

City Planning Commission
Sacramento, California

Members in Session:

Subject: Appeal of Planning Director's Denial of a Variance To Waive a Six Foot Solid
Masonry Wall (P86-227)

SUMMARY: On July 15, 1986, the Planning Director denied a variance to waive the required six foot solid masonry wall separating residential from non-residential zones and uses for property located at 2610 and 2620 Plover Way. Attached is the Planning Director's report and decision (Exhibit A). The applicant does not agree with the action and subsequently filed an appeal (Exhibit B).

PROJECT BACKGROUND:

The applicant is requesting a waiver of the required masonry wall between a residence and a recreation vehicle storage use. The applicant has not stated the reason for the request, but feels the wall would be of little benefit to the resident or the applicant. The purpose of a masonry wall between a residence and a non-residential use is to provide a visual and sound buffer between two non compatible land uses. Although a fence and vegetation exists along the property line, they do not provide a sufficient buffer. The resident of the property adjacent to the subject site has indicated that a wall is desired to eliminate some of the noise the residents experience now and after the storage yard is completed. No hardship has been demonstrated which warrants the granting of the variance. Therefore, on July 15, 1986, the Planning Director denied the request to waive the six foot high masonry wall.

STAFF RECOMMENDATION: Staff recommends the Commission deny the appeal based on Findings of Fact which follow:

Findings of Fact:

1. Granting the variance would constitute a special privilege extended an individual applicant, in that there is no hardship nor unusual circumstances involved to support the request.
2. Granting the variance would be injurious to public welfare, in that the existing fence and vegetation do not provide an adequate noise barrier between the residence and the parking area.

Respectfully submitted,


Wilfred Weitman
Senior Planner

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~~August 14, 1986~~

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1-22-87

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OFFICE OF APPEAL OF THE DECISION OF THE SACRAMENTO CITY PLANNING COMMISSION DIRECTOR EXHIBIT B

DATE: 21 JULY 86

TO THE PLANNING DIRECTOR:

I do hereby make application to appeal the decision of the City Planning Commission of 15 JULY 86 when: (Date)

Rezoning Application Variance Application
X Special Permit Application X PLANNING DIR. VARIANCE

was: Granted Denied by the PLANNING DIRECTOR

GROUNDS FOR APPEAL: (Explain in detail) WE FEEL THAT ANY CONCERNS PERTAINING TO THE LOCATION AND NECESSITY OF THE MASONRY WALL CAN BE MITIGATED IN A WAY ACCEPTABLE TO ALL PARTIES CONCERNED

PROPERTY LOCATION: 2010 & 2020 FLOWER WAY

PROPERTY DESCRIPTION: RV STORAGE LOT

ASSESSOR'S PARCEL NO. 266 - 322 - 8 & 13

PROPERTY OWNER: LOFTUS - GRAGG DEVELOPMENT

ADDRESS:

APPLICANT: COLLABORTIVE DESIGN CONSULTANTS

ADDRESS: 1435 RIVER PARK DR. Suite 405

APPELLANT: (Signature) KEVIN L. WILCOX (PRINT NAME)

ADDRESS: - SAME - for Collaborative design

FILING FEE: 125.00
by Applicant: 505.00 RECEIPT NO.
by 3rd party: 60.00

FORWARDED TO CITY CLERK ON DATE OF: P-86-227

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5/82 CITY PLANNING DEPARTMENT DISTRIBUTE TO - (4 COPIES REQUIRED): MVD HY WW LO SG

JUL 21 1986 3:15 pm (JDP)

RECEIVED August 14 1986 1-22-87

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10-10-86 item

PLANNING DIRECTOR'S VARIANCE EXHIBIT A
1231 J STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT	Anthony Florentino, 1435 River Park Dr., Sacramento, CA 95815		
OWNER	Gragg Land Development, 1481 River Park Dr., Sacramento, CA 95815		
PLANS BY	Anthony Florentino, 1435 River Park Dr., Sacramento, CA 95815		
FILING DATE	6-5-86	ENVIR. DET.	Ex. 1506(b)(3)
ASSESSOR'S-PCL. NO.	266-322-08,13		REPORT BY LP:tc

