

CITY PLANNING COMMISSION

1231 'I' STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT	<u>Kenneth D. Peachey and Imogene Zander, 1220 Ascot Avenue, Sac., CA 95673</u>				
OWNER	<u>Applicant</u>				
PLANS BY	<u>Sierra Gold Graphics, Inc. 500 Kirby Way, Roseville, CA 95678</u>				
FILING DATE	<u>10/30/86</u>	ENVIR. DET.	<u>Exempt 15303 (e)</u>	REPORT BY	<u>JP/rt</u>
ASSESSOR'S-PCL. NO.	<u>215-0230-063-0000</u>				

- APPLICATION:**
- A. Special Permit to develop a dog kennel
 - B. Variance to waive the required six foot high masonry wall between residential and non-residential uses
 - C. Plan review for a 480+ square foot dog kennel and 2,600+ square foot vehicle repair shop in the Light Industrial-Review (M-1(S)-R) zone

LOCATION: 1220 Ascot Avenue

PROPOSAL: The applicant is requesting the necessary entitlements to construct a dog kennel and vehicle repair shop on a 1.05 acre site developed with a residence in the M-1(S)R zone.

PROJECT INFORMATION:

1974 General Plan Designation:	Industrial
1984 North Sacramento Community Plan Designation:	Industrial
Existing Zoning of Site:	M-1(S)R
Existing Land Use of Site:	Single Family Residence

Surrounding Land Use and Zoning:

North: Single family, vacant; County Agriculture Residential Zone
South: Drainage canal, Single family; M-1S-R
East: Single family; M-1S-R
West: Single family; hay storage, M-1S-R, R-1

Parking Required:	vehicle repair: 3 (1 space per 1,000 sq. ft) dog kennel: to be determined by Commission
Parking Provided:	not shown on site plan
Property Dimensions:	157 x 290
Property Area:	1.05+ acres
Square Footage of Building	vehicle repair
Topography:	Flat
Street Improvements:	Ascot paved, no curb gutter or sidewalks
Exterior Building Materials:	Stucco
Exterior Building Color:	Desert Sand
Roof Material:	Composition Shingles

PROJECT EVALUATION: Staff has the following comments regarding this proposal:

A. Land Use and Zoning

The subject site is a 1.05± acre interior lot located in the Light Industrial - Review (M-1S-R) zone. A single family residence is currently located on the site. Prior to 1984, the site was zoned Single Family (R-1) and the residence is a legal non-conforming use. Surrounding land uses include single family residences and vacant land. Surrounding lands are zoned M-1S-R to the south, east and west and Agriculture - Residential (AR-2) to the north in the unincorporated county. The site is designated for Industrial uses in the 1974 General Plan and the 1984 North Sacramento Community Plan.

The applicant lives in the single family residence on the site. The applicant operates a dump truck business and proposes to construct a 2,600± square foot vehicle repair shop on the site to service his four trucks when necessary (Exhibits A and B). The applicant also proposes to store the four trucks on the site when they are not in use. The proposed truck operation is consistent with the industrial land use designation for the site.

The applicant also has ten (10) Doberman dogs on the site in wire cages. The City Code allows a maximum of three dogs on a site and the applicant has been cited for having ten dogs on the site. The applicant; therefore, has applied for a special permit for a dog kennel (Exhibit A). The purpose of the dogs are for pets and to guard the proposed business on the site. The applicant does not intend to breed or sell the dogs. The applicant has provided letters from six adjacent property owners indicating that they are in favor of allowing the applicant to keep the dogs on the subject site (Exhibit D).

Planning staff contacted the City Animal Control Division regarding the applicant's proposal. Animal Control indicated that they have received a complaint regarding excessive barking of dogs at the subject site. Animal Control staff indicated that they are opposed to the issuance of a special permit for a dog kennel at this site due to the number of residential uses in this area and concerns regarding the appropriate disposal of animal waste.

Planning staff also contacted the County Planning and Animal Control Departments, which are responsible for regulating dog kennels in the unincorporated area. The Planning Department indicated that the main concern of the department in issuing a use permit for a kennel is the impact that the noise of the dogs may have on any adjacent residential uses. The Animal Control Department issues a kennel permit after a use permit is granted. They are concerned with noise, ventilation and sanitation issues. County Ordinance gives the Animal Control Department the authority to regulate dog kennels and to inspect them on an annual basis.

Planning staff finds that while the subject property is zoned industrial, the area is in a state of transition between residential and industrial uses. The noise and sanitation problems created by the ten dogs can be detrimental to the health, safety and welfare of adjacent property owners. A more appropriate time to locate a kennel at this site would be when the transition from residential to industrial is complete and the site is served by City Sewer so that adequate sanitary conditions for the use are provided. Staff, therefore, recommends that the special permit for the kennel use be denied.

B. Site Plan Design

The site plan indicates that the proposed vehicle repair shop and dog kennel are to be located in the rear of the 290 foot deep lot approximately 20 feet from the rear property line. The applicant intends to construct a driveway and pave the west side of the property line for truck storage. The area behind the existing residence would be used as a yard area for the residence and would not be paved. Staff recommends that a revised site plan indicating the driveway entrance, all paved areas, and the three required parking spaces for the 2,600 square foot shop be provided for staff review and approval prior to the issuance of building permits.

