

CITY OF
FOLSOM
DISTINCTIVE BY NATURE

HISTORIC DISTRICT COMMISSION AGENDA

July 18, 2018

CITY COUNCIL CHAMBERS

5:00 p.m.

50 Natoma Street

Folsom, California 95630

CALL TO ORDER HISTORIC DISTRICT COMMISSION: Justin Raithel, John Arnaz, Mary Asay, Rosario Rodriguez, Regina Konet, Vice Chair Candy Miller, Chair Daron Bracht

Any documents produced by the City and distributed to the Historic District Commission regarding any item on this agenda will be made available at the Community Development Counter at City Hall located at 50 Natoma Street, Folsom, California and at the table to the left as you enter the Council Chambers.

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION: The Historic District Commission welcomes and encourages participation in City Historic District Commission meetings, and will allow up to five minutes for expression on a non-agenda item. Matters under the jurisdiction of the Commission, and not on the posted agenda, may be addressed by the general public; however, California law prohibits the Commission from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Commission.

MINUTES

The minutes of June 20, 2018 will be presented for approval.

NEW BUSINESS

1. **PN 18-166 413 Sutter Street Variance and Garage Demolition and Determination that the Project is Exempt from CEQA**

A Public Hearing to consider a request from Moe Hirani to approve a Variance to allow for the development of a second unit on an undersized lot and a garage demolition at 413 Sutter Street. The zoning designation for the site is R-1-M (Single-Family Residential- Small Lot District)/FIG (Figueroa Subarea of Residential Primary Area of the Historic District) and the General Plan designation is SF (Single Family). This project is categorically exempt from environmental review under Section 15303 of the CEQA Guidelines (New Construction or Conversion of Small Structures). **(Project Planner: Assistant Planner, Josh Kinkade / Applicant: Moe Hirani)**

PRINCIPAL PLANNER REPORT

The next Historic District Commission meeting is scheduled for **August 1, 2018**. Additional non-public hearing items may be added to the agenda; any such additions will be posted on the bulletin board in the foyer at City Hall at least 72 hours prior to the meeting. Persons having questions on any of these items can visit the Community Development Department during normal business hours (8:00 a.m. to 5:00 p.m.) at City Hall, 2nd Floor, 50 Natoma Street, Folsom, California, prior to the meeting. The phone number is (916) 461-6203 and fax number is (916) 355-7274.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in the meeting, please contact the Community Development Department at (916) 461-6231, (916) 355-7274 (fax) or kmullett@folsom.ca.us. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

NOTICE REGARDING CHALLENGES TO DECISIONS

The appeal period for Historic District Commission Action: Pursuant to all applicable laws and regulations, including without limitation, California Government Code, Section 65009 and/or California Public Resources Code, Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning, and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, this public hearing. Any appeal of a Historic District Commission action must be filed, in writing with the City Clerk's Office no later than ten (10) days from the date of the action pursuant to Resolution No. 8081.



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

HISTORIC DISTRICT COMMISSION MINUTES
June 20, 2018
CITY COUNCIL CHAMBERS
5:00 p.m.
50 Natoma Street
Folsom, California 95630

CALL TO ORDER HISTORIC DISTRICT COMMISSION: Vice Chair Candy Miller, Justin Raithel, Mary Asay, Rosario Rodriguez, Regina Konet, John Arnaz, Chair Daron Bracht

ABSENT: Miller, Raithel, Rodriguez

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION: None

MINUTES: The minutes of June 6, 2018 were approved as submitted.

NEW BUSINESS

1. **PN 18-199, Folsom Municipal Code 17.52.140 Amendment and Determination that the Project is Exempt from CEQA**

A Public Hearing to consider a request from the City of Folsom for recommendation to the City Council of an Ordinance of the city of Folsom amending section 17.52.140 of the Folsom Municipal Code clarifying permitted uses in the Historic District. The ordinance is categorically exempt from environmental review under Section 15061(B)(3) of the California Environmental Quality Act (CEQA) Guidelines. **(Project Planner: Senior Planner, Stephanie Henry)**

COMMISSIONER BRACHT MOVED TO RECOMMEND CITY COUNCIL APPROVAL OF ORDINANCE NO. ____ - AN ORDINANCE OF THE CITY OF FOLSOM AMENDING SECTION 17.52.140 OF THE FOLSOM MUNICIPAL CODE CLARIFYING PERMITTED USES IN THE HISTORIC DISTRICT WITH THE FOLLOWING FINDINGS: GENERAL FINDINGS A&B AND CEQA FINDING C.