APPLICATION: Planning Director's Variance to waive the required six foot high masonry wall on .62± developed acres (P86-227)

LOCATION: 2610 and 2620 Plover Way

PROPOSAL: The applicant is requesting the necessary entitlements to waive a six foot masonry wall between a residence and industrial development

PROJECT INFORMATION:

1974 General Plan Designation:	Industrial
1965 Arden-Arcade Community Plan Designation:	Commercial
Existing Zoning of Site:	M-1
Existing Land Use of Site:	Vacant

Surrounding Land Use and Zoning:

North:	Residential; R-2A
South:	I-80; M-1, TC
East:	Mini-storage; M-1
West:	Residential, school; R-2A

Property Dimensions:	Irregular
Property Area:	0.62± acres
Topography:	Flat
Street Improvements/Utilities:	Existing

BACKGROUND

On January 9, 1986, the Planning Commission overturned staff's recommendation and recommended approval of an amendment to the Arden-Arcade Community Plan from Multiple Family Residential and Business and Professional Office to Industrial, and of a rezone from R-2A and OB to M-1, and approved a lot line merger for 2610 and 2620 Plover Way. The City Council upheld the Planning Commission's recommendation and approved the amendment and rezoning on February 12, 1986. The conditions of approval are attached in the Exhibit B Ordinance.

PROJECT EVALUATION: Staff offers the following comments:

- A. The subject site is a vacant 0.62± acre portion of a mini storage site located at 2610 and 2620 Plover Way in an M-1 zone. Surrounding land uses include residences to the north and west, I-80 to the south and the mini-storage complex to the east. The Ben Ali School is directly west of the site also. As the Arden-Arcade Community Plan was amended to allow the

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mini-storage, the project is now consistent with the 1965 Arden-Arcade Community Plan and the 1974 General Plan, which designate the site commercial and industrial, respectively.

- B. The applicant is requesting a waiver of the required masonry wall between a residence and a recreation vehicle storage use. The applicant has not stated the reason for the request, but feels the wall would be of little benefit to the resident or the applicant. A condition of approval of the original project was "The Zoning Ordinance requires a six foot high solid masonry wall along the north property line adjacent to the residential use. An approved Planning Director's Variance will be required to waive this requirement." This wording does not guarantee that a Planning Director's variance will be approved. The purpose of a masonry wall between a residence and a non-residential use is to provide a visual and sound buffer between two non compatible land uses. Although a fence and vegetation exists along the property line, they do not provide a sufficient buffer. The resident of the property adjacent to the subject site has indicated that a wall is desired to eliminate some of the noise the residents experience now and after the storage yard is completed. No hardship has been demonstrated which warrants the granting of the Variance.

ENVIRONMENTAL DETERMINATION: The project is exempt from environmental review pursuant to state EIR Guidelines (CEQA Section 15061(b)(3))

RECOMMENDATION: Staff recommends denial of the variance, based upon the following Findings of Fact:

Findings of Fact

1. Granting the variance would constitute a special privilege extended an individual applicant, in that there is no hardship or unusual circumstance involved to support the request.
2. Granting the variance would be injurious to public welfare, in that the existing fence and vegetation do not provide an adequate noise barrier between the residence and the parking area.