A 25 foot landscaped setback is required for industrial uses in the M-1S zone. Staff recommends that a landscape plan indicating the 25 foot setback area, landscaped with grass, and the required shading for the parking area be provided prior to issuance of building permits.

The applicant has located a chain link fence with redwood slats along the south, east and west property lines (Exhibit C). The applicant has requested a variance to waive the masonry wall requirement along the east and west property lines which is required when a non-residential use is adjacent to a residential use. The owners of the property to the west of the site have indicated that they have no objection to the waiver of the wall requirement. Staff finds; however, that the proposed vehicle shop and dump truck storage will be located adjacent to the east property line and a solid wall will be necessary as a noise and visual buffer for the adjacent residential use to the east. Staff, therefore, recommends that the required wall be waived only adjacent to the west property line.

The submitted site plan has been reviewed by the City Public Works Division. They recommend that the applicant join any future assessment district created for this industrially zoned area to provide for necessary street improvements.

C. Building Design

The applicant proposes to construct the vehicle repair shop and dog kennel out of wood with a stucco exterior and composition shingle roof. The proposed building color is Desert Sand. The buildings are designed to be compatible with the residence located on the site which has a stucco exterior and composition roof. Staff finds the proposed vehicle repair structure to be compatible in design and materials with surrounding uses. The dog kennel building, if approved, should have a solid wall surrounding the dog runs and adequate insulation.

ENVIRONMENTAL DETERMINATION: This project is exempt from environmental review pursuant to State EIR Guidelines.

RECOMMENDATION: Staff recommends the following actions:

- A. Denial of the special permit to develop a dog kennel based upon Findings of Fact which follow.
- B. Approval of the variance to waive the required masonry wall, subject to Conditions and based upon Findings of Fact which follow.
- C. Approval of the Plan Review in the M-1(s)-R zone, subject to Conditions and based upon Findings of Fact which follow.

Conditions - Variance

1. The applicant shall construct a six foot high solid masonry wall adjacent to the east property line starting behind the 25 foot front landscape setback. The design and materials of the wall shall be subject to Planning Director review and approval prior to issuance of building permits.

Conditions - Plan Review

1. A revised site plan indicating a driveway, three parking spaces and all paved areas shall, for the vehicle repair shop and dump truck, be submitted for staff review and approval prior to issuance of building permits. The kennel for ten dogs shall be eliminated from the site plan.
2. Landscape, shading and irrigation plans indicating a 25 foot front setback landscaped with grass, any other lawn or landscaped areas and compliance with the City's Shading requirements for parking stalls shall be submitted for staff review and approval prior to issuance of building permits.
3. The applicant shall submit a letter from the City Animal Control Division indicating that he has complied with City regulations regarding the keeping of dogs prior to issuance of building permits.

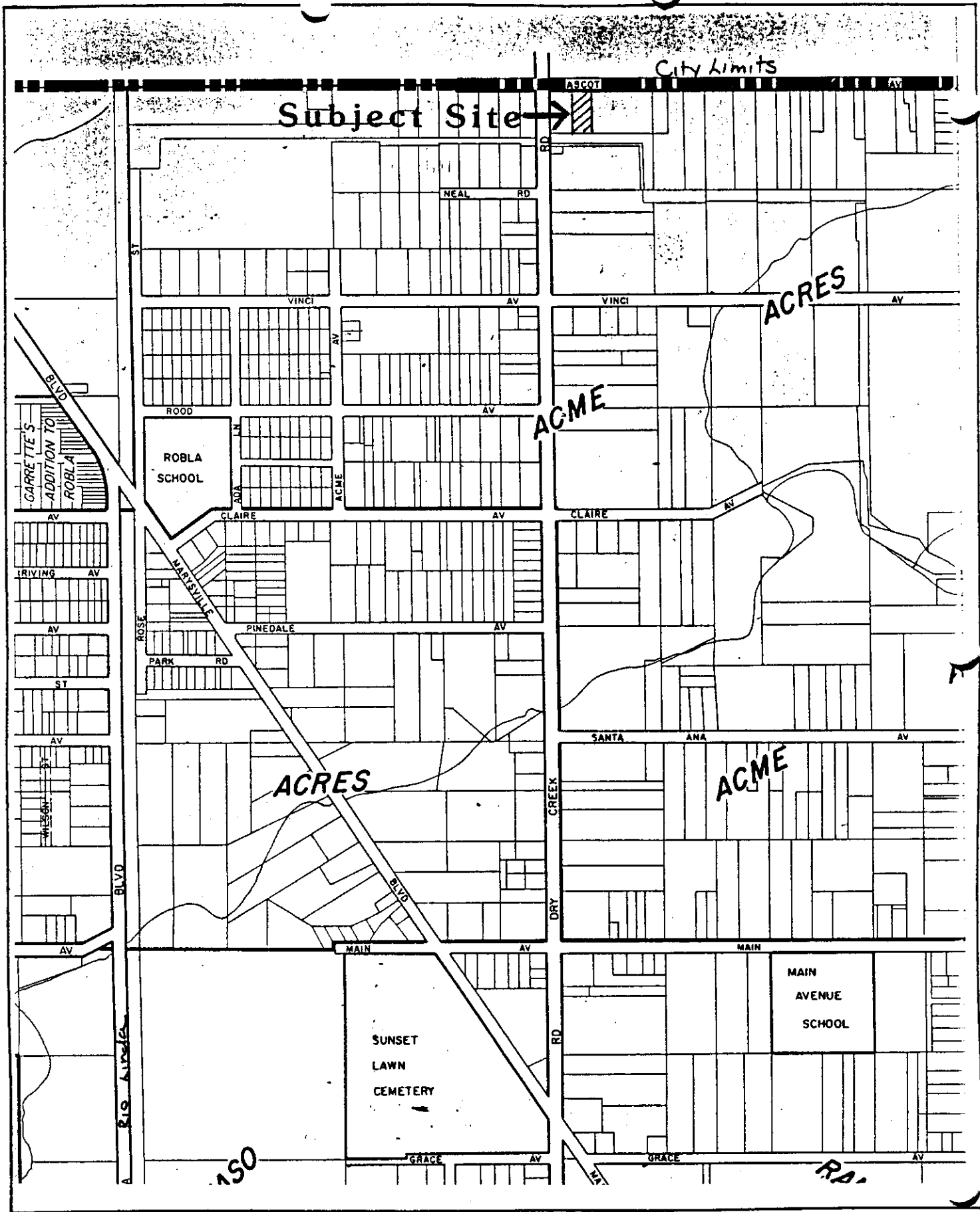
4. The applicant shall locate a solid fence between the existing residence on the site and the east property line to screen the dump trucks from the Ascot Avenue street frontage.
5. The applicant shall sign a letter with the City agreeing to participate in a future assessment district to construct street improvements prior to issuance of building permits.

