



REPORT TO PLANNING COMMISSION City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
June 9, 2011

To: Members of the Planning Commission

Subject: Masjid as-Sabur Religious Facility (P11-001): A request to establish a 3,435 square foot religious facility on approximately 0.643 acres in the Residential Mixed Use (RMX) zone.

A. Environmental Determination: Categorical Exemption (CEQA Guidelines Section 15303, New Construction); and

B. Special Permit to establish a 3,435 square foot religious facility on approximately 0.643 acres in the Residential Mixed Use (RMX) zone.

Location/Council District:

4920 15th Ave, Sacramento, CA 95820

Assessor's Parcel Number: 021-0023-003, 004

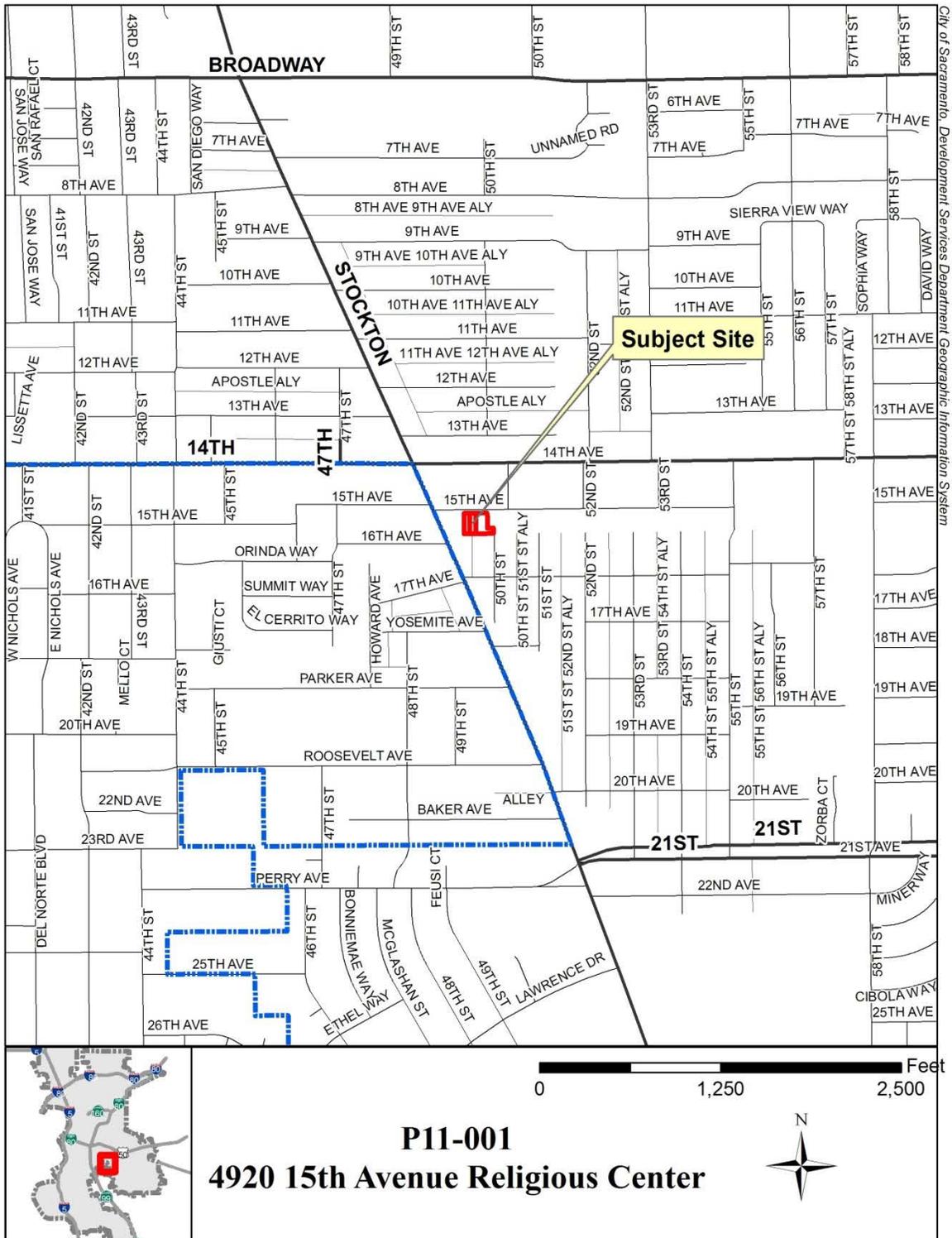
Council District 6

Recommendation: Staff recommends that the Commission approve the request based on the findings and subject to the conditions listed in Attachment 1. The Commission has final approval authority over items A and B above, and its decision may be appealed to City Council. **At the time of this report, staff is not aware of any opposition to this request and has deemed this project non-controversial.**

