



REPORT TO COUNCIL

City of Sacramento

17

915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

PUBLIC HEARING
August 23, 2005

Honorable Mayor and
Members of the City Council

Subject: Central City Community Plan Amendment and Rezone: Jaklic's Apartments
(P05-003)

Location/Council District: 2818 E Street. APN: 003-0154-007. Council District 3

Recommendation:

Planning Commission and staff recommend that the City Council take the following actions: 1) Adopt a Resolution amending the Central City Community Plan land use map of 0.147± net acre from Low Density Residential to Multi-Family Residential for the property located in the Central City, specifically at 2818 E Street, and 2) Adopt an Ordinance amending the Comprehensive Zoning Ordinance Title 17 of the Sacramento City Code by removing 0.147± net acres from the Single-Family or Two-Family Special Planning District (R-1B-SPD) zone and placing it in the Multi-Family Special Planning District (R-4-SPD) zone to allow the use of a 6-unit apartment building.

Contact: David Hung, Associate Planner, 808-5530
Jeanne Corcoran, Senior Planner, 808-5317

Presenters: David Hung, Associate Planner

Department: Development Services Department

Division: Planning

Organization No: 4875

Summary:

The applicant proposes to add two dwelling units within an existing 4-unit apartment building in the Alhambra Corridor SPD. The property is currently designated Low Density Residential under the Central City Community Plan and zoned Single-Family or Two-Family Special Planning District (R-1B-SPD). Staff is bringing forward a Community Plan Amendment and Rezone to provide consistency with the proposed land use and the Community Plan designation and zoning. The Community Plan re-designation consists of 0.147± net acres from Low Density Residential to Multi-Family Residential and the rezone from Single-Family or Two-Family Special Planning District (R-1B-SPD) zone to the Multi-Family Special Planning District (R-4-SPD) zone.

Committee/Commission Action:

On June 23, 2005, the Planning Commission approved the necessary entitlements to add two dwelling units within an existing 4-unit apartment building in the Alhambra Corridor SPD, and recommended approval of a Community Plan Amendment and rezone of 0.147± net acres from Low Density Residential to Multi-Family Residential and from the Single-Family or Two-Family Special Planning District (R-1B-SPD) zone to the Multi-Family Special Planning District (R-4-SPD), respectively. The Planning Commission voted eight ayes and one absent to approve the proposed project on the consent calendar.

Background Information:

- The subject building, constructed in 1912 according to County records, currently houses four dwelling units. The applicant has provided a copy of the residential building record of the subject property which states the existence of four dwelling units, which would make the existing use legal non-conforming.
- On June 1, 1999, the City Council adopted the Sacramento Central City Neighborhood Design Guidelines. The Neighborhood Design Guidelines establish design principles and guidelines to be utilized by the City of Sacramento Design Review and Preservation Board and staff when reviewing proposed buildings, alterations, or public improvements within the Central City Design Review District neighborhoods.

Financial Considerations:

This project has no fiscal considerations.

Environmental Considerations:

The Environmental Services Manager has determined that the proposed project is exempt from environmental review pursuant to CEQA Guidelines (CEQA Section 15301) for minor alteration to existing private structures.

Policy Considerations:

The proposed project is consistent with the proposed Community Plan land use and zoning designations. A multi-family residential development is permitted within the Alhambra Corridor SPD with the issuance of a special permit in the Multi-Family Special Planning District (R-4-SPD) zone. The project is also consistent with the General Plan policies to promote a variety of housing types within neighborhoods to encourage economic diversity and housing choice.

Smart Growth Principles- City Council adopted a set of Smart Growth Principles in December 2001 in order to encourage development patterns that are sustainable and balanced in terms of economic objectives, social goals, and use of

environmental/natural resources. The subject proposal enhances housing opportunities and choices in the Central City and takes advantage of existing community assets and infrastructures.

Strategic Plan Implementation- The recommended action conforms with the City of Sacramento Strategic Plan, specifically by adhering to the goal to enhance and preserve neighborhoods by directing new development (and supportive infrastructure) to existing developed areas, allowing for efficient use of existing facilities, features and neighborhoods.

Emerging Small Business Development (ESBD):

No goods or services are being purchased under this report.

Respectfully Submitted by: 
Carol Shearly
Interim Planning Director, Planning

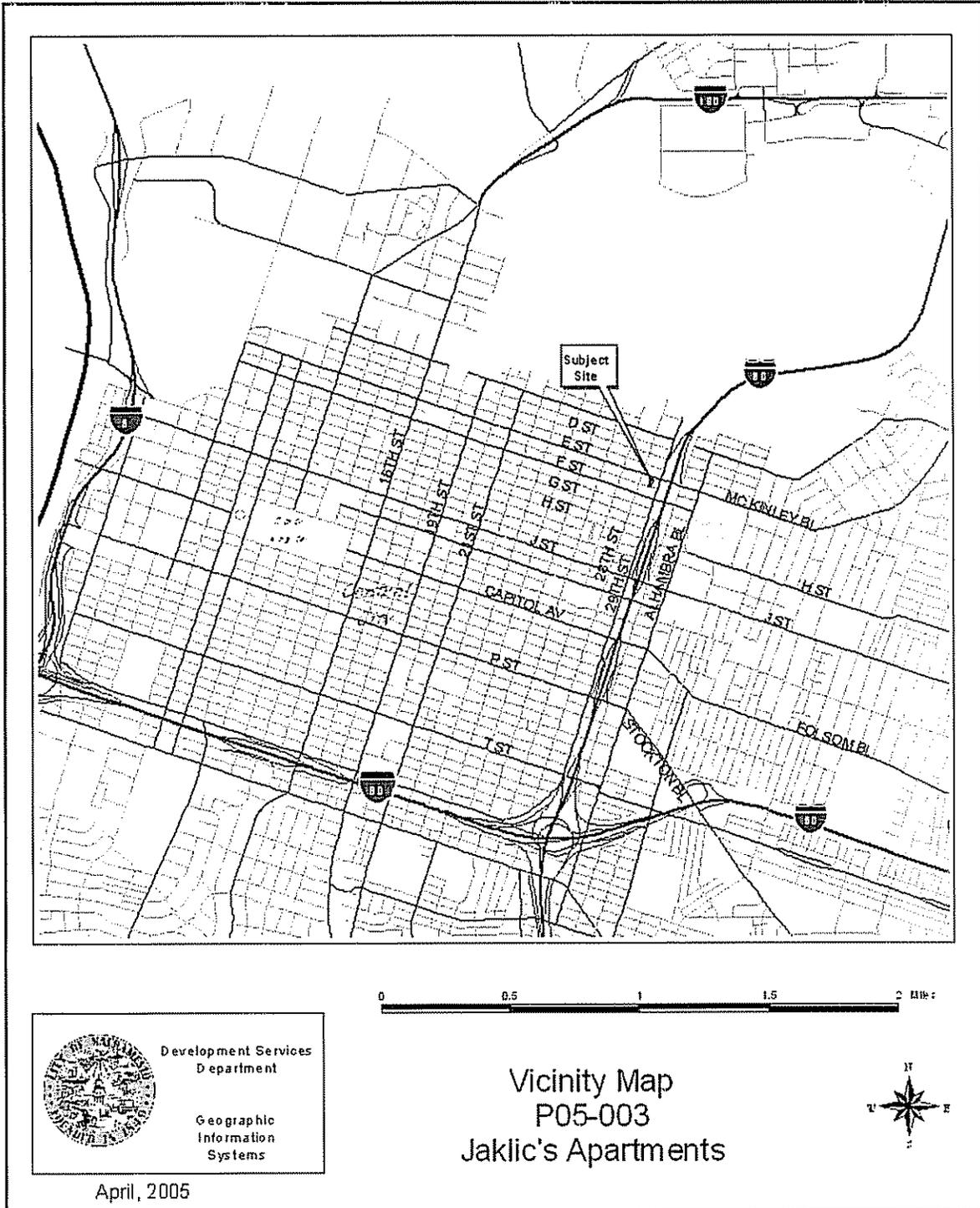
Recommendation Approved:


ROBERT P. THOMAS
City Manager

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Attachment 1 – Vicinity Map



Attachment 2 – City Planning Commission Voting Record

CITY PLANNING COMMISSION
 CONSENT ITEMS

CPC AGENDA DATE: June 23, 2005

Item No.	Project No.	Title/Location	Action: Approved/ Denied	Continued To:
1.		Synopsis of June 9, 2005 Planning Commission Meeting	<i>Ap'd</i>	
2	P04-131	California Family Fitness located at the southwest corner of Truxel Road and Natomas Crossing Drive	Ap'd	7/14/05
4.	P05-003	Jaklic's Apartments located at 2818 E Street	<i>Ap'd w/ amend</i>	
8.	P05-035	Rite Aid Alcohol sales located at 2101 S Street	<i>Ap'd</i>	
9	M05-037	Enforcement of Zoning Coded Violations	<i>Ap'd</i>	