Findings of Fact - Special Permit

1. The proposed dog kennel, if approved, would not be based upon sound principles of land use in that single family residences are located in the surrounding area.
2. The proposed dog kennel, if approved, would be detrimental to the public health, safety and welfare and could result in the creation of a nuisance in that:
 - a. the barking of the dogs could disturb surrounding residential uses;
 - b. the site is not served by the City sewer system

Findings of Fact - Variance and Plan Review

1. The project, as conditioned, is based upon sound principles of land use in that adequate parking and landscaping for the proposed dump truck vehicle repair and storage area will be provided.
2. The variance request, as conditioned, does not constitute a special privilege in that:
 - a. a masonry wall will be constructed along the east property line adjacent to where the vehicle repair and storage is proposed for the site;
 - b. a variance would be granted to other property owners facing similar circumstances.
3. The variance does not constitute a use variance in that a dump truck repair shop is allowed in the M-1(S)R zone.
4. The project, as conditioned, will not be injurious to the general public or surrounding properties in that adequate screening of the proposed use will be provided from adjacent properties.
5. The proposed project is consistent with the City's Discretionary Interim Land Use Policy in that the site is designated for Industrial use by the 1984 North Sacramento Community Plan and the proposed dump truck business use conforms with the plan designation.

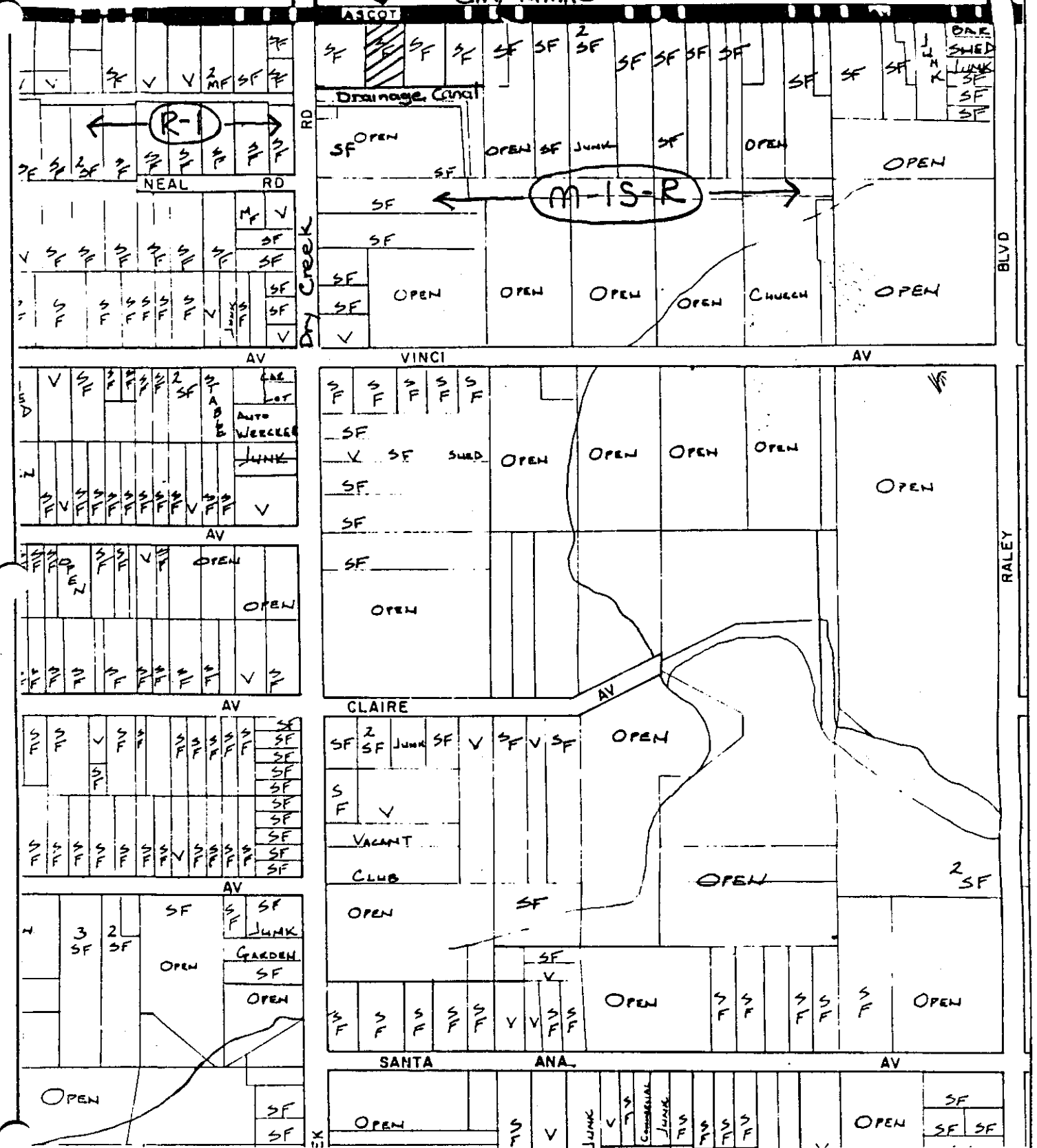


VICINITY MAP

Subject Site

See next page for County land use and zoning

City Limits



