



REPORT TO PLANNING COMMISSION City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
April 14, 2011

To: Members of the Planning Commission

Subject: Muslim Mosque Association Annex (P10-093)

A request to construct a 9,600 square foot building annex to an existing mosque on an approximately 0.22-acre parcel in the Multi-Family (R-3A) zone in the Central City Design Review Area. The project requires Planning Commission approval for a Special Permit Major Modification to allow the construction of an ancillary building to an existing mosque, and Variances for non-standard setbacks and lot coverage.

- A. Environmental Determination: Exempt per CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures;
- B. Special Permit Major Modification to allow the construction of an ancillary building to an existing mosque in the Multi-Family (R-3A) zone;
- C. Variance to reduce front building setback in the Multi-Family (R-3A) zone;
- D. Variance to reduce rear building setback in the Multi-Family (R-3A) zone;
- E. Variance to allow a trash enclosure in the required rear setback area in the Multi-Family (R-3A) zone;
- F. Variance to allow lot coverage to exceed the maximum allowed in the Multi-Family (R-3A) zone.

Location/Council District:

2110 5th Street, Sacramento, CA 95818

Assessor's Parcel Number 009-0114-009-0000

Council District 4

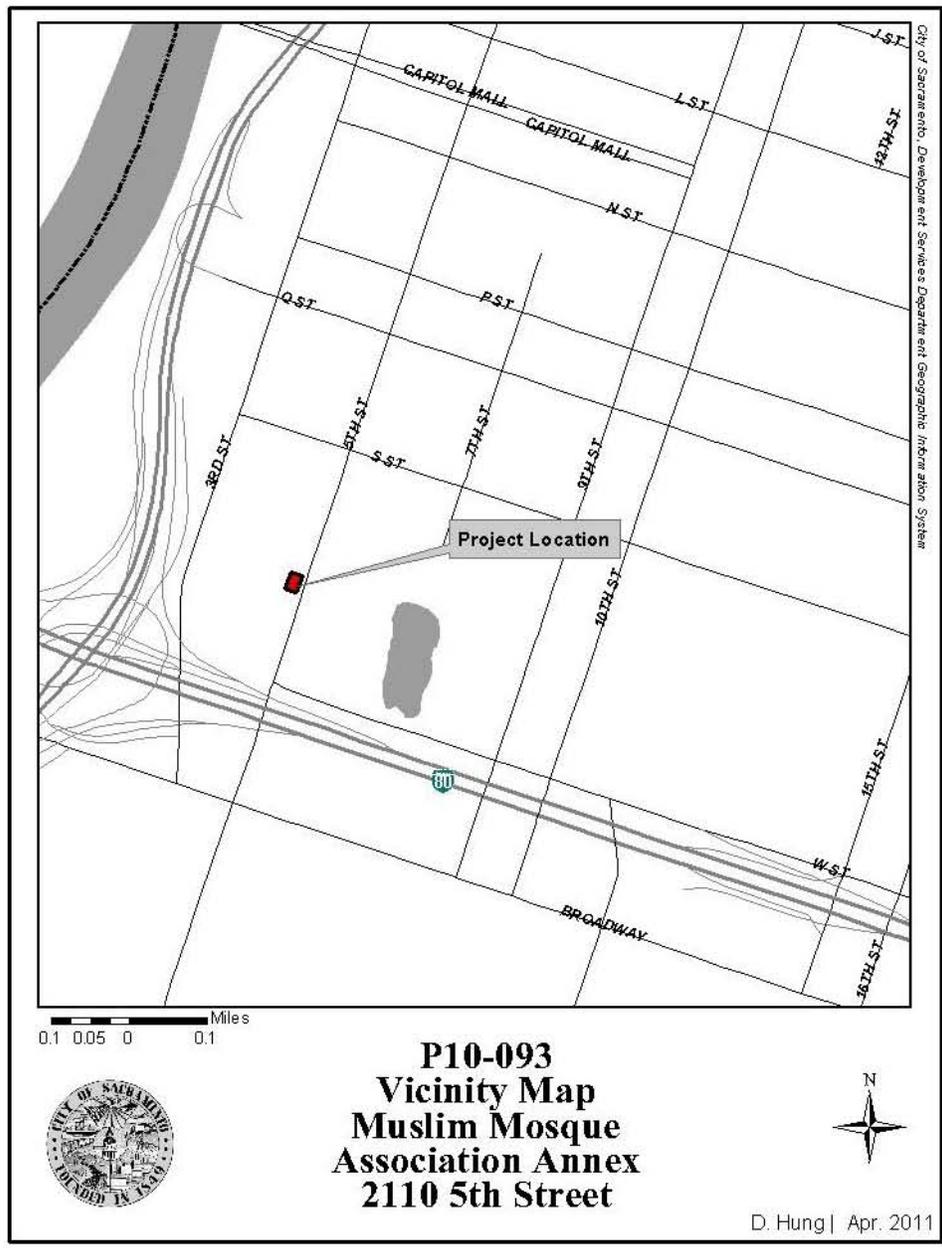
Recommendation: Staff recommends the Commission approve the request based on the findings and subject to the conditions listed in Attachment 1. **The project is controversial due to neighborhood concerns about building design and on-street parking impacts.** The Commission has final approval authority over items A-F above, and its decision is appealable to City Council.

Contact: David Hung, Associate Planner, (916) 808-5530; Stacia Cosgrove, Senior Planner, (916) 808-7110

Applicant: Maria Ogrydziak, Maria Ogrydziak Architecture, (530) 756-2346, 241 B Street, Davis, CA 95616

Owner: Tahir Muhammad, Muslim Mosque Association, (916) 548-6261, 411 V Street, Sacramento, CA 95818

Vicinity Map



Summary: The applicant is requesting to construct an approximately 9,600 square foot annex building to an existing mosque in the Multi-Family (R-3A) zone. The proposal requires a Special Permit Major Modification to allow the development of an ancillary building to a mosque, a Variance to reduce rear setback, a Variance to reduce setback at a trash enclosure and a Variance to allow lot coverage to exceed the maximum allowed. Staff sent out early notifications to neighbors within 500 feet of the property and received comments on how the project can negatively impact the availability of on-street parking and how the design and scale of the building may adversely impact adjacent buildings.

Table 1: Project Information
General Plan designation: Traditional Neighborhood Medium Density (Max. FRA 1.50)
Existing zoning of site: R-3A (Multi-family)
Existing use of site: Commercial (vacant retail building)
Property area: 0.22 acre

Background Information: A vacant commercial structure currently exists on the site, and the existing building has non-conforming front and rear setbacks. The project was originally submitted as a Zoning Administrator file to modify the existing structure for the proposed mosque annex use. However, due to the extensive modification required and the difficulty working with an existing structure, it was determined that the whole structure should be demolished and a new structure for the proposed use should be built. The new structure has to comply with development standards and the applicant has applied for variances in setbacks and lot coverage which requires Planning Commission approval. The annex is to be used in conjunction with the existing mosque at 411 V Street, to supplement the current activities of the congregation by providing space for social events before or after worship. The mosque has been at this location since 1947 and a Special Permit for an expansion to the facility was approved by the Planning Commission on August 11, 1988 (P88-286). No on-site parking was provided on the site. On March 17, 2011, the Design Director approved the Design Review of the proposed building with conditions.

