

P97-116 - 2442 North Avenue Lot Merger and Variances

- REQUEST:
- A. Environmental Determination: Categorically Exempt (Section 15305(a));
 - B. Lot Merger to merge two parcels into one 27,270± square foot parcel;
 - C. Variance to waive the outdoor storage area paving requirement;
 - D. Variance to waive the 6 foot masonry wall requirement for industrial development adjacent to a residential use

LOCATION: 2442-2448 North Avenue
APN: 252-0042-007, 008
North Sacramento Community Plan Area
Council District 2

APPLICANT:	Pantelis Kallergis, (916) 972-7148 3925 Pasadena Avenue Sacramento, CA 95821
OWNER:	Same
APPLICATION FILED:	October 21, 1997
STAFF CONTACT:	Thomas S. Pace, (916) 264-6848

SUMMARY:

The applicant proposes to merge two parcels into one in order to construct a 3600 square foot storage shed over a portion of two existing parcels in the M-1 zone, and to waive masonry wall screening and storage area paving requirements. The applicant has indicated that Olympic Landscaping has occupied the site for fourteen years and has used the existing 1,200 square foot former residence for office use during that time. In order to meet the applicant's objectives, the project requires the discretionary planning entitlements described above. The basic site plan

issues relate to the amount of paving and screening of the site which is necessary in order for the use to continue compatibly in the surrounding neighborhood.

RECOMMENDATION: Staff recommends approval of the project subject to conditions set forth herein. This recommendation is based on its consistency with the policies in the General Plan and North Sacramento Community Plan which guide industrial development.

PROJECT INFORMATION:

General Plan Designation:	Industrial
Community Plan Designation:	Industrial
Existing Land Use of Site:	Landscaping service
Existing Zoning of Site:	M-1

Surrounding Land Use and Zoning:

North: McClellan AFB; county zone M-1
 South: Residential and Industrial; M-1
 East: Residential; M-1
 West: Residential; M-1

Setbacks:	Required	Provided
Front:	0'	29'
Side(St):	n/a	n/a
Side(Int):	0'	2'
Rear:	0'	10'

Property Dimensions:	146' wide x 126'-230' deep
Property Area:	0.73± gross acres 0.63± net acres
Square Footage of Building:	Office: 1200 sqft., Proposed Shed: 3600 sqft.
Height of Building:	16 feet, 1 story
Exterior Building Materials:	standing seam metal
Roof Material:	standing seam metal
Parking Provided:	7 spaces
Parking Required:	7 spaces
Topography:	Flat
Street Improvements:	Sidewalk, Curb, and Gutter to be constructed
Utilities:	Storm Drain to be constructed

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

Permit

Certificate of Compliance
Encroachment Permit
Driveway Permit
Building Permit

Agency

Public Works, Development Services
Public Works, Development Services
Public Works, Development Services
Building Division

BACKGROUND INFORMATION:

According to the applicant, he has operated his landscaping business at the current location for fourteen years. Prior to his acquisition of the property, the site was used by a towing company. Originally the property was developed as a single family residence (at 2442 North Avenue; 2448 North Avenue appears to have always been vacant). In 1984, the portion of North Sacramento which is situated south of McClellan Air Force Base was rezoned from R-1 to M-1, causing the existing residences adjacent to the site to become legal, non-conforming uses.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The proposed lot line merger and variances are consistent with both the General Plan and North Sacramento Community Plan (NSCP) policies and land use designations.

B. Site Plan Design/Zoning Requirements

The site plan, as revised, indicates provision of paved parking area for seven parking spaces, which complies with Zoning Ordinance requirements. Standard landscaping (a minimum of 4 feet of planter adjacent to the public right-of-way) and tree shading (50% of paved parking area must be shaded) will be provided. One handicapped accessible parking space has been provided in accordance with ADA requirements.

1. Storage Area Paving

Section 6-D-3 of the City's Zoning Ordinance requires that all off-street parking, loading, storage, sales, rental or service areas for vehicles shall be surfaced with either two inches of compacted asphalt paving over four inches of aggregate base rock or three inches of portland cement paving. For this reason, the applicant is requesting a variance so that the storage yard area could remain with the existing gravel surface.

Normally, storage areas must be paved for aesthetic and drainage reasons. More intensive industrial uses on larger parcels can have a negative impact on the

neighborhood, creating a "junk yard" effect. Pavement in these cases helps protect the neighborhood from weed-covered yards and leakage of toxic materials into the soil. In this case, staff is not opposed to the applicant's request to waive portions of the required paving, as the site is relatively small (just over a half acre) and will be screened from the street by buildings and from the neighboring residences by fences, the gravelled area is used for storage of inert landscape material which is unlikely to have any toxic effect, and doing so will result in less impervious area which will reduce drainage impacts to the local drainage system. The Utilities Department has indicated support for a reduction in paved area for this reason. However, drainage for both paved and unpaved areas will be provided in accordance with Utilities Department requirements.

