

CITY PLANNING COMMISSION

927 - 10th Street, Suite 300 - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Gene Porter, Inc., 800 Howe Avenue, #360, Sacramento, CA 95825		
OWNER	A. L. Morris, Jr., 2660 Albatross Way, Sacramento, CA 95815		
PLANS BY	Gene Porter, Inc., 800 Howe Avenue, #360, Sacramento, CA 95825		
FILING DATE	10-21-83	50 DAY CPC ACTION DATE	REPORT BY: PB:bw
NEGATIVE DEC	11-21-83	EIR	ASSESSOR'S PCL. NO. 266-331-20,21

- APPLICATION:
1. Environmental Determination
 2. General Plan Amendment from residential to commercial and offices
 3. Arden/Arcade Community Plan Amendment from multi-family residential to shopping/commercial.
 4. Variance to locate a portion of the required parking and planter area off site within the City right-of-way in conjunction with an 11,000± sq. ft. expansion of an existing commercial structure.
 5. Variance to waive required six-foot masonry wall adjacent to residential use/zone.
 6. Variance to encroach three feet into the required five-foot side yard setback.
 7. Lot Line Merger to combine two existing parcels consisting of 1.2± ac. with commercial structure in the General Commercial (C-2) zone.

LOCATION: 2660 Albatross Way

PROPOSAL: The applicant is requesting the necessary entitlements to construct a 10,800 square foot commercial building addition to an existing commercial operation.

PROJECT INFORMATION:

1974 General Plan Designation: Residential
1965 Arden/Arcade Community
Plan Designation: Multi-family Residential
Existing Zoning: General Commercial (C-2)

Surrounding Land Use and Zoning:

North: Residential, Freeway; R-2A
South: Vacant, Commercial; C-2-R
East: Single Family; R-2A
West: Single Family, Multi-Family, Freeway; R-2A

Parking Required: 36 spaces
Parking Provided: 36 spaces
Ratio Required: 1:1,000 s.p. warehouse; 1:400 office
Ratio Provided: 1:1,000 s.p. warehouse; 1:400 office
Property Dimensions: Irregular
Property Area: 50,564 square feet
Square Footage of Building: 18,349
Square Footage of Addition: 10,827
Height of Structure: 21 feet
Topography: Flat
Street Improvements: To be provided
Utilities: Existing

002026

STAFF EVALUATION: The staff has the following comments and concerns:

1. The subject property is a triangular-shaped 1± acre site in the General Commercial (C-2) zone. The existing 18,349 square foot structures have been built in several stages - most of which have crossed the existing property line.

The existing structures contain: retail-1,440 square feet; office, research, records storage-4,032 square feet; retail/storage-6,498 square feet; wholesale/distributing-6,379 square feet, for a total of 18,349 square feet. The proposed addition would be warehouse-8,827 square feet and office-2,000 square feet, for a total addition of 10,827 square feet. This addition will be for lease purposes only.

2. The General Plan and Community Plan Amendments from residential to commercial will bring the property into conformance with the existing use. The site was zoned C-2 prior to annexation to the City in 1964. At annexation it was zoned R-2A and was later rezoned to C-2 (1966) for retail store use.
3. The proposed plans were circulated to Engineering, Traffic Engineering and Real Estate. The following comments were received:
 - a. Engineering: Access and utility easements for sewer, water and drainage shall be provided. A study is required and extensions of services may be necessary. A new legal description is required.
 - b. Traffic Engineering: A revised parking, planting plan shall be prepared to Traffic Engineer's satisfaction.
4. The Lot Line Merger would combine the two parcels which have had structures built across the common line at various times. At the request of the applicant, the County Assessor merged the property for tax purposes in 1980; however, the properties never were property merged by the Commission. This merger will provide a legally merged property.
5. A variance to locate some of the required parking, maneuvering and planters in the City right-of-way would permit expansion of existing parking area and allow required parking to be created.

