

RESOLUTION AMENDED BY STAFF 6-23-94
RESOLUTION AMENDED BY CPC 6-23-94

RESOLUTION NO. 1615

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF JUNE 23, 1994

A RESOLUTION ADOPTING FINDINGS OF FACT AND
APPROVING VARIANCES FOR PROPERTY LOCATED AT 8642
ELDER CREEK ROAD

(P93-048) (APN: 064-0020-008)

WHEREAS, the City Planning Commission on June 23, 1994, held a public hearing on the request for approval of Variances to: 1) waive the paving requirements for the perimeter fire road, storage, and working areas of the Recycling Center; 2) to exceed the 55 dBA noise limitation of the property line which abuts a residentially occupied parcel; 3) to increase the operating hours from 8:00 a.m. to 7:00 p.m. to 6:30 a.m. to 7:00 p.m. within 200 feet of a residentially occupied property; 4) to allow composting closer than 200 feet to a residentially occupied property; and 5) to waive the required six foot masonry wall along the western property line, separating the residential use from the non-residential use for property located at the above described location;

WHEREAS, the City Environmental Coordinator has determined that the proposed project will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration;

WHEREAS, the Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed development;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SACRAMENTO THAT:


1. The Variances to 1) waive the paving requirements for the perimeter fire road, storage, and working areas of the Recycling Center; 2) to exceed the 55 dBA noise limitation of the property line which abuts a residentially occupied parcel; 3) to increase the operating hours from 8:00 a.m. to 7:00 p.m. to 6:30 a.m. to 7:00 p.m. within 200 feet of a residentially occupied property; 4) to allow composting

closer than 200 feet to a residentially occupied property; and 5) to waive the required six foot masonry wall along the western property line, separating the residential use from the non-residential use are hereby approved based upon the following findings of fact:

- A. Granting the Variances does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances.
 - B. Granting the Variances would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 - 1) the unpaved surfaces will contain the appropriate soil stabilization measures;
 - 2) the hours of operation will meet current standards at a distance of 200 feet from the residential property line; and
 - 3) a solid wood fence will be provided immediately adjacent to the residential structure.
 - C. Granting the Variances does not constitute a use variance in that a recycling center/composting facility is allowed in the Light Industrial - Review (M-1S-R) zone with Special Permit approval.
 - D. The project is consistent with the General Plan and South Sacramento Community Plan which designate the site Heavy Industrial or Warehouse and Industrial, respectively.
2. The Variances for the proposed recycling center (Exhibits D-1 through D-5) are hereby approved, subject to the following conditions:
- A. The site access road shall be paved. The Department of Public Works shall review and approve the proposed paving prior to the issuance of Building Permits to ensure that it is adequate to withstand the heavy trucks using the roadway.
 - B. The perimeter fire access road shall be a minimum of 15 feet in width and shall be ~~paved~~ *constructed* to meet minimum City standards *listed in Article 10 Division II of the Uniform Fire Code to the satisfaction of the Fire Department. (Staff Amended 6-23-94, CPC Amended 6-23-94)*
 - C. The applicant shall submit a site plan which details the layout of the parking area for review and approval of the Planning Director and Traffic Engineer prior to the issuance of any Building Permits. The parking area shall contain

a minimum of 21 parking spaces. The parking area shall also be required to meet minimum paving requirements.

- D. All portions of the site which are approved by the Variance to waive paving requirements shall contain an all weather capability through the use of a soil stabilization process.
- E. The undeveloped open space area shall be surrounded by a six inch raised concrete curb or fencing to prohibit any use of the area. If the area is to be used, it shall be paved to City Standards. There shall be no storage of bins within this area.
- F. ~~The applicant shall provide a minimum 8 foot high solid wood or masonry fence along the western property line from behind the 25 foot landscape setback to a minimum of 15 feet beyond the rear of the adjacent residence. The location and fence details shall be included on the plans submitted to the Building Division.~~ *The applicant shall provide a five foot high berm, as measured from the grade of the property, on L & D property immediately adjacent to the western common property boundary. The berm must extend from 150 feet back of Elder Creek Road, passed the occupied structures, for a total of approximately 415 feet. The berm must be landscaped with trees a minimum of 15 gallon in size, placed 50 foot on center and 1 gallon shrubs, placed 6 to 8 feet on center. Selection of the appropriate tree and shrub species shall be to the satisfaction of the residential property owner and the Planning Director and be with the specific intent of providing over time a visual and noise reducing barrier. Irrigation of the landscape berm shall be by L & D and to the satisfaction of the City's Landscape Architect. The drainage shall be reviewed and approved by the Utility Department to ensure that drainage does not cross property lines. (Staff Amended 6-23-94, CPC Amended 6-23-94)*
- G. The hours of operation shall not exceed 6:30 a.m. to 7 p.m., ~~except for within 200 feet of the residentially occupied property, where the operations cannot begin until 8 a.m.~~ *(Staff Amended 6-23-94)*


CHAIRPERSON

ATTEST:


SECRETARY TO PLANNING COMMISSION
P93-048