NOTE OF THE PLANNING COMMISSION:

COMMISSIONER	Motion (M)/ Second (S)	YES	NO	ABSTAIN
Bacchini		<input checked="" type="checkbox"/>		<i># / only</i>
Banes	<i>S</i>	<input checked="" type="checkbox"/>		
Boyd				
Notestine		<input checked="" type="checkbox"/>		
Taylor-Carroll		<input checked="" type="checkbox"/>		
Vallencia		<input checked="" type="checkbox"/>	<i>#3 only</i>	
Wasserman	<i>M</i>	<input checked="" type="checkbox"/>		
Woo		<input checked="" type="checkbox"/>		
Yee		<input checked="" type="checkbox"/>		

Attachment 3 – City Planning Commission Staff Report

**CITY PLANNING COMMISSION
SACRAMENTO, CALIFORNIA
MEMBERS IN SESSION:**

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P05-003 – Jaklic's Apartments

- REQUEST:
- A. **Environmental Determination:** Categorical Exemption (CEQA Section 15301);
 - B. **Community Plan Amendment** to re-designate 0.147± net acre from Low Density Residential to Multi-Family Residential;
 - C. **Rezone** 0.147± net acre from Single-Family or Two-Family Special Planning District (R-1B-SPD) zone to Multi-Family Special Planning District (R-4-SPD) zone;
 - D. **Special Permit** to add two dwelling units within an existing 4-unit apartment building in the Alhambra Corridor SPD, located on 0.147± net acre in the proposed Multi-Family Special Planning District (R-4-SPD) zone;
 - E. **Variance** to reduce the required width of a side courtyard;
 - F. **Variance** to reduce the required width of an interior side yard

LOCATION: 2818 E Street
 APN: 003-0154-007
 Central City Community Plan
 Sacramento Unified School District
 Council District 3

APPLICANT:	Excelline Technology Inc., Thach Bui (916) 681-2640 55 Quinta Court, Suite C, Sacramento, CA 95823
OWNER:	Josip Jaklic 8543 Clifford Way Sacramento, CA 95826
APPLICATION FILED:	January 11, 2005
STAFF CONTACT:	David Hung, (916) 808-5530

SUMMARY:

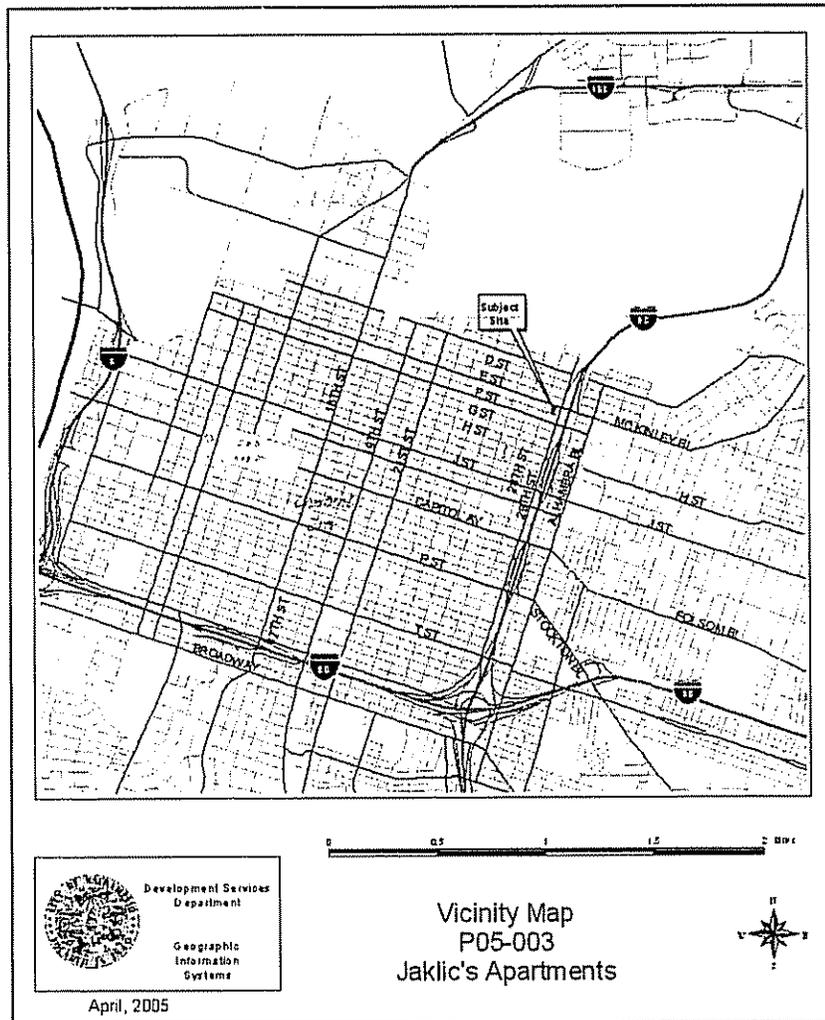
The applicant is requesting entitlements to add two dwelling units within an existing 4-unit apartment building in the Alhambra Corridor SPD. The project requires a community plan amendment from low-density residential to multi-family residential, a rezone from R-1B-SPD to R-4-SPD, a special permit for the two additional units in the Alhambra Corridor Special Planning District and variances to reduce the required widths of a side courtyard and an interior side yard. Staff is recommending

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approval of the community plan amendment, rezone and special permit since the project will provide additional dwelling units in the neighborhood and adequate on-site parking is being provided; furthermore, there are no significant modifications to the building envelope. Staff is also supporting the variances to reduce setbacks at the side courtyard and interior side yard because of existing site conditions and constraints. The neighborhood groups have no objections to the proposal as long as adequate parking is provided on the site.



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RECOMMENDATION:

Staff recommends approval of the project, subject to conditions. This recommendation is based on 1) consistency with the land use policies and designations of the General Plan and the Central City Community Plan as well as the Central City housing strategy; 2) consistency with Zoning Ordinance; and 3) compatibility with the adjacent land uses.

PROJECT INFORMATION:

General Plan Designation:	Low Density Residential 4-15 du/na
Central City Community Plan Designation:	Low Density Residential (Existing) Multi-Family Residential (Proposed)
Existing Land Use of Site:	4-unit apartment
Existing Zoning of Site:	Single-Family or Two-Family SPD (R-1B-SPD)
Proposed Zoning of Site:	Multi-Family SPD (R-4-SPD)

Surrounding Land Use and Zoning:

North: Apartment; Multi-Family SPD (R-3A-SPD) zone
 South: Apartment; Single-Family or Two-Family SPD (R-1B-SPD) zone
 East: Convenience Store; Limited Commercial Review SPD (C-1-R-SPD) zone
 West: Single-Family Dwelling; Single-Family or Two-Family SPD (R-1B-SPD) zone

Setbacks:	Required	Provided
South:	5.0'	5.0'
West:	10.0' at building, 5.0' elsewhere	5.0'
North:	Average of 2 adjacent buildings	12.0' (Existing)
East:	5.0'	2.0' to 5.0'

Property Area:	0.147± net acre (6400± square feet)
Square Footage of Building:	3,390± square feet
Height of Building:	3 floors
Exterior Building Materials:	Siding, wood trims, vinyl windows
Roof Material:	Composition Shingles
Exterior Colors:	Green (Body) White (Trims)
Parking Provided:	6
Parking Required:	6
Topography:	Flat
Street Improvements:	Existing/New
Utilities:	Existing/New

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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:

<u>Permit</u>	<u>Agency</u>
Building Permit	Building Division
Off-Site Improvement Plan Check	Development Eng & Financing Division
Driveway/Encroachment Permit	Development Eng & Financing Division

BACKGROUND INFORMATION:

The subject building, constructed in 1912 according to County records, currently houses four dwelling units. The applicant has provided a copy of the residential building record of the subject property which states the existence of four dwelling units, which would make the existing use legal non-conforming. The property owner was attempting to add two additional units in the basement but did not obtain any City approval; the work was cited by Code Enforcement and subsequently plans were submitted to the Planning Division for review per this application. With the approval of the Community Plan Amendment to Multi-Family Residential, the Rezone to Multi-Family Special Planning District (R-4-SPD) and the Special Permit to add two additional units, the subject property will be legalized for multi-family use. The addition of the two units in the basement will also require all applicable building permits.