Contact: Antonio Ablog, Associate Planner, 808-7702; Lindsey Alagozian, Senior Planner, 808-2659

Applicant: Evelyn Frazier, Frazier Construction, 18 Business Park Way, Sacramento, CA 95828

Owner: Aliane Hasan, Masjid As-Sabur Sacramento, 4920 15th Ave, Sacramento, CA 95820



Summary: The applicant is requesting to establish a 3,435 square foot religious facility on approximately 0.643 partially developed acres in the Residential Mixed Use (RMX) zone. This facility will provide an open assembly area for religious services, a kitchen and dining area, and an office area.

Project Information
General Plan designation: Urban Corridor Low FAR: 0.3 – 3.0
Existing zoning of site: Residential Mixed Use (RMX)
Existing use of site: Partially Developed, Existing Facility for Masjid As-Sabur Sacramento
Property area: 0.643± acres (0.491± acres net)

Background Information:

The subject site consists of 0.643 acres on the south side of 15th Avenue, just east of Stockton Boulevard. There is a commercial property to the west with single family homes to the north and south of the subject property. There is a single family home directly adjacent to the eastern property boundary and the Wesley United Methodist Church is located further to the east.

The subject site is partially paved with a 1,710 square foot structure on the site. Approximately 10 years ago the existing structure was converted from a residence to a small religious facility. There is no history of any entitlements for the current religious facility. The existing structure will be returned to residential use once the new building is constructed. There were two other accessory structures on the rear of the site which have recently been removed.

Public/Neighborhood Outreach and Comments: City staff sent project notifications to the Tahoe Park Neighborhood Association, the Oak Park Redevelopment Advisory Committee, the Colonial Park Arts and Recreation Effort, and to all property owners within 500 feet of the subject site. In addition, the site was posted with a public hearing notice. As of the date of this report, no public comments have been received.

Environmental Considerations: The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that this 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 and location of a new facility not exceeding 10,000 square feet in floor area on sites zoned for such use if 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:

2030 General Plan

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 Urban Corridor Low, which provides for, auto-oriented, moderate-density commercial and residential uses including compatible public, quasi public and special uses. As a compatible public use, the proposed Masjid As-Sabur Religious Facility would meet the Goal LU 8.1, which states:

- **Public/Quasi-Public.** Provide for governmental, utility, institutional, educational, cultural, religious, and social facilities and services that are located and designed to complement Sacramento's neighborhoods, centers, and corridors and to minimize incompatibility with neighborhoods and other sensitive uses.

Furthermore, the proposed project would promote the following Public/Quasi-Public policies:

- **Public Places.** The City shall create vibrant public places in Sacramento's neighborhoods, centers, and corridors that serve as gathering places. (Policy LU 8.1.1)
- **Adequate Community Supporting Uses.** The City shall seek to ensure that all manner of public and private community-supportive facilities and services are located throughout the city to provide places that serve varied needs of the community, provide for community meeting places, and provide community and neighborhood landmark buildings and places. (Policy LU 8.1.2)

The General Plan Floor Area Ratio (FAR) for the Urban Corridor Low designation ranges from 0.3 to 3.0. The total project square footage, including the existing building, is 5,245 square feet. With the 0.491± net acre site, the FAR for this project equals 0.25. Though the FAR is below the minimum, the General Plan allows infill projects that expand existing development to fall below the minimum FAR standards provided the existing structure is not demolished. (Policy LU 1.1.6)

The proposed project meets the 2030 General Plan goals and policies related to the Urban Corridor Low land use designation in that the proposed project is a religious facility designed to minimize its impact on the surrounding community.

Project Design:

Land Use

The applicant proposes to construct a 3,435 square foot religious facility, consisting of an assembly area (Masala), offices, and a kitchen and dining area, in the Residential Mixed Use (RMX) zone. This use requires the approval of a Special Permit.