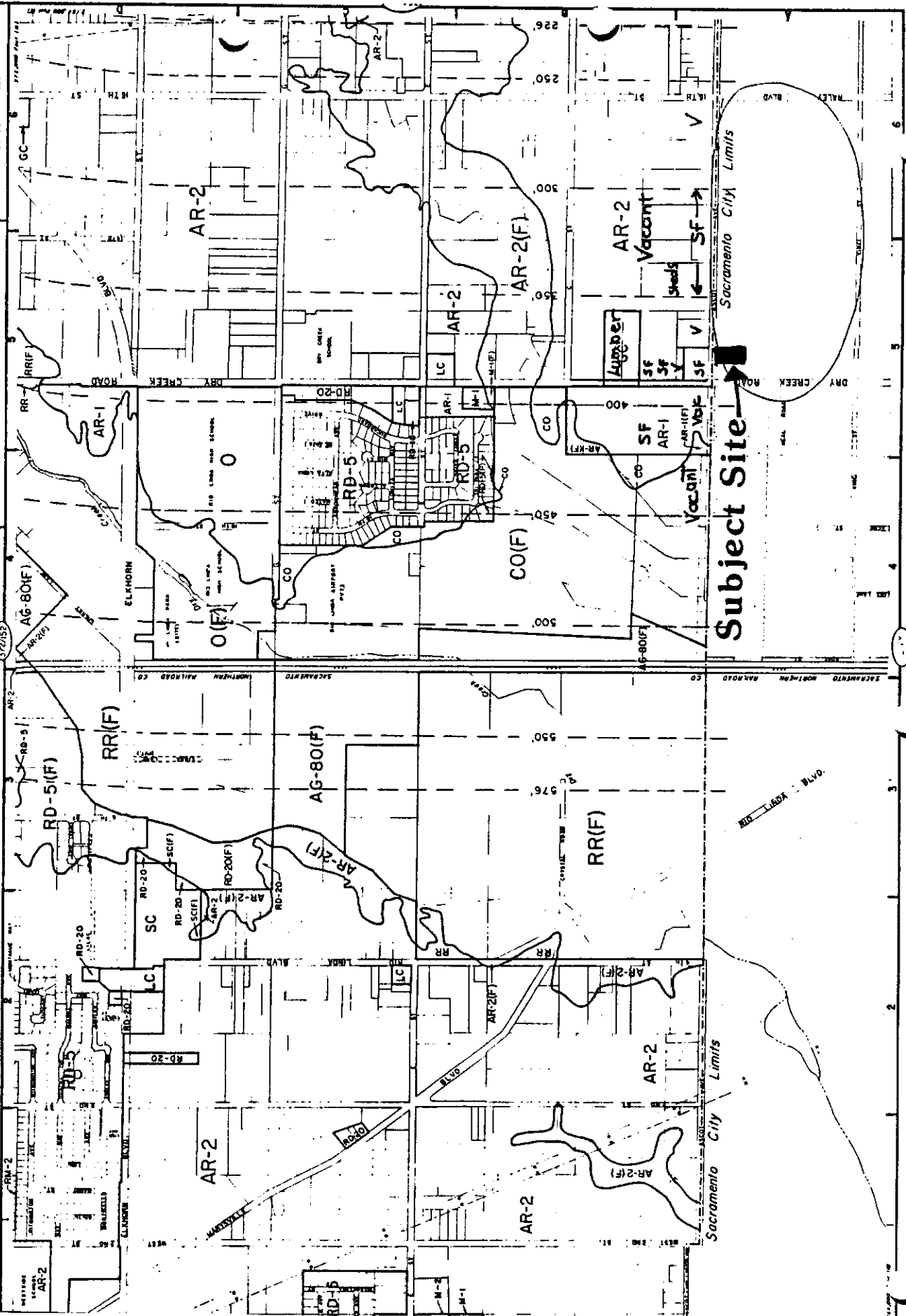
LAND USE & ZONING MAP

COMPREHENSIVE ZONING PLAN
SACRAMENTO COUNTY, CALIFORNIA

OFFICIAL APPROVAL CERTIFICATE
COUNTY PLANNING COMMISSION
APPROVED BY RESOLUTION NO. 28 MARCH 1978
BY: BETTY OLEARY, SECRETARY
DR. MICHAEL J. GILBERT, CHAIRMAN
SACRAMENTO COUNTY BOARD OF SUPERVISORS
ADOPTED BY ORDINANCE NO. 52C-78-98-12 JULY 1978
BY: BETTY OLEARY, SECRETARY
DR. E. HENRY FLORES, CHAIRMAN

364 / 152

SCALE IN FEET
1" = 200'-0"



LAND USE & ZONING MAP



SAGA SIGN & GRAPHICS
 1100 KENT AVE
 HO LINDA CA 94678
 941-4021
 1100 KENT AVE
 HO LINDA CA 94678
 941-4021

REVISIONS

DATE

BY

SCALE AS NOTED

SHEET

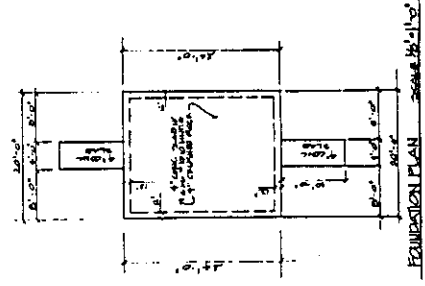
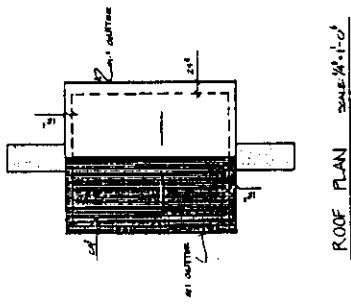
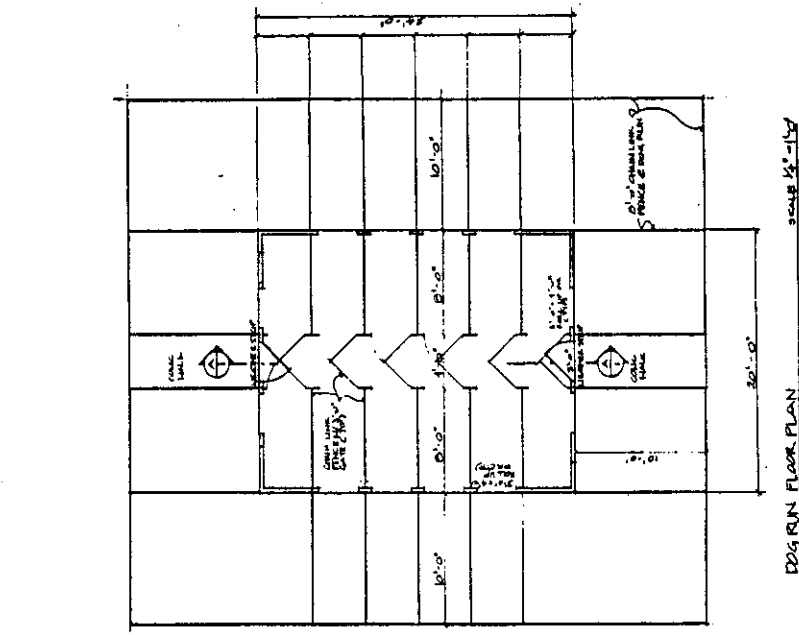
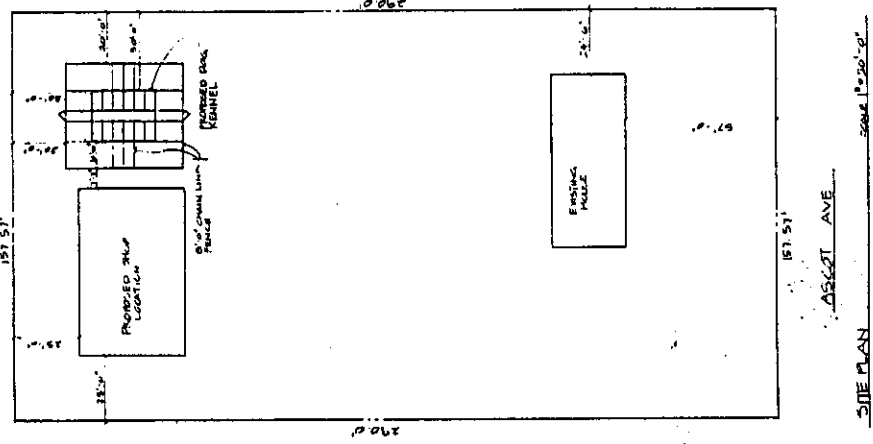
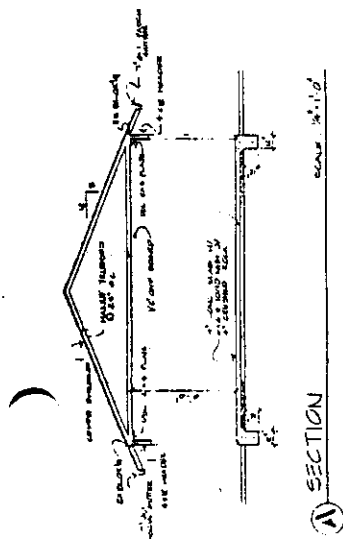
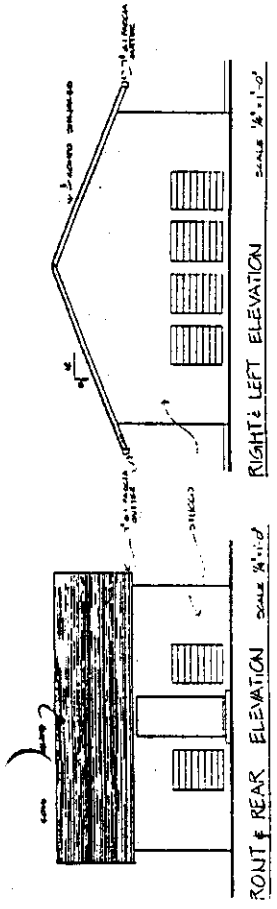
OF SHEETS OF

