

**CITY OF SACRAMENTO
DEPARTMENT OF PLANNING & DEVELOPMENT
ZONING ADMINISTRATOR
1231 I Street, Sacramento, CA 95814**

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, September 29, 1999, the Zoning Administrator approved with conditions variances to allow a warehouse to project into the rear and interior yard setbacks for the project known as Z99-098. Findings of Fact and conditions of approval for the project are listed on pages 2 and 3.

Project Information

- Request: 1. **Zoning Administrator Variance** to reduce the required rear yard landscaped setback from 15 feet to 7.5 feet for a proposed 48,033 square foot warehouse building on 3.08± vacant acres in the Heavy Industrial-North, Special Planning District (M-2)(SPD) zone.
2. **Zoning Administrator Variance** to reduce the required interior side yard landscaped setback from 15 feet to 7.5 feet.

Location: SE Corner North 10th and Richards Boulevard (D1, Area 1)

Assessor's Parcel Number: 001-0090-001

Applicant: Buzz Oates Enterprises II (Mike Peters)
 8615 Elder Creek Road
 Sacramento, CA 95828

Property Owner: Phillip and Jana Oates
 8615 Elder Creek Road
 Sacramento, CA 95828

Project Planner: Sandra Yope

General Plan Designation: Heavy Commercial or Warehouse
Central City

Community Plan Designation: Industrial- Residential

Existing Land Use of Site: Vacant

Existing Zoning of Site: Heavy Industrial-North, Special Planning District (M-2)(SPD)

Surrounding Land Use and Zoning:	Setbacks	Required	Proposed
North: M-2 North (SPD); Industrial	Front:	10'	70'
South: C-4; Vacant	Side(E.):	15'	7.5'
East: M-2 North (SPD); Industrial	Side(W):	10'	10'
West: M-2 Central (SPD); Industrial	Rear:	15'	7.5'

Property Dimensions:	Irregular
Property Area:	3.08± acres
Square Footage of Building:	48,033 square feet
Exterior Building Materials:	Concrete/Glass
Roof Materials:	Built Up
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

Project Plans: See Exhibits A-C

Previous Files: None

Additional Information: The site is a vacant lot located in the Richards Boulevard Special Planning District. The applicant is to construct a new 48,033 square foot warehouse building. The proposed building will be 7.5 feet from the side and rear interior property lines. The Zoning Ordinance requires a 15 foot landscaped setback along all interior property lines for sites zoned M-2 North within the Richards Boulevard SPD. The applicant is requesting a variance to reduce the required setbacks. The site is adjacent to railroad easements to the east and a drainage canal along the south, the two interior property lines. The intent of the required landscaped setback was to provide a buffer between possible residential and industrial uses.

The site is located within the Capitol Station District association area. The project plans were sent to the association. The association supports the project. The project has been noticed and staff has not received any calls. The site is also located within a Design Review Area. The applicant has submitted an application to Design Review staff (DR99-126).

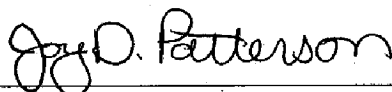
Environmental Determination: This project will not have a significant effect on the environment and is exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Sections 15305(a).

Conditions of Approval

1. There shall be no further expansion of the building into the setback areas.
2. Size and location of the building shall conform to the plans submitted. The applicant shall comply with all Design Review Staff conditions and submit revised plans to Planning should changes to submitted plans be required.
3. The applicant shall obtain all necessary building permits prior to commencing construction.
4. The following are Building Division comments:
 - a. The exterior wall should be two hour fire rated walls.
 - b. The opening along the rear wall shall be 3/4 hour rated.

Findings of Fact- Variances:

1. The proposed project, as conditioned, is based upon sound principles of land use in that the proposed building will not substantially alter the characteristics of the surrounding neighborhood.
2. Granting the variance does not constitute a special privilege extended to an individual applicant in that a variance would be and has been granted to other property owners facing similar circumstances.
3. Granting the variance request does not constitute a use variance in that the warehouse building is an industrial use that is permitted in the Heavy Industrial-North (M-2) zone.
4. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
 - a. the lot is adjacent to a drainage canal and railroad right-of-way; and
 - b. the proposed project will not substantially alter the characteristics of the surrounding industrial area or proposed plans for the future of the Richards Boulevard area.
5. The project is consistent with the General Plan and Central City Community Plan which designate the subject site as Heavy Commercial or Warehouse and Industrial- Residential.

