



REPORT TO PLANNING COMMISSION City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
June 28, 2012

To: Members of the Planning Commission

Subject: 7300 Franklin Church and Hair Salon. A request to operate a church and hair salon on approximately 0.58 acres in the Office Building (OB) zone located at 7300 Franklin Boulevard (**P12-011**).

- A. Environmental Determination:** Categorical Exemption (CEQA Guidelines Section 15301, Existing Facilities);
- B. Special Permit** to operate a church in the Office Building (OB) Zone.
- C. Special Permit** to operate a hair salon in the Office Building (OB) Zone.
- D. Special Permit** to waive 13 required parking spaces.

Location/Council District:

7300 Franklin Boulevard, Sacramento, CA 95823

Assessor's Parcel Number: 049-0270-018

Council District 8

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 through D 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/Owner: Sirak Workneh, 7300 Franklin Boulevard Ste 104, Sacramento, CA 95823

Summary: The applicant is requesting Special Permits that would allow for the continued operations of an existing church and hair salon. During a routine zoning check of newly submitted Business Tax Licenses, it was found that two businesses, a church and hair salon, were operating on the subject property without the appropriate Special Permits. The property owner is now requesting to obtain the approvals that would allow the church and hair salon to continue operations.

Project Information
General Plan designation: Employment Center Low Rise
Existing zoning of site: Office Building (OB)
Existing use of site: Dentist, Hair Salon, and Church
Property area: 0.58 acres

Background Information:

The subject site is a developed 0.58± acre irregularly shaped parcel on the west side of Franklin Boulevard. The subject site is currently occupied by an existing 4,575 square foot single-story building and an associated 21-space parking lot. To the north of the subject site is a small commercial center, to the east is a mini-storage facility, to the south is Morrison Creek, and to the east is a City of Sacramento Utilities facility with a single-family neighborhood beyond that.

In January of 2012, a Business Tax License was submitted for the hair salon located on the subject site. During review of the Business Tax License, it was found that that the existing hair salon did not have an approved Special Permit to operate. Upon investigating the site, it was found that a church was also operating without an approved Special Permit. After being informed that two of the businesses on the property were operating without the proper Special Permits, the Property Owner was given notice that he would need to obtain Special Permits for these uses to allow them to continue to operate on the site. The application was submitted on March 28, 2012.

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 Employment Center Low Rise which includes business parks and developments ranging from one to three stories providing such uses as office space, support retail and services, and compatible public, quasi-public, and special uses. The uses provided on the subject site are compatible with this designation.

2030 General Plan Policies

Employment Intensive Uses. *The City shall encourage employee-intensive uses such as medical and professional offices, light industry, research, and skill training (LU 7.1.1).* The uses on the site include a dental office which is consistent with employment intensive uses.

Accessory Support Uses. *The City shall require new employment centers and industrial development to incorporate such accessory uses as public open space amenities, transit amenities, child care facilities, and nonoffice retail uses based on the size and location of the development and the availability and capacity of existing accessory uses (LU 7.1.3).* The proposed hair salon will provide a support service use within the Employment Center Low designation.

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 (LU 8.1).* The proposed church will provide a religious gathering place that is compatible with the existing neighborhood.

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 proposed church will be a community-supportive facility serving the South Sacramento/Meadowview Neighborhood.

Reduce Minimum Parking Standards. *The City shall reduce minimum parking standards over time to promote walkable neighborhoods and districts and to increase the use of transit and bicycles. (M 6.1.2)* The proposed use includes a mix of uses with different operating hours allowing the uses to share the existing parking spaces.

Although the Floor Area Ratio (FAR) standard within the 2030 General Plan for Employment Center Low development is 0.25 minimum and 1.00 maximum, the project site is exempt from the minimum FAR requirement as the site is less than one acre in size, and designated for such commercial uses.

The proposed project meets the 2030 General Plan goals and policies related to the Employment Center Low land use designation. The dental office, church, and hair salon are neighborhood serving uses that are compatible with the surrounding development.

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) under Class 1, Section number 15301 which consists of the operation, repair or minor alteration of existing public or private

structures or facilities involving negligible or no expansion of capacity of an existing use beyond that existing at the time of the lead agency's determination.