COMMISSIONER ASAY SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES:	ARNAZ, ASAY, KONET, BRACHT
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	MILLER, RAITHEL, RODRIGUEZ

PRINCIPAL PLANNER REPORT

None

There being no further business, the meeting was adjourned at 5:21pm.

Respectfully Submitted,

Kelly Mullett, SENIOR OFFICE ASSISTANT

APPROVED:

Daron Bracht, CHAIR

HISTORIC DISTRICT COMMISSION STAFF REPORT

PROJECT TITLE	413 Sutter Street Variance and Garage Demolition and Determination that the Project is Exempt from CEQA
PROPOSAL	A request to approve a Variance to allow for the development of a second unit on an undersized lot and a garage demolition at 413 Sutter Street
RECOMMENDATION	Approve, based upon findings and subject to conditions of approval
APPLICANT / OWNER	Moe Hirani
LOCATION	413 Sutter Street
ASSESSOR'S PARCEL NO.	070-0115-002
ZONING	R-1-M (Single-Family Residential- Small Lot District)/FIG (Figueroa Subarea of Residential Primary Area of the Historic District)
GENERAL PLAN DESIGNATION	SF (Single Family)
SITE CHARACTERISTICS	The 5,768-square-foot project site is currently occupied by a 932-square-foot residence and 250-square-foot detached garage.
PREVIOUS ACTION	None
APPLICABLE CODES	<u>FMC Chapter 17.52, Historic District</u> <u>FMC Chapter 17.62, Variances</u> <u>Historic District Design and Development Guidelines (DDGs)</u>
ENVIRONMENTAL DOCUMENTATION	This project is categorically exempt from environmental review under Section 15303 of the CEQA Guidelines (New Construction or Conversion of Small Structures).

ATTACHED REFERENCE MATERIAL

1. Vicinity Map
2. Site Plan, submitted May 23, 2018
3. Photographs of Existing Garage
4. Letter from Heritage Preservation League, dated June 13, 2018

PROJECT PLANNER

Josh Kinkade, Assistant Planner

BACKGROUND

The 932-square-foot single-story residence on the project site located at 413 Sutter Street was built in 1930. A 250-square-foot detached garage was constructed subsequent to construction of the residence in 1968.

PROJECT DESCRIPTION

The applicant, Moe Hirani, is requesting approval of a Variance to allow for development of a detached garage/second unit structure on a 5,768-square-foot lot at 413 Sutter Street. The footprint of the proposed new structure is shown in Attachment 2. Section 17.52.500 of the Folsom Municipal Code (FMC) states that second units shall only be located on lots with an area of 6,000 square feet or larger. As such, a Variance would be required to approve a second unit on this lot, as the existing lot is only 5,768 square feet in size (232 square feet too small).

FMC Section 17.105.040 states that if an application for a second dwelling unit complies with all of the requirements of FMC Chapter 17.105- Second Dwelling Units, and the project does not present any adverse impacts on any real property that is listed in the California Register of Historic Places, such an application shall only be considered ministerially by Staff without discretionary review. Staff has determined that the structure does not present any adverse impacts on any real property that is listed in the California Register of Historic Places. As such, review of the second unit itself is not subject to discretionary review by the Historic District Commission (HDC). The Commission will only be considering whether the lot in question will be allowed to build a second unit. Staff will review the proposed structure against the requirements in Chapter 17.105 of the Folsom Municipal Code regarding design, size, setbacks, pervious surface, and height ministerially if this Commission approves the variance requested in the applicant's proposal.