2. Wall Requirement

Although the adjacent properties are zoned Light Industrial (M-1), several are developed with single-family residences, except for the portion to the south that is used as a storage yard. The Zoning Ordinance (Section 3-D-7-b(1)) requires that a six-foot high masonry wall be constructed between residential and non-residential uses. Due to the fact that the existing use on the site is a relatively low-impact use which does not generate significant amounts of noise, and that the primary need is for visual screening, staff feels that a variance to waive the masonry wall requirement can be supported. Instead, dark-colored vinyl slats will be inserted into the existing chain-link fence along the west and east property lines (there is no residence to the south). This solution will provide a screening fence between the residential uses and storage area, and will allow visibility in the front portion of the site for security purposes. While all adjacent property owners were notified early on in the process of this proposal, only one responded. He indicated that the chain-link fence with slats would be an acceptable alternative to a masonry wall.

C. Lot Merger

Subdivision Regulations. Chapter 40, Article V, of the City Code establishes the procedure for allowing "the merger of contiguous parcels under common ownership at the request of the property owner" (§40.501). Typically, the "Zoning Administrator is authorized to approve the merger..." (§40.502). Due to the concurrent Variance requests, the entire project has been referred to the Planning Commission. The requested Lot Merger meets the findings required under §40.505 of the Regulations. (See the findings included in Attachment 1, Notice of Decision and Findings of Fact).

The proposed Lot Merger would combine two parcels in the M-1 zone which are under the same ownership (Exhibit 1B). The applicant proposes to build a 3,600 square foot storage shed in a location which crosses over the property line between the two subject parcels by two feet; therefore, he needs to merge the parcels. The size and orientation of the resulting parcel would be consistent and compatible with the existing pattern of

commercial/industrial and residential development in the vicinity. The project would yield a viable industrial parcel in an area which is in need of revitalization. The project, as conditioned, would preserve the location of existing street and utility easements and would conform to the requirements of the General Plan, Zoning Ordinance, Subdivision Regulations, and Building Code. Staff therefore recommends **approval** of the Lot Line Merger subject to conditions.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project is exempt from environmental review pursuant to CEQA Guidelines (Section 15305[a]).

B. Public/Neighborhood/Business Association Comments

Early Project Notification cards were sent to Robla Community Association, Gary Collier, Village Green Mobile Home Park, North Hagginwood Neighborhood Alliance, and adjacent property owners. The following comments were received:

1. Gus Ralph of 2454 North Avenue (next-door neighbor to the east) indicated that the chain-link fence with slats would be an acceptable alternative to a masonry wall.
2. Gary Collier, an active North Sacramento community member, indicated that he was concerned about waiving the paving requirement due to dust, but was supportive of waiving the wall requirement for this use only and not for any future use requiring a sound barrier.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. The following summarizes the comments received:

1. Public Works Comments: According to the Public Works Department, the proposed project, as revised, will not pose any traffic or circulation problems.
2. Utilities Comments: The Utilities Department has indicated that the project will be required to provide an on-site drainage system to tie in with the City's storm sewer system. A condition to this effect has been included.
3. Fire Comments: The Fire Department would like to have a Knox Box installed on site to allow emergency access to the rear of the property. This device is a lock box containing keys to the locked gates which can only be accessed by emergency

personnel. A condition to this effect has been included.

PROJECT APPROVAL PROCESS: The Planning Commission has the authority to approve or deny all of the entitlements requested. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

- A. Adopt the attached Notice of Decision and Findings of Fact which finds that the project is Exempt pursuant to CEQA Section 15305(a);
- B. Adopt the attached Notice of Decision and Findings of Fact approving the Lot Merger to merge two parcels into one 27,270± square foot parcel;
- C. Adopt the attached Notice of Decision and Findings of Fact approving the Variance to waive the outdoor storage area paving requirement;
- D. Adopt the attached Notice of Decision and Findings of Fact approving the Variance to waive the 6 foot masonry wall requirement for industrial development adjacent to a residential use

Report Prepared By,



Thomas Pace
Assistant Planner

Report Reviewed By,



Scot Mende
Senior Planner

Attachments

Attachment 1	Notice of Decision & Findings of Fact
Exhibit 1A	Site Plan
Exhibit 1B	Lot Line Merger
Attachment 2	Vicinity Map
Attachment 3	Land Use & Zoning Map

SUPERSEDED

Attachment 1

**NOTICE OF DECISION AND FINDINGS OF FACT
FOR****2442 NORTH AVENUE LOT MERGER AND VARIANCE,
LOCATED AT****2442-2448 NORTH AVENUE, SACRAMENTO, CALIFORNIA IN THE M-1 ZONE. (P97-116)**

At the regular meeting of February 26, 1998, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. **Environmental Determination: Categorically Exempt (Section 15305(a));**
- B. **Lot Merger to merge two parcels into one 27,270± square foot parcel;**
- C. **Variance to waive the outdoor storage area paving requirement;**
- D. **Variance to waive the 6 foot masonry wall requirement for industrial development adjacent to a residential use**

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

- A. **Categorical Exemption:** The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section 15305 of the CEQA Guidelines.
- B. **Lot Merger:** The Lot Merger is hereby approved based upon the following findings:
 - 1. The Lot Merger will not result in the abandonment of any street or utility easement of record;
 - 2. The Lot Merger will not result in the elimination or reduction in size of the access way to any resulting parcel.

