

# CITY PLANNING COMMISSION

927 - 10th Street, Suite 300 - SACRAMENTO, CALIFORNIA 95814

APPLICANT	W.W. Reid, 2112-4th Street, Sacramento, CA 95818		
OWNER	W.W. Reid, 2112-4th Street, Sacramento, CA 95818		
PLANS BY	W. W. Reid, 2112-4th Street, Sacramento, CA 95818		
FILING DATE	5-6-83	50 DAY CPC ACTION DATE	REPORT BY: PB:bw
NEGATIVE DEC.	5-25-83	EIR	ASSESSOR'S PCL. NO. 009-112-21

APPLICATION: 1. Environmental Determination  
2. Variance to modify and continue an existing light industrial non-conforming use on a .15± acre site in the Light Density Multi-Family (R-3A) zone

LOCATION: 2112-4th Street

PROPOSAL: The applicant is requesting the necessary entitlements to modify and continue a non-conforming use in a R-3-A zone.

PROJECT INFORMATION:

1974 General Plan Designation: Residential  
1980 Central City Community  
Plan Designation: Multi-Family  
Existing Zoning of Site: R-3A  
Existing Land Use of Site: R-3A

Surrounding Land Use and Zoning:  
North: Residential; R-3A  
South: Apartment & Church; R-3A  
East: Residential; R-3A  
West: Residential; R-3A

Parking Required: 13 spaces  
Parking Provided: None  
Ratio Required: 1:500 sq. ft.  
Ratio Provided: 0  
Property Dimensions: 80' x 80'  
Property Area: 6,400 square feet  
Street Improvements/Utilities: Existing

BACKGROUND INFORMATION: The subject site has been used for a painting contractor's business for over 30 years. Due to the owner's retirement he wishes to now rent the building to an air conditioning/heating contractor. The area was zoned R-4, Medium Density Multi-Family prior to major Central City zone changes in 1980. It is presently zoned Light Density Multi-Family (R-3A).

002142

STAFF EVALUATION: Staff has the following comments:

1. The immediate neighborhood can be characterized as predominantly residential, with some churches and some non-conforming heavy commercial-light industrial uses. On-street parking is limited because of the preferential parking in the area.
2. The subject site is an 80' x 80' parcel in the Light Density Multi-Family Residential (R-3A) zone. The applicant is requesting a variance to modify and continue a non-conforming use and rent the site to an air conditioning/heating contractor who will have approximately the same type of business hours (7 a.m. - 5 p.m.) and a staff of six.

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MEETING DATE June 9, 1983

CPC ITEM NO. 33

3. Staff has no objections to the new use. A business of this nature requires 13 parking spaces (ratio of 1:500). No parking, however, has been provided on the site for the prior non-conforming use because the structure covers the entire site.

The use has been established for at least 30 years and is therefore considered a legal non-conforming use. Staff believes the proposed air conditioning/heating contractor use is similar to a painting contractor use. Both uses are contractors; the new use will have the same business hours and the same number of employees as the painting contractor. In addition, the business operation, including storage, will be confined within the structure. Therefore, the new use will not have a detrimental effect on the surrounding neighborhood.

4. There are at least six similar commercial-industrial uses existing in the R-3A zone within a one and one-half block radius of the subject site (see Exhibit A). These uses have been at these locations for several years.
5. The applicant should be aware that only one sign is permitted, with a maximum of 16 square feet in area. A sign permit must be obtained from the City Building Division.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator determined that the proposed project would not have any significant environmental impact and filed a Negative Declaration on May 25, 1983.

RECOMMENDATION: Staff recommends the following actions:

1. Ratification of the Negative Declaration;
2. Approval of the Variance to modify and continue a non-conforming use in the R-3A zone, subject to the following conditions and based on Findings of Fact which follow.