The Masjid As-Sabur facility will provide an assembly area for services and an area for smaller meetings and classes. The facility is proposed to be open daily from 5:00 a.m. to 10:00 p.m. The main prayer services will be on Friday afternoon and will not conflict with service hours for other nearby religious facilities which conduct services on Sundays. Other than the main service on Friday, the facility will be used for smaller group meetings and classes on both weekdays and weekends. The proposed facility will have an on-site kitchen and dining area, but these facilities will be used for private functions only and will not be utilized for any meal service type uses. The applicant has agreed to a condition requiring a "Good Neighbor Policy" that will provide the community with contact information for management of the facility.

Access, Circulation and Parking:

Vehicle Parking: The Zoning Ordinance specifies that parking for religious facilities be provided at a ratio of 1 space for every four occupants within the main assembly room. The main assembly area (Masala) is proposed to be 756 square feet. Based on the Building Code regulations for assembly areas it has been determined that the maximum occupancy of this room will be 108. All of the required 27 parking spaces will be provided on-site. The main assembly area has been designed such that a partition can be moved for events needing more space than the typical prayer services. Though the room can be expanded, the occupancy will still be restricted to 108 persons as the occupancy is limited by the amount of parking available.

Access: The project has a single ingress/egress driveway along the south side of 15th Avenue. Development Engineering has reviewed the site plan and has no objections to site access.

Pedestrian Circulation: Pedestrian access is provided to the site via sidewalks at the northern border the parcel along 15th Avenue. A proposed walkway will provide pedestrian access at the front of the building. In addition, a new sidewalk will be constructed at the rear of the site, adjacent to the parking lot.

Setbacks, height and bulk:

As shown in the table below, the proposed building meets all of the setback, height, and bulk development standards for development within the Residential Mixed-Use (RMX) Zone.

The proposed building is situated centrally on the project site with parking to the rear. The layout of the site allows sufficient maneuvering depth for vehicles entering and exiting the site and easily accessible parking.

Standard	Required	Proposed	Deviation
Height	35'	10' to plate line	no
Front setback	12'-6"	16'-11"	no
Side setbacks	5'	10'	no
Rear setback	15'	74'	no
Lot coverage	70% or less	20%	no

Building design

The proposed new building will be single-story with a stucco exterior, stone wainscoting and large picture windows on the front elevation. The original elevation submitted had little visual interest. Based on staff recommendation, the applicant enhanced the front entry with a taller, arched entry structure. The applicant also made changes to the parapet wall introducing height variations and tile accent details. Though portions of the parapet wall have been raised, staff believes that the proposed elevations are compatible with surrounding uses both in scale, and architectural style.

As required by Zoning Ordinance Section 17.76.030, a six-foot high solid masonry wall is required along the eastern and southern property lines where the community center abuts residentially zoned parcels.

Special Permit

As required by Zoning Ordinance Section 17.24.030, the proposed use requires a Special Permit to establish a Religious Facility in the Residential Mixed-Use (RMX) zone. In considering the Special Permit, the following findings are observed:

A. Sound Principles of Land Use. A Special Permit shall be granted upon sound principles of land use.

Staff finds that approval of the Special Permit is appropriate as the size and operations of the facility are compatible with the commercial use to the west, single family homes to the north and south, and church to the east. In addition, the site is surrounded by existing development and existing infrastructure. Furthermore, conditions are included to address hours of operation, site maintenance, and a "Good Neighbor Policy".

B. Not Injurious. 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 approval of the Special Permit Masjid As-Sabur religious facility will not be detrimental to the public welfare and will not result in the creation of a public nuisance in that the use will not create a significant traffic impact and will provide all required parking on-site. A six-foot high solid masonry wall will be constructed to buffer the use from the any adjacent residences and the project is in proportionate scale and size for the site. Additionally, the project plans have been reviewed by all applicable internal and external departments, all of which have found that the plans comply with development policies and standards.

C. Must Relate to a Plan. 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 use provides a public/quasi-public use and is consistent with the General Plan designation of Urban Corridor Low for the subject site.