STAFF EVALUATION: Staff has the following comments:

A Policy Considerations

The General Plan designates the subject parcel as Low Density Residential. The Central City Community Plan designates subject parcel as Low Density Residential, the project is proposing to re-designate it as Multi-Family Residential. The zoning of the subject parcel is Single-Family or Two-Family Special Planning District (R-1B-SPD) zone and the project proposes to rezone it to Multi-Family Special Planning District (R-4-SPD) zone. Following is a discussion on whether the project complies with its General Plan, Community Plan and zoning designations.

General Plan Goals and Policies:

The General Plan designates subject parcel as Low Density Residential for 4 to 15 dwelling units per net acre. The project is consistent with the following General Plan goals and policies:

Housing Element, Goal 3, Housing Mix, Balance & Neighborhood Compatibility:

Promote a variety of housing types within neighborhoods to encourage economic diversity and housing choice.

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PAGE 5Residential Land Use Element, Goal C:

Meet the fair share regional housing needs for all economic segments within the City.

Central City Community Plan:

The project is proposing to re-designate from Low-Density Residential to Multi-Family Residential. The project is consistent with the following Community Plan policies:

Housing and Residential Goal:

Provide adequate housing for all residents of the Central City at all socio-economic levels, and in particular provide the opportunity for low and moderate income persons to reside within the Central City. And further, provide a choice of housing types by developing new housing and conserving existing housing.

Housing and Residential Sub-Goals:

Provide the opportunity for developing viable and livable high density planned residential complexes of various scales within designated areas to meet present and future housing needs.

Zoning:

The project is proposing to rezone the subject property from Single-Family or Two-Family Special Planning District (R-1B-SPD) zone to Multi-Family Special Planning District (R-4-SPD) zone. The project is located in the Alhambra Corridor Special Planning District; a multi-family residential development in the proposed R-4 zone requires a planning commission special permit approval. See discussion under the Rezone and Special Permit sections.

B. Central City Community Plan Amendment

The project is proposing to re-designate 0.147± net acre from Low-Density Residential to Multi-Family Residential, in order to allow a six-unit apartment. As discussed above in the Policy section, a goal in the community plan is to provide adequate housing for all residents of the Central City at all socio-economic levels, and in particular provide the opportunity for low and moderate income persons to reside within the Central City. The project, with two additional units in the basement level and adequate parking for each unit, will provide rental opportunities in the area for persons with low or moderate income. Staff is supportive of the community plan amendment because of its consistency with the Central City Community Plan policies.

C. Rezone

The project is proposing to rezone the subject property, with an area of 6,400 square feet or 0.147± net acre, from Single-Family or Two-Family Special Planning District (R-1B-SPD) zone to Multi-Family Special Planning District (R-4-SPD) zone. The R-1B zone allows up to 12 dwelling units per acre, or approximately 3,630 square foot of land per dwelling unit, and is not an appropriate zone for multi-family setting. With the proposed six units on the lot, the property will need to be rezoned to R-4, which allows a maximum density of 58 dwelling units per acre, or a minimum of approximately 750 square foot of land for each dwelling units.

Staff is supportive of the rezone since the proposal does not enlarge the existing building envelope and the building mass is still compatible with the surrounding structures. Furthermore, there are existing apartments to the north and south of the project and a convenience market is located directly to the east of the site; the project site can act as a buffer between the commercial uses to the east and the single-family residential use to the west. The proposed zoning will be consistent with the proposed six unit multi-family dwelling.

D. Special Permit

The project site consists of 0.147± net acre in the proposed Multi-Family Special Planning District (R-4-SPD) zone in the Central City. The project proposes to add two dwelling units within an existing 4-unit apartment building.

1. Setbacks & Orientation

Following is a summary of the required and provided setbacks.

Orientation	Required	Provided
North (Front Yard)	Avg. of 2 adj. bldgs.	12.0' (existing)
East (Interior Yard)	5.0'	2.0' to 5.0'
South (Rear Yard)	5.0' (adj. to alley)	5.0'
West (Interior Court)	10.0'	5.0'
West (Interior Yard)	5.0'	5.0'

The existing front setback meets the average of the two adjacent buildings and there are no proposed changes to the setback. The project also meets the required rear setback. The project requires a ten foot interior court on the west side because of the location of the main entrance to the two basement units; the project only provides a five foot setback so a variance is required to reduce the interior court. See Variance (E) section for a discussion on the variance. The project requires a five foot interior side setback on the east side but due to the location of the water heater shed, there is only a 2 foot setback where the shed is; see Variance (F) section for a discussion on the variance to reduce to interior side yard setback.

2. Parking/Circulation

Per the parking requirements of the Zoning Code for multi-family dwellings in the central city, one parking space is required for each dwelling unit and one guest space per 15 units. The project, with proposed six units, will require one parking space for each of the six units; the project will not be required to provide a guest parking space because it's less than 15 units. The project is providing six outdoor parking spaces in the rear yard area with access from the alley. The site plan shows driveway from the alley with paved area behind the parking spaces for maneuvering.

3. Landscaping & Fencing/Gate

The proposed site plan shows existing and new trees in the rear yard along with new planters and lawn area (Exhibit 1A). The project will be conditioned to comply with the 50% shading requirement for the parking area at the rear of the lot. A wrought iron fence currently exists on the front property line and side property line in the front setback, enclosing the front yard area. The applicant is proposing to install new vehicular gates at the rear property to allow for private access into the parking lot in the rear. Staff is supportive of the vehicular gates to provide security to the residents living there because of the problem of trespassers (homeless individuals) and because of the nature of the nearby liquor store/bar business at the corner of 29th Street and E Street. The new vehicular gates and shall be installed at least 20 feet behind the rear property line and shall not encroach onto the public right-of-way. Trash and recycling enclosures are shown at the rear of the property, facing the alley; enclosures shall not be located in any required setback area and shall be constructed per all applicable standards City standards. An encroachment permit shall be obtained for any trash enclosure gate that opens into the public right-of-way.

4. Building Design

Following is a summary of the six units:

Floor Level	Apartment Unit	Square Footage
Basement (New)	5	460
Basement (New)	6	690
First floor (Existing)	1	500
First floor (Existing)	2	650
2 nd floor (Existing)	3	490
2 nd floor (Existing)	4	600

The building has four existing units split between the first and second floors and proposes to add two new units (5 and 6) in the basement level. Unit 5 will have a living/kitchen area, 1 bedroom and 1 bath. Unit 6 will have a living/kitchen area, 1 office, 1 bedroom and 1 bath (Exhibit 1B). The old basement ceiling height was 6'-8" to 7'-0" and the new ceiling height will be 7'-7" throughout. There are new window openings on the basement level, and an entry door on the west side, on a landing about a couple feet below adjacent finished grade, which leads into the basement interior hall area for

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access to units 5 and 6. A water heater shed is shown on the rear east side of the building; a single 120-gallon tank is being proposed to serve all the units in the building. The exterior rear stairway has also been repaired with new stringers and new treads. The structure is over 50 years old and the proposal was reviewed by Historic Preservation staff; conditions relating to windows, siding and stairways are included under the Conditions of Approval.

Staff recommends approval of the special permit, based on the incorporation of architectural upgrades recommended by staff and also on substantial conformance the Zoning Ordinance.

E. Variance

Per the Zoning Ordinance, the project requires a ten-foot interior court on the west side because of the location of the main entrance to the two basement units; the project only provides a five foot setback so a variance is required to reduce the interior court. Staff is supportive of the variance because the entry door to the basement previously existed at the same location and the floor of the basement was originally built below the exterior finished grade, thus the variance is to conform to existing site conditions. Complying to the strict enforcement of the ten-foot courtyard is difficult in this situation since the building is existing and would require major alterations to the building; therefore, staff supports this request since a five-foot courtyard will provide adequate access to the basement units.

F. Variance

The project requires a five foot interior side setback on the east side but due to the location of the water heater shed, there is only a two foot setback where the shed is; a variance is thus required to reduce to interior side yard setback. Due to the fact that the eastern side yard is closed off from the front of the lot by a wood fence and that the side yard will not be used for a passageway, staff is supportive of the variance to reduce the required interior side yard. The water heater shed will have to conform to applicable fire-rated construction standards as required by Building Codes.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project is exempt from environmental review pursuant to CEQA Guidelines (CEQA Section 15301) for minor alteration to existing private structures.

B. Public/Neighborhood/Business Association Comments

The proposed project was routed to the New Era Park Neighborhood Association and the Marshall School Neighborhood Association.

Susan Moe of the New Era Park Neighborhood Association commented, "Our group has no opposition to the rezone of the parcel. The property has been nicely remodeled and is no longer in a sad state of disrepair. Previously the back yard was a junk pile and there were yard sales held there nearly every weekend."