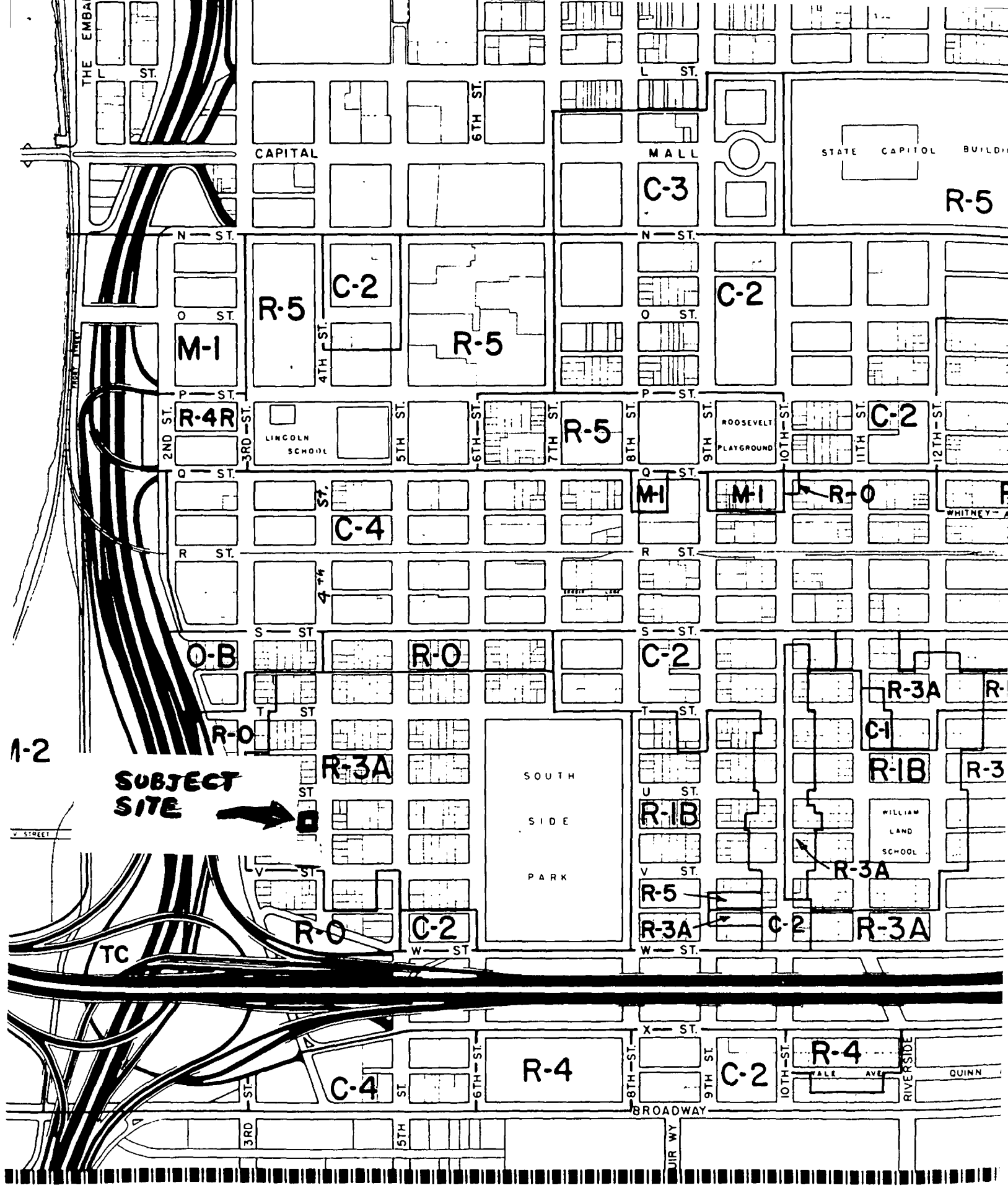
Conditions

- a. The hours of operation shall be from 7 A.M. to 5 P.M.;
- b. The new operation shall be limited to a maximum of six employees.

Findings of Fact

- a. The granting of the variance is not a special privilege extended to this property owner in that:
  - 1) there are at least six similar non-conforming uses in the immediate vicinity in the R-3A zone;
  - 2) the proposed air conditioning/heating contractor business is essentially the same as the painting contractor that has used the site for at least 30 years.
- b. The proposal, as conditioned, does not constitute a use variance in that the subject site had a non-conforming use for 30 years.

- c. The proposed non-conforming use will not be injurious to the public welfare nor the property in the vicinity of the subject site in that:
  - 1) the traffic generated will not increase with the proposed use;
  - 2) the number of employees will be approximately the same;
  - 3) the use has been essentially the same for the past 30 years.
  