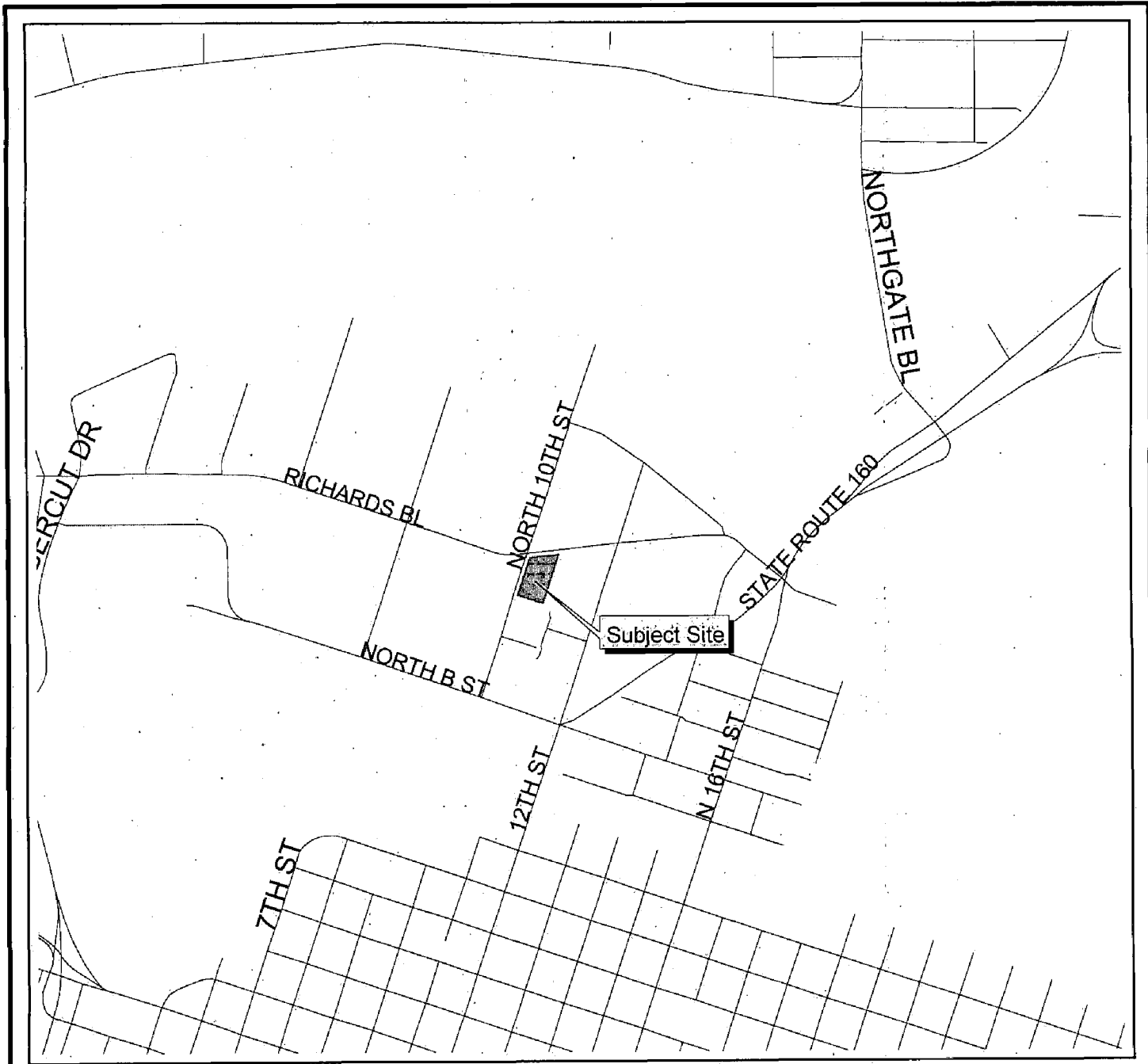


Joy D. Patterson
Zoning Administrator

A use for which a Variance is granted must be established within two years after such permit is approved. If such use is not so established the Variance shall be deemed to have expired and shall be null and void. A Variance which requires a Building Permit shall be deemed established when such Building Permit is secured and construction thereunder physically commenced. If no building permit is required, the use shall be deemed established when the activity permitted has been commenced.