Public/Neighborhood Outreach and Comments: The project was routed to various advisory groups including the Southside Park Neighborhood Association, the Newton Booth Neighborhood Association, the Richmond Grove Neighborhood Association and Capitol Area R Street Association. On August 11, 2010, the project architect, the President of the Mosque and a member of the Mosque Building Committee attended the monthly Southside Park Neighborhood meeting and presented the project to the group. An Early Notice was also sent to property owners within 500 feet radius of the project site on February 10, 2011.

During the processing of the project, staff received various inquiries on the proposal and the main issues appear to be the building design and the shortage of on-street parking in the neighborhood and the concern that the use will exacerbate the problem; written comments are attached to the staff report. As an ancillary structure to the existing

mosque, no additional parking is required per the Zoning Code. It is important to note that the annex building is not anticipated to cause an increase in membership at the mosque; rather it is intended to serve current members. This addition should not cause an impact to existing parking demand. The project provides four (4) on-site parking stalls for use by members of the mosque and thereby alleviates some of the on-street parking needs in the neighborhood.

The property owner at 2100 5th Street, to the north of the subject property, has the following concerns: 1) Negative impacts of a two-story high wall next to her property and whether it's conforming with code; 2) Noise level and waste produced during construction; 3) That the proposed structure may not be architecturally integrated with the historic neighborhood; 4) Timing of construction scheduling; and 5) How the wall height may impact satellite TV reception. In response to the above concerns, staff notes that:

1. There is a proposed six-foot tall masonry wall at the property line between the two properties, then there is a 11'-6" wide garden area until where the 24'-0" high north building wall is built; the maximum allowed wall height in this zone is 35 feet to the top plate; the project is not requesting variances for setbacks or wall height at the northern or interior side of the site.
2. Certain amount of noise and waste will be generated as a result of construction activity; the applicant is encouraged to keep the adjacent property owners posted of when construction activities will occur and be made available to answer questions regarding the construction activities.
3. This particular block is just outside the South Side Historic District but within the Central City Design Review District, and the proposed design was approved with conditions by the Design Director on March 17, 2011. Staff is confident that the design of the annex building will positively contribute to the overall area.
4. The applicant is encouraged to inform adjacent residents of the demolition and construction schedule and be made available to answer questions regarding the construction activities. A demolition permit is required for the wrecking of the existing structure that will need to comply with air quality requirements.
5. The satellite TV provider should be contacted concerning adjacent building height impacts to reception.

Environmental Considerations: The Community Development Department, Environmental Planning Services Division, has reviewed this project and determined that it is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15303, New Construction or Conversion of Small Structures. The project consists of the construction of a new, small facility not exceeding 10,000 square feet in an urbanized area on a site zoned for such use and not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

Policy Considerations: The 2030 General Plan Update was adopted by City Council on March 3, 2009. The 2030 General Plan's goals, policies, and implementation programs define a roadmap to achieving Sacramento's vision to be the most livable city in America. The 2030 General Plan Update designation of the subject site is Traditional

Neighborhood Medium Density which provides for higher-intensity medium-density housing and neighborhood-support uses such as religious facilities. The 2030 General Plan has identified goals and policies under the Land Use and Urban Design Element and the Housing Element. Some of the goals and policies supported by this project are:

1. *Land Use and Urban Design Element (Goal LU 4.1) Neighborhoods.* Promote the development and preservation of neighborhoods that provide a variety of housing types, densities, and designs and a mix of uses and services that address the diverse needs of Sacramento residents of all ages, socio-economic groups, and abilities.
2. *Land Use and Urban Design Element (Policy LU 4.1.2) Neighborhood Amenities.* The City shall encourage appropriately scaled community-supportive facilities and services within all neighborhoods to enhance neighborhood identity and provide convenient access within walking and biking distance of city residents.
3. *Land Use and Urban Design Element (Policy LU 4.1.4) Alley Access.* The City shall encourage the use of well-designed and safe alleys to access individual parcels in neighborhoods in order to reduce the number of curb cuts, driveways, garage doors, and associated pedestrian/automobile conflicts along street frontages.
4. *Central City Community Plan. Land Use and Urban Design (CC.LU 1.3) Interrelated Land Uses.* The City shall provide for organized development of the Central City whereby the many interrelated land use components of the area support and reinforce each other and the vitality of the community.

Staff believes the proposal is an appropriately scaled community-supportive facility that promotes well-designed and safe alleys and reinforces the vitality of the community. The proposed project meets various goals and policies of the 2030 General Plan related to Citywide Land Use and Urban Design and the development of Traditional Neighborhood Medium Density and the Central City Community Plan.

Project Design:

Land Use

Special Permit Major Modification

The applicant proposes to construct an approximately 9,600 square foot annex building to an existing mosque in the Multi-Family (R-3A) zone. The existing mosque is located at 411 V Street, which is situated across the alley a few parcels to the southwest of the subject site. The mosque has been at this location since 1947 and a Special Permit for an expansion to the facility was approved by the Planning Commission on August 11, 1988 (P88-286). Since the proposed annex serves as an ancillary building to the mosque, it requires the approval of a Special Permit Major Modification per Section 17.212.070 for the addition of a new structure. In evaluating special permit proposals of this type, the Commission is required to make the following findings:

- A. A special permit shall be granted upon sound principles of land use.

Staff finds that the proposed project is based upon sound principles of land use since the mosque is a community supportive use that can help strengthen and vitalize the neighborhood. The use is allowed within the R-3A zone.

- B. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance.

The proposed project will not be detrimental to the public health, safety or welfare and does not create a nuisance in that: 1) The proposed structure is sensitive to the scale and privacy of surrounding structures; 2) The project provides on-site parking spaces and open space to buffer adjacent properties; and 3) The structure is designed to complement and enhance the surrounding developments.

- C. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located.

The proposed project supports the General Plan land use policy for Traditional Neighborhood Medium Density in encouraging appropriately scaled community-supportive facilities and services within all neighborhoods.

As discussed above, staff believes that the proposed building will enhance and vitalize the neighborhood and meets objectives of the General Plan for a community-supportive facility. The proposed project will replace a building with non-conforming use in the R-3A zone. Hours of operation are proposed to be 9:00 a.m. to 9:00 p.m. daily.

Access, Circulation and Parking

The subject property is bounded by 5th Street to the east, a public alley to the south and residential structures to the west and north. The main building entry is located at the southeast corner of the site adjacent to the alley and a walkway is provided off the alley and at the 5th Street sidewalk. Secondary entries are shown on the east and north sides of the building. All parking spaces are accessed directly off the alley. A trash and recycling enclosure is shown on the southwest corner of the site adjacent to the alley. A garden area is shown on the north side of the property.