REPORT PREPARED BY

Lisa Pyzel 7/11/86

Lisa Pyzel
Jr. Planner

RECOMMENDATION APPROVED:

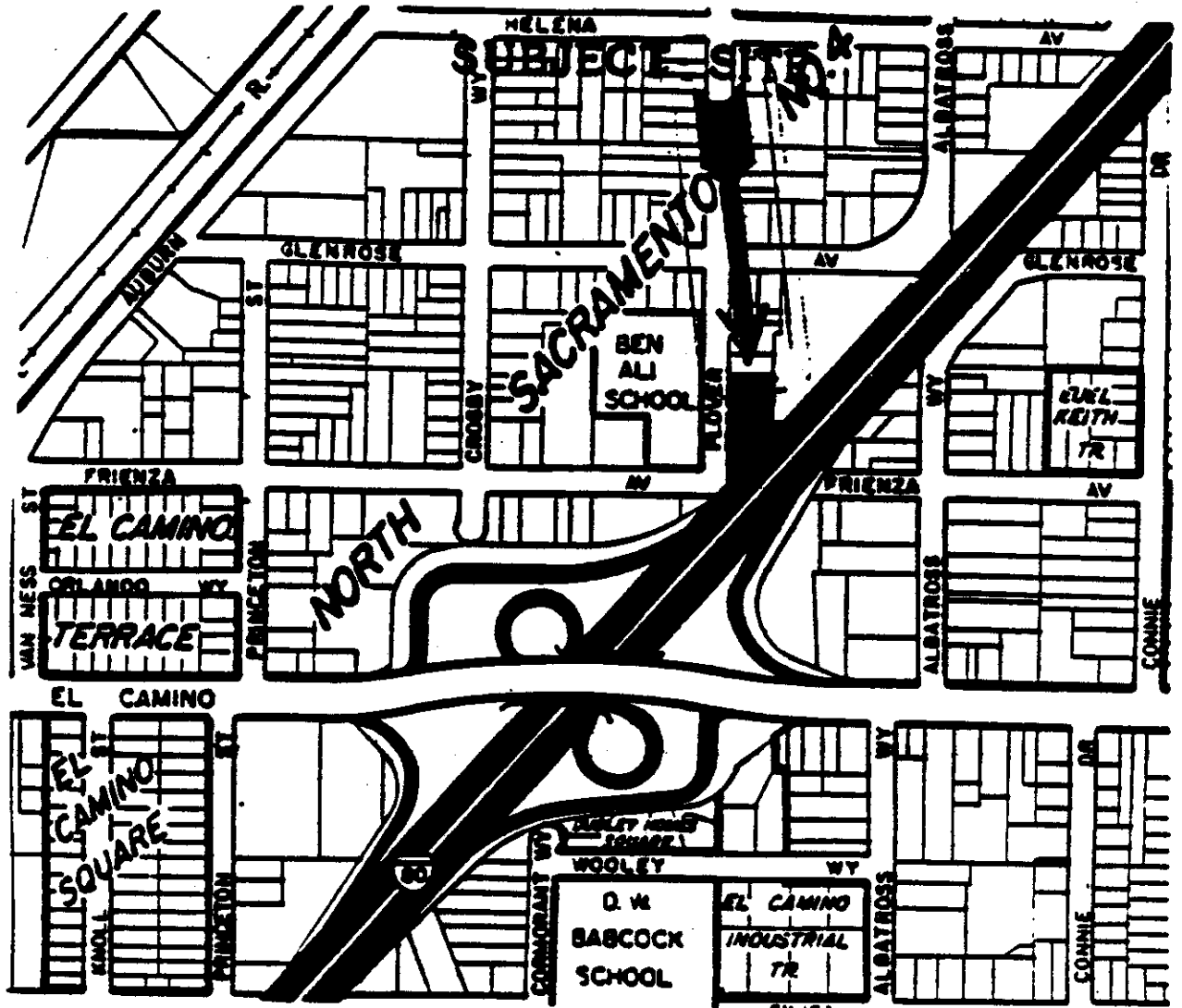
Marty Van Duyn 7-15-86
Marty Van Duyn
Planning Director