3. The Lot Merger will result in a parcel which conforms to the policies and requirements of the General Plan, Zoning Ordinance, Subdivision Regulations, and Building Code.

C-D. Variances: The Variances to waive the outdoor storage area paving requirement and to waive the 6 foot masonry wall requirement for industrial development adjacent to a residential use are **approved** subject to the following findings of fact and conditions of approval:

1. The project, as conditioned, is based upon sound principles of land use in that the proposed lot line merger and site improvements, including paved parking areas, landscaping, and an on-site drainage system will be in keeping with the industrial use permitted in the Light Industrial (M-1) zone;
2. The project, as conditioned, will not be injurious to the public health, safety, or welfare nor to surrounding properties in that adequate screening and paving will be provided on the site;
3. The Variances do not constitute a special privilege extended to an individual property owner in that a waiver of the concrete or asphalt surfacing requirement for equipment storage area would be granted to any other property owner facing similar circumstances;
4. The project is in conformance with the City's General Plan, North Sacramento Community Plan, and Zoning Ordinance which designate the site for industrial use.

CONDITIONS OF APPROVAL

- B. The Lot Merger to merge two parcels into one parcel at 2442 and 2448 North Avenue (Exhibit 1B) is hereby approved subject to the following conditions which shall be completed by the applicant at the Public Works Department, Development Services Division, prior to a lot line merger being recorded:
- B1. File a Certificate of Compliance, submit all required documents according to the submittal requirements checklist, and pay necessary fees.
 - B2. File a waiver of Parcel Map.
 - B3. Properly abandon any excess water services to the satisfaction of the Utilities Department, Water Division (one service per lot is permitted).

- C. The Variance for required storage area paving is hereby approved subject to the following conditions:
- C1. The Variance is approved only for the landscaping company use (or use of a similar type and intensity, as determined by staff). In the event of a change of use, the Variance shall become null and void;
 - C3. All landscape areas (existing and new) shall be planted with lawn and trees and/or ground cover with trees to the satisfaction of the City's Landscape Architect. A mixture of five, 15 gallon and 24 inch box specimen trees should be shown;
 - C4. Tree shading shall be provided in all new parking areas in accordance with Zoning Ordinance requirements;
 - C5. Landscaping shall preserve minimum visibility requirements for driveways and street intersections;
 - C6. A fully automatic, underground irrigation system shall be provided;
 - C7. Parking and maneuvering areas (as shown on Exhibit 1A) shall be paved to City standards;
 - C8. Access by landscaping company vehicles to the rear unpaved areas shall be permitted; however, public access to these areas shall be prevented by use of a closed gate or other means acceptable to the Public Works Department. If the gate is locked at any time, a Knox Box shall be provided for emergency vehicle access, per Fire Department specifications.
 - C9. Standard street frontage improvements shall be provided pursuant to Section 40.12.1211 of the City Code.
 - C10. Driveways shall conform to City Code Chapter 38.13.

D. The Variance from the requirement for masonry walls adjacent to residential uses is hereby approved subject to the following condition:

D1. Dark-colored vinyl slats shall be placed in the existing chain-link fence along the east and west property line perimeters (except for the portion of fence on the east property line adjacent to the proposed 3600 square foot metal shed structure) to screen the outdoor storage area from adjacent residences. Slats shall not be required in the portions of the fence near the street which are less than six feet in height.

CHAIRPERSON

ATTEST:

SECRETARY TO CITY PLANNING COMMISSION

DATE (P97-116)