As an ancillary structure to the existing mosque, no additional parking is required. However, the project provides four (4) parking stalls that include one accessible parking stall. No bicycle parking facility is required since no vehicular parking is required; however, staff recommends that Class 3 facilities be provided on site to encourage this alternate mode of transportation.

Height, Bulk and Setbacks

The following table lists the requirements pertaining to height, bulk and setbacks in the R-3A zone and what the project is able to provide in these areas:

Table 2: Height and area standards

Standard	Required	Proposed	Deviation?
Height	35'	24'-0" (to top of parapet) 27'-10" (to top of roof screen)	No
Front setback	Average of two front setbacks of nearest buildings (approximately 15'-0")	2'-0"	Yes
Interior side setback	5'	11'-6"	No
Alley setback	5'	15'-0"	No
Rear setback	15'	0'	Yes
Trash enclosure setback	15'	0'	Yes
Lot coverage	60% max.	76%	Yes
Floor Area Ratio (FAR)	Maximum 1.50 (per General Plan)	1	No

As shown above, the proposal will create non-standard front building setback adjacent to the public right-of-way on 5th Street and non-standard rear building setback at the western property line. The proposed trash enclosure encroaches into the rear setback area and the project also exceeds the maximum allowable lot coverage in the R-3A zone. As a result, the project requires Variances on setbacks and lot coverage as stated above.

Variance – Setbacks and Lot Coverage

The project is requesting deviations for:

- 1) Building setback at front property line abutting the right-of-way at 5th Street; the structure provides two-foot setback which is less than the average of the setback of the two nearest buildings required for the R-3A zone. The commercial structure that is currently on the property (that will be demolished as a part of this project) has a non-conforming front setback as well.

- 2) Building setback at rear property line abutting residential development to the west; the structure is built at zero lot line and does not comply with the fifteen-foot standard rear yard setback area for the R-3A zone. The commercial structure that is currently on the property (that will be demolished as a part of this project) has a non-conforming rear setback as well.

3) Setback at trash enclosure abutting residential development to the west; the trash enclosure is proposed at zero lot line and is within the required 15-foot rear setback area. Per Section 17.72.040(D), no recycling or trash enclosure or receptacle shall be located in any required setback area.

4) Lot coverage requirement for the R-3A zone; the lot coverage exceeds the maximum 60% allowed in the zone.

The following findings must be made in order to grant a variance:

- A. A variance cannot be a special privilege extended to one individual property owner. The circumstances must be such that the same variance would be appropriate for any property owner facing similar circumstances;

Granting the variances does not constitute a special privilege extended to one individual property owner in that due to the wide-shallow nature of the lot and the need to create ample and usable space within, deviations to setbacks and lot coverage are needed.

- B. The consideration of “use variances” is specifically prohibited. These are variances which request approval to locate a use in a zone from which it is prohibited by ordinance;

Granting the variances does not constitute a use variance in that the proposed use may be allowed in the zone.

- C. A variance must not be injurious to public welfare, nor to property in the vicinity of the applicant;

Granting the variances will not be injurious to public welfare, nor to property in the vicinity of the applicant in that landscape and buffer areas are provided on the other sides of the property. The adjacency of other structures and uses has been taken into account when siting uses within the building itself and in the locating of windows and doors.

- D. A variance must be in harmony with the general purpose and intent of the zoning code. It must not adversely affect the general plan or specific plans of the city, or the open space zoning regulations.

The variances do not adversely affect the goals and policies found in the General Plan and specifically for the Traditional Neighborhood Medium Density designation.

Staff supports the variances to the setbacks and lot coverage due to the wide-shallow nature of the lot that restricts the depth from the front to the rear. The deviations allow the building to have ample interior space for use by the members of the mosque. The existing building, proposed to be demolished, has had non-conforming front and rear building setbacks. Staff supports the location of the trash enclosure in the rear setback due to site constraints and in light of the provision of parking spaces along the alley. Staff does not feel that the proposal conflicts with the goals and policies of the General

Plan and the Traditional Neighborhood Medium Density designation; the building does not exceed the maximum floor area ratio for the Traditional Neighborhood Medium Density designation. Due to the above findings, staff has no objections to the variances.

Building design, signage and landscaping

Building design: The project site is within the Central City Design Review District and requires the approval of the Design Director, who approved the proposal with conditions on March 17, 2011 (conditions of approval attached). During the Design Director hearing, there were neighbors who questioned whether the proposed structure is in context with the surrounding residential structures. The exterior building materials include concrete masonry, stucco, tile and perforated metal screen. Mill finished aluminum windows and doors are shown. The ground floor contains a high-ceiling multi-purpose room which can be divided into three sections; a snack kitchen, restrooms and office space are also shown. The second floor contains classrooms/offices and restrooms. An elevator is provided to serve the two floors. The second floor cantilevers over the ground floor on the south side adjacent to the alley. Trellising and balcony are shown on the south side of the second floor. The HVAC equipment on the roof is required to be screened from view at street level; parapet wall and metal screen are used as screening elements.

Landscaping: A preliminary landscape plan has been provided. A two-foot planter strip is shown at the building frontage facing 5th Street. A garden area with shade trees is shown on the northern end of the lot. Planter areas are shown on the south side of the parcel to provide shading for parking stalls. The project is required to meet the City's Parking Lot Shading Ordinance requiring 50 percent shading within 15 years.

Walls and Fencing: Per section 17.76.030 of the Zoning Ordinance, a minimum six foot high wall of masonry or similar materials shall be built on the property line which separates a non-residential use from a residential use. Since the properties to the west and north are residential, the project is proposing a six foot masonry wall or building wall along these property lines.

Signage: An attached individual letter sign is shown above the main entry area. Per the Sign Ordinance, a church located in a residential zone is allowed one identification sign, which may be attached or detached, not exceeding twenty-four (24) square feet in area for each street frontage. Any detached church identification sign shall be a monument type sign. The height of the monument sign shall not exceed six feet. The church identification sign may be placed in the landscaped setback area; however, it must be located farther than ten (10) feet from the public right-of-way. A sign permit is required.

Recommendation: Staff recommends the Commission approve the requested entitlements based on the findings and subject to the conditions listed in Attachment 1.