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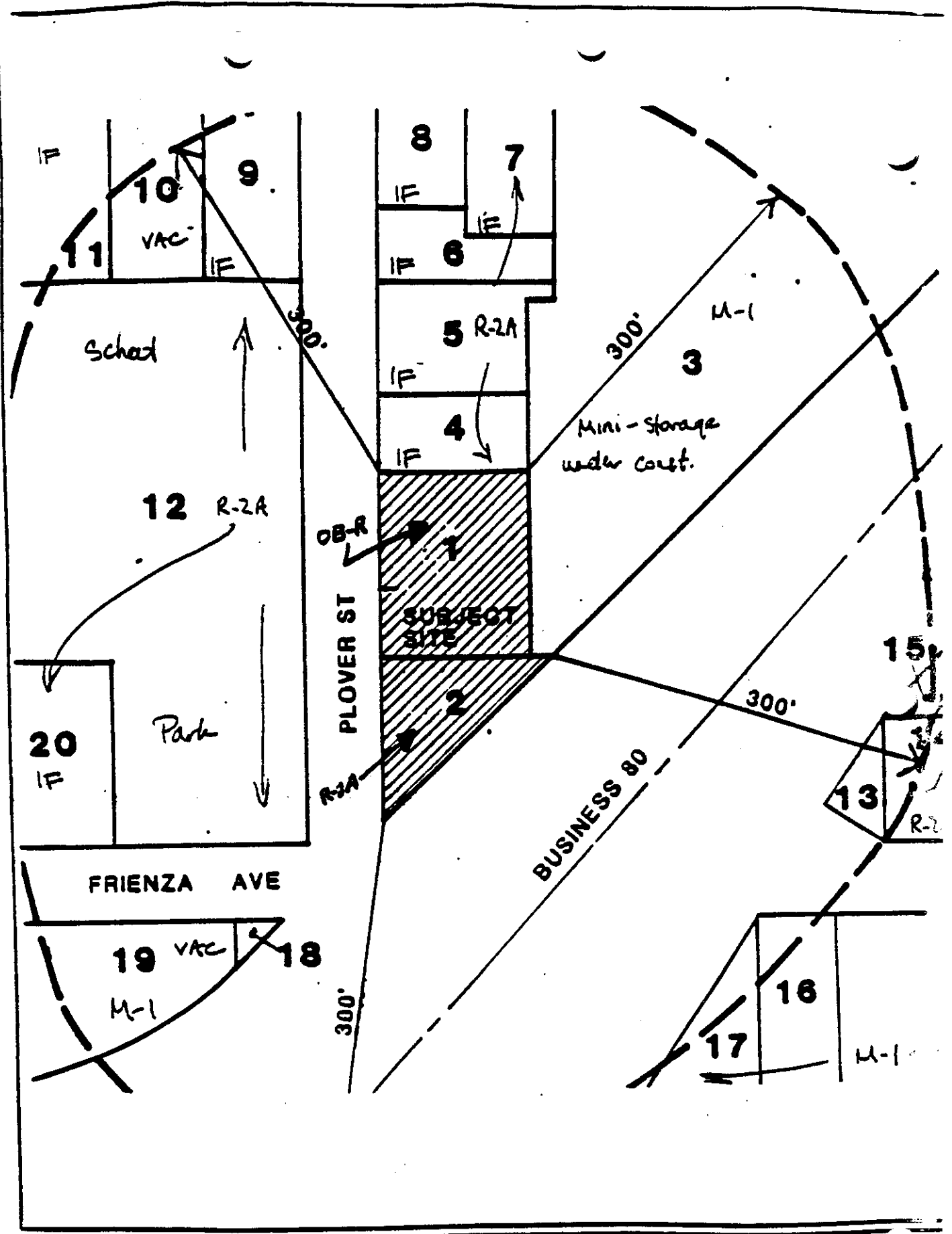


VICINITY MAP

FB6227

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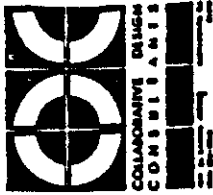