Mr. Bill Burgua, with the Marshall School Association, met with staff and the councilmember of the district and their main concern was that the project needs to provide adequate parking for all units. Jean Boyer of the Boulevard Park Association also commented on the need for parking 6 cars in the rear of the lot. The project as designed is providing one off-street parking space for each of the six units proposed.

C. Summary of Agency Comments

1. Utilities Department – Comments are incorporated into Notice of Decision.
2. Building Department – Comments are incorporated into Notice of Decision.
3. Development Engineering and Finance Division – Comments are incorporated into Notice of Decision.
4. Parks Planning, Design & Development Division – Comments are incorporated into Notice of Decision.
5. Police Department – No comments.
6. Fire Department – Comments are incorporated into Notice of Decision.

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny D, E and F. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action. Entitlements B and C require City Council approval.

RECOMMENDATION:

Staff recommends the Planning Commission take the following actions:

- A. Adopt the attached Notice of Decision and Findings of Fact which finds that the project is Exempt pursuant to CEQA Section 15301;

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- B. Adopt the attached Notice of Decision and Findings of Fact recommending approval of the Community Plan Amendment to re-designate 0.147± net acre from Low Density Residential to Multi-Family Residential;
- C. Adopt the attached Notice of Decision and Findings of Fact recommending approval the Rezone of 0.147± net acre from Single-Family or Two-Family Special Planning District (R-1B-SPD) zone to Multi-Family Special Planning District (R-4-SPD) zone;
- D. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit to add two dwelling units within an existing 4-unit apartment building in the Alhambra Corridor SPD, located on 0.147± net acre in the proposed Multi-Family Special Planning District (R-4-SPD) zone;
- E. Adopt the attached Notice of Decision and Findings of Fact approving the Variance to reduce the required width of a side courtyard;
- F. Adopt the attached Notice of Decision and Findings of Fact approving the Variance to reduce the required width of an interior side yard.

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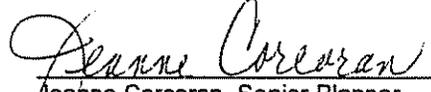
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Report Prepared By,


David Hung, Associate Planner

Report Reviewed By,


Jeanne Corcoran, Senior Planner

Attachments

Attachment 1	Notice of Decision & Findings of Fact
Exhibit 1A	Site Plan
Exhibit 1B	Enlarged Proposed Site Plan
Exhibit 1C	Basement Floor Plan
Exhibit 1D	First Floor and Second Floor Plans
Exhibit 1E	Elevations
Exhibit 1F	Stairway Details
Attachment 2	Land Use & Zoning Map
Attachment 3	Draft Community Plan Amendment Resolution
Exhibit A	Community Plan Amendment Exhibit
Attachment 4	Draft Rezone Ordinance
Exhibit A	Rezone Exhibit

Attachment 1
(Amended by CPC on June 23, 2005)
NOTICE OF DECISION AND FINDINGS OF FACT FOR
JACKLIC'S APARTMENTS, LOCATED AT 2818 E STREET, SACRAMENTO,
CALIFORNIA (P05-003)

At the regular meeting of June 23, 2005, 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: Categorical Exemption (CEQA Section 15301);**
- B. **Recommended approval of the Community Plan Amendment to redesignate 0.147± net acre from Low Density Residential to Multi-Family Residential;**
- C. **Recommended approval of the Rezone of 0.147± net acre from Single-Family or Two-Family Special Planning District (R-1B-SPD) zone to Multi-Family Special Planning District (R-4-SPD) zone;**
- D. **Approved the Special Permit to add two dwelling units within an existing 4-unit apartment building in the Alhambra Corridor SPD, located on 0.147± net acre in the proposed Multi-Family Special Planning District (R-4-SPD) zone;**
- E. **Approved the Variance to reduce the required width of a side courtyard;**
- F. **Approved the Variance to reduce the required width of an interior side yard.**

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 of the CEQA Guidelines.
- D. **Special Permit:** The Special Permit to add two dwelling units within an existing 4-unit apartment building in the Alhambra Corridor SPD, located on 0.147± net acre in the proposed Multi-Family Special Planning District (R-4-SPD) zone is **approved** based on the following findings of fact subject to the conditions of approval:
 - 1 The project, as conditioned, is based upon sound principles of land use in that:

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- a. The proposed use will not adversely affect the peace and general welfare of the surrounding residential neighborhood;
 - b. The proposed use will provide housing opportunities within the Central City;
 - 2. The project, as conditioned, will not be detrimental to the public welfare nor result in the creation of a public nuisance in that the new apartment units will be built to quality standards in conformance to applicable Building codes and will be compatible with surrounding land uses;
 - 3. The project is consistent with the General Plan Quality of Life Policies to enhance and maintain the quality of life; and
 - 4. The project is primarily consistent with the Central City Community Plan goal to provide housing for all socio-economic levels.
- E. Variance: The Variance to reduce the required width of a side courtyard is **approved** based on the following findings of fact subject to the conditions of approval:
- 1. Granting the variance does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances;
 - 2. Granting the variance would not be detrimental to the public welfare and not result in the creation of a public nuisance in that the courtyard was existing as such and will provide adequate access to the basement units.
- F. Variance: The Variance to reduce the required width of an interior side yard is **approved** based on the following findings of fact subject to the conditions of approval:
- 1. Granting the variance does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances;
 - 2. Granting the variance would not be detrimental to the public welfare and not result in the creation of a public nuisance in that the side yard will not be used as a passageway since it doesn't connect the rear of the property with the front of the property.

CONDITIONS OF APPROVAL

- C. Special Permit to add two dwelling units within an existing 4-unit apartment building in the Alhambra Corridor SPD, located on 0.147± net acre in the proposed Multi-Family Special Planning District (R-4-SPD) zone.

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Planning

- C1. Development of this site shall be in compliance with the attached exhibits (Exhibits 1A thru 1E), except as conditioned. Any modification to the project shall be subject to review by Planning staff prior to the issuance of building permits. Any significant modifications to the project may require subsequent entitlements.
- C2. The applicant shall obtain all necessary building permits prior to construction and comply with Title 24 requirements.
- C3. Lighting:
 - a. Outdoor lighting shall be designed so as not to produce hazardous and annoying glare to motorists, adjacent properties, or the general public. All fixtures should be placed in a manner that avoids glare when observed from the street or other public areas.
 - b. Parking lots, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings shall be provided with high intensity discharge lighting with sufficient wattage to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of darkness and provide a safe, secure environment for all persons, property, and vehicles on site. Such lighting shall be equipped with vandal-proof covers.
- C4. The project shall comply with the City's Tree Shading Ordinance which requires 50 percent shading of the parking area within 15 years. Landscaping plans shall be submitted to the Building Division - Site Conditions Unit for review and approval by the Site Conditions Unit and the Landscape Architecture Section. The scope of the review shall include plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met.
- C5. There shall be no mechanical equipment on rooftop. Any ground-mounted mechanical and communications equipment shall be completely screened from view from public streets.
- C6. The applicant shall paint electrical meters/cabinets, telephone connection boxes and other utility appurtenances to match the building to which they are attached.
- C7. The project is required to provide one off-street parking space per unit.
- C8. ***Any new vehicular gates shall be located a minimum of 20 feet behind the public right-of-way and shall be constructed of decorative wrought iron. All gates and fence shall be built to City standards including but not limited to sight line requirements at driveways. (Amended by CPC on June 23, 2005)***
- C9. All new driveways shall be concrete paving subject to City's paving requirements.

- C10. ***The applicant shall comply with the City's Recycling Ordinance (Section 17.72) including but not limited to trash enclosure requirements as follows:***
- a. ***The walls of each recycling and trash enclosure shall be constructed of solid masonry material with decorative exterior surface finish compatible to the main structure.***
 - b. ***Each recycling and trash enclosure shall have decorative solid heavy gauge metal gates.***
 - c. ***No recycling or trash enclosure or receptacle shall be located in any required setback area.***
 - d. ***An encroachment permit shall be obtained for any trash enclosure gate that opens into the public right-of-way.***
(Amended by CPC on June 23, 2005)
- C11. **Historic Preservation:**
- a. Provide trim and sills at new windows to match existing in-kind**. Paint trim to match existing. (**All woodwork shall have a smooth, painted finish – no rough-sawn allowed; match in-kind shall mean matching materials, design, dimensions, profiles, placement and finishes.)
 - b. Remove all horizontal slider windows and provide new single or double hung windows to match other new window.
 - c. Paint new siding at water heater shed addition.
 - d. Provide rear deck railing per stairway details (Exhibit 1E).
- C12. ***All minimum front setback area shall be landscaped, irrigated and maintained per City requirements. (Amended by CPC on June 23, 2005)***

Development Engineering & Financing Division

- C13. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk, and portions of the alley adjacent to the site – including the nearest alley entrance – per City standards to the satisfaction of the Development Engineering and Finance Division.
- C14. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance).
- C15. The site plan shall conform to A.D.A. requirements in all respects.
- C16. The design of fences, signage, and landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Development Engineering and Finance Division.