Respectfully submitted by: David Hung
DAVID HUNG
Associate Planner

Approved by: Stacia Cosgrove
STACIA COSGROVE
Senior Planner

Recommendation Approved:

Gregory Bitter
GREGORY BITTER, AICP
Principal Planner

Table of Contents:

Page 1	Report
Page 11	Attachment 1 – Proposed Findings of Fact and Conditions of Approval
Page 18	Exhibit 1A – Site Plan
Page 19	Exhibit 1B – Landscape Plan
Page 20	Exhibit 1C – First Floor Plan
Page 21	Exhibit 1D – Second Floor Plan
Page 22	Exhibit 1E – Fifth Street Elevation
Page 23	Exhibit 1F – East and West Elevations
Page 24	Exhibit 1G – North and South Elevations
Page 25	Exhibit 1H – 3D Rendering
Page 26	Exhibit 1I – Building Section
Page 27	Exhibit 1J – Streetscape on Fifth Street
Page 28	Attachment 2 – Design Director’s Conditions of Approval
Page 29	Attachment 3 – Public Comments
Page 32	Attachment 4 – Land Use & Zoning Map

Attachment 1
Proposed Findings of Fact and Conditions of Approval
Muslim Mosque Association Annex (P10-093)
2110 5th Street, Sacramento, CA 95818

Findings of Fact

A. Environmental Determination: Exemption

Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the Planning Commission finds that the Project is exempt from review under Section **15303, New Construction or Conversion of Small Structures** of the California Environmental Quality Act Guidelines as follows:

The project consists of the construction of a new, small facility not exceeding 10,000 square feet in an urbanized area on a site zoned for such use and not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

B. The Special Permit Major Modification to allow the construction of an ancillary building to an existing mosque in the Multi-Family (R-3A) zone is approved subject to the following Findings of Fact and Conditions of Approval:

1. Staff finds that the proposed project is based upon sound principles of land use since the community supportive use that can help strengthen and vitalize the neighborhood.
2. The proposed project will not be detrimental to the public health, safety or welfare and does not create a nuisance in that: 1) The proposed structure is sensitive to the scale and privacy of surrounding structures; 2) The project provides on-site parking spaces and open space to buffer adjacent properties; and 3) The structure is articulately designed to complement and enhance the surrounding developments.
3. The proposed project supports the General Plan land use policy for Traditional Neighborhood Medium Density in encouraging appropriately scaled community-supportive facilities and services within all neighborhoods.

C/D/E/F. The Variances to reduce front building setback, to reduce rear building setback, to allow a trash enclosure in the rear setback area and to allow lot coverage to exceed maximum allowed in the R-3A zone are **approved** subject to the following Findings of Fact and Conditions of Approval:

1. Granting the variances does not constitute a special privilege extended to one individual property owner in that due to the wide-shallow nature of the lot and the need to create ample and usable space within, deviations to setbacks and lot coverage are needed.
2. Granting the variances does not constitute a use variance in that the proposed use may be allowed in the zone.
3. Granting the variances will not be injurious to public welfare, nor to property in the vicinity of the applicant in that landscape and buffer areas are provided on the other sides of the property.
4. The variances do not adversely affect the goals and policies found in the General Plan and specifically for the Traditional Neighborhood Medium Density designation.

Conditions of Approval

- B.** The Special Permit Major Modification to allow the construction of an ancillary building to an existing mosque in the Multi-Family (R-3A) zone is hereby approved subject to the following conditions:

Planning

- B1. The applicant shall obtain all necessary building permits, including wrecking permit, prior to commencement of construction.
- B2. The project shall be constructed in substantial compliance with the attached exhibits.
- B3. The applicant shall comply with conditions of approval from the Design Director.
- B4. Hours of operation shall be 9:00 a.m. to 9:00 p.m. daily. Any changes to the hours of operation shall be subject to review by the Planning Division.
- B5. The church shall not operate a private school on the premises without the approval of a Planning Commission Special Permit for that use.
- B6. A six foot high masonry wall shall be constructed along the western and northern property line except where building wall is constructed.
- B7. All parking areas shall meet full landscaping requirements as required by City Code. Landscaping shall meet the 50% shading requirement.

- B8. In order to provide adequate surveillance opportunities, all plants and shrubs are to be maintained at maximum height of thirty inches (30"); the lowest tree branch height shall be at least six feet (6').
- B9. Any onsite signs shall comply with the Sign Ordinance and subject to review and approval of a sign permit.
- B10. No amplified sound shall be broadcasted outside the annex building.

Department of Transportation

- B11. The applicant shall repair/reconstruct any deteriorated portions of the existing curb, gutter and sidewalk fronting the property along 5th Street per City standards and to the satisfaction of the Department of Transportation.
- B12. All new and existing driveways shall be designed and constructed to City Standards and must be ADA compliant to the satisfaction of the Department of Transportation.
- B13. The site plan shall conform to A.D.A. requirements in all respects.
- B14. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance).
- B15. The design of walls fences and signage 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 Department of Transportation.

Utilities Department

- B16. Per City Code 13.04.070, except for separate irrigation service connections and fire service connections, each lot or parcel shall only have one (1) metered domestic water service. Requests for multiple domestic water service connections to a single commercial lot or parcel, consistent with the DOU "Commercial Tap Policy", may be approved on a case-by-case basis by the DOU. Contact the DOU at (916) 808-1400 for a copy of the tap policy. Excess services shall be abandoned to the satisfaction of the DOU.
- B17. Per City Code, the point of service for water, sewer and storm drain service is located at the edge of alley, back of curb for separated sidewalks, and back of sidewalk for attached sidewalks. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.

- B18. The building pad elevation shall be approved by the DOU and shall be a minimum of 1.5 feet above the local controlling overland release elevation or a minimum of 1.2 feet above the highest adjoining back of sidewalk elevation, whichever is higher, or as approved by the Department of Utilities.
- B19. This project is served by the Combined Sewer System (CSS). Therefore, the developer/property owner will be required to pay the Combined Sewer System Development Fee prior to the issuance of building permit. The Combined Sewer System fee at time of building permit is estimated to be \$339.81 plus any increases to the fee due to inflation. The fee will be used for improvements to the CSS.
- B20. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require 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.
- B21. There is an existing three foot wide private sewer and water easement running along the west property line of this project, serving the neighboring property located at 2100 5th Street. Locate and properly plot on the building permit plans, any water and/or sewer services serving 2100 5th St. that may run through this property, and work with the neighbor and/or building department as needed to solve any potential issues.

Fire Department

- B22. Provide the required fire hydrants in accordance with CFC 508 and Appendix C, Section C105.
- B23. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.
- B24. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 508.4
- B25. Provide appropriate Knox access for site
- B26. An automatic fire sprinkler system shall be installed in any portion of a building when the floor area of the building exceeds 3,599 square feet.
- B27. Locate and identify Fire Department Connections (FDCs) on address side of building no further than 50 feet and no closer than 15 feet from a fire hydrant.

- B28. An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. Fire control rooms shall be located within the building at a location approved by the Chief, and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room.
CFC 903.8

Solid Waste

- B29. Project must meet the requirements outlined in Sacramento City Code Chapter 17.72 (unless otherwise approved on this application).
- B30. Solid waste trucks must be able to safely move about the property, with minimum backing, and be able to empty the bins and cans safely. This appears to be the case with the current site plans.
- B31. Properties must accommodate trucks, as well as cans or bins that are roughly the dimensions outlined in the attached file, "Truck, Bin, Can Dimensions". The current 8x8 trash enclosure in the southwest corner of the building appears to meet this.
- B32. All commercial properties (i.e., all businesses) must have solid waste services, but are not required to use City of Sacramento Solid Waste Services.
- B33. Solid waste driver must not have to move front-loader bins more than 15 ft. for collection. The current 8x8 trash enclosure in the southwest corner of the building appears to meet this.
- B34. The trash enclosures for each commercial property must have enough weekly capacity of both trash and recycling to meet the requirements are outlined in 17.72.030, which for this project is 1 cubic yard of trash and 1 cubic yard of recycling. The current 8x8 trash enclosure in the southwest corner of the building appears to meet this.
- B35. Statement of Recycling must be completed, including a description of trash and recycling operations after the building is built and occupied. There is a note about the trash enclosure, but no other information was provided.