The parking/maneuvering and planters will have to be redesigned to accommodate the requirements of City Traffic Engineering. This may include reduction of the number of parking spaces and/or building size. The lot must be designed to provide adequate parking as well as adequate circulation and 50 percent shading. The applicant should note that parallel parking spaces are not allowed by the City.

The revised landscaping, irrigation and shading plans should be approved prior to issuance of building permits. Since the Public Works Department does not plan to expand or improve the street right-of-way, staff has no objection to locate a portion of the planting, parking and maneuvering area in the City right-of-way.

6. The Zoning Ordinance requires a five-foot side yard setback for a C-2 zoned property if the side yard of the commercial property abuts the side yard of a residentially zoned property. The subject property abuts the side yard of a residentially zoned property (R-2A); therefore, a five-foot setback is required. The applicant, however, proposes to line up the addition with the existing structure which is set back two feet from the property line. Staff has no objection to the side yard reduction in that the five yard setback would create a maintenance problem, and shifting the structure closer to the property would eliminate the construction of a required six-foot high wall. The structure would substitute as a wall.
7. The Zoning Ordinance requires a six-foot masonry wall adjacent to residential use/zones. The property to the east has a single family dwelling. Along the easterly property line, the existing and proposed buildings would be approximately two feet from the property line and could act as a wall. The proposed structure shows no windows on the east side. Staff has no objections to granting the variance for the building portion only in that the structure is a substitute for the required wall.

Staff, however, believes that the six-foot masonry wall should be placed along the easterly property line; north from the proposed building addition to Glenrose Street except for the 25-foot residential setback which should be only three feet in height. It should be noted that the six-foot height is measured from the finished grade of the subject site. The subject site has been increased in height by approximately three feet; therefore, the required wall must be engineered to the satisfaction of the Building Inspection Division. This wall will act as a noise and safety barrier to adjacent property.

8. An existing pole sign (M and M Performance) is located in a proposed parking stall (#16). This sign will have to be removed prior to issuance of building permit. Any new signage should conform to present sign standards. Staff should review a proposed signage program prior to issuance of sign permits. In addition, two large billboards exist on the site and should be removed in order to comply with current sign regulations.
9. The adjacent property owner to the east has expressed concerns as to drainage onto her property resulting from recent fill which raised the subject site by approximately three feet. Also, the applicant has indicated a possible discrepancy up to two feet of the easterly property line. This may include large trees and the residential driveway. The property line discrepancy should be resolved between the two property owners. The possible drainage problem should be resolved by the drainage plan as required by Public Works and the installation of the wall.
10. The applicant states that the use of the expansion will only be for permitted uses in the C-2 zone. That limits the use to sale of commodities or performance of services, including repair facilities, small wholesale stores or distribution and limited processing and packaging.

It should be noted that the existing wholesale distributor exceeds the 6,400 square foot ceiling as allowed by the Zoning Ordinance. The Commission, however, approved an addition which exceeded the 6,400 square foot ceiling in 1976. The applicant should be aware that the 10,000± square foot addition will not allow a wholesale distributor business.

STAFF RECOMMENDATION: Staff recommends the following:

1. Ratification of the Negative Declaration;
2. Approval of the amendments of the General Plan from residential to commercial and offices;
3. Approval of the amendment of the Arden/Arcade Community Plan from multi-family residential to shopping/commercial;
4. Approval of a Variance to locate a portion of the required parking and planters off site in the City right-of-way, subject to conditions and based on Findings of Fact which follow;
5. Approval of a Variance to encroach three feet into the required five-foot side yard setback, subject to conditions and based on Findings of Fact which follow;
6. Approval of a Variance to waive a portion of the required six-foot masonry wall adjacent to residential use/zone, subject to conditions and based on Findings of Fact which follow;
7. Approval of the Lot Line Merger by adopting the attached resolution.