Project Design:

Building/Site design

The subject site is currently occupied by a 4,575 square foot single-story building at the southwest corner of Doss Way and Franklin Boulevard. The exterior of the existing building is finished with stucco and brick. The building houses 3 tenant spaces, a 1,841 square foot dental clinic, a 1,841 square foot church, and an 893 square foot hair salon. No changes to the existing building are anticipated with this request.

The building is sited at the rear of the property with parking adjacent to the street. Wrought iron fencing has been erected behind the sidewalk along portions of Franklin Boulevard and Doss Way. The fencing creates a private yard for the church which occupies the suite at the north end of the building. An existing utilities facility and associated driveway separate the subject site from the single-family residences to the west of the site.

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 Office Building (OB) Zone.

Standard	Required	Proposed	Deviation
Height	35'	10' to plate line	no
Front setback	20'	41'	no
Side setbacks	8'-6"	10'	no
Rear setback	20'	74'	no
Lot coverage	na	21%	no

Access, Circulation and Parking:

Vehicular access to the site is provided by two driveways, one on Doss Way and the other on Franklin Boulevard. The driveways provide access to the 21-space parking lot. According to City parking requirements, the dental clinic requires 9 spaces, the hair salon requires 4 spaces, and the church requires one parking space for every four

seats. The parking requirements only allow the parking requirement to be met by spaces dedicated to each use.

The applicant is requesting a Special Permit to waive parking that would allow the church to utilize the 13 spaces that would otherwise be dedicated to the dental clinic and hair salon. With these spaces, the church would be given credit for the full 21 spaces and allowed to provide up to 84 seats in its assembly area (1 parking space for every 4 seats). Currently, the church has 50 fixed seats so the Special Permit to waive parking will allow for additional capacity.

Planning staff is supportive of this shared parking arrangement as the hours of operation of the dental clinic and hair salon will not typically coincide with the hours for the church. The dental office hours are Monday through Friday until 5:00 p.m. The hair salon hours are Tuesday through Saturday until 6:00 p.m. The main services for the church are on Sunday and serve approximately 50 people. The church also has smaller Wednesday evening services of approximately 30 people.

Special Permit to Reduce Parking

As required by Zoning Ordinance Section 17.64.010, requests to reduce the amount of required parking are subject to the approval of a Special Permit. Such waivers for commercial buildings less than 10,000 square feet are typically heard by the Zoning Administrator. Since there are entitlements associated with this project that require Planning Commission approval, this request must also be approved by the Planning Commission. In order to approve the Special Permit, the following findings must be made:

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

The request to reduce the required amount of parking is based upon sound principles of land use as the parking demands of the associated uses occur at different times. The heaviest demand on parking is made by the church. However, the heaviest demand on church parking occurs on Sunday, when the other uses are not operating.

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 will not be detrimental to the public welfare and will not result in the creation of a public nuisance in that the parking reduction will not impact any adjacent uses. Parking will still occur on the existing parking lot and there were be no actual loss of any parking spaces.

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 shared parking arrangement is consistent with the General Plan goal to reduce the amount of required parking over time by consolidating the parking demand of several adjacent uses.

Land Use

The subject property is in the OB zone. The existing dental clinic is an allowed use in this zone. The hair salon is considered a support commercial use. Such uses occupying up to 20 percent of the ground floor are allowed with the approval of a Special Permit by the Zoning Administrator. The church is allowed with the approval of a Special Permit. The size and nature of the proposed uses for the building make them compatible with the surrounding development.

Special Permit for a Church

As required by Zoning Ordinance Section 17.24.030, the proposed use requires a Special Permit to establish a Religious Facility in the Office Building (OB) zone. Approval of the Special Permit requires the following findings to be made:

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

Approval of the Special Permit is appropriate as the size and operations of the facility are compatible with the commercial uses to the north and east and the single family homes to the west. In addition, the site is surrounded by existing development and existing infrastructure. Furthermore, conditions are included to address 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 church 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 through a Special Permit to allow shared parking. 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 Employment Center Low for the subject site.

Special Permit for Support Commercial (Hair Salon)

As required by Zoning Ordinance Section 17.24.050, requests to establish support commercial uses in the OB Zone are subject to the approval of a Special Permit. Requests for such uses not exceeding 20 percent of all ground floor uses are typically heard by the Zoning Administrator. Since there are entitlements associated with this project that require Planning Commission approval, this request must also be approved by the Planning Commission. Approval of the Special Permit requires the following findings to be made:

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

Approval of the Special Permit is appropriate as the size and operations of the facility are compatible with the commercial uses to the north and east and the single family homes to the west. In addition, the site is surrounded by existing development and existing infrastructure.