Fire Department

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C17. Provide appropriate Knox access for site at the front and rear of the property.

Parks Planning

C18. The applicant must provide proof they have initiated and completed the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annexed the project to an existing parks maintenance district prior to the issuance of any building permit. The applicant shall pay all city fees for formation of or annexation to special districts. The purpose of the district is to equitably spread the cost of neighborhood park maintenance on the basis of special benefit, in the case of an assessment district. In the case of a special tax district, the costs will be spread based upon the hearing report, which specifies the tax rate and method of apportionment. (Contact Development Services Department, Special Districts, Project Manager)

Advisory Notes: Utilities Department

C19. The proposed development is located in the combined sewer system which has a potential to have flooding during heavy storms the applicant should elevate the lowest floor of the living area or floodproof the structure a minimum of one foot above the adjacent sidewalk grade. Floodproofing should include but not limited to the following: exterior walls of the structure should be a floodproof material to a minimum height of one foot above the adjacent sidewalk grade, exterior entrance to the basement should be protected from flooding or drainage to a minimum of one foot above the adjacent sidewalk grade, bottom of the windows should be elevated a minimum of one foot above the adjacent sidewalk grade, and all plumbing should be connected to a backflow device to prevent sewage from backing up into the basement area.

C20. The proposed project is located in the Flood zone designated as an 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 X zone, there are no requirements to elevate or flood proof.

Advisory Notes: Building Division

C21. The opening for the basement shall be revised to provide natural light and ventilation per CBC Section 1203.

C22. Emergency escape from each bedroom shall comply with CBC Section 310.4

C23. Building exterior wall fire and opening protection shall comply with CBC Section 503.2.1 and CBC Table 5-A

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CHAIRPERSON

ATTEST:



SECRETARY TO CITY PLANNING COMMISSION

6/23/05
DATE (P05-003)

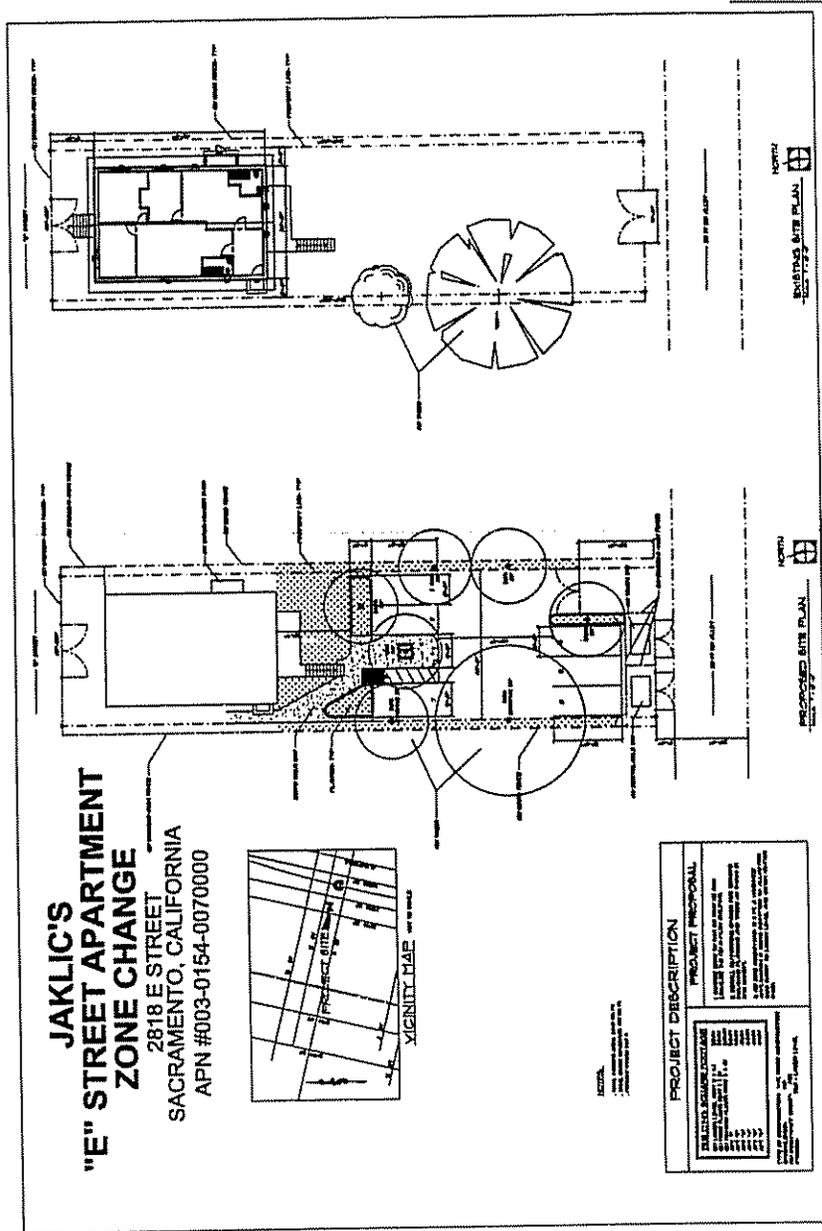
- | | |
|------------|------------------------------------|
| Exhibit 1A | Site Plan |
| Exhibit 1B | Enlarged Proposed Site Plan |
| Exhibit 1C | Basement Floor Plan |
| Exhibit 1D | First Floor and Second Floor Plans |
| Exhibit 1E | Elevations |
| Exhibit 1F | Stairway Details |

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Exhibit 1A - Site Plan

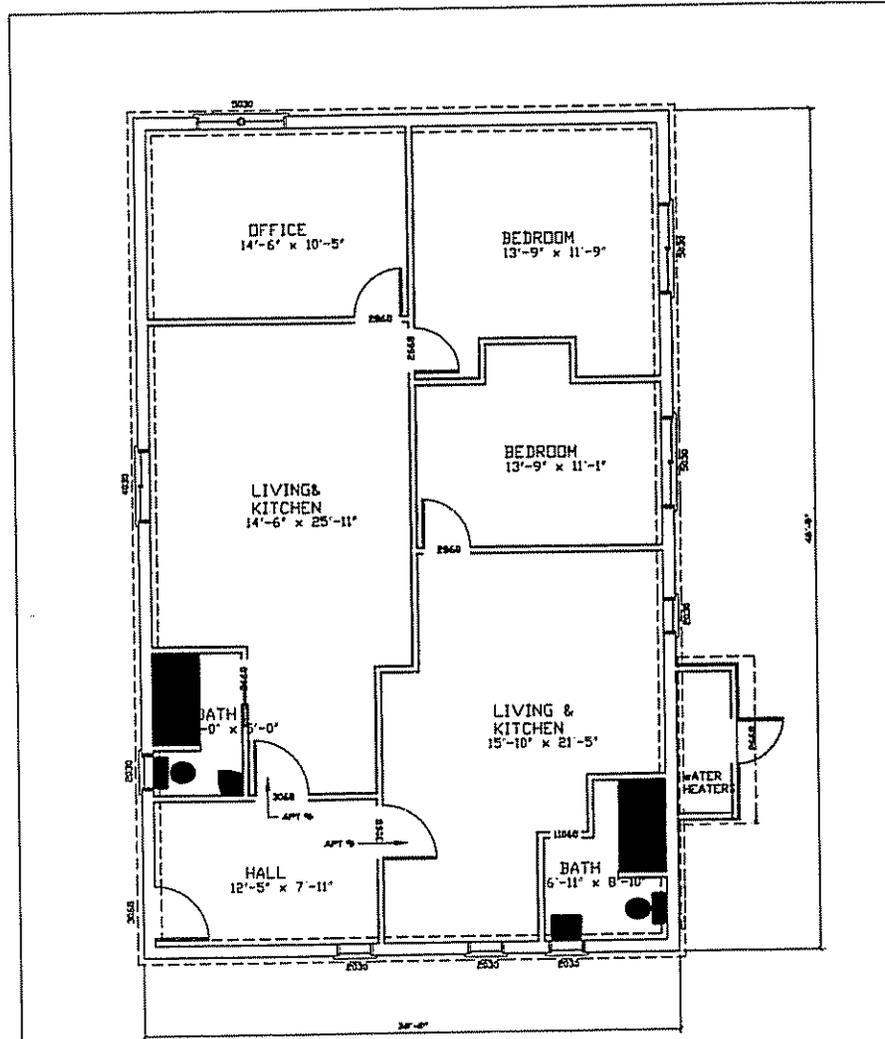


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Exhibit 1C – Basement Floor Plan