- d. The proposed project, while not in compliance with the 1974 General Plan nor the 1980 Central City Community Plan (both call for residential use) will not adversely affect those plans as the use has been harmonious with the area for at least 30 years. Changes to non-conforming uses are allowed in residential zones when it is determined that the "benefit to the public health, safety or welfare exceeds any detriment inherent in such change."



**SUBJECT SITE**



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9 JUNE 1983

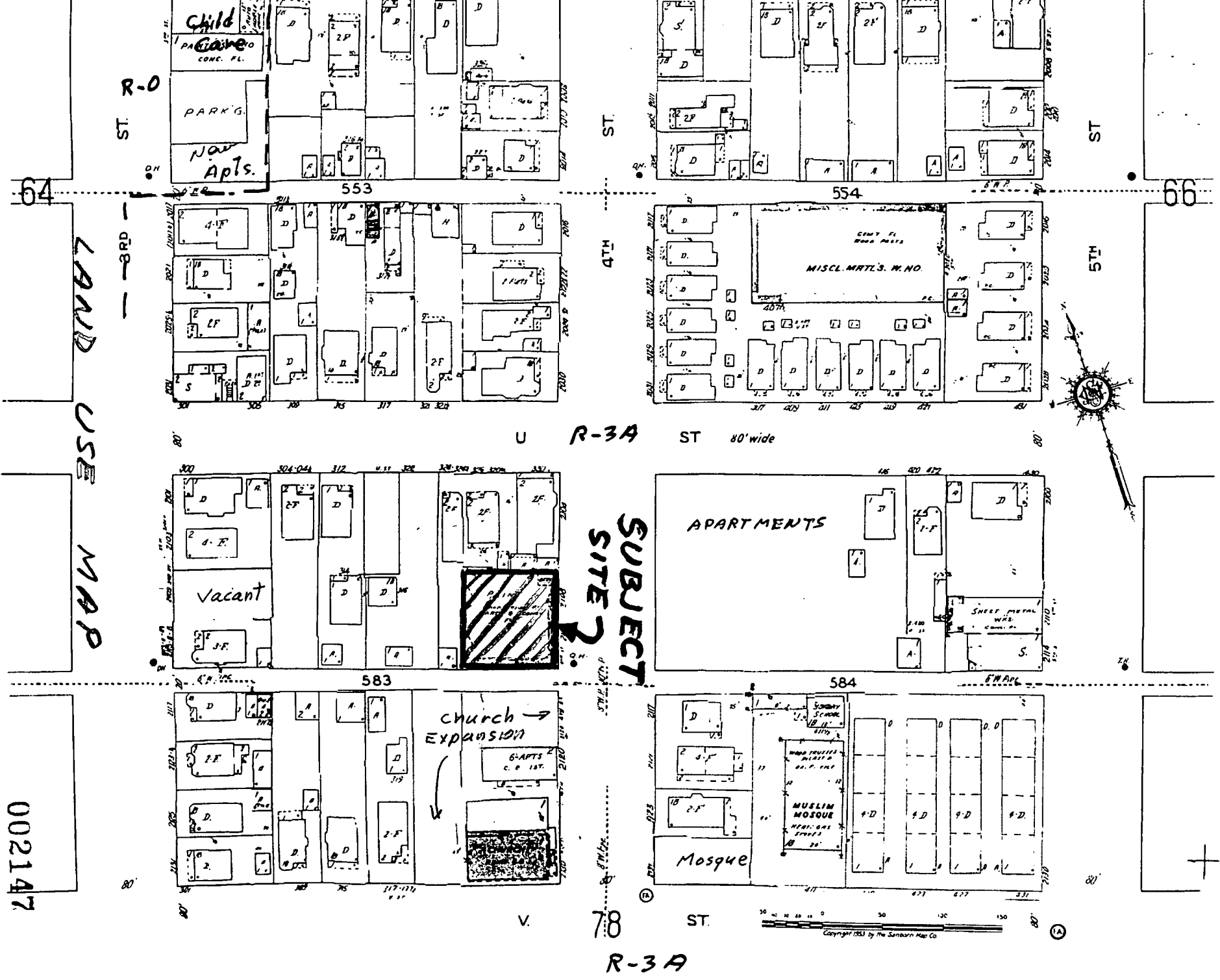
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No. 33

