

RESOLUTION NO. 2007-197

Adopted by the Sacramento City Council

April 3, 2007

APPROVING THE SPECIAL PERMIT FOR THE 1812 1ST AVENUE SECOND UNIT (Z05-338) (APN: 010-0272-004)

BACKGROUND

- A. On May 30, 2006, the Zoning Administrator acted to elevate the Special Permit to be determined by the Planning Commission; and,
- B. On October 26, 2006, the Planning Commission denied the Special Permit for the 1812 1st Avenue Second Residential Unit; and,
- C. On November 3, 2006, the project was called-up to be heard by the City Council by Council Member Fong; and,
- D. On April 3, 2007 the City Council heard and considered evidence in the above-mentioned matter.
- E. The City Council has determined that the project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines (section 15303 New Construction or Conversion of Small Structures)

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. Based on verbal and documentary evidence at said hearing, the City Council approves the 1812 1st Avenue Second Unit Special Permit to allow a Second Residential Unit on 0.10± developed acres in the Standard Single Family (R-1) zone.
- Section 2. The approval of the 1812 1st Avenue Second Unit Special Permit is made upon the following Findings of Fact and subject to the following Conditions of Approval.

A. FINDINGS OF FACT

1. Granting the Special Permit is based upon sound principles of land use in that:
 - a. A Second Residential Unit is a permitted use in the Standard Single Family (R-1) zone.
 - b. The proposed project, as conditioned, is compatible in design with the existing home on the property and existing homes on surrounding properties in the neighborhood.
 - c. The project is conditioned to minimize impacts to surrounding properties.
2. Granting the Special Permit would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 - a. The use will not generate significant new impacts to the nearby residential properties.
 - b. Adequate parking is provided.
 - c. The reduced setbacks are for the conversion of an existing legal structure into a secondary dwelling and will have minimal impact on any neighboring properties.
3. The proposed project is consistent with the General Plan which designates the site for Low Density Residential (4/15).

B. CONDITIONS OF APPROVAL

GENERAL:

1. The proposed Second Residential Unit shall be constructed in conformance to the submitted plans. (Except as required to be revised by the Building Division and by these Conditions of Approval).
2. The applicant shall obtain the necessary building permits for the second residential unit.
3. The structure shall contain an approved residential fire sprinkler system.
4. The existing vertical siding shall be removed and replaced with horizontal lap siding as shown on plans.
5. New roofing shall be provided and shall be a minimum standard of 30-year laminated dimensional composition shingle. All deteriorated eaves shall be repaired or replaced and painted to match. Any proposed gutters shall be ogee style.
6. Any deteriorated driveway shall be repaired and be fully paved per the City paving regulations. The site plan shall show the all paved driveway and parking areas.
7. The garage door shall have a decorative raised panel design.

8. All vents or any other mechanical projections on the roof shall be painted to match the roof. No new mechanical equipment is allowed on the roof.
9. All windows and sills that are deteriorated must be repaired or replaced. The window on the front (north-facing) of the structure shall be single or double hung style windows. Decorative awnings with side panels shall be placed on the north and south facing windows to shield view of adjacent properties. If a bathroom window is required on the south elevation, it shall be opaque. The only other window permitted on the south elevation is the kitchen window.
10. Addressing for the second unit shall be located on the property such that is visible from the street.
11. The 144 square foot deck on the second floor porch/balcony shall remain unenclosed on the north and south elevations. A privacy wall shall be added to the west elevation as shown on the attached plans.
12. The floor plan submitted to the building division shall label all rooms. Only one bedroom is permitted in the second unit.
13. Any modification to the project shall be subject to review and approval by Planning Department staff.
14. *Planning Advisory Note:* The Zoning Code currently requires the property owner to live on the property as long as there is a second unit on the property. If, in the future, the property owner does not live on the property, the building will cease use as a second residential unit and only be used as an accessory structure.