Sacramento Area Sewer District

- B36. Developing this property will require the payment of SRCSD sewer impact fees. Impact fees shall be paid prior to issuance of Building Permits. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.

Advisory Notes – Planning Division

1. Applicant should provide on-site Class 3 bicycle parking facilities.

2. Walls and fencing shall not extend into approve front yard setback area unless it complies with residential requirements for a wall per Section 17.76.020(A). If a wall or fence is placed adjacent to a paved area or parking lot adjoining a public street or public right-of-way, a minimum four-foot wide, excluding concrete curbs, landscaped and irrigated planting strip composed of climbing vines, shrubs, or trees is required along the base of that portion of the wall or fence that fronts the public street or public right-of-way. If at least seventy-five (75) percent of the wall or fence is transparent, the planting strip may be located inside the wall or fence.
3. Applicant should inform adjacent residents of the demolition and construction schedule and be made available to answer questions regarding the construction activities.

Advisory Notes – Utilities Department

4. The proposed project is located in the Flood zone designated as a shaded **X** zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs), dated December 8th, 2008. Within the shaded X zone, there are no requirements to elevate or flood proof.
5. **Many projects within the City of Sacramento require on-site booster pumps for fire suppression and domestic water systems.** Prior to design of the subject project, the DOU suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the on-site fire suppression.

Advisory Notes – Parks and Recreation:

6. As per City Code, the applicant will be responsible to meet his/her obligations regarding:
 - a) Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$1,632. This is based on 9,600 square feet at the Retail/Commercial Services/Other Infill Rate of \$0.17 per square foot. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.

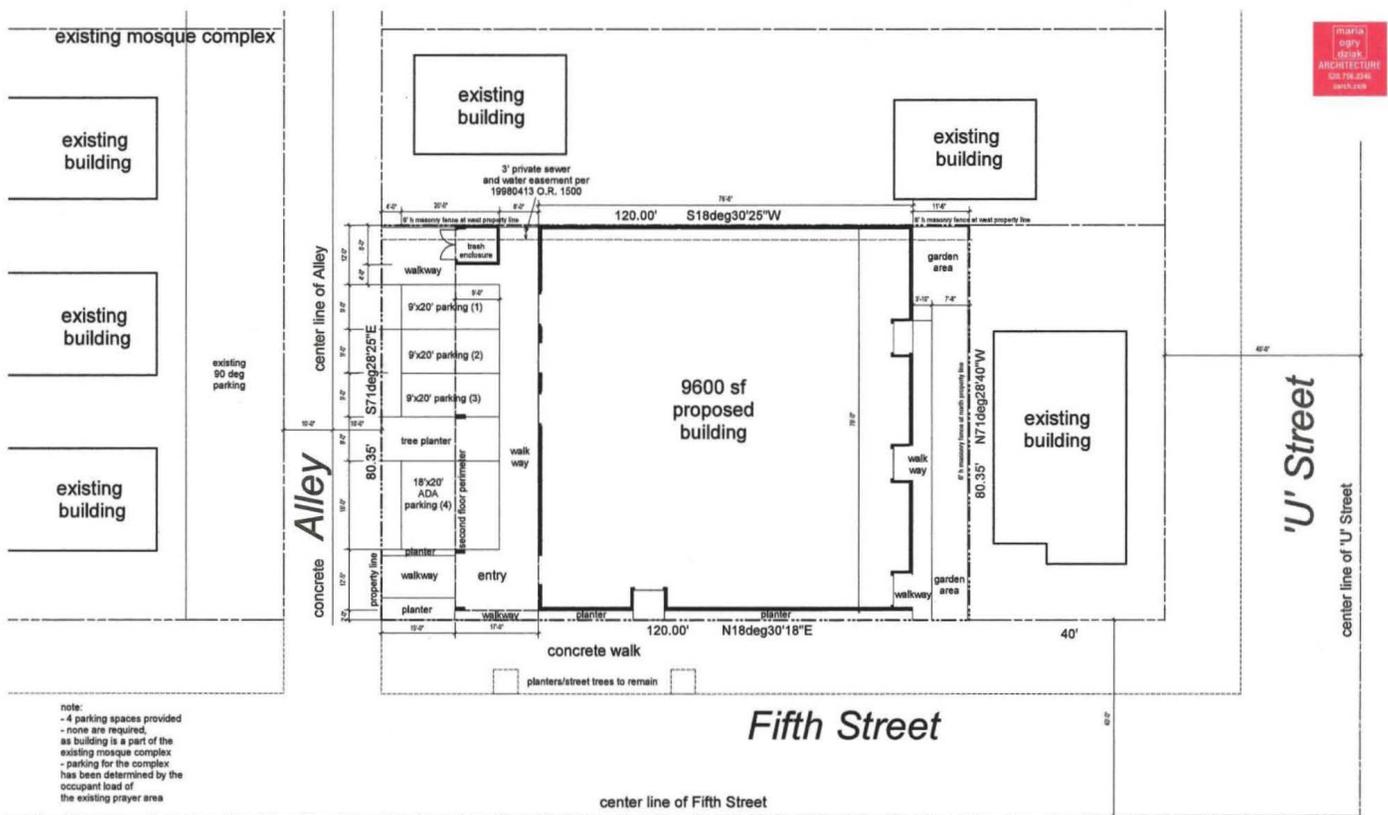
C/D/E/F. The Variances to reduce front building setback, to reduce rear building setback, to allow a trash enclosure in the rear setback area and to allow lot coverage to exceed maximum allowed in the R-3A zone is hereby approved subject to the following conditions:

C/D/E/F1. The setbacks are approved as such:

Building front setback	2'-0" (minimum)
Building rear setback	Zero Lot Line
Trash enclosure setback at rear property line	Zero Lot Line

C/D/E/F2. The maximum lot coverage is 76%.

C/D/E/F3. Any deviation from the approved setbacks or lot coverage shall be subject to further review and approval by the City of Sacramento's Planning Division.