Conclusion

Staff believes that granting the Special Permit is appropriate as the size and operations of the proposed religious facility are compatible with the commercial use to the west, single family homes to the north and south, and church to the east. In addition, the site is surrounded by existing development and existing infrastructure. Furthermore, the applicant has accepted project conditions that address hours of operation, site maintenance, and community outreach.

Respectfully submitted by:



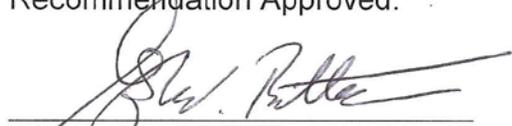
Antonio Ablog
Associate Planner

Approved by:



LINDSEY ALAGOZIAN
Senior Planner

Recommendation Approved:



GREGORY BITTER, AICP
Principal Planner

Table of Contents:

Attachment 1: Recommended Findings and Conditions	Page 9
Exhibit 1A: Site Plan	Page 13
Exhibit 1B: Site Plan Detail	Page 14
Exhibit 1C: Floor Plan	Page 15
Exhibit 1D: Elevations	Page 16
Exhibit 1E: Color/Materials	Page 17
Attachment 2: Land use and Zoning Map	Page 18

Attachment 1 – Recommended Findings and Conditions

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 and location of a new facility not exceeding 10,000 square feet in floor area on sites zoned for such use if 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 to establish a 3,435 square foot religious facility on approximately 0.643 acres in the Residential Mixed Use (RMX) zone is approved based on following Findings of Fact:

1. Granting the Special Permit is based upon sound principles of land use in that the size and operations of the facility are compatible with the commercial use to the west, single family homes to the north and south, and church to the east. In addition, the site is surrounded by existing development and existing infrastructure. Furthermore, conditions are included to address hours of operation and site maintenance.
2. Granting the Special Permit would not be detrimental to the public health, safety, or welfare, nor result in the creation of a nuisance in that the use is a low traffic generator and will provide all required parking on-site. A six-foot high solid masonry wall will be constructed to buffer the use from the any adjacent residences, and the project is in proportionate scale and size for the site. Additionally, the project plans have been reviewed by all applicable internal and external departments, all of which have found that the plans comply with development policies and standards.
3. The proposed use provides a public/quasi-public use and is consistent with the General Plan designation of Urban Corridor Low for the subject site.

Conditions of Approval:

C. The Special Permit to establish a 3,435 square foot religious facility on approximately 0.643 acres in the Residential Mixed Use (RMX) zone is approved subject to the following conditions:

Planning:

- C1. Development of this site shall be in compliance with the attached exhibits (Exhibits 1A through 1E), except as conditioned. Any modification to the project shall be subject to review by Community Development staff prior to the issuance of building permits. Any significant modifications to the project may require subsequent entitlements.
- C2. Obtain all necessary building permits prior to construction.
- C3. Landscaping plans shall be submitted to the Community Development Department and must comply with the City's Tree Shading Requirements for Parking Lots, Zoning Code Section 17.68.040. The landscaping plans shall include plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met. In order to provide adequate surveillance opportunities, all plants and shrubs are to be maintained at maximum height of thirty inches (30"). Decorative planting shall be maintained so as not to obstruct or diminish lighting level throughout the project.
- C4. The applicant shall construct a six foot high solid masonry wall consistent with Zoning Ordinance Section 17.76.030.
- C5. 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 street or other public areas. The height of pole mounted light fixtures shall not exceed thirty (30) feet.
- C6. The number and square footage of attached and detached signage shall be in compliance with the City's Sign Ordinance. A sign permit shall be obtained prior to construction or installation of any signage.
- C7. The hours of operation shall be limited from 5:00 a.m. to 10:00 p.m., seven days a week.
- C8. All mechanical equipment shall be screened. All rooftop mechanical equipment and communications equipment shall be completely screened from view from public streets by the use of building parapets, screen walls, and architectural projections which are integral to the project design.
- C9. Prior to the issuance of a building permit, the applicant shall propose and submit for review and approval by the Planning Director a "Good Neighbor Policy" including but not limited to the following:
 - a) Establish a process for neighbors to communicate directly with administrative staff of the Masjid as Sabur.
 - b) Provide an emergency contact person and phone number on-site, in a clearly identified place.

C10. The maximum occupancy of the main assembly area shall not exceed 108 persons.

C11. At least ninety-seven (27) parking spaces shall be provided on-site.