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 hair salon 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. 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. Finally, no external changes or additions have been requested.

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 community serving use and is consistent with the General Plan designation of Employment Center Low for the subject site.

Conclusion

Staff believes that granting the Special Permits is appropriate as the size and operations of the proposed hair salon and church are compatible with the surrounding uses. The proposed uses make use of the site in such a manner that resources, such as parking, can be shared due to differences in operations. Additionally, the site is surrounded by existing development and existing infrastructure that will not be negatively impacted by the proposed uses.

Respectfully submitted by:



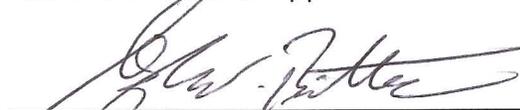
Antonio Ablog
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Approved by:



LINDSEY ALAGOZIAN
Senior Planner

Recommendation Approved:



GREGORY BITTER, AICP
Principal Planner

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Attachment 1 – Recommended Findings and Conditions

Findings of Fact

A. Environmental Determination: Exemption

1. 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 15301, Existing Facilities, of the California Environmental Quality Act Guidelines, as follows:
 - a. This project consists of the addition of a church and hair salon to an existing building.

B. The Special Permit to operate a church in the Office Building (OB) Zone is approved based on following Findings of Fact:

1. Approval of 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 uses to the north and east and the single family homes to the west. 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".
2. Approval of the church 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 through a Special Permit to allow shared parking. 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 complies with the objectives of the 2030 General Plan in that it provides a public/quasi-public use and is consistent with the General Plan designation of Employment Center Low for the subject site.

C. The Special Permit to operate a hair salon in the Office Building (OB) Zone is approved based on following Findings of Fact:

1. Approval of the Special Permit is based upon sound principles of land use as the size and operations of the facility are compatible with the commercial uses to the north and east and the single family homes to the west. In addition, the site is surrounded by existing development and existing infrastructure.

2. The approval of the hair salon 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. 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. Finally, no external changes or additions have been requested.
3. The proposed use is consistent with the 2030 General Plan in that it provides a community serving use that is consistent with the General Plan designation of Employment Center Low for the subject site.

D. The Special Permit to waive 13 required parking spaces is approved based on following Findings of Fact:

1. The request to reduce the required amount of parking is based upon sound principles of land use as the parking demands of the associated uses occur at different times. The heaviest demand on parking is made by the church. However, the heaviest demand on church parking occurs on Sunday, when the other uses are not operating.
2. The approval of the Special Permit will not be detrimental to the public welfare and will not result in the creation of a public nuisance in that the parking reduction will not impact any adjacent uses. Parking will still occur on the existing parking lot and there were be no actual loss of any parking spaces.
3. The proposed shared parking arrangement is consistent with the General Plans goal to reduce the amount of required parking over time by consolidating the parking demand of several adjacent uses.

Conditions of Approval:

B. The Special Permit to operate a church in the Office Building (OB) Zone is approved subject to the following conditions:

- B1. Development of this site shall be in compliance with the attached exhibits (Exhibits 1A and 1B), 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.
- B2. The applicant shall propose and submit for review and approval by the Planning Director a "Good Neighbor Policy" which serves as a means for

providing direct communication opportunities should any problems or concerns arise. The policy shall include but not limited to the following:

- a) Establish a process for neighbors to communicate directly with administrative staff of the church.
 - b) Provide an emergency contact person and phone number on-site, in a clearly identified place.
- B3. The maximum number of fixed seats in the main assembly area shall not exceed 84.
- B4. A minimum of 21 parking spaces shall be provided on-site.
- B5. The applicant shall paint and maintain all perimeter fencing.