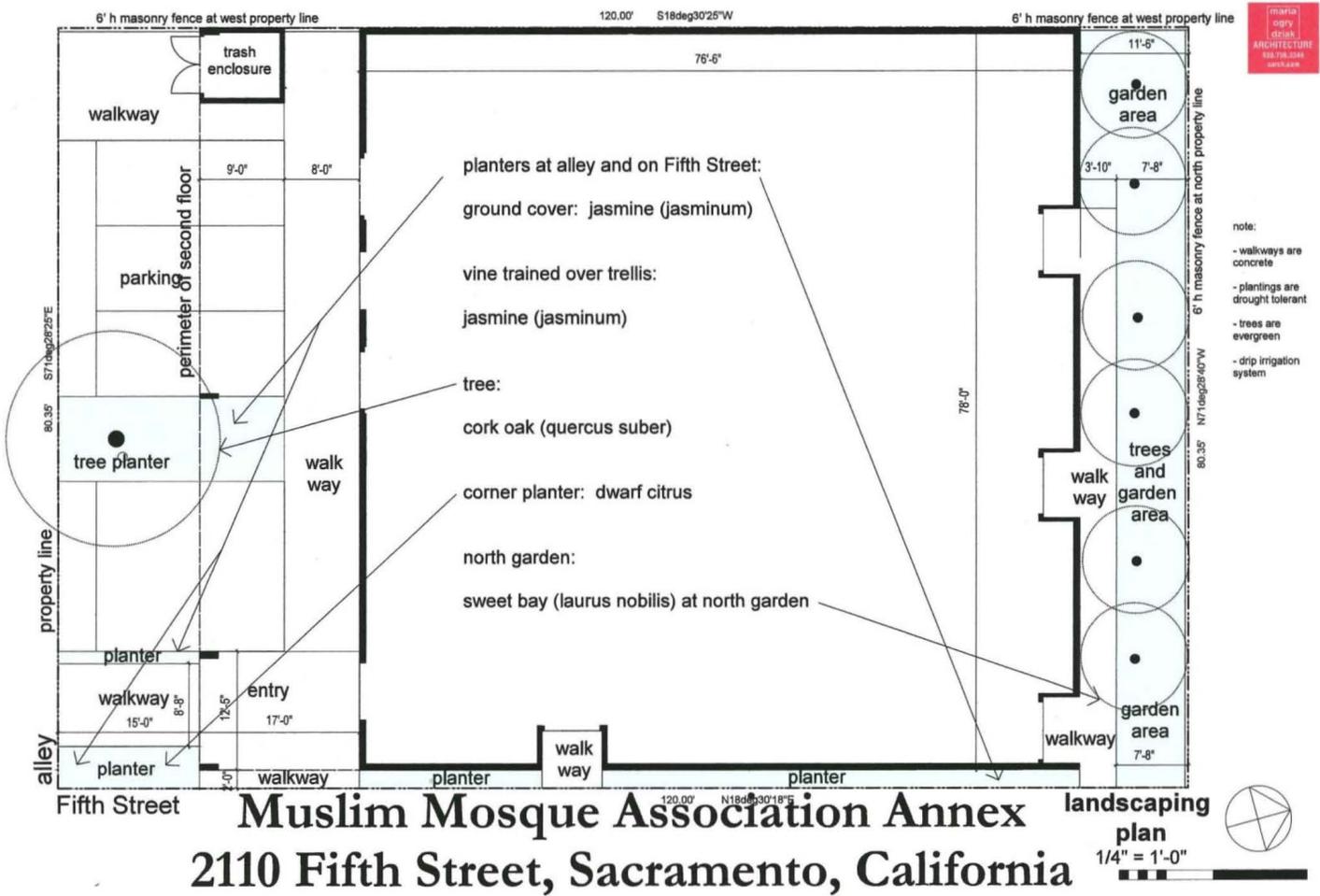
note:
 - 4 parking spaces provided
 - none are required,
 as building is a part of the
 existing mosque complex
 - parking for the complex
 has been determined by the
 occupant load of
 the existing prayer area

Muslim Mosque Association Annex 2110 Fifth Street, Sacramento, California

site area = 9600 sf
site plan
 1/8" = 1'-0"