Exhibit 1A Site Plan
Exhibit 1B Lot Line Merger

REVISED

RECEIVED

FEB 12 1998

PLANNING SERVICES

P 97 116

P97-116

FEBRUARY 26, 1998

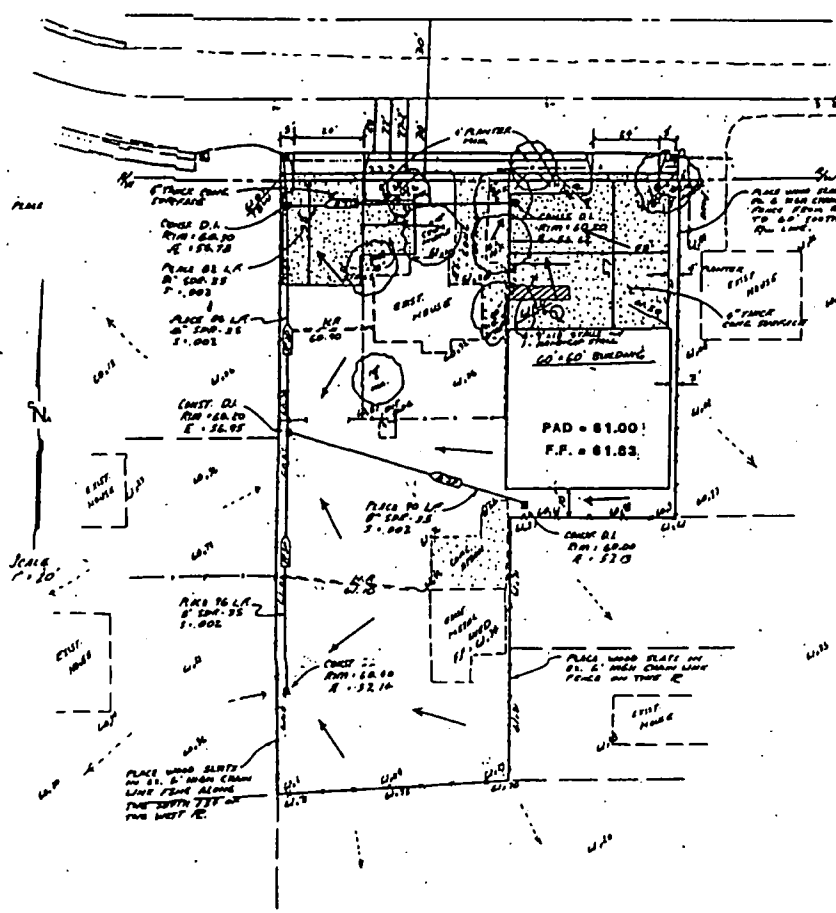
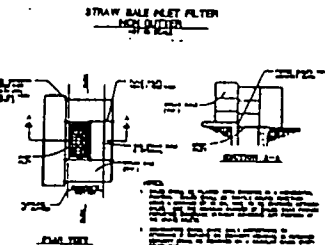
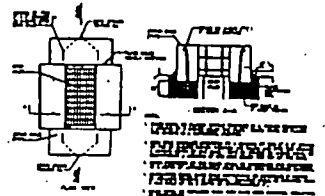
Exhibit 1A Site Plan

ITEM # 8
PAGE 11

EROSION AND SEDIMENT CONTROL NOTES:

EROSION AND SEDIMENT CONTROL:

1. THE CONTRACTOR SHALL FOLLOW THE SPECIFICATIONS FOR THE CITY OF SACRAMENTO REGARDING THE EROSION AND SEDIMENT CONTROL PLAN FOR THE PROJECT AND SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE EROSION CONTROL PLAN THROUGHOUT THE PROJECT.
2. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE PROJECT AND SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE PROJECT.
3. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CHECKED ON A REGULAR BASIS AND REPORTED TO THE CITY ENGINEER, PLANNING AND PUBLIC WORKS DEPARTMENT.
4. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE PROJECT AND SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE PROJECT.
5. THE CONTRACTOR SHALL MAINTAIN THE EROSION AND SEDIMENT CONTROL MEASURES THROUGHOUT THE PROJECT AND SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE EROSION CONTROL PLAN THROUGHOUT THE PROJECT.
6. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE PROJECT AND SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE PROJECT.
7. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE PROJECT AND SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE PROJECT.
8. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE PROJECT AND SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE PROJECT.
9. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE PROJECT AND SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE PROJECT.
10. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE PROJECT AND SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE PROJECT.



- GRADING NOTES:**
1. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH PWS STANDARDS.
 2. ALL CONSTRUCTION MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE CITY OF SACRAMENTO STANDARD SPECIFICATIONS DATED, JUNE, 1988. THE CONTRACTOR SHALL OBTAIN AND USE ALL APPLICABLE ADDENDUMS.
 3. ALL GRADING SHALL COMPLY WITH THE RECOMMENDATIONS OF THE SOIL AND GEOLOGICAL INVESTIGATION PREPARED BY BURNS OF APRIL AND DATE OF REPORT.
 4. ALL SLOPE BANKS ARE 2:1 MAXIMUM UNLESS OTHERWISE NOTED.
 5. MAXIMUM TOLERANCE FROM PAD ELEVATIONS SHALL BE $\pm 0.2'$.
 6. ANY GRADING OPERATIONS OUTSIDE OF SUBDIVISION BOUNDARY SHALL REQUIRE A RIGHT-OF-ENTRY.
 7. ALL GRADING SHALL BE IN ACCORDANCE WITH THE CITY OF SACRAMENTO GRADING, EROSION, AND SEDIMENT CONTROL ORDINANCE (ORD. NO. 83-088).
 8. GRADING, TRIMMING, CUTTING AND/OR FILLING WITHIN THE DWP LINE OF THOSE TREES DESIGNATED ON THE SITE PLAN FOR PRESERVATION, SHALL NOT OCCUR. NO ACTIONS SHALL BE TAKEN THAT WILL HARM THE HEALTH, VITALITY OR LONGEVITY OF THOSE TREES IDENTIFIED ON THE SITE PLAN FOR PRESERVATION.