The applicant is also requesting approval to demolish a 250-square-foot detached garage in the rear of the property. Photographs of the existing garage are shown in Attachment 3.

PROJECT ANALYSIS

Garage Demolition

In order to approve a request for demolition of a structure considered historically significant, per FMC Section 17.52.660, the Commission must consider the following:

1. Whether the public health, safety and/or welfare warrant the demolition;
2. What accommodations can be provided to the owner of the property to make it feasible for the owner to preserve the property;
3. Whether the owner of the property is willing to sell the property to a buyer who wishes to preserve the property; and

4. Whether a public entity wishes to acquire the property through exercise of the power of eminent domain in order to preserve the property.

Section 4.13 of the Historic District Design and Development Guidelines (DDGs) explains that demolition of structures with historic value should be approved only when all other options have been exhausted by the property owner and the City. On the other hand, Section 4.13 also makes clear that demolition may be more readily approved for structures which do not comply with the goals, policies, and regulations of FMC Chapter 17.52 and the DDGs themselves.

This garage is not historically significant and contains no historically significant building materials. The structure is not listed on the City of Folsom’s Historical Properties Inventory list. The detached garage is a simple rectangular, single-story structure with lap siding, reflecting no particular architectural theme. Therefore, staff supports the demolition of the existing garage.

VARIANCE

General Plan and Zoning Consistency

The General Plan land use designation for the project site is SF (Single Family), and the zoning designation for the project site is R-1-M (Single-Family Dwelling Small Lot District), with the overlay zone of Figueroa Subarea. The Folsom Municipal Code Section 17.52.540 (which institutes requirements for lot size, lot width, setbacks, pervious surface, and building height) and the design standards established within the Historic District Design and Development Guidelines (DDGs) state that accessory structures and second units are permitted in the Historic Residential Primary Area, of which the Figueroa Subarea is a part. As proposed, the second unit/garage structure meets all the FMC zoning requirements, though the lot itself does not meet the minimum size requirements to accommodate a second unit, as demonstrated in the table below:

	<u>REQUIRED</u>	<u>PROPOSED</u>
Minimum Lot Size to Accommodate a Second Unit	6,000 SF	5,768 SF
Minimum Lot Width	50 Feet	41.2 Feet (existing)
Front Setback for Second Unit	20 Feet	105 Feet
Rear Setback for Second Unit	5 Feet	5 Feet
Side Setbacks for Second Unit	5 Feet, 5 Feet	5 Feet, 11 Feet
Minimum Pervious Surface for a Lot With a Second Unit	40%	42.6%
Setback To Other Structures	6 Feet	>6 Feet

Section 17.52.500 and Chapter 17.105 of the FMC both state that second units shall only be located on lots with an area of 6,000 square feet or larger. Furthermore, Section 4.07.05 of the DDGs state that “in order to maintain the single-family character of the neighborhood and avoid overbuilding the parcel, only lots with an area of 6,000 square feet or larger are eligible for second units”. The subject lot at 413 Sutter Street is 5,768 square feet. As a result, a Variance would be required to approve a second unit on this lot.

Section 17.62.020 of the FMC states that an application for a Variance must show the following:

1. That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to other land, buildings, and/or uses in the district;
2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner;
3. That the granting of such application will not, under the circumstances of the particular case, materially affect the health or safety of persons, residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

Section 17.62.040 of the FMC states that the Historic District Commission may grant a variance when it finds that there exist special circumstances applicable to the property, including size, shape, topography, location or surroundings whereby the strict application of the zoning code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Many single-family residential lots within the Historic District have constructed second units in the past several years. These units are only subject to a staff-level review, and are exempt from HDC review as long as these units meet all requirements of FMC Chapter 17.105, regarding lot size, dwelling size, pervious surface, and design consistency. As shown in the table above, the subject site is large enough to handle both the proposed garage/second unit structure and the existing residence while still meeting all setback and pervious surface requirements in the Residential Primary Area of the Historic District.