PROPOSED BASEMENT FLOOR PLAN (CEILING 7'-6")
SCALE: 1/4" = 1'-0"

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Exhibit 1D – First Floor and Second Floor Plans

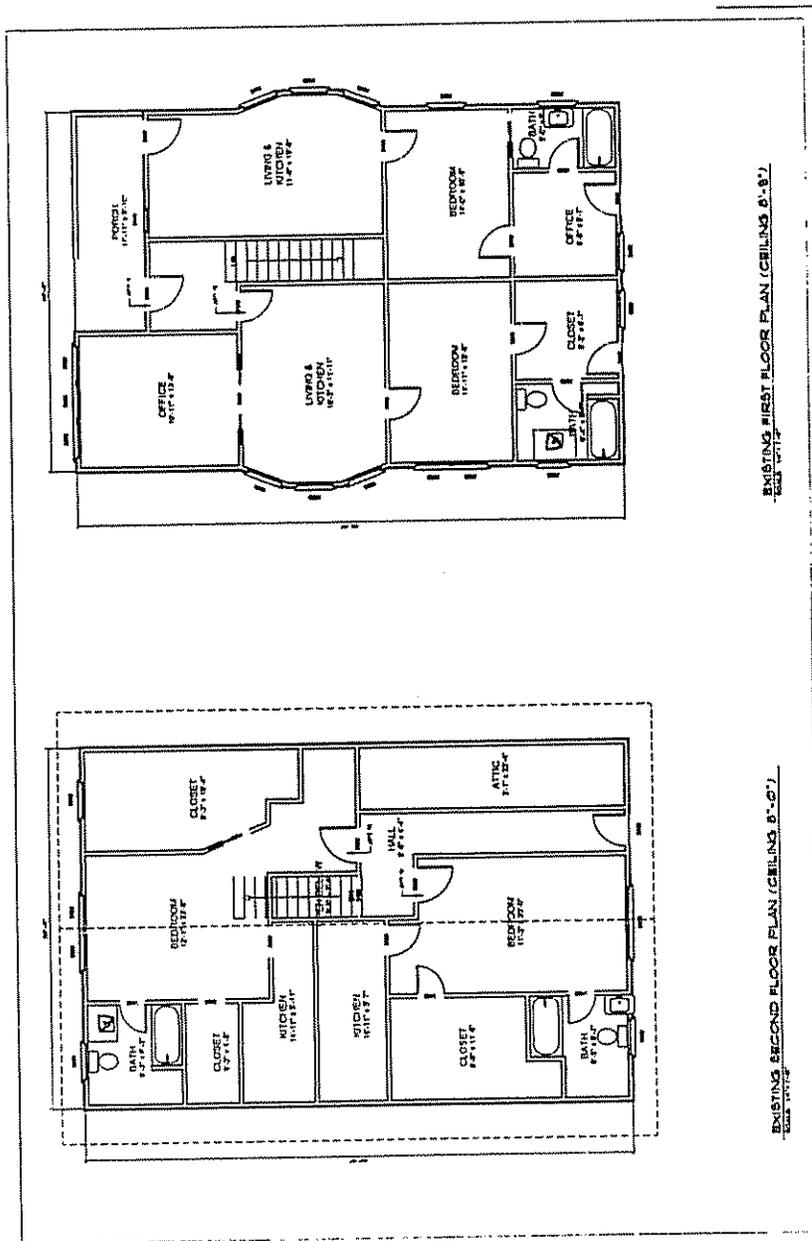
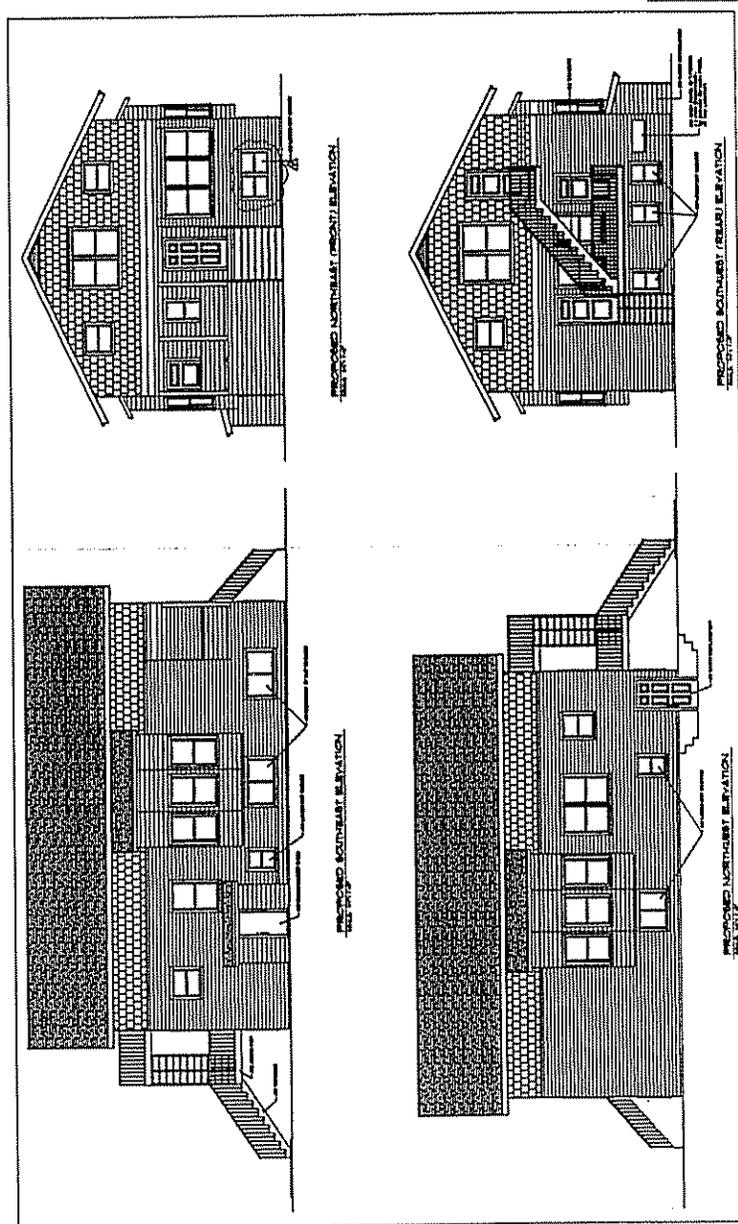