Conditions - Variances

- a. A revised parking, landscaping/irrigation/shading plan shall be prepared for the review and approval of Traffic Engineering and Planning prior to issuance of building permit;
- b. A six-foot masonry wall shall be provided from the northeast corner of the proposed building, along the easterly property boundary, north to Glenrose, except that the first 25 feet from Glenrose shall only be three feet high; *Wall shall be constructed around existing landscaping trees - shall be paved. Located so that the trees are retained.*
- c. The total wall shall be engineered to the satisfaction of the City Building Division;
- d. The existing pole sign (M and M Performance) shall be removed prior to approval of final inspection of structure. Any new signage shall conform to present sign standards. A signage program shall be submitted to Planning staff for review and approval prior to issuance of sign permits;
- e. Two large billboards shall be removed prior to issuance of building permit.

Findings of Fact - Variances

- a. These variances as conditioned would not be a special privilege extended to one individual property owner. The same variances would be appropriate for any property owner facing similar circumstances in that:
 - 1) the site is in an area without street/drainage improvements;
 - 2) with modification, the proposed encroachment into the City right-of-way will not affect future street improvements;
 - 3) the proposed structure will provide a wall whereby providing a noise barrier.
- b. The proposed project is not considered a use variance in that retail, office and limited wholesale stores are permitted uses in the General Commercial (C-2) zone.

002029

** fire eie. 14 car 10 12 00 + 2 19 03*
P83-352 December 1, 1983 Item No. 9

g. The applicant will replace the neighbor's fence existing w/ aly. Ely prop. line. Design & location shall be app'd by Planning Dept/Dur.

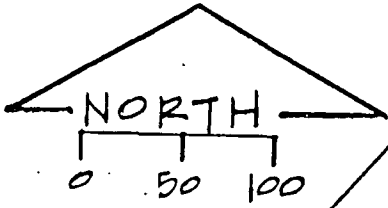
- c. These variances as conditioned will not be injurious to the public welfare nor to property in the vicinity in that:
 - 1) the project will provide a masonry wall for noise and safety barrier and retain a minimum five-foot planter adjacent to that masonry wall;
 - 2) a drainage plan will be reviewed and approved by the City Engineer prior to issuance of building permit;
 - 3) adequate landscaping will be provided to screen the parking areas;
 - 4) adequate on-site parking shall be provided to reduce an on-street parking congestion.

- d. The project, as conditioned will be in conformance with the 1974 General Plan and the Arden/Arcade Community Plan in that the plans are being amended to conform to the present usage.

002030

R-2A. Garden Apt

261-331-32



INTERSTATE FREEWAY RTE. 80

R-2A

VAC 17 17

17 17

2 3

GLENROSE AVE.

M & M
Performing

CLEARED

4

17

WAY

SUBJECT
SITE

BCJR

7

Commercial

VAC

100' R
TYP.

R-2A

VAC

R-2A

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ALBATROSS

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FRIENZA

AVE.

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P 83352

CONNIE DRIVE

002032

City Planning Commission
Sacramento, California

Members in Session:

SUBJECT: Appeal of Planning Director's decision that proposed expansion of commercial facilities at 2660 Albatross Way exceeds square footage limitations for wholesale stores and distributors in C-2 Zone (P-7460)

The applicant proposes to expand his existing commercial building at the subject site. On August 17, 1976 Planning Director determined that the requested expansion of the existing facility would not conform with the C-2 zoning. Specifically, the Planning Director determined that a total of 5,456 square feet of floor area of the existing building is used for wholesale stores and distribution. This, when coupled with the proposed 6,379 square foot building expansion, would exceed the 6,400 square foot building limitation established by Section 2-E-9 of the Zoning Ordinance.

This section states as follows:

"The maximum gross floor area of a building used for this purpose shall be 6,400 square feet. Use may also include incidental non-nuisance producing processing, packaging, or fabricating conducted entirely within a building."

The applicant has appealed the Planning Director's decision. It is the applicant's opinion that the entire existing facility will be a retail sales outlet and none of the existing building would fall under wholesale stores and distribution. He is of the opinion that the proposed 6,379 square foot addition is the only portion of the building that should be considered as wholesale sales. His appeal letter is attached for the Commission's reference.