C. The Special Permit to operate a hair salon in the Office Building (OB) Zone is approved subject to the following conditions:

- C1. Development of this site shall be in compliance with the attached exhibits (Exhibits 1A and 1B), 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

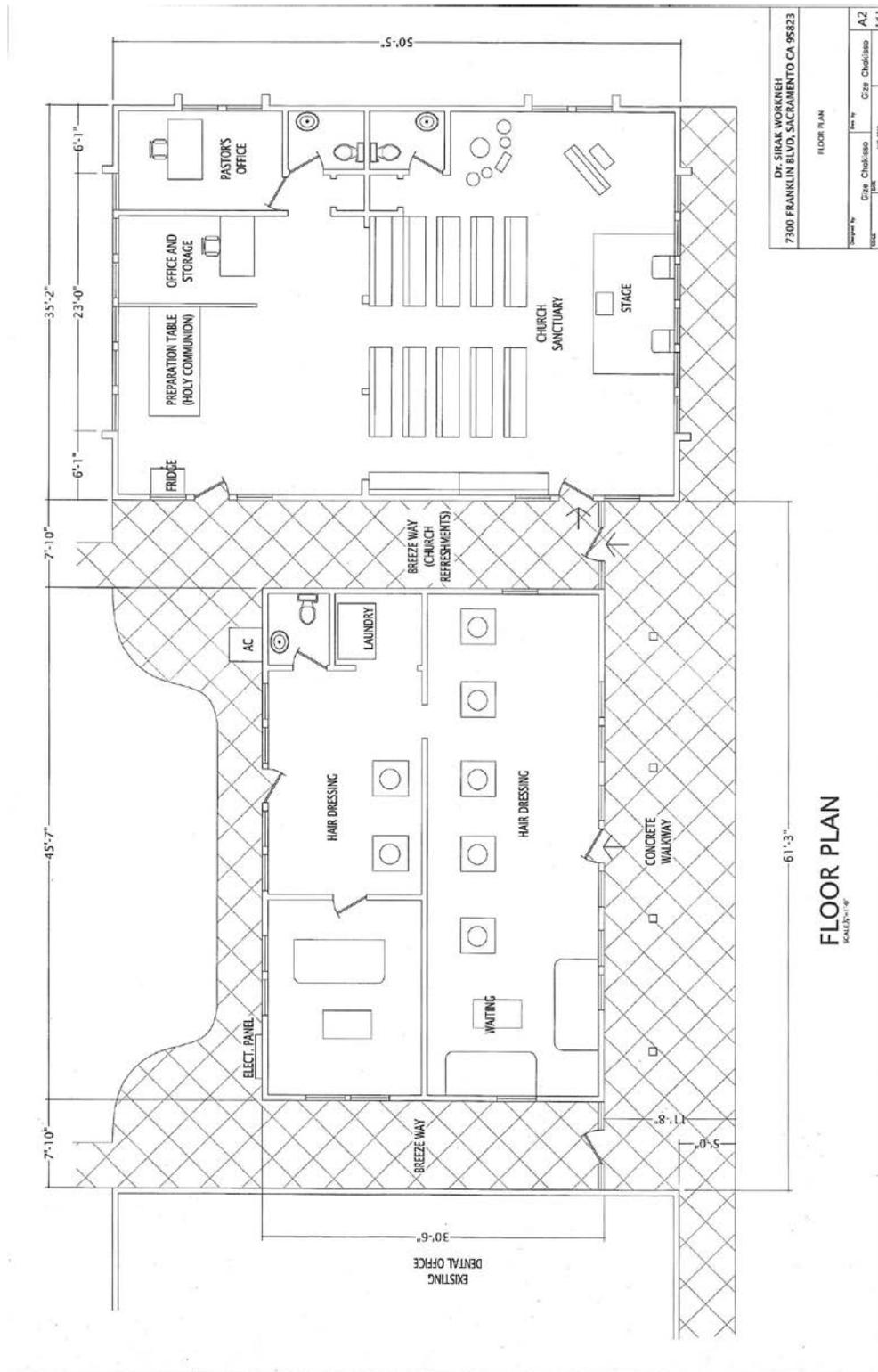
D. The Special Permit to waive 13 required parking spaces is approved subject to the following conditions:

- D1. A minimum of 21 parking spaces shall be provided on site.

Advisory Notes:

- 1. The parking waiver is based upon the existing uses which include a dental clinic, hair salon, and church. Any change of use may affect the amount of parking required and may require additional entitlements.

Exhibit 1B – Floor Plan



Attachment 2 - Land Use and Zoning Map



Attachment 3 – Building Photos