The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

cc: File
Applicant
ZA Log Book



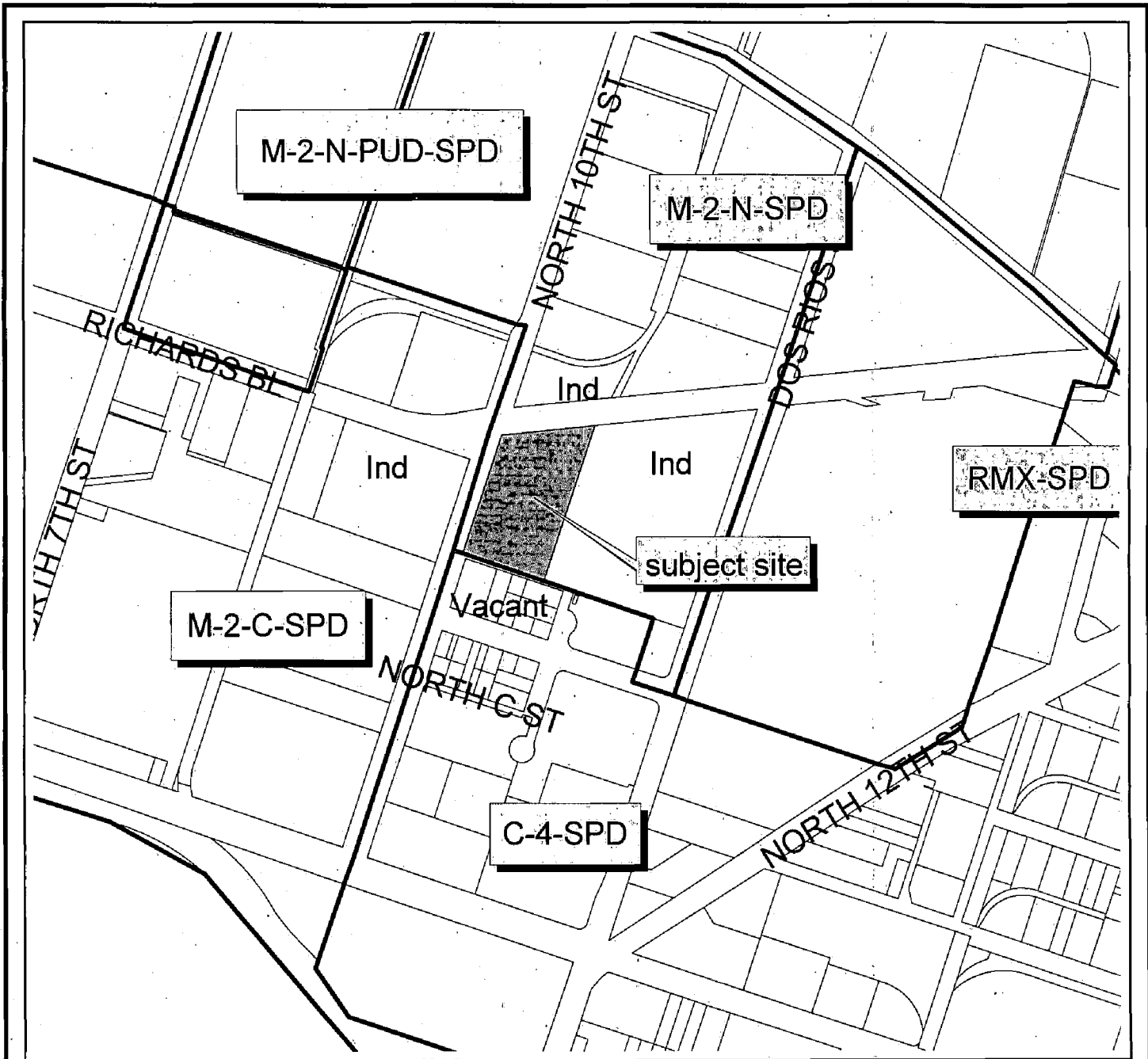
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LAND USE AND ZONING