1100 KENT AVE
HO LINDA CA
94678
941-4021

1100 KENT AVE
HO LINDA CA
94678
941-4021

1100 KENT AVE
HO LINDA CA
94678
941-4021

EXHIBIT A



P86-424

12-4-86



ALBERTA Gold Graphics Inc.
 10000 17th Avenue S.E. Suite 100
 Calgary, Alberta T2C 1S7
 Phone: (403) 243-1111
 Fax: (403) 243-1112

LETTY I SCHLITZBERG
 ARCHITECT

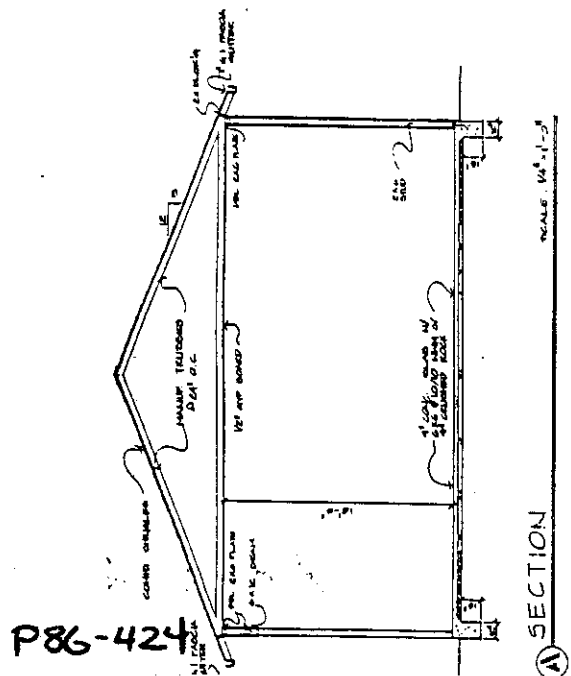
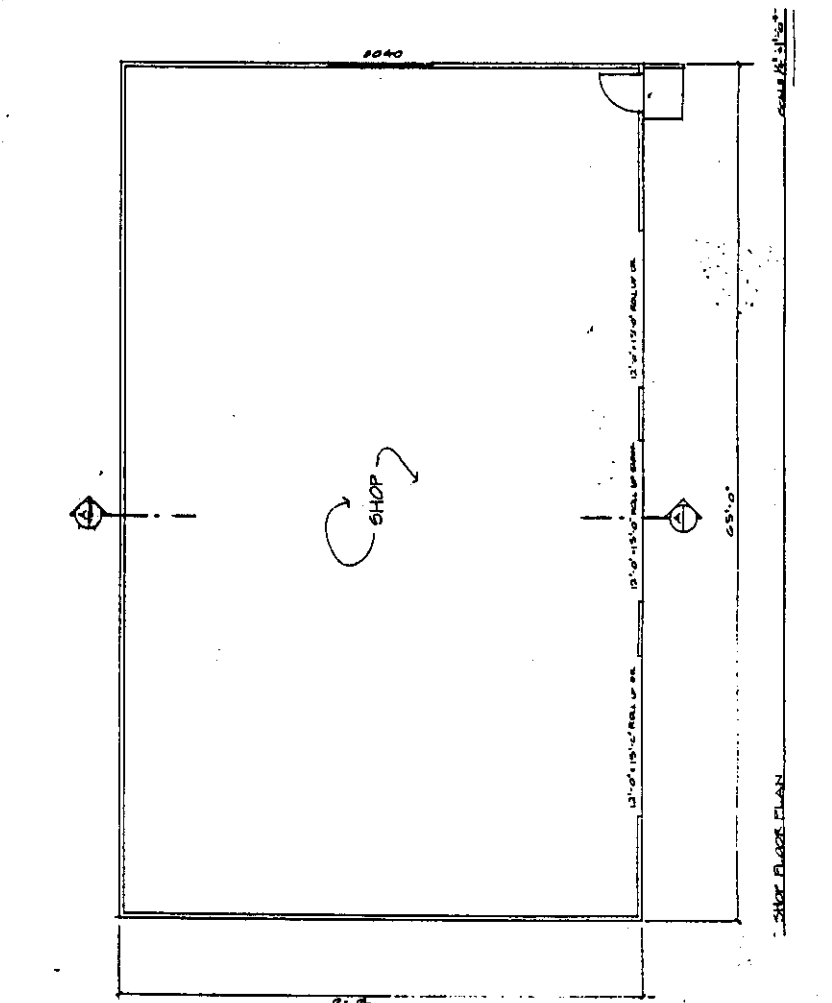
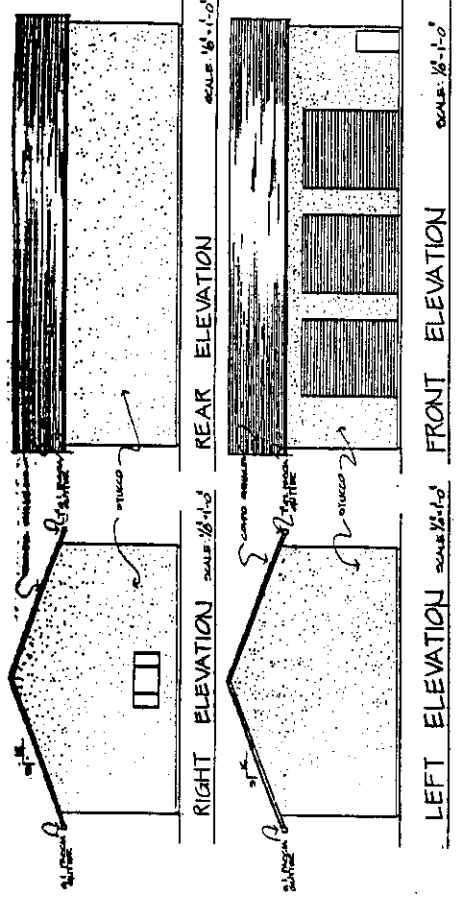
NO.	DESCRIPTION	DATE