Exhibit 1B – Landscape Plan



Muslim Mosque Association Annex
2110 Fifth Street, Sacramento, California

Exhibit 1D – Second Floor Plan

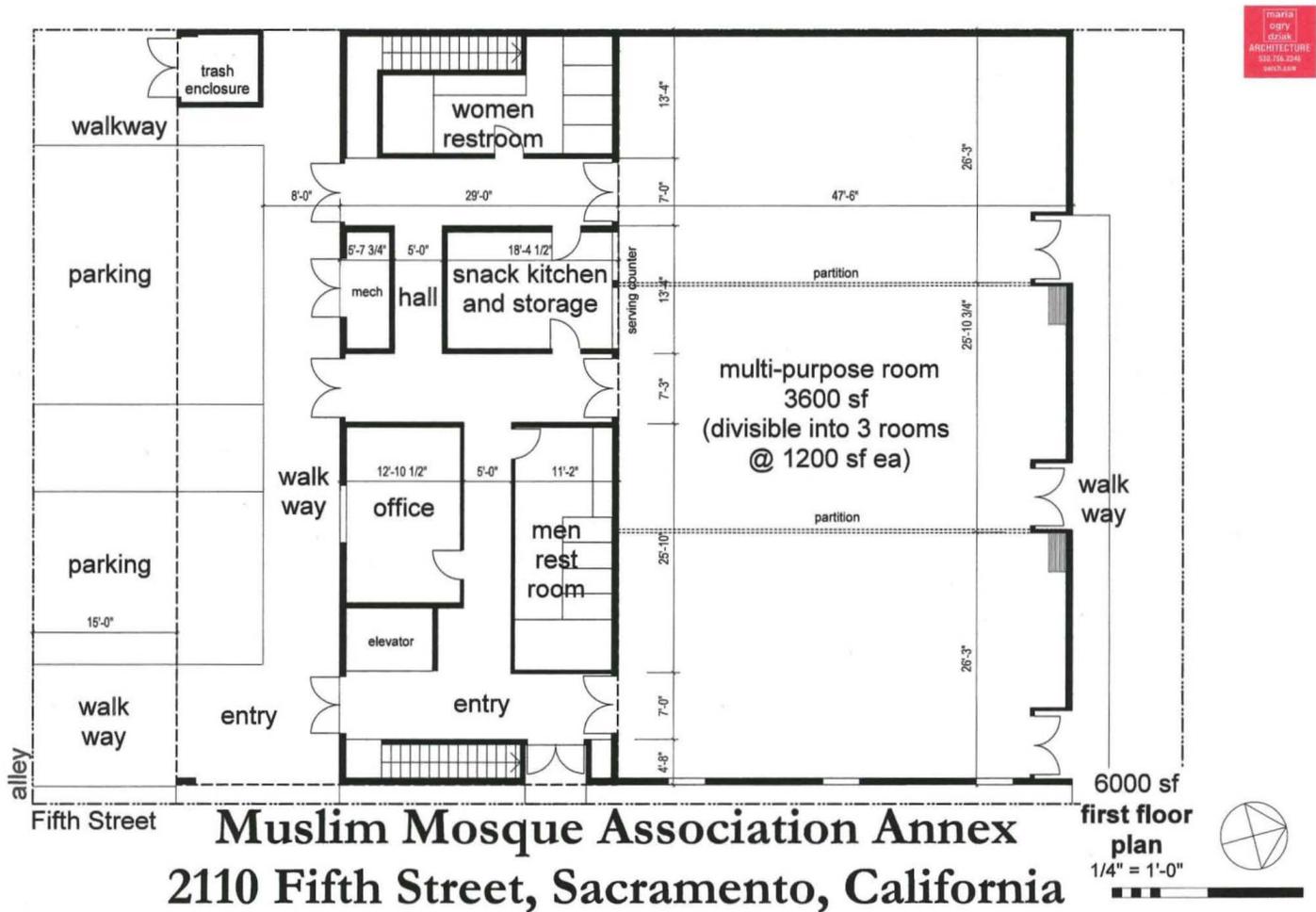
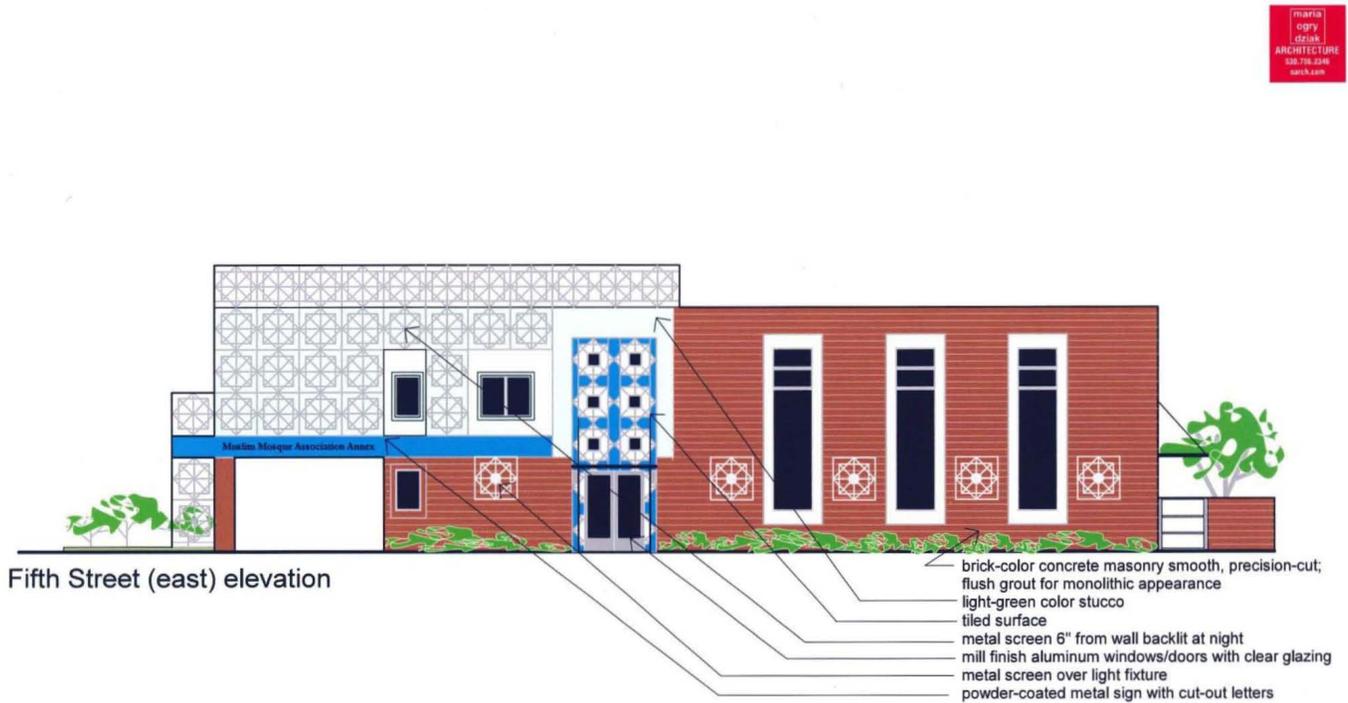


Exhibit 1E – Fifth Street Elevation



Muslim Mosque Association Annex
2110 Fifth Street, Sacramento, California



Exhibit 1F – East and West Elevations



**Muslim Mosque Association Annex
2110 Fifth Street, Sacramento, California**

Exhibit 1G – North and South Elevations



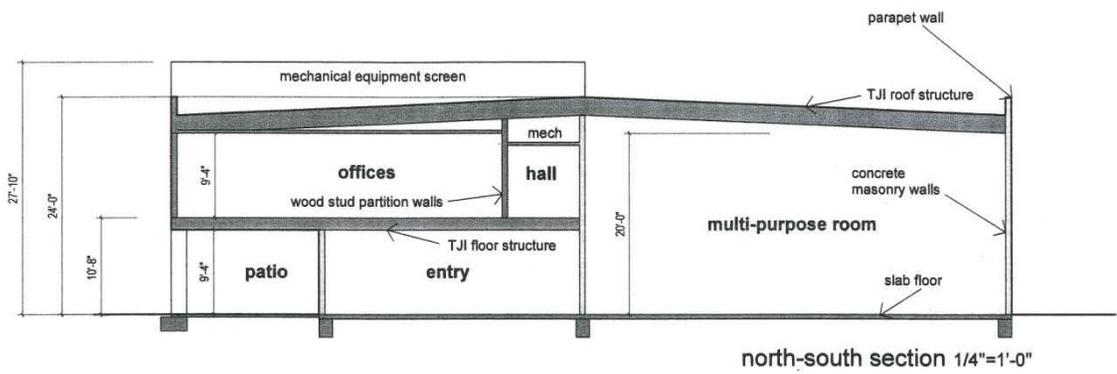
Muslim Mosque Association Annex
2110 Fifth Street, Sacramento, California



Exhibit 1H – 3D Rendering



Exhibit 11 – Building Section

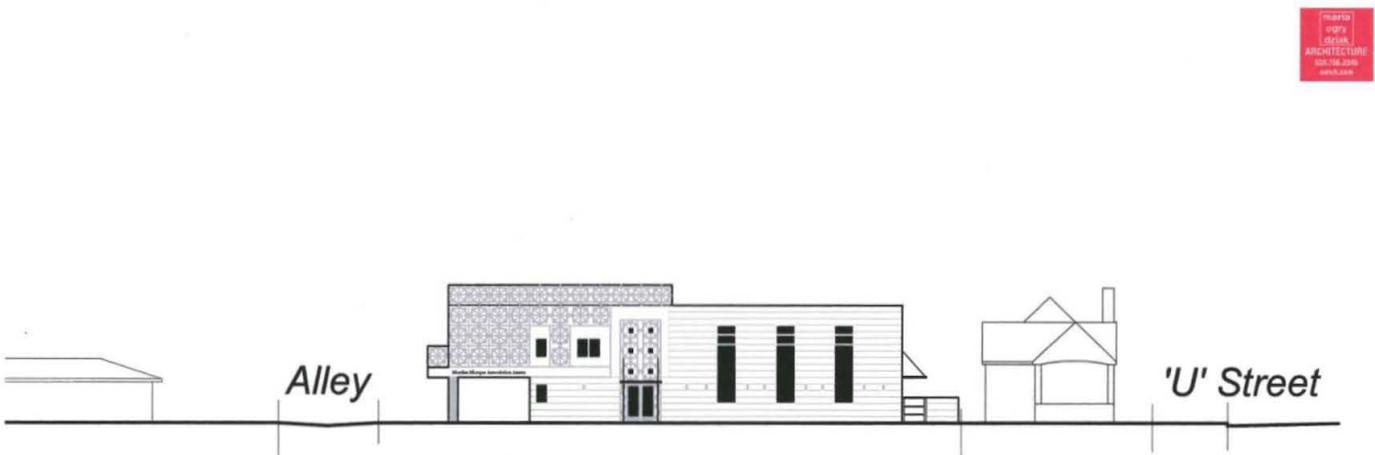


Muslim Mosque Association Annex 2110 Fifth Street, Sacramento, California

section
1/4" = 1'-0"