SHADE STUDY

TOTAL PADDED AREA	3,800 sq. ft.
TOTAL SHADE REQUIRED (20%)	760 sq. ft.
TOTAL SHADE PROVIDED (20%)	1,070 sq. ft.

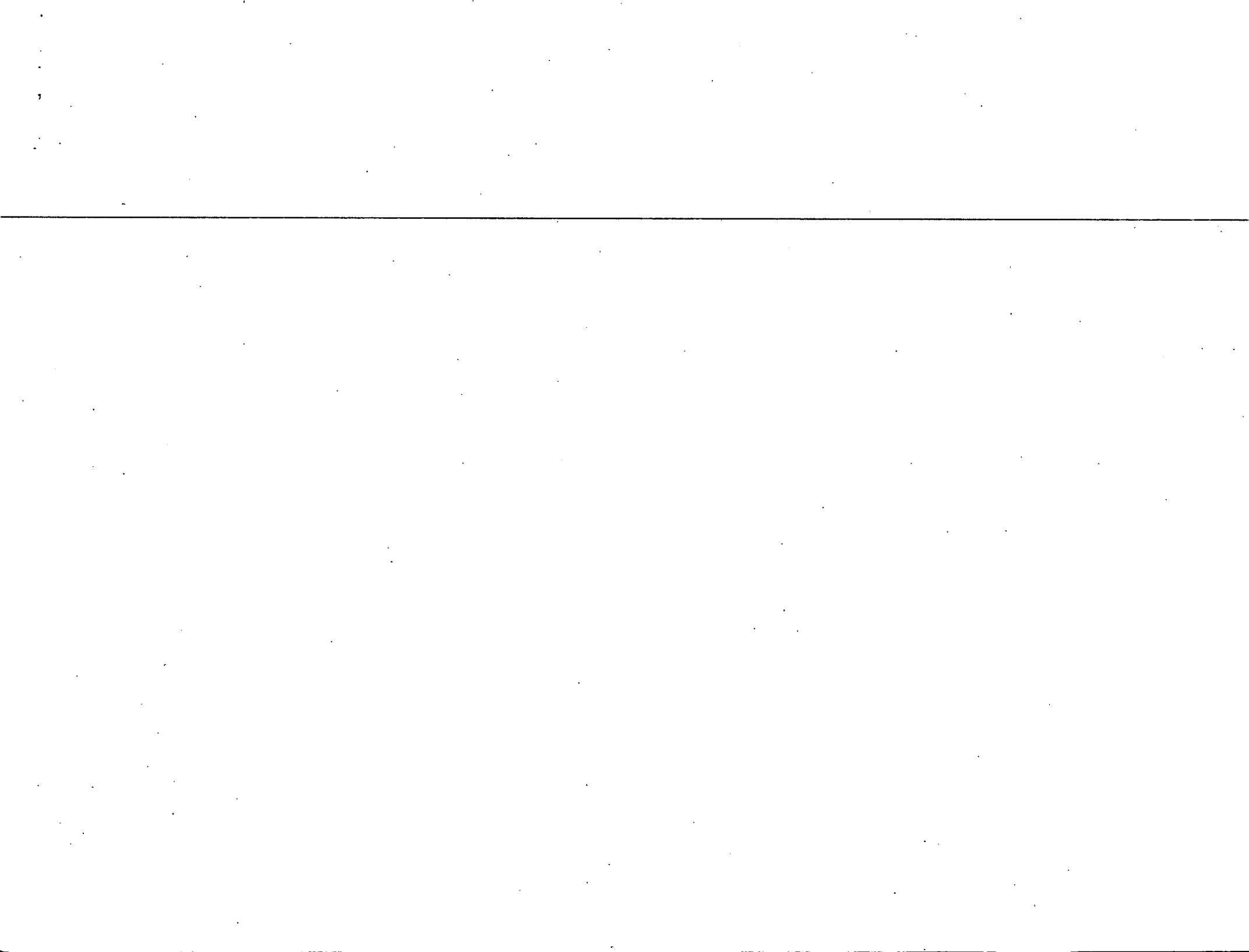
EXISTING TREE SPECIES

SPECIES	NO.	DBH	TOTAL DBH
QUERCUS RUBRA	1	491	491
QUERCUS LOBATA	1	491	491
LOQUAMBAR STRYACIFLUA	2	157	314
LAURESTROBILUS MOCCA	1	157	157
ALNUS CORONATA	1	348	348
TOTALS		1,588	1,588