SHOP FLOOR PLAN ELEV.
 FOUNDATION PLAN
 HIDDEN ZANDERS & KENNETH PARKWAY
 OWNERS
 1220 Avenue 991-4621
 RD LINDA 95673

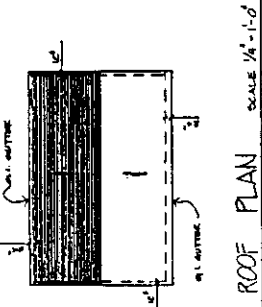
DATE	
SCALE	AS NOTED
SHEET	
OF SHEETS OF	

The architect and owner have agreed that the drawings are to be used for the construction of the building. The architect shall not be responsible for any errors or omissions in the drawings. The owner shall be responsible for any errors or omissions in the drawings. The architect shall not be responsible for any errors or omissions in the drawings. The owner shall be responsible for any errors or omissions in the drawings.

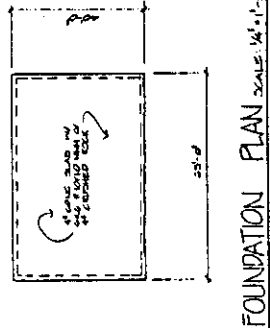
EXHIBIT B



P86-424



12-4-86

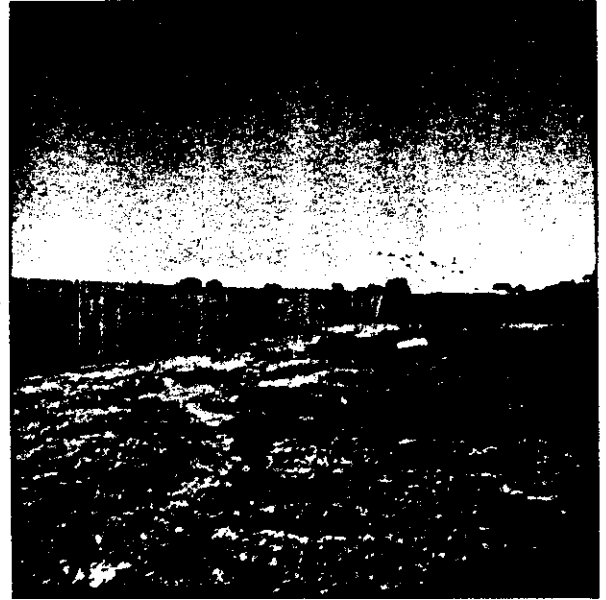
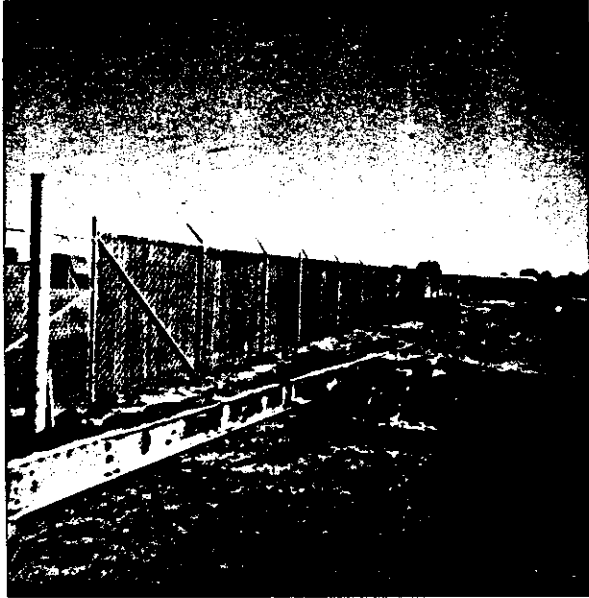