Exhibit 1E - Elevations

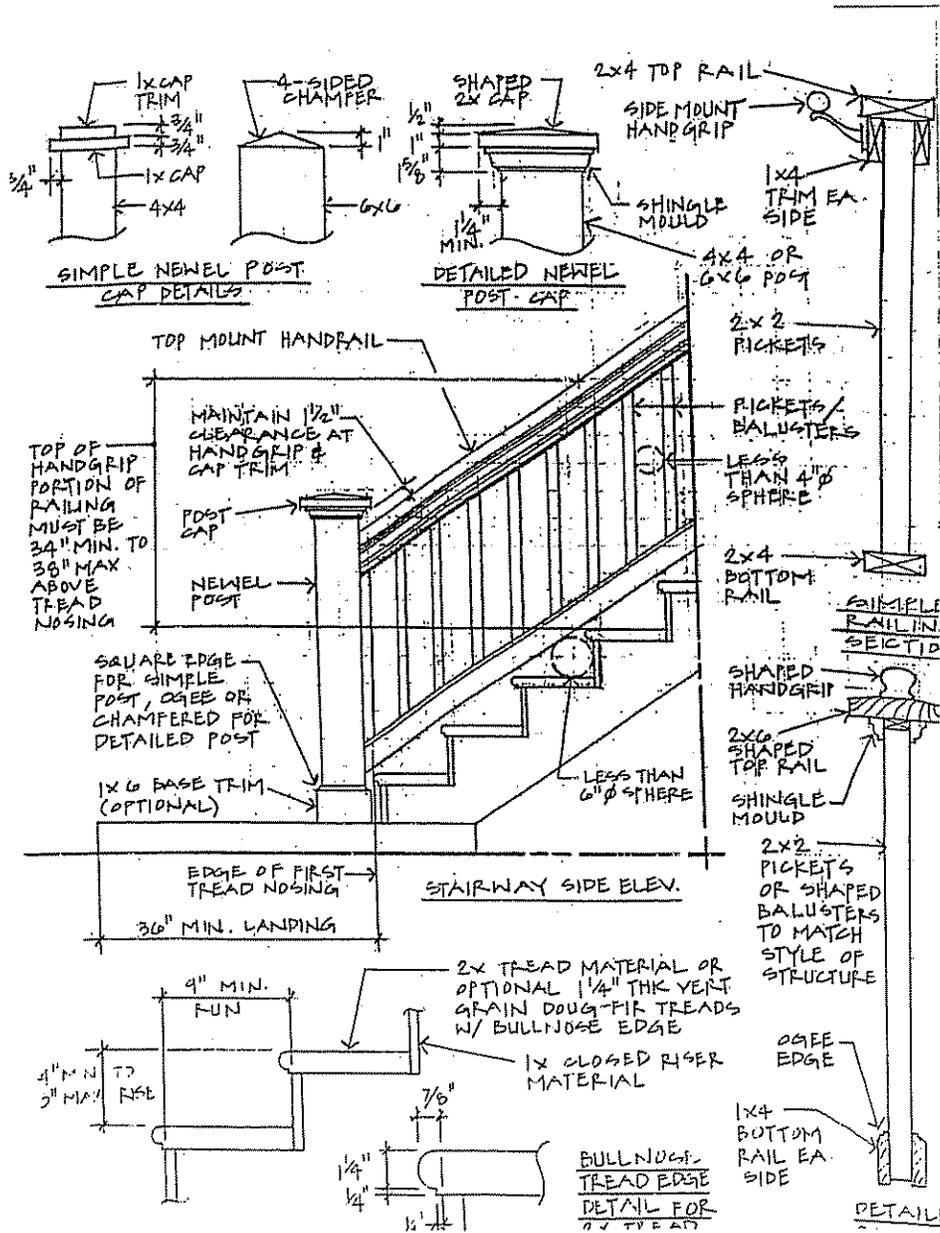


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Exhibit 1F - Stairway Details

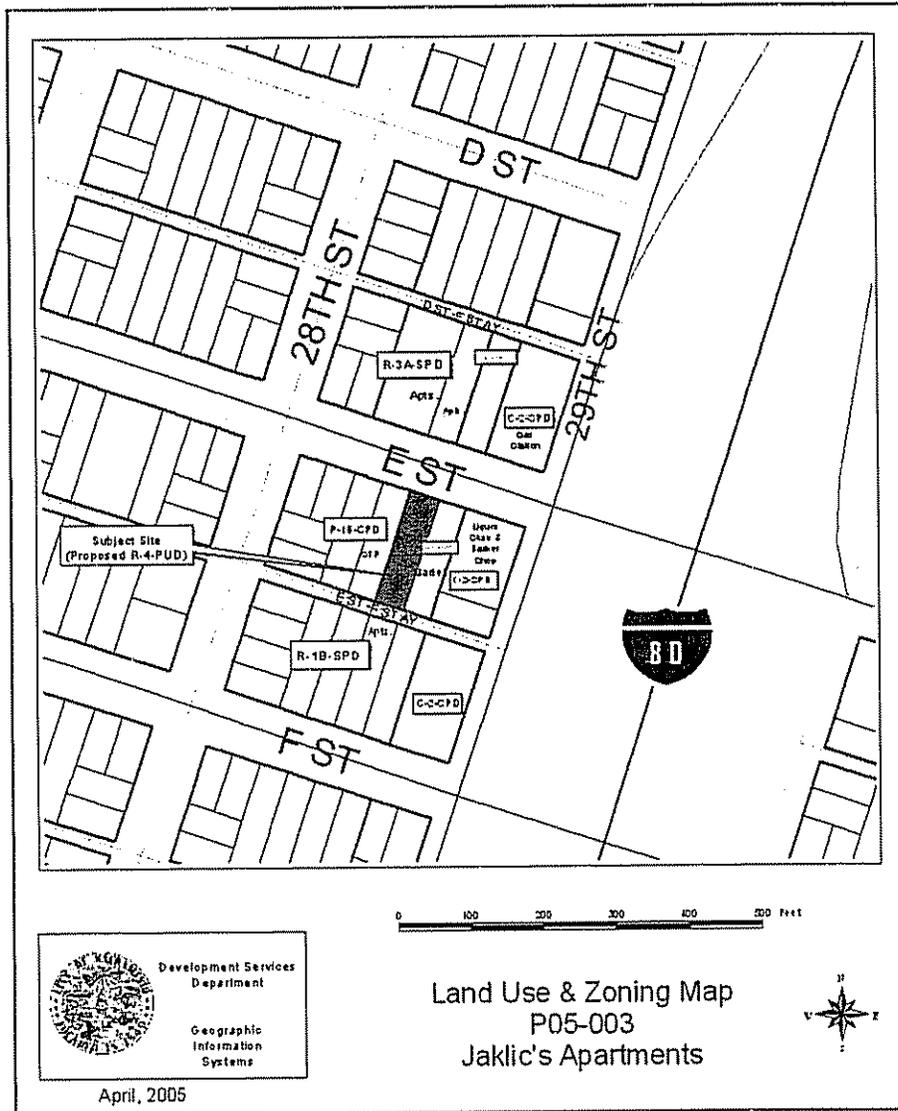


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Attachment 2 – Land Use & Zoning Map



RESOLUTION NO. 2005-XXXX

Adopted by the Sacramento City Council

Date

RESOLUTION AMENDING THE CENTRAL CITY COMMUNITY PLAN LAND USE MAP FOR 0.147± NET ACRES FROM LOW DENSITY RESIDENTIAL TO MULTI FAMILY RESIDENTIAL FOR THE PROPERTY LOCATED IN THE CENTRAL CITY, SPECIFICALLY AT 2818 E STREET. (APN: 003-0154-007) (P05-003)

BACKGROUND

The City Council conducted a public hearing on August 23, 2005 concerning the Central City land use map and based on documentary and oral evidence submitted at the public hearing, the City Council hereby finds:

- A. The proposed land use amendment is consistent with the conversion of this site to multi-family residential to implement the goals and policies of the Central City Community Plan and the Housing Strategy to maintain a balance between housing and jobs and to meet future housing needs;
- B. The proposed plan amendment is compatible with the surrounding uses; and
- C. The proposal is consistent with the policies of the General Plan to promote a variety of housing types within neighborhoods to encourage economic diversity and housing choice.

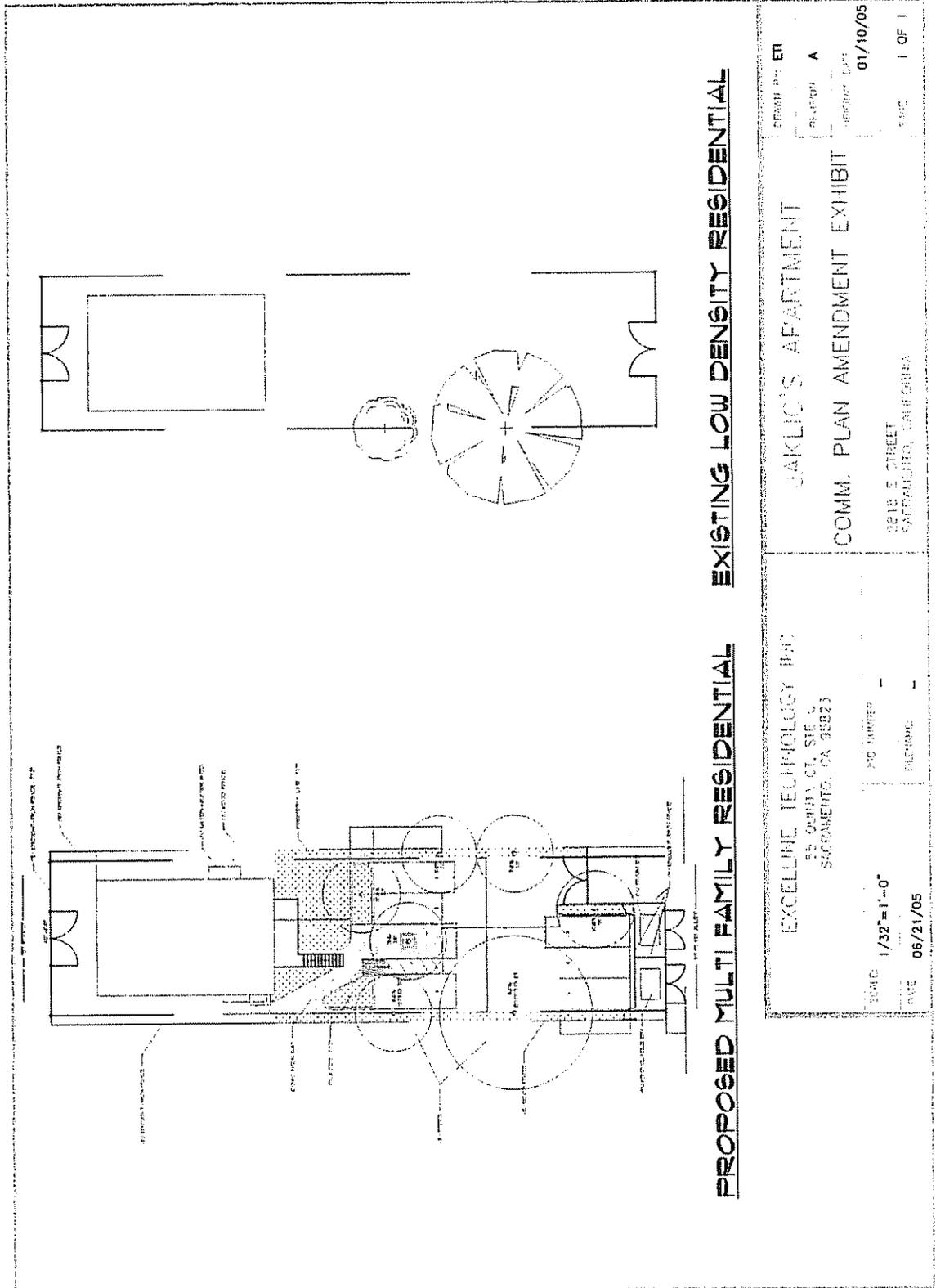
BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The property (APN: 003-0154-007), as described on the attached Exhibit 1, within the City of Sacramento are hereby designated on the Central City's Community Plan land use map as Multi-Family Residential.