Staff concludes that granting a variance is necessary to allow the applicant to build a second unit, as the owner of a property above 6,000 square feet would be able to. Staff concludes that if the variance is granted in this case, the single-family character of the neighborhood would be maintained, as all single-family parcels over 6,000 square feet are allowed a second unit by right, and the lot in question is only 232 square feet smaller than the required lot size. By being able to meet the setback and pervious surface requirements for the Residential Primary Area, the parcel would also not be overbuilt. Staff concludes that these factors constitute special circumstances applicable to the property, including its size, whereby the strict application of the zoning code would deprive the subject property of privileges enjoyed by other property in the vicinity under identical zoning classification. Finally, staff concludes that the granting of the variance to allow for development of a second unit on this parcel will not materially affect the health and safety of persons residing or working in the neighborhood or be materially detrimental to the public welfare, as there are several second units on single-family properties in the neighborhood, and the proposed second unit will meet all size, height, setback, and pervious surface requirements of FMC Section 17.105, 17.52.500, and the DDGs.

As such, subject to the conditions of approval, staff recommends approval of a Variance to implement the direction established in the DDGs.

HERITAGE PRESERVATION LEAGUE REVIEW

The Folsom Heritage Preservation League sent a letter to staff regarding this project expressing support for the garage demolition and variance, and recommends that a single-story tandem garage/second unit be built that is architecturally compatible with the main residence, that is below the height of the main residence and utilizes a garage door that resembles a carriage house door or barn door. Staff notes that, if the variance is approved, a single-story tandem structure cannot be mandated pursuant to State law. Furthermore, Section 7.07 of the DDG's allows for second unit structures to be up to five feet taller than the main residence by right. Finally, staff will require that the proposed structure be compatible with the design of the main residence, per the DDGs, and that any two-car garage doors are broken up with hinges and handles to resemble carriage doors, per Appendix D of the DDGs.

ENVIRONMENTAL REVIEW

The project is categorically exempt from the environmental review requirements pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA). Based on staff's analysis of this project, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption in this case.

RECOMMENDATION/HISTORIC DISTRICT COMMISSION ACTION

MOVE TO APPROVE APPLICATION PN 18-166 FOR A VARIANCE TO ALLOW FOR THE DEVELOPMENT OF A SECOND UNIT ON AN UNDERSIZED LOT AND A GARAGE DEMOLITION AT 413 SUTTER STREET, WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL (NO. 1-2):

GENERAL PROJECT FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND ZONING CODE OF THE CITY OF FOLSOM.

CEQA FINDINGS

- C. THE PROJECT IS CATEGORICALLY EXEMPT UNDER SECTION 15303 (NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES) OF THE CEQA GUIDELINES.
- D. THE CUMULATIVE IMPACT OF SUCCESSIVE PROJECTS OF THE SAME TYPE IN THE SAME PLACE, OVER TIME IS NOT SIGNIFICANT IN THIS CASE.
- E. NO UNUSUAL CIRCUMSTANCES EXIST TO DISTINGUISH THE PROPOSED PROJECT FROM OTHERS IN THE EXEMPT CLASS.
- F. THE PROPOSED PROJECT WILL NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE.

- a. THE SUBJECT SITE IS LARGE ENOUGH TO HANDLE BOTH THE EXISTING RESIDENCE AND THE PROPOSED GARAGE/SECOND UNIT STRUCTURE THAT MEETS ALL REQUIRED SETBACKS. AS SUCH, THESE FACTORS CONSTITUTE EXCEPTIONAL OR EXTRAORDINARY CIRCUMSTANCES APPLYING TO THE PROPERTY AT 413 SUTTER STREET, WHICH DO NOT APPLY GENERALLY TO OTHER LAND, BUILDINGS, AND/OR USES IN THE DISTRICT.
- b. THE GRANTING OF THE APPLICATION IS NECESSARY FOR THE PRESERVATION AND ENJOYMENT OF SUBSTANTIAL PROPERTY RIGHTS OF THE APPLICANT.
- c. THE GRANTING OF THE VARIANCE WILL NOT, UNDER THE CIRCUMSTANCES OF THIS PARTICULAR CASE, MATERIALLY AFFECT THE HEALTH OR SAFETY OF PERSONS, RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPERTY OF THE APPLICANT, AND WILL NOT, UNDER THE CIRCUMSTANCES OF THIS PARTICULAR CASE, BE MATERIALLY DETRIMENTAL TO THE PUBLIC WELFARE OR INJURIOUS TO PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

DEMOLITION FINDING

- H. THE STRUCTURE PROPOSED TO BE DEMOLISHED IS NOT CONSIDERED HISTORICALLY SIGNIFICANT.