If you concur with the Planning Director's decision, the proper action would be to deny the action. If you agree with the applicant, the proper action would be to grant the appeal.

Respectfully submitted,

Howard W. Nies
Howard W. Nies
Principal Planner

HWN:bw

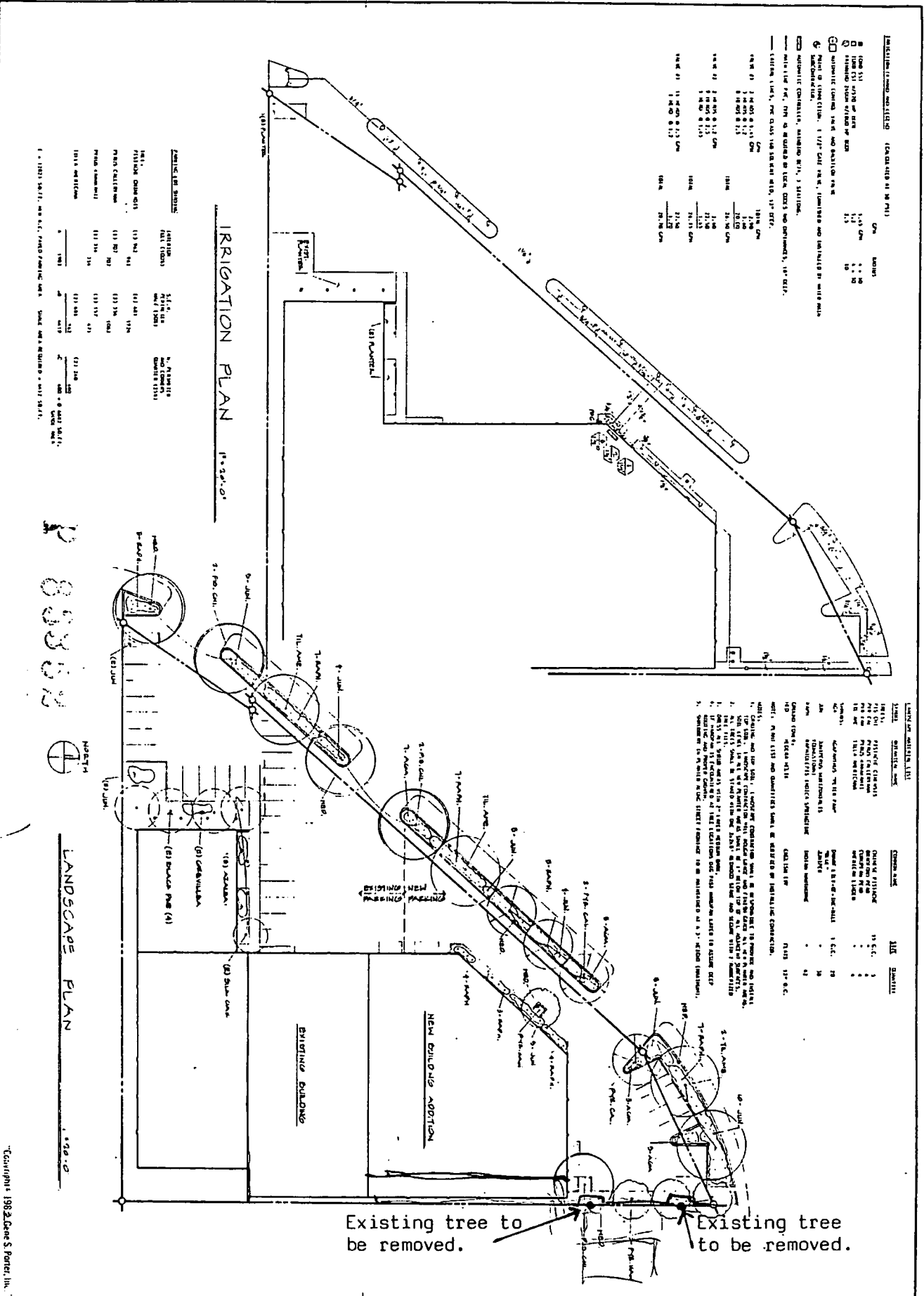
Attachments

P-7460

August 26, 1976

Item No. 25

002031



INSTALLATION AND MATERIALS (FOR DETAILS IN 84 P.11)

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IRRIGATION PLAN 1\"/>

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LANDSCAPE PLAN 1\"/>

NOTES ON MATERIALS LIST

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Existing tree to be removed. Existing tree to be removed.