LAND USE & ZONING MAP

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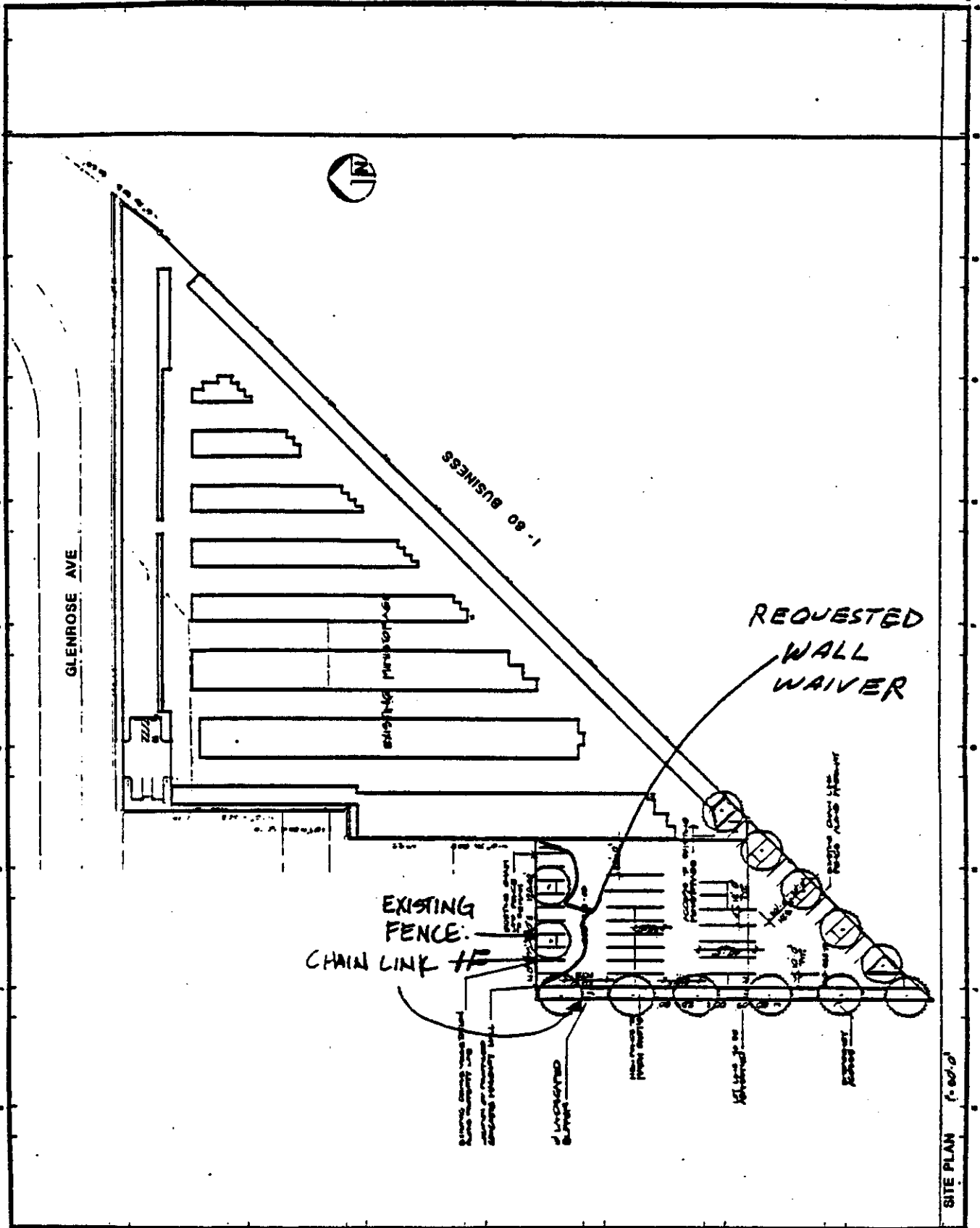
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Anthony Rosenthal, AIA
Architect C-12086

2610 & 2620 PLOVER STREET
SACRAMENTO, CA

EXHIBIT A
SITE PLAN



SITE PLAN 1-80-8

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Jim [Signature]

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