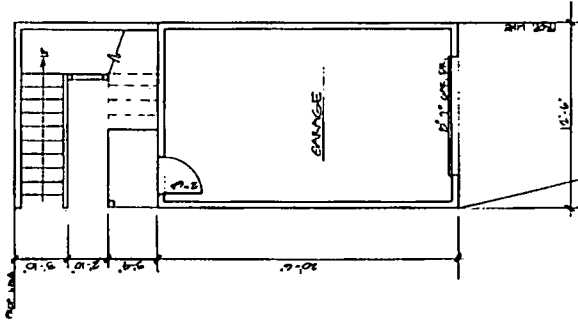
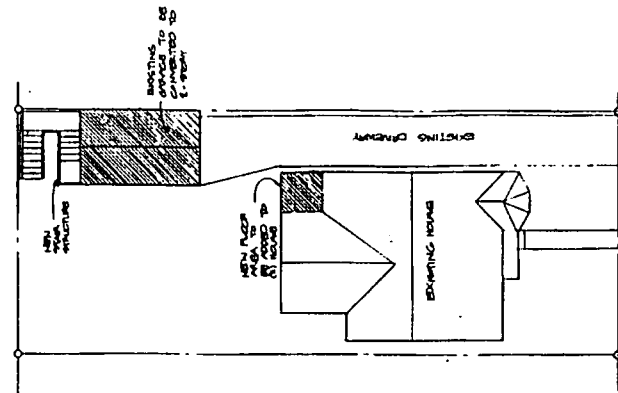
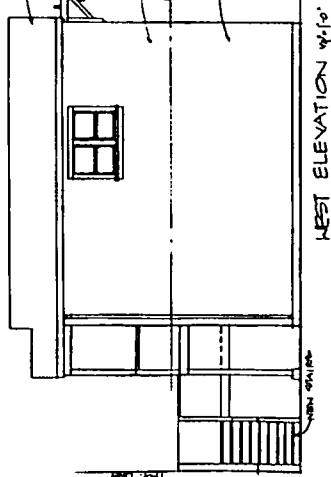
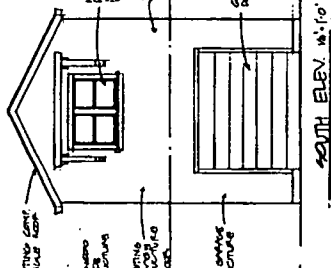
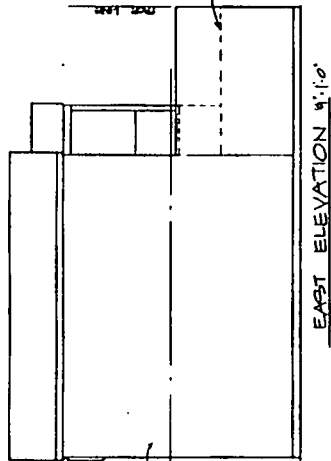
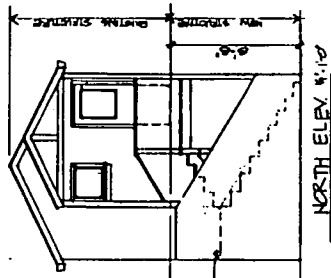

CHAIRPERSON

ATTEST:

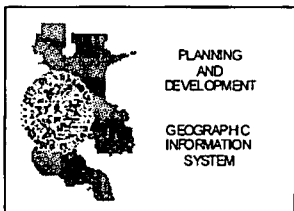
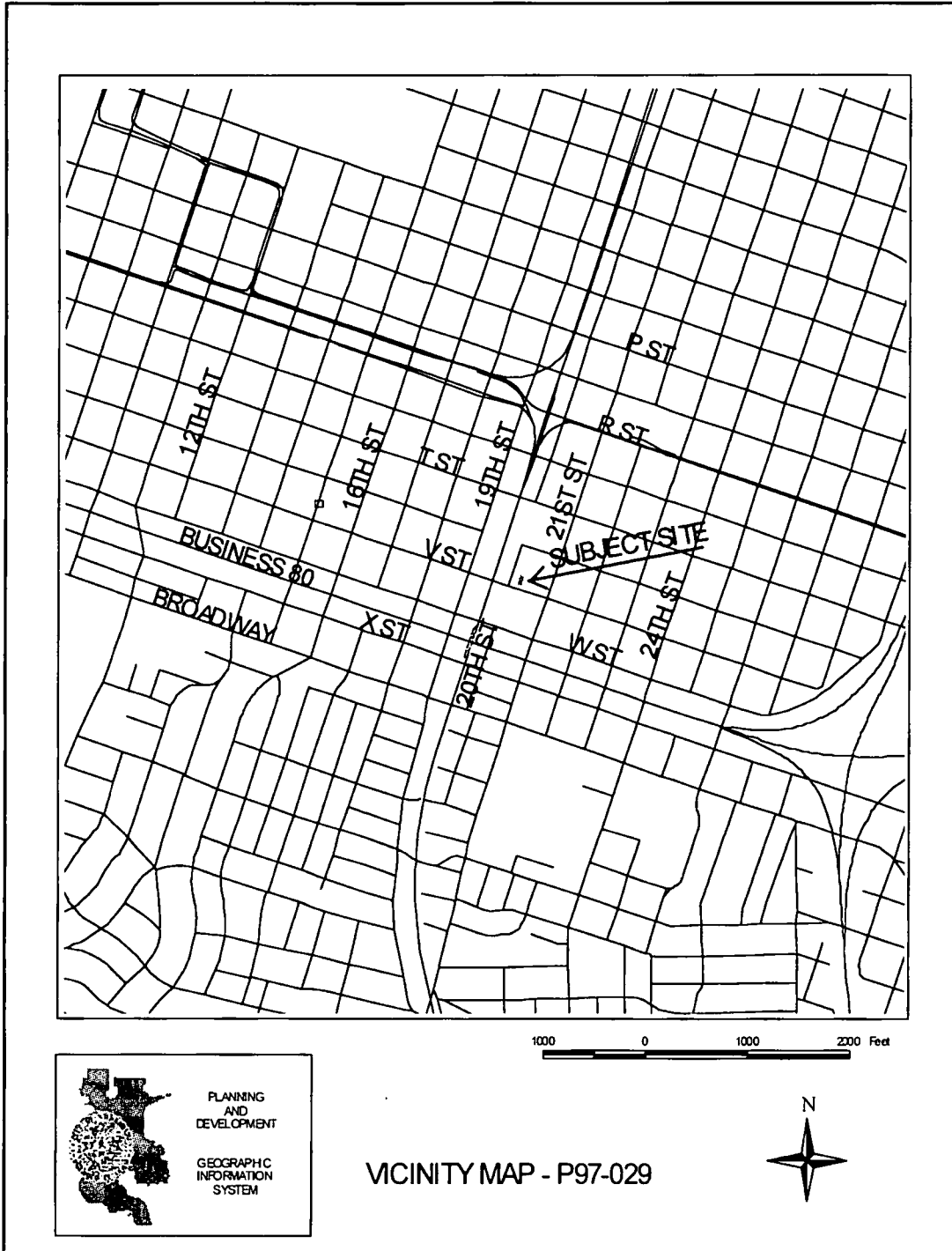


SECRETARY TO CITY PLANNING COMMISSION
5-28-98
DATE
(P97-029)

Exhibit A-1 Site, Floor and Elevation Plan



ATTACHMENT B



VICINITY MAP - P97-029



ATTACHMENT C