<p>A COMMERCIAL ADDITION MR. AL MORRIS, JR. 2600 ALBATROSS WAY SACRAMENTO, CA</p>	<p>GENE S. PORTER, INC. ENGINEERING & ARCHITECTURE 2000 W. AVE. SUITE 200 SACRAMENTO CA 95811</p>	<p>BOB S. PORTER CIVIL ENGINEER 2000 W. AVE. SUITE 200 SACRAMENTO CA 95811</p>	<p>DATE: 12/15/83</p>
			<p>SCALE: AS SHOWN</p>
<p>LANDSCAPE & IRRIGATION PLANS</p>			

Copyright 1983 Gene S. Porter, Inc.

19 AUG 61

A. M & M Speed Engineering

1. Retail Sales & Display	1440 SF
2. Corp. Offices	2016
3. Storage for Retail Sales	3440 *
4. Auto Repair	3058
5. Business Record Storage Loft	2016 *
TOTAL	11970 SF

B. United Speed Wholesalers

1. Distribution & Storage Area	6379 SF *
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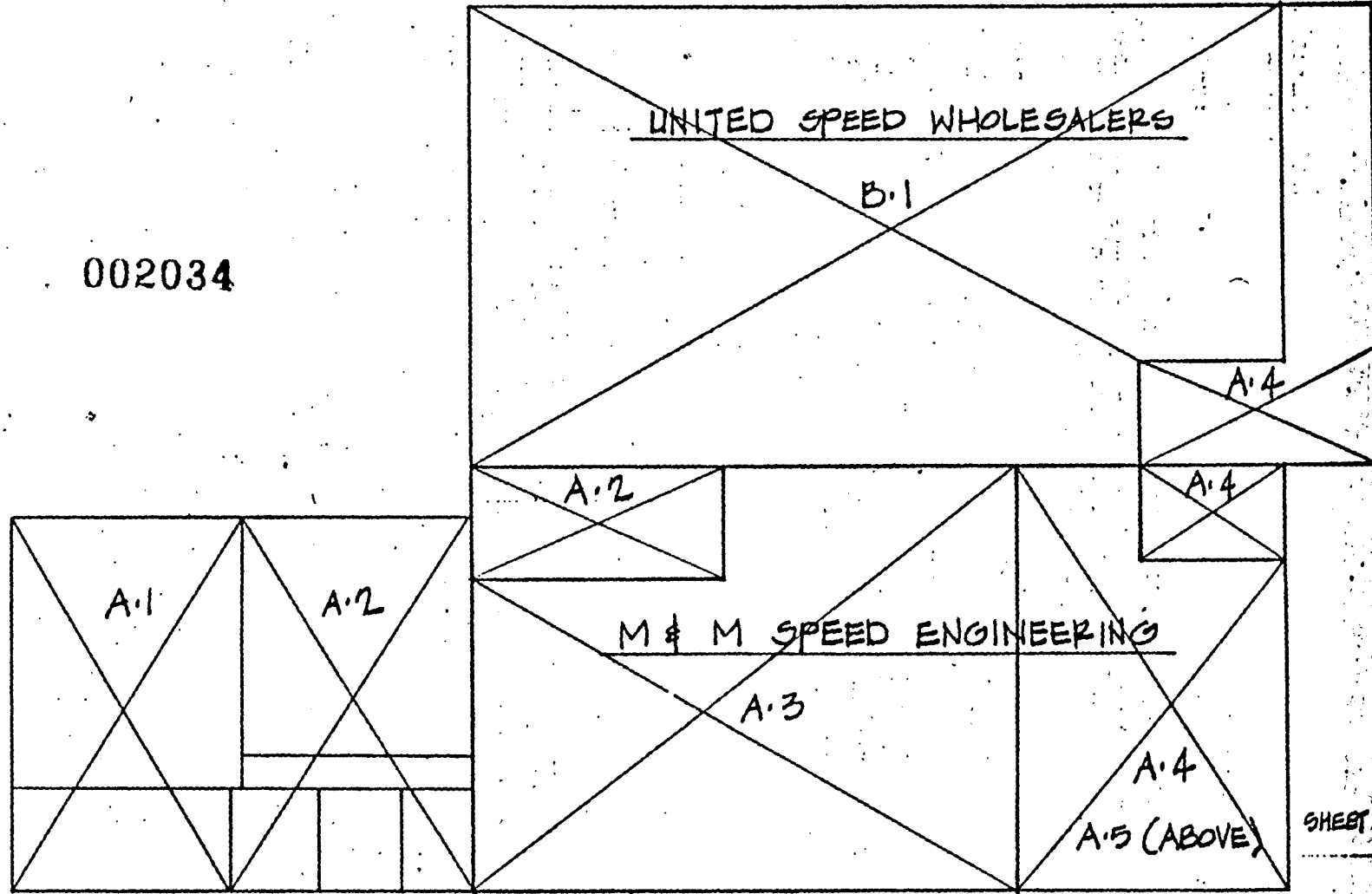
* DETERMINED WHOLESALE STORES AND DISTRIBUTION BY PLANNING D