Submitted,



Pam Johns
Community Development Director

Attachment 1

Vicinity Map



Attachment 2
Site Plan, Submitted May 23, 2018



SANCHEZ
consulting
Luis R. Sanchez, LEED AP
Professional Engineer
License No. 4229
State of California
E-mail: sandra@sanchezconsulting.com

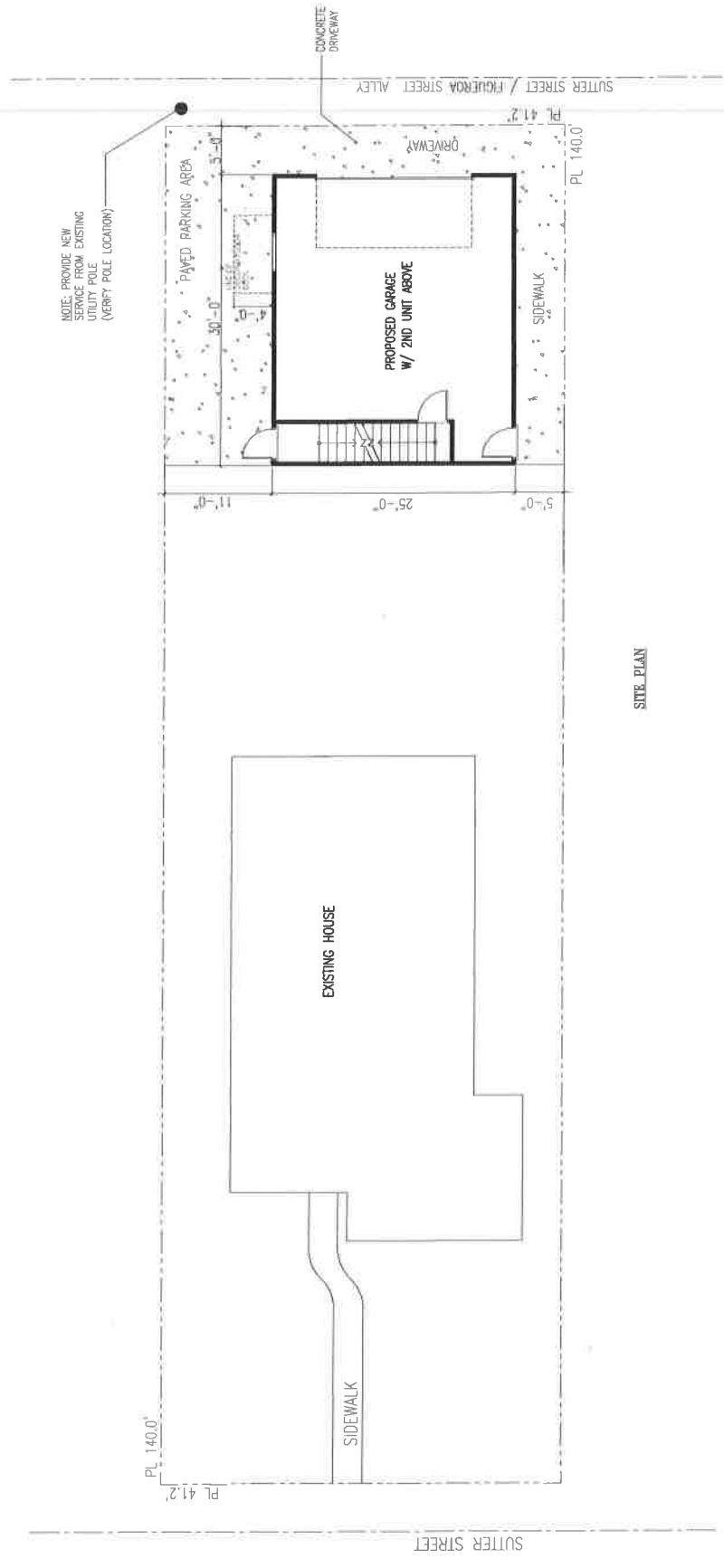
GARAGE WITH 2ND UNIT ABOVE
413 SUTTER STREET, FOLSOM CA 95630
FOR MOE HIRANI AND DEE FORD