Department of Transportation:

C12. Construct standard improvements as noted in these conditions pursuant to chapter 18 of the City Code. Improvements shall be designed and constructed to City standards in place at the time that the Building Permit is issued. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk fronting the property along 15th Avenue per City standards and to the satisfaction of the Department of Transportation;

C13. All new driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Transportation;

C14. The applicant shall remove any existing driveways that will not be in use with the proposed plan, and reconstruct the curb, sidewalk and reclaim the planter area matching the existing improvements along 15th Avenue per City standards and to the satisfaction of the Department of Transportation;

C15. The site plan shall conform to A.D.A. requirements in all respects;

C16. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance);

C17. A lot merger is required to accommodate the proposed site plan;

C18. 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). 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;

Fire:

C19. Provide the required fire hydrants in accordance with CFC 507 and Appendix C, Section C105.

C20. 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. CFC 501.4

C21. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 508.4

Utilities:

- C22. 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.
- C23. 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.
- C24. 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.
- C25. There is an existing 10" storm drain main that runs two feet south of and parallel with the southern property line of this project. In order to avoid conflict with the main and allow for its future replacement or repair the wall required along the southern property line must either be a prefabricated masonry wall supported by posts, a wood framed stucco wall or as approved by the department of Utilities and Planning.

Advisory notes for the Special Permit

Utilities:

1. **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.
2. The proposed development is located within Sacramento Area Sewer District (SASD). Satisfy all SASD requirements.