LAND USE MAP



SUBJECT SITE

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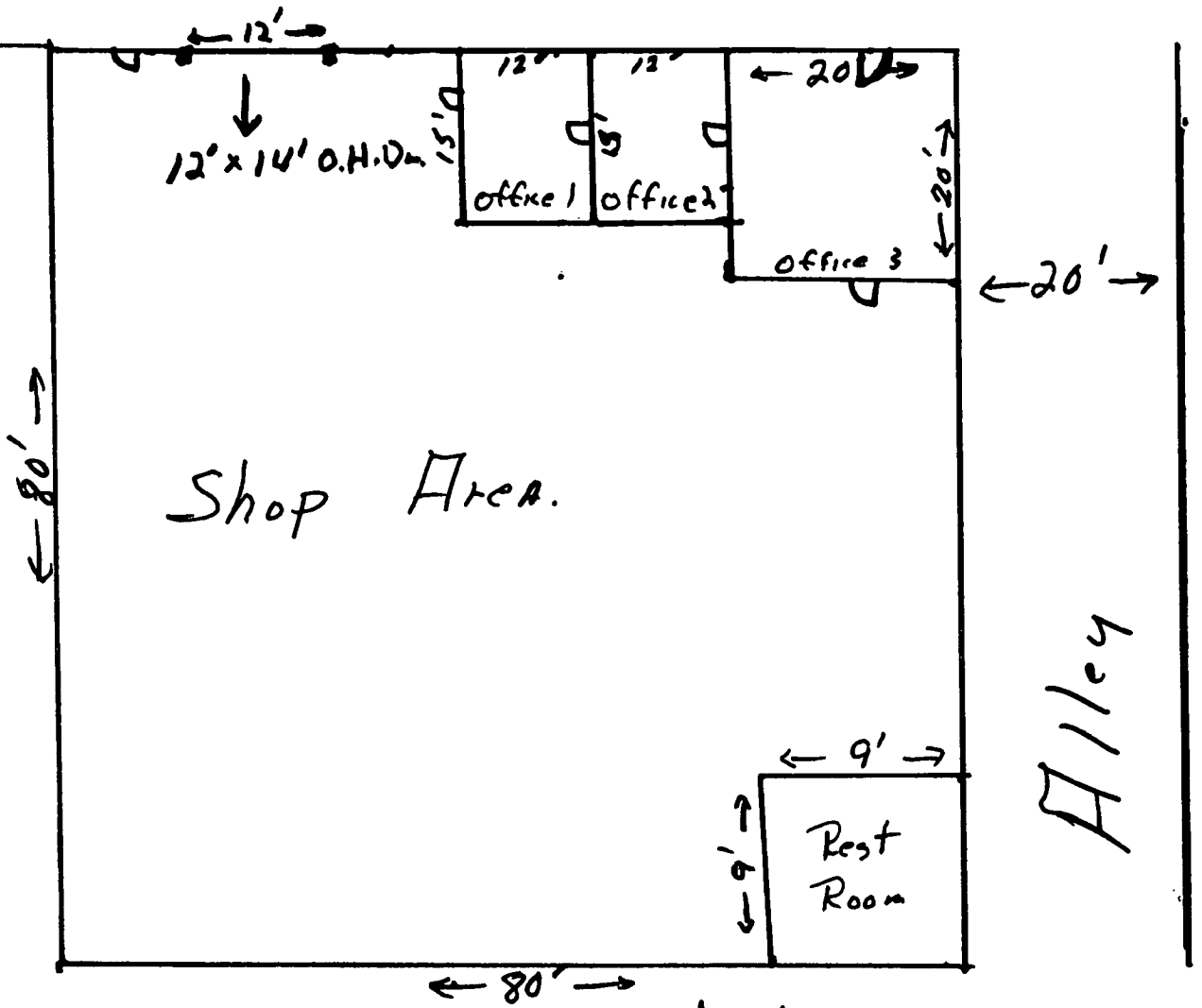
R-3A

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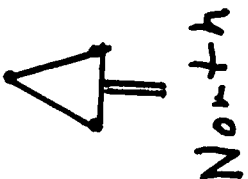
# EXHIBIT B