FOUNDATION PLAN SCALE 1/4" = 1'-0"

Item #31

EXHIBIT C

SUBJECT SITE



P86-424

12-4-86

Item #31

P86-424

EXHIBIT D

11-18-86

D-1

MILTON and GERARDINE DE SOUZA

1210 ASCOT AVE

RIO LINDA, CA 95073

991-4239

PARCEL NO 215-0230-062-0000

CITY PLANNING DEPARTMENT

NOV 19 1986

RECEIVED

We neighbors of Kenneth Leachy and Imogene Zander of 1220 Ascot Ave we like what they are doing with their parcel of land. We like their fences, the idea of watch dogs, also the business they are trying to establish. We agree with their fences being of chain links with stals rather than a masonry fence

Thank you

*Milton De Souza
Gerardine A. De Souza*

Adjacent property owner to west
of subject site

P86-424 ✓

D-2

CITY PLANNING DEPARTMENT

NOV 19 1986

RECEIVED

Earl & Kathy Talley
5509 Dry Creek Rd.
Sacramento, Ca, 95838
Parcel # 226-0080-012-0000

As a neighbor of Kenneth Peachey and Imogene Zander, I see no problem with what they are doing with their parcel of land. The idea of watchdogs & the business they are trying to establish is good and also seems no problem. I like the idea of his fence being of chain link with slats, not of being a masonry fence.

Earl R. Talley

Kathy R. Talley

P86-424

John Robert Pruden
5549 Dry Creek Rd.
Sacramento, CA 95826
991-4000

D-3

CITY PLANNING DEPARTMENT

NOV 19 1986

PARCEL NO. 226-0080-062-0000 RECEIVED

as neighbors of Kenneth Peachey
and Imogene Zander of 1220 Ascot Ave.
we like what they are doing with
their parcel of land. we like their
fences, the idea of watch dogs also
the business they are trying to
establish. we agree with their fences
being of chain link with steel
rather than a masonry fence

Thank you

John R. Pruden

P86-424

Robert Ferguson
4710 Norwood Ave
Sacramento, Ca 95838
226-0080-061-0000

D-4

CITY PLANNING DEPARTMENT

NOV 19 1986

RECEIVED

As a neighbors of Kenneth Peachey and Margene Zander of 1220 Ascot Ave. We like what they are doing with their fences, the idea of watch dogs, also the business they are trying to establish. We agree with there fences being of chain link with stals rather than a masonry fence.

Thank you

Cindy Ferguson
daughter of
Robert Ferguson

P86-424

12-4-86

Item #21

P86-424

D-5

11-18-86

BRYANT & Dixie Pennington
1240 ASCOT AVE
Rio Linda, CA 95673
991-2130

CITY PLANNING DEPARTMENT

NOV 19 1986

Parcel # 215-0230-065-0000 RECEIVED

AS NEIGHBORS OF KEND
I imagine ranch of 1200 ACRES
AVE WE LIKE WHAT THEY ARE
DOING WITH LAND, & THEIR FENCES.
WE LIKE THE IDEA OF WATCH
DOGS & THE BUSINESS THEY ARE
TRYING TO ESTABLISH. WE AGREE
WITH THE CHAIN LINK FENCE WITH
SLATS BETTER THAN MASONRY

Bryant Pennington
Dixie Lee Pennington

P86-424

12-4-86

Item #31

P86-424 ✓

D-6

Randy & Sharon Vieira
5449 Dry Creek Rd.
Lacto, Calif. 95838
Parcel No. 215-0230-055-0888

CITY PLANNING DEPARTMENT

NOV 19 1986

RECEIVED

As neighbors of Bennett Leachey
and Suzanne Zander of 1220 Ascot Ave.
we like what they are doing
with their parcel of land. We
like their fences, the idea of
watch dogs, also the business
they are trying to establish. We
agree with their fences being
of chain link with slats, rather
than a masonry fence.

Thank you

Randy & Sharon
Vieira

P86-424

12-4-86

Item # 31