BUILDING:

15. The East wall shall have a one-hour fire-resistive rating per CBC Table 5-A or a parapet per CBC Section 709.4

UTILITIES:

16. Only one domestic water service per parcel is allowed. Any new domestic water services shall be metered. Excess domestic water services must be abandoned to the satisfaction of the Department of Utilities. The location of the existing public water main in the rear of the lots shall be verified and the main shall be protected during construction activities. The location of the existing water service in the rear of the lot shall be verified to determine if it needs to be relocated and/or replaced with another service.
17. *Utilities Advisory Note:* This project is served by the Combined Sewer System (CSS), however based on the project description there will be no significant impact to the CSS.
18. *Utilities Advisory Note:* The applicant is responsible for the protection and the repair of the City combined sanitary sewer and water mains during the construction of the proposed structure. Contact Underground Service Alert at 1-

800-642-2444, 48 hours before work is to begin.

19. *Utilities Advisory Note:* The lot must be graded so that drainage does not cross property lines.
20. *Utilities Advisory Note:* The applicant must comply with the City of Sacramento's Grading and Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
21. *Utilities Advisory Note:* The proposed project is located in the Flood zone designated as Shaded X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective February 18, 2005. Within the Shaded X zone, there are no requirements to elevate or flood proof.

Exhibit A – Site Plan (with existing floor plans)

Exhibit B – Floor Plans (and roof plans)

Exhibit C – Elevations

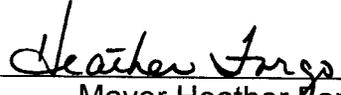
Adopted by the City of Sacramento City Council on April 3, 2007 by the following vote:

Ayes: Councilmembers, Cohn, Fong, Hammond, McCarty, Sheedy, Tretheway, Waters and Mayor Fargo.

Noes: None.

Abstain: Councilmember Pannell.

Absent: None.



Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk

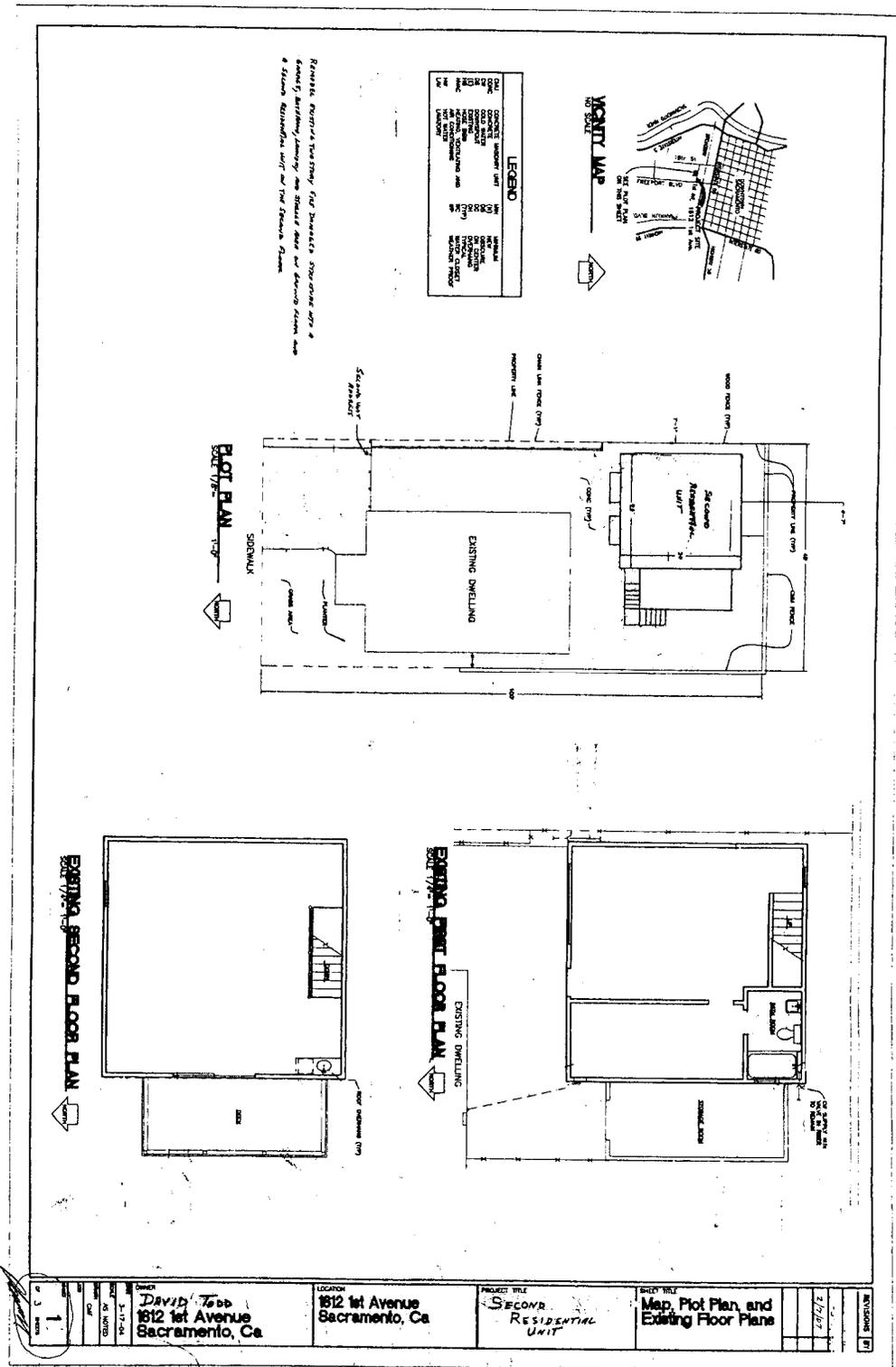
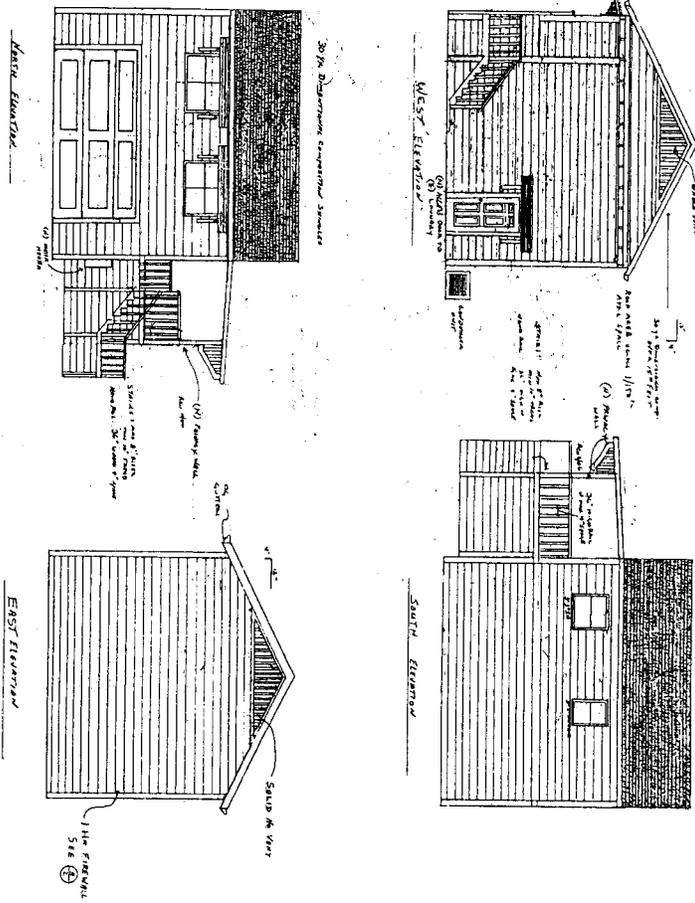


Exhibit C – Elevations



DAVID TODD
1812 1st AVE

Page	3 of 4
Scale	1/4" = 1'-0"
Date	11/11/07
Drawn	BJ
By	Quartz
Rev	None
Notes	1. See FIREWORK SITE