Exhibit 1J – Streetscape on Fifth Street



Muslim Mosque Association Annex
2110 Fifth Street, Sacramento, California

**Fifth Street
streetscape**
1/8" = 1'-0"



Attachment 2: Design Director Conditions of Approval

Conditions Of Approval

1. The building shall be sited as indicated on the exhibits.
2. The building elevations shall have a consistency of detail and quality as indicated on the exhibits.
3. The project shall have building setbacks as indicated on the exhibits.
4. The project shall include on-site parking, walkways and planters as indicated on the exhibits.
5. All exterior wall materials, including concrete masonry, stucco and tiles, shall be installed as indicated on the exhibits. **Trash enclosure material shall complement annex. (Amended by Design Director)**
6. All perforated metal screens shall be installed as shown on the exhibits **with minimum 6" gap from screen to wall. Final screen design shall be approved by Design Review staff prior to Building Permit submittal. (Amended by the Design Director)**
7. Mill finish windows and doors shall be installed as shown on the exhibits. Final window and door specifications shall be reviewed and approved by Design Review staff prior to Building Permit submittal.
8. The project shall include masonry wall and landscaping elements as indicated on the exhibits, and final landscape plans shall be reviewed and approved by Design Review staff prior to Building Permit submittal. **All existing and any new street trees shall be shown on the final landscape plans. (Amended by the Design Director)**
9. The Applicant shall submit final building and site lighting locations and cut sheets to be reviewed and approved by Design Review staff prior to Building Permit submittal.
10. Location of HVAC equipment shall be reviewed by Design Review staff prior to Building Permit submittal. Any roof mounted HVAC equipment shall be screened from street view. **Applicant shall conduct a site line study to determine if any roof mounted HVAC equipment will be visible from the street. For any equipment that will be visible from the street, the method of screening shall be reviewed and approved by Design Review staff prior to Building Permit submittal. (Amended by the Design Director)**
11. All final material and color selections shall be submitted to Design Review staff for approval prior to Building Permit submittal.
12. Any new signage shall be subject to review and approval by Design Review.
13. All necessary planning entitlements shall have been approved by the Planning Commission prior to final Design Review sign-off of plans.
14. The approval shall be deemed automatically revoked unless required permits have been issued and construction begun within three years of the date of the approval.
15. The Record of Decision shall be scanned and inserted into the final set as a general sheet to be submitted for building permit.
16. A signed copy of the Affidavit of Zoning Code Development Standards shall be scanned and inserted into the final set as a general sheet to be submitted for building permit.

Attachment 3: Public Comments
Comments from Jeani Kim-Slesicki and Patrick Slesicki

dear mr. david hung,

thank you for your timely response to my husband patrick slesicki's inquiry regarding the property improvements proposed for 2110 5th Street. as you've requested, we're listing our concerns over the proposed construction in this email.

1) a 25 foot wall dividing our properties (2100 5th Street and 2110 5th Street) would block the natural sunlight from the south side of our home:

a) we'd lose considerable natural heating during the winter months and our energy bills would consequently increase significantly.

b) our garden would be adversely affected by significantly diminished sunlight or constant shade resulting from a wall that's higher than our house roof.

c) the wall would diminish the landscaping aesthetic and adversely affect our property value.

2) noise levels of and waste produced from construction *** we have a 1 year old, 5 year old, and 10 year old.

a) will the construction site be safely fenced away from our property so our children are safe to play outside in the yard? they won't be exposed to physical or chemical dangers?

b) will construction waste and particulate matter force us to inhale toxic substances? will our children breathe easily and without worry over future health issues when the construction dust settles? how about during the hot summer months when we have to open our windows to keep cool?

3) is the dividing wall within code height for their zoning?

4) could the building design better reflect the architectural integrity of our historic neighborhood.

5) what will be the construction schedule, hours and off-hours? how will the construction be handled? we have plans to list our home in june and are concerned that the construction will impede a potential sale.

6) satellite connection: will the 25 foot wall prevent Dish Network reception? our roof is only 20 feet high...

although we'd like to see a building design within the neighborhood's "craftsman" aesthetic -- it is an historic district with a preservation society, after all -- we have no objections to a wall of reasonable and legal height being constructed and would like to work with the mosque as we have seen the proposed building design and believe it to be better than the dilapidated, barb wire fenced property that already exists at 2110 5th Street. however, we do have issue with a 25 foot high concrete block wall.

also, as i am getting information from people who attended the application hearing meeting on 3/17 and finding out details that were not previously known at the meeting, i may have further issues to discuss.

lastly, should the development proposal request be granted, we humbly request that a mutually acceptable wall first be built to shield construction activity from our property.

i am ccing this email to my husband patrick, to paul trudeau the southside park neighborhood association's lead man, and our neighbor greg mccrea whose property abuts the west side of 2110 5th Street.

email is our preferred method of communication (did i mention that i have 3 children :-)
but you may call me at 916-214-2941 if need be. thank you again for considering our concerns.

sincerely,
jeani kim-slesicki and patrick slesicki
2100 5th Street

Comments from Andre Carrier

Dear David,

As I mentioned in our phone conversation, I believe that the Mosque in the Southside Park neighborhood has grown too big for the neighborhood. There are already numerous problems that my tenants at 400 & 402 V St have reported to me: blocked driveways, double parking and even rudeness from congregation members on occasion. The other churches in the area do not pose the same set of problems. I believe that it is just because the mosque congregation has simply gotten too big. Even if they were to add 20 parking spaces, this problem would not be resolved. I understand that the mosque has been in the neighborhood for decades, but like many churches, they have simply grown too large. Their congregation is comparable in size to the large evangelical churches that you find in Placer county - and those churches are located off freeway exits - not in residential neighborhoods! I believe that the city would make a grave error in allowing the expansion. The city is trying to attract residents to the core area of downtown. Allowing the mosque expansion would do the opposite - it will drive away many quality residents.

Thanks for your consideration in this matter.

Andre Carrier

Attachment 4: Land Use & Zoning Map