GRADING PLAN LEGEND

EXISTING GRADED SPOT ELEVATION	175.10
EXISTING GRADED CORNER ELEVATION	175
DESIGN GRADE BY ASPHALTIC CONCRETE	AC
DESIGN GRADE SAND	S
DESIGN DESIRED PAD ELEVATION	PAD =
DESIGN FINISH FLOOR ELEVATION	F.F. =
DESIGN DIRECTION OF GRADED SLOPE	---
EXISTING DIRECTION OF GRADED SLOPE	---
EXISTING TREE TO BE REMOVED	(X)
EXISTING TREE TO BE SAVED	(O)
TOP SOIL TO BE REMOVED ELEVATION	---
TOP OF BANK ELEVATION	---
GRADE BRACK, 2:10 SLOPE	---
DEEP LIGHT BLD. & FURNISHED ELEVATION	---
HANDRAIL BAR & 2:10 ELEVATION	---

REVISIONS NO. DESCRIPTION DATE BY		BENCH MARK ELEVATION: _____ DESCRIPTION: _____ SEE SHEET NO. 1		CITY OF SACRAMENTO DEPARTMENT OF PUBLIC WORKS		SITE PLAN, TREE SHADING PLAN GRADING AND EROSION CONTROL PLAN FOR 2442 NORTH AVE.		SHEET 3 OF 3	
DRAWN BY: JRM DATE: 12-2-97		CHECKED BY: CO DATE: 12-2-97		CITY OF SACRAMENTO		STATE OF CALIFORNIA			