P-7460

002034

8-26-76

Item #25



SHEET

SITE PLAN

N 00° 05' E 300.00' #

SHEET

FLOOR PLAN

P-7460

8-26-76

Item #25

002035

INTERSTATE 80 FREEWAY

EXISTING PROPERTY LINE

$54^{\circ}06'30''$ W

286.621

EXIST. #1

$141^{\circ}30'$

86.701

UNIMPROVED AREA

EDGE OF EXISTING PAVING

EXISTING DRIVEWAY

PARKING AREA

NEW BUILDING

EXISTING BUILDING

$90^{\circ}55'$ E

300.00'

300.00'

$00^{\circ}05'$ E

SHEETS

19 AUG

SHEETS

RES D

SHEETS

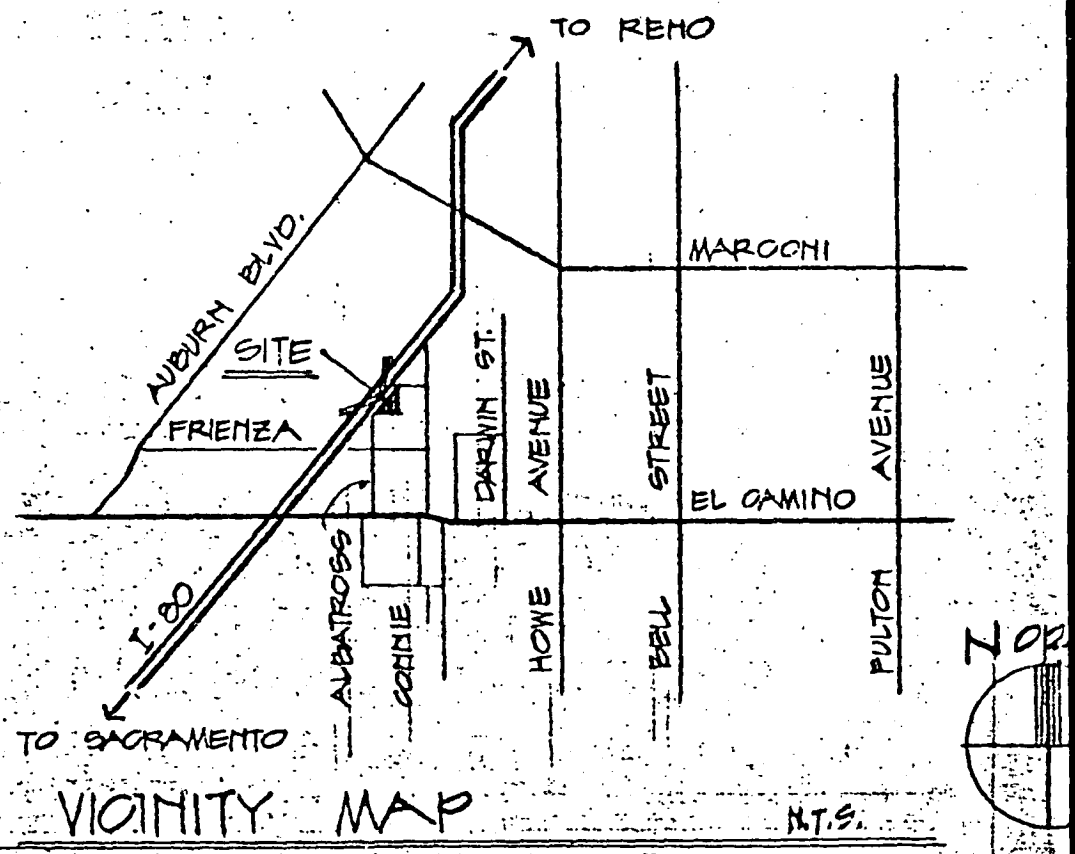
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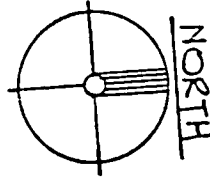
- 3. NEW BUILDING IS A 'B-2' OCCUPANCY.
- 5. EXISTING BUILDING IS SPRINKLERED.
- 7. NO STREET IMPROVEMENTS TO BE ADDED AT THIS TIME DUE TO LACK OF DEVELOPED UNDERGROUND DRAINAGE SYSTEM IN AREA.
- 2. ZONING 'C-2'
- 4. FIRE ZONE III
- 6. NEW BUILDING SHALL BE SPRINKLERED
- 8. NEW BUILDING ADDITION AREA =

PARKING BREAKDOWN

1. EXISTING OFFICE AREA	= 3,456 S.F.	= 1 STALL/400 S.F. = 9
2. EXISTING STORAGE AREA	= 12,670 S.F.	= 1 STALL/1000S.F. = 13
3. NEW OFFICE/WAREHOUSE AREA	= 10,827 S.F.	