Table of Contents:

Exhibit 1: Community Plan Amendment Exhibit – 1 page

Exhibit 1: Community Plan Amendment Exhibit



PROPOSED MULTI FAMILY RESIDENTIAL EXISTING LOW DENSITY RESIDENTIAL

<p>EXCELLENCE TECHNOLOGY INC 55 QUINCY CT, STE 2 SACRAMENTO, CA 95823</p> <p>SCALE: 1/32" = 1'-0" DATE: 06/21/05</p> <p>NO CHANGES REVISIONS: -</p>	<p>JAKLIC'S APARTMENT COMM. PLAN AMENDMENT EXHIBIT</p> <p>3218 E STREET SACRAMENTO, CALIFORNIA</p> <p>DATE: 01/10/05 PAGE: 1 OF 1</p>
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ORDINANCE NO. 2005-XXXX

Adopted by the Sacramento City Council

Date

AN ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE TITLE 17 OF THE SACRAMENTO CITY CODE, BY REMOVING 0.147± NET ACRES FROM SINGLE-FAMILY OR TWO-FAMILY SPECIAL PLANNING DISTRICT (R-1B-SPD) ZONE AND PLACING THE SAME IN THE MULTI-FAMILY SPECIAL PLANNING DISTRICT (R-4-SPD) ZONE, FOR THE PROPERTY LOCATED AT 2818 E STREET. (APN: 003-0154-007) (P05-003)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

SECTION 1

The property generally described, known and referred to as 2818 E Street (APN: 003-0154-007) which is shown on Exhibit 1, consists of 0.147± net acres and is currently in the Single-Family or Two-Family Special Planning District (R-1B-SPD) zone established by the Comprehensive Zoning Ordinance (Title 17 of the City Code). Said property is hereby removed from the Single-Family or Two-Family Special Planning District (R-1B-SPD) zone and placed in the Multi-Family Special Planning District (R-4-SPD) zone.

SECTION 2

Rezoning of the property described in the attached Exhibit 1 by the adoption of this Ordinance shall be deemed to be in compliance with the procedures for the rezoning of property described in the Comprehensive Zoning Ordinance, Title 17 or the City Code, as amended, as said procedures have been affected by recent court decisions.

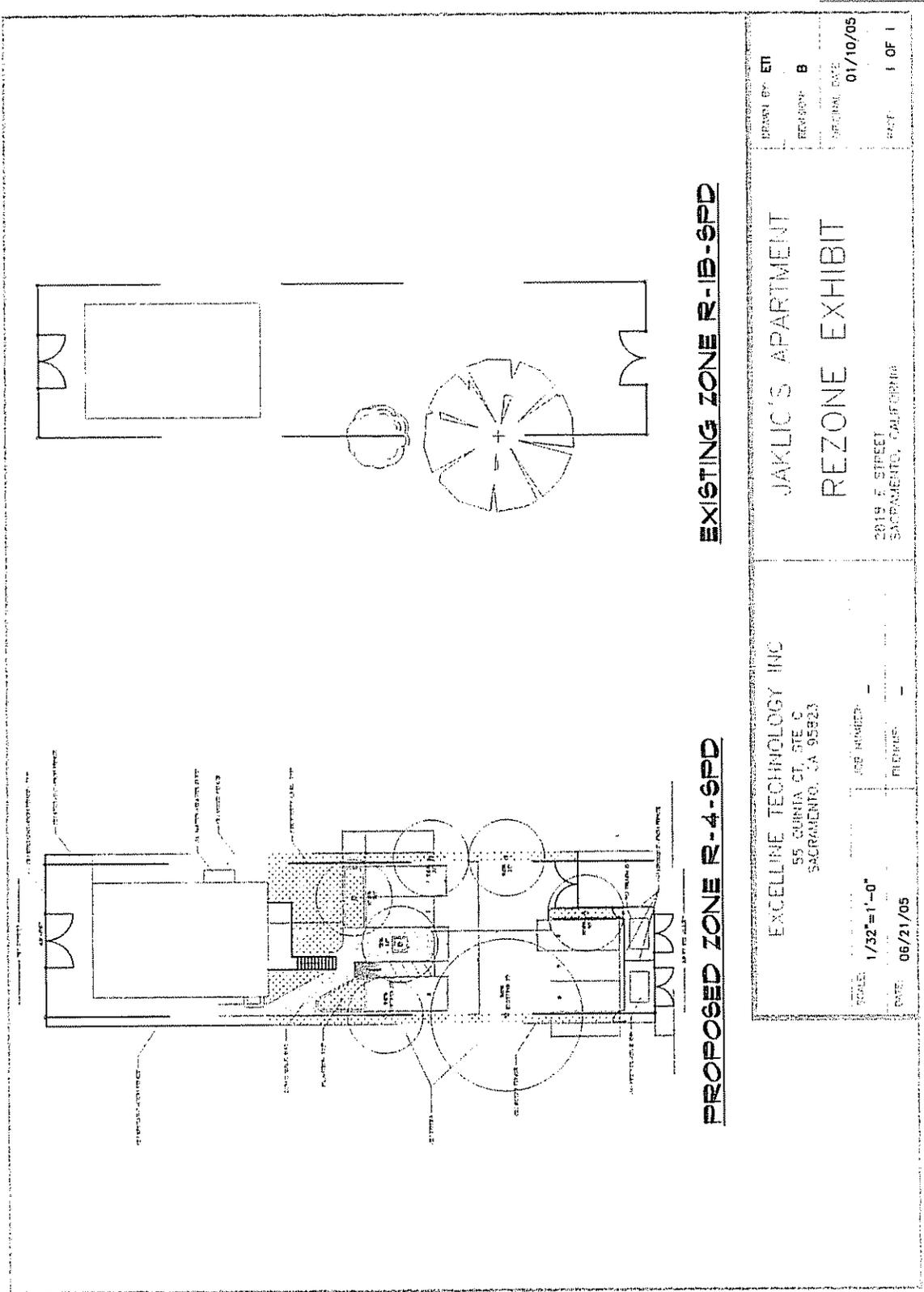
SECTION 3

The City Clerk of the City of Sacramento is hereby directed to amend the official zoning map, which is a part of said Comprehensive Zoning Ordinance, Title 17 of the City Code, to conform to the provisions of this Ordinance.

Table of Contents:

Exhibit 1: Rezone Exhibit – 1 page

Exhibit 1: Rezone Exhibit



EXISTING ZONE R-1B-9PD

PROPOSED ZONE R-4-9PD

EXCELLINE TECHNOLOGY INC 55 CURTIS CT, STE C SACRAMENTO, CA 95823		JAKLIC'S APARTMENT REZONE EXHIBIT 2219 E STREET SACRAMENTO, CALIFORNIA		SHEET NO: 8 SPECIAL DWE: 01/10/05 PAGE: 1 OF 1
SCALE: 1/32" = 1'-0" DATE: 06/21/05	JOB NUMBER: - REVISIONS: -			