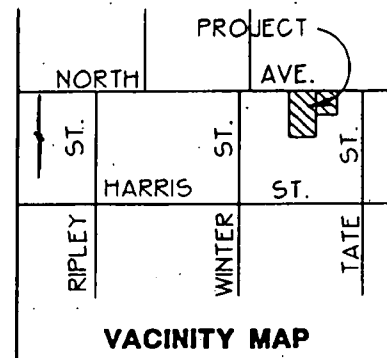
LOT LINE MERGER

FOR A PORTION OF LOT 2 18 B.M. 31

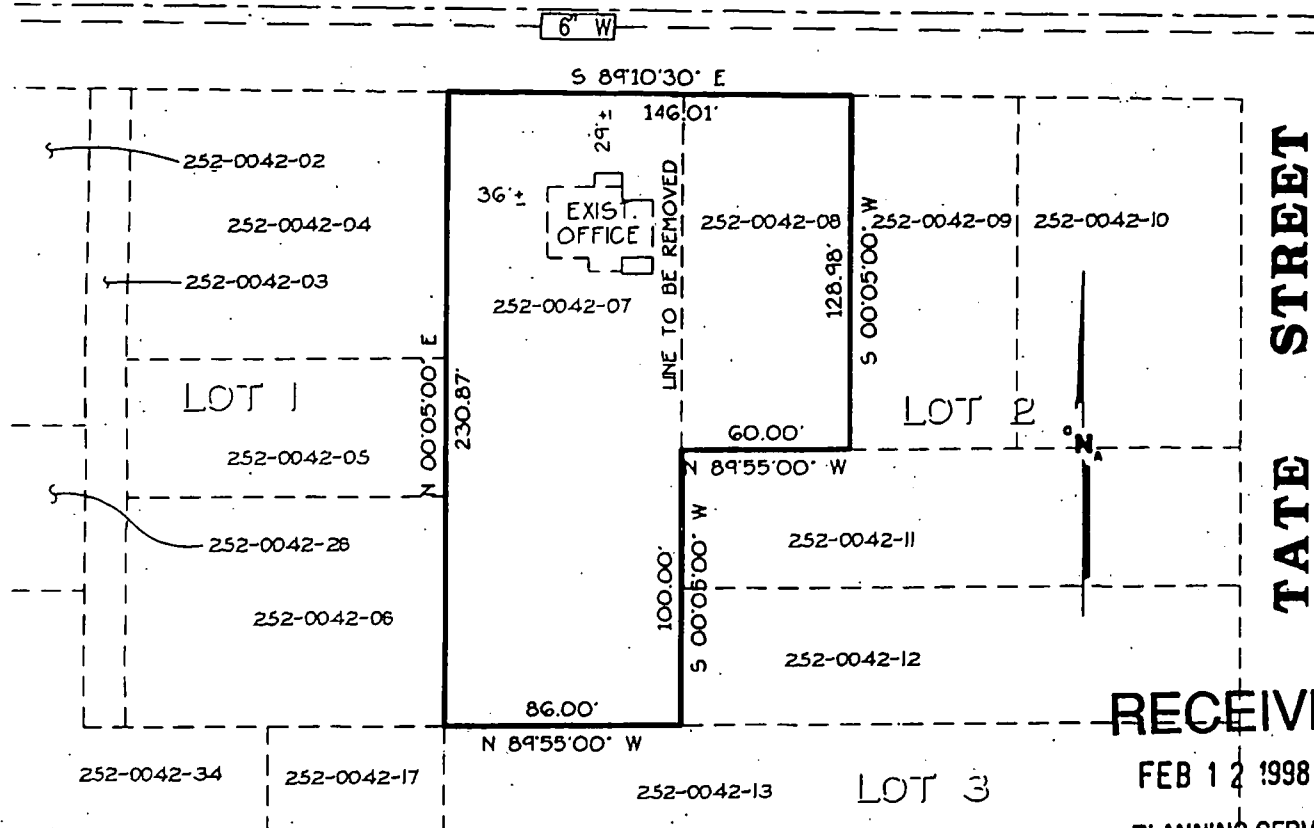
COUNTY OF SACRAMENTO
FEBRUARY, 1998

CITY OF SACRAMENTO
CNA ENGINEERING INC.
SHEET 1 OF 1

STATE OF CALIFORNIA
SCALE 1" = 60'