OFFICE AREA	= 2,000 S.F.	= 1 STALL/400 S.F. = 5
WAREHOUSE AREA	= 8,827 S.F.	= 1 STALL/1000S.F. = 9
TOTAL STALLS REQUIRED		= 36
TOTAL STALLS PROVIDED		= 36



002036



FREEWAY - INTERSTATE 80

EXISTING
M & M SPEED
ENGINEERING
RETAIL SALES
AND STORAGE

PROPOSED UNITED
SPEED WHOLESALERS
ADDITION. 6379 SQ. FT.

C-2
ZONE

FUTURE
FREEWAY
ON-RAMP

TIRE
WAREHOUSE

AUTO
DEALER

INDUS.
STORAGE & OFF.

RES.
RES.
RES.

ALBATROSS WAY

RES.
RES.
RES.
RES.

FIBERGLASS
AUTO BODY
MANUFACTURER

R-2A

VACANT
FIELD

RES.
RES.

R-2A

RESTAURANT

C-2

PORTABLE
HOUSE
RENTAL

INDUSTRIAL
SHOPS

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EL CAMINO AVE.

SERVICE STATION

PAUMING
SUPPLY

RESIDENTIAL

R-3-R

RESIDENTIAL

R-2-A

OVERCROSSING

M-1
ZONE

VICINITY MAP

H.T.S.

19 AUG.

SHEET

002038

Up to the present, M & M Speed Engineering (Retail) and United Speed (Wholesale) have occupied the same building storage space. Due to the increase in business it is necessary that both the retail sales and wholesales companies increase their