Exhibit 1B - Site Plan Detail

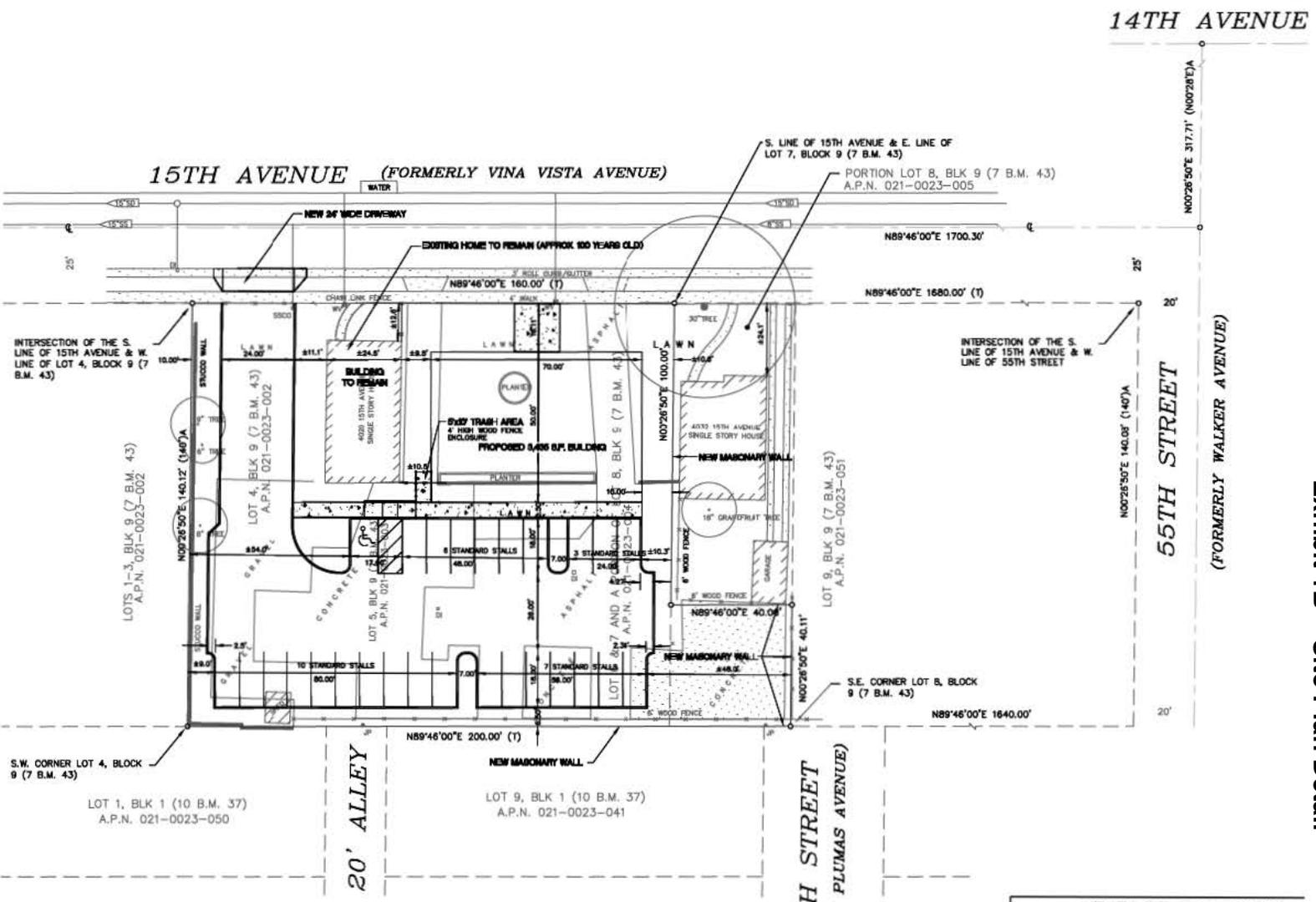
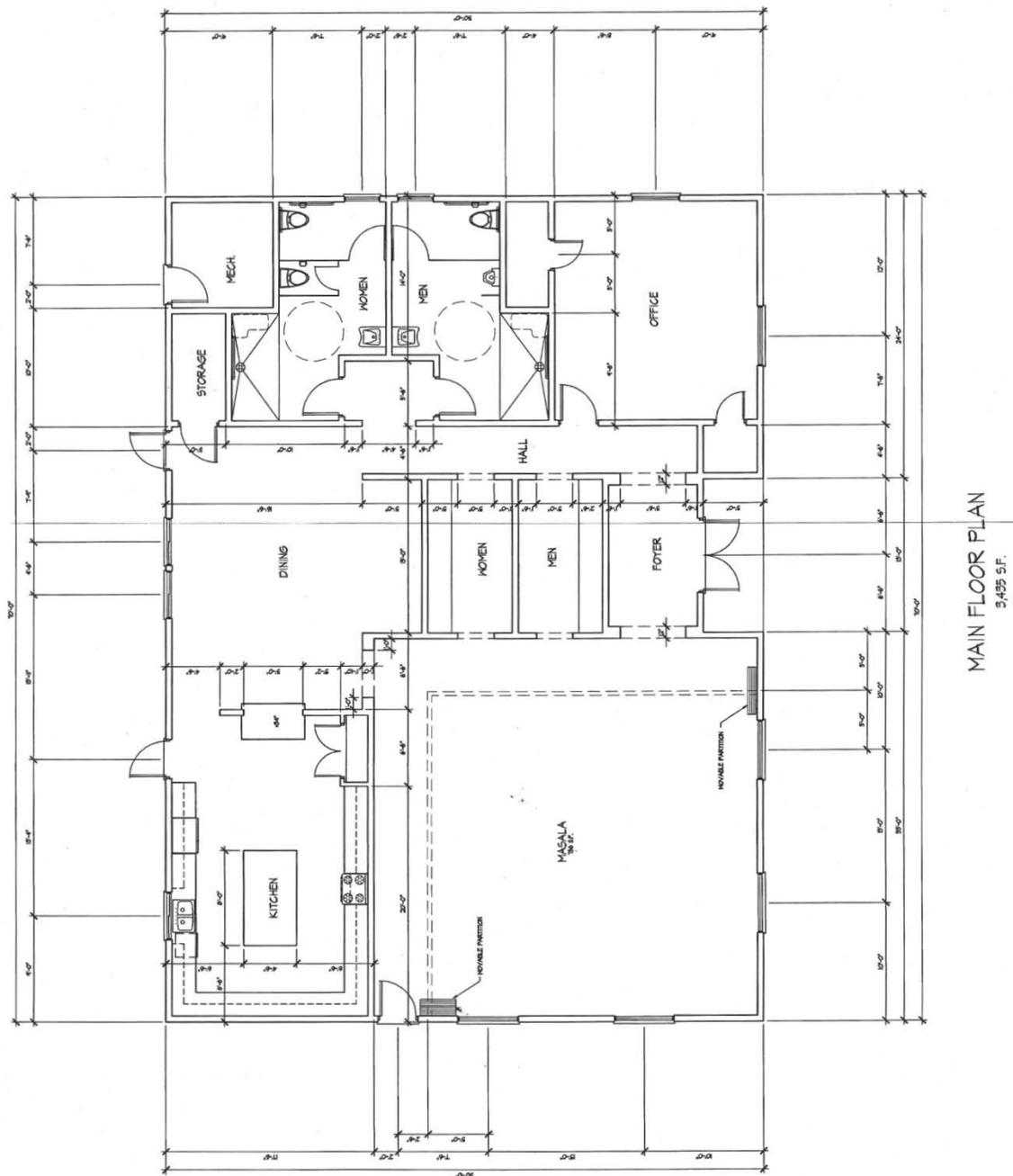
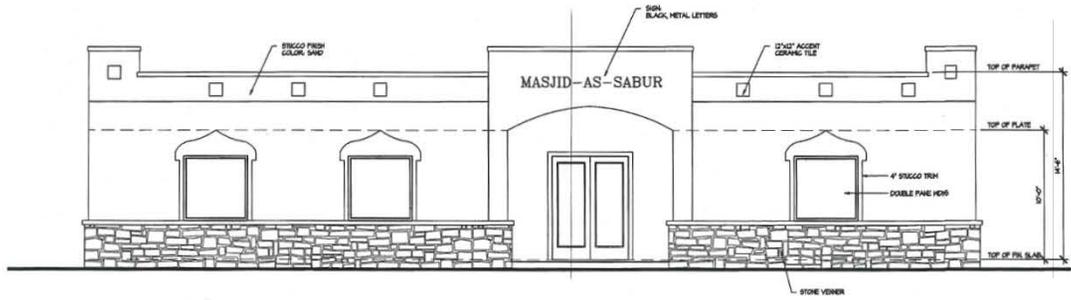