NORTH AVENUE



TATE STREET

OWNER:
PANTEIS KALLERGIS
AND PATRICA KALLERGIS
2442 NORTH AVE.
SACRAMENTO, CA 95838
972-7148

ENGINEER:
CNA ENGINEERING INC.
2575 VALLEY ROAD
SACRAMENTO, CA 95821
485-3746

PARCEL NO.:
252-0042-007+008

RECEIVED
FEB 12 1998
PLANNING SERVICES

PROJECT NO.
P97-116
P 97 116

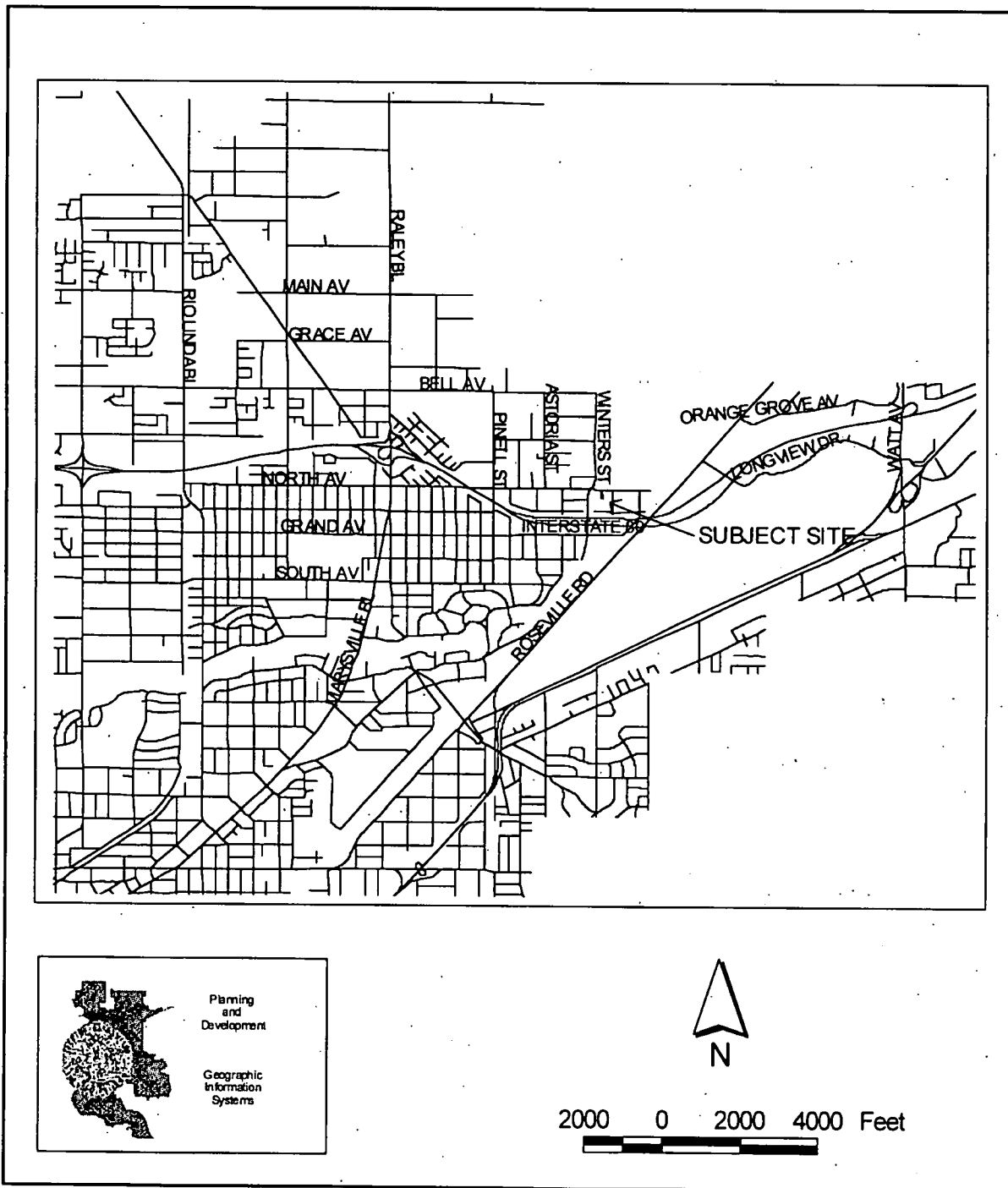
Exhibit 1B Lot Merger

P97-116

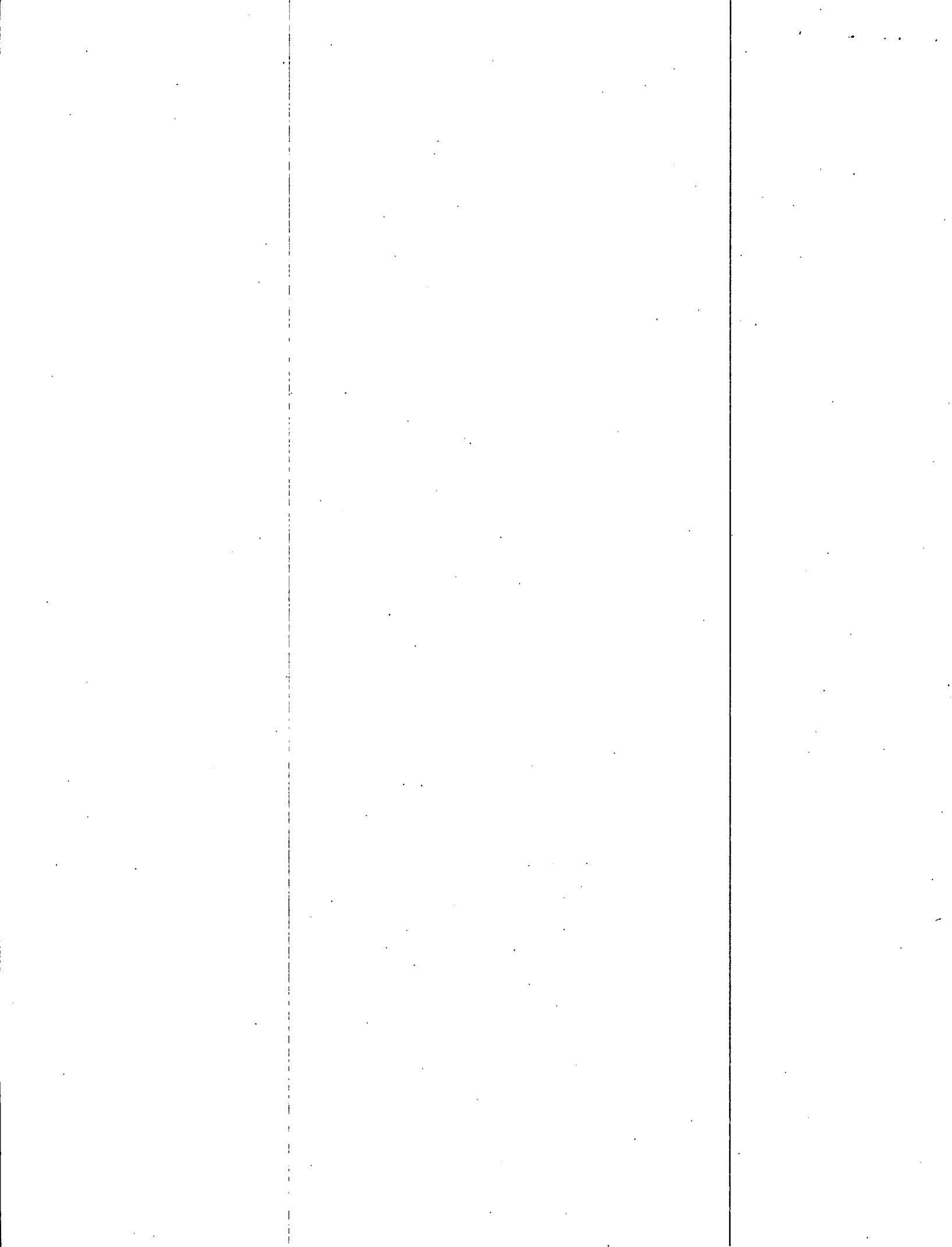
FEBRUARY 26, 1998

ITEM # 8
PAGE 12

Attachment 2 Vicinity Map



Planning and Development
Geographic Information Systems



Attachment 3 Land Use & Zoning Map