4<sup>th</sup> St



Location 2112-4<sup>th</sup> St  
SACRAMENTO CAL. 95818

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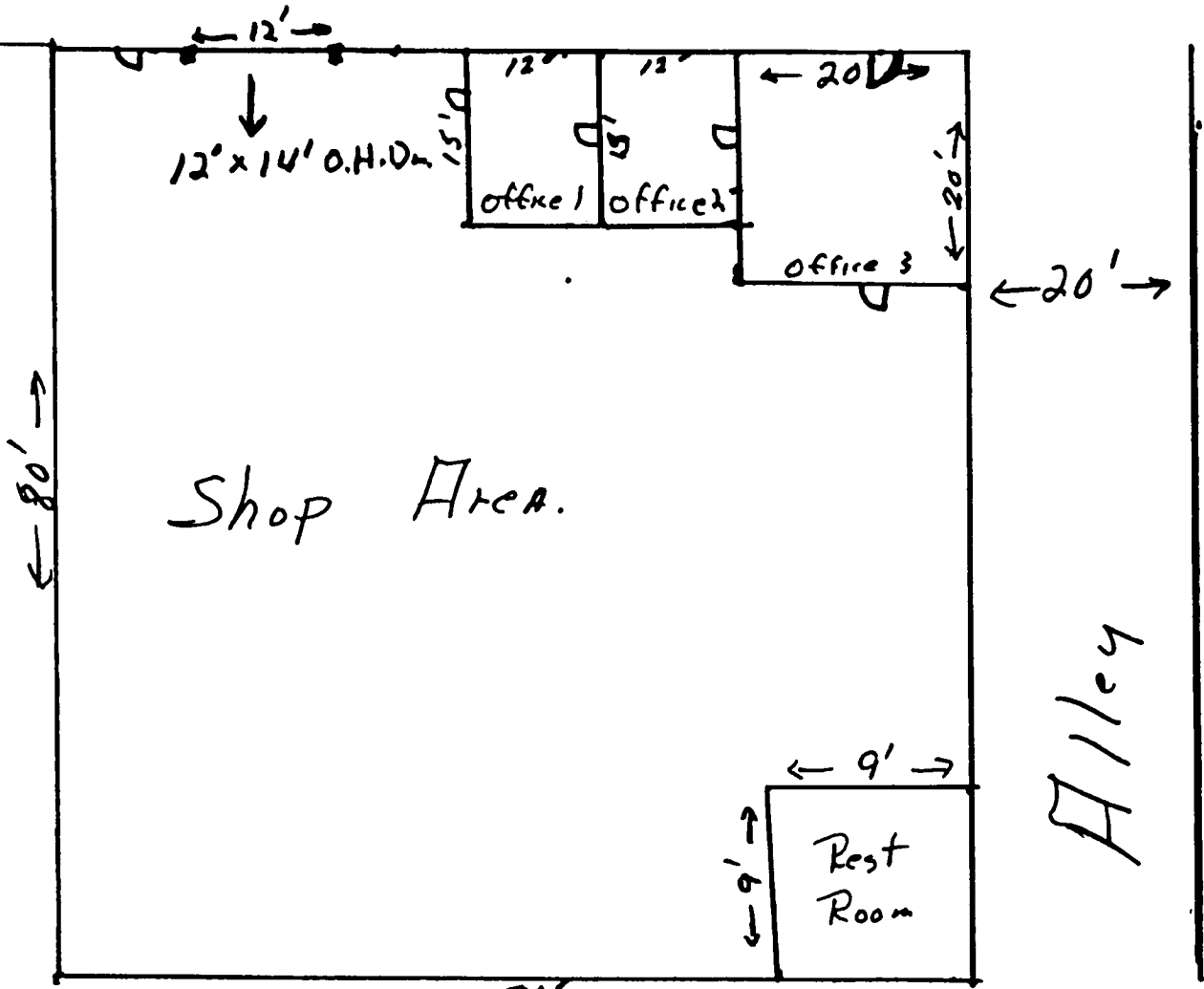
6-9-83

Building  
Scale  $\frac{1}{16} = \frac{1'}{160}$  No. 33

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APPL. NO. 83-153  
EXHIBIT NO.  
FIG. DATE(S) 9 June 83  
AGENDA NO.(S)

4<sup>th</sup> St



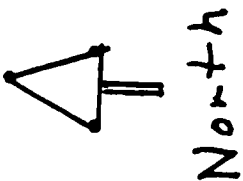
Shop Area.

Alley

Location 2112-4<sup>th</sup> St  
SACRAMENTO CAL. 95818

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Building  
Scale 1/16" = 1'