Exhibit 1C - Floor Plan

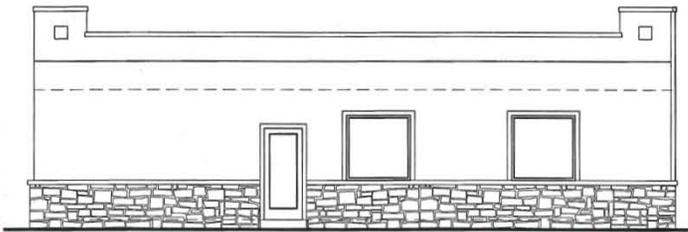


MAIN FLOOR PLAN
3,495 S.F.

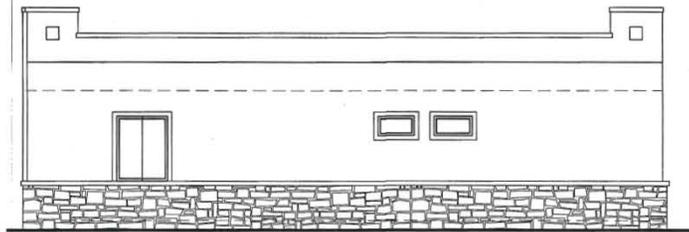
Exhibit 1D - Elevations



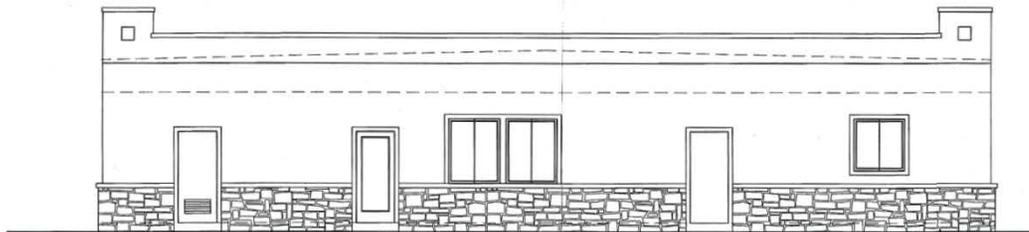
FRONT ELEVATION



LEFT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

Exhibit 1E – Color Board

Masjid As-Sabur - 4920 15th Ave



Brownwood

Roof



Body

Body: 305 Ironwood



Trim

LEFT IMAGE: Trim: 14 Frost, B