REVISIONS	BY

TITLES:
SITE PLAN

THIS DOCUMENT IS THE PROPERTY OF SANCHEZ CONSULTING AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF SANCHEZ CONSULTING.

SHEET:
A2.1



NOTE: PROVIDE NEW SERVICE FROM EXISTING UTILITY POLE (VERIFY POLE LOCATION)

SITE PLAN

NOTE: NO CHANGE TO EXISTING FRONT SIDE OR REAR SETBACK OF EXIST. BLDG. THESE RECORD DOCUMENTS HAVE BEEN PREPARED BASED UPON INFORMATION SUBMITTED IN PART BY OTHERS. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE THE DESIGNER IS NOT RESPONSIBLE FOR THERE ACCURACY NOR FOR ERRORS OR OMISSIONS WHICH HAVE BEEN INCORPORATED INTO THESE DOCUMENTS AS A RESULT. THE CONTRACTOR ON THE JOB MUST CHECK ALL DIMENSIONS & OTHER DETAILS & BE RESPONSIBLE FOR ALL WORK.



SCALE: 1/4" = 1'-0"

Attachment 3
Photographs of Existing Garage





Attachment 4
Letter from Heritage Preservation League,
dated June 13, 2018

**HERITAGE PRESERVATION LEAGUE OF FOLSOM
PROJECT APPLICATION REVIEW**

June 13, 2018 (Regularly Scheduled Monthly Meeting)

PROJECT: Second Unit with Garage at 413 Sutter Street in the Figueroa Subarea (PN18-166)

REQUEST: Variance from Lot Size Requirements for Second Units and Garage Demolition

PROJECT

HISTORY: Application Circulated by City on June 4, 2018 (feedback requested by June 15).
The Historic District Commissions hearing is scheduled for June 21.

PROJECT REVIEW:

Site Design

On the site plan the centerline of the alley is located 5-feet from the rear lot line. HPL has assumed that this is a drafting error, and that the new garage/second unit will be located 5-feet from the 20-foot-wide alley right-of-way area.

The residential property at 413 Sutter Street slopes up towards the rear alley. The finished floor elevation of the proposed garage structure will therefore be several feet above the finished floor of the primary unit.

Building Design

The main residence at 413 Sutter Street is a small one-story stucco building in Spanish Eclectic Style with a low pitched roof. HPL supports the applicant's decision to not alter the pre-1910 design of the historic home.

In the proposed location, it appears difficult to design a 2-story garage/second unit that will not exceed the height of the primary unit and at the same time is compatible with the existing residence. It is therefore HPL's recommendation that the rear garage/second unit be limited to one story.

Existing Garage

The small existing garage/accessory building is appropriate in scale for the historic property. Because this building no longer serves the needs of the property owner, HPL is not opposed to the demolition of the structure. However, it could serve as an example of a future tandem garage with a carriage house door facing the public alley. A small attached second unit could be located next to this garage.

PROJECT RECOMMENDATIONS:

HPL supports the requested Variance from Lot Size Requirements, provided that the property owner can implement the design standards of Chapter 17.52 of the Municipal Code and the recommendations of the Historic District Design and Development Guidelines.

1. Design a one story garage/second unit that is architecturally compatible with the existing residence.
(As an example, a 12' x 30' tandem garage could be attached to a 20' x 30' second unit.)
2. Keep the height of the new building below the height of the primary unit.
3. Select a garage door that resembles a carriage house door or barn door.