

REPORT AMENDED BY STAFF 3-8-89
CITY PLANNING COMMISSION
 1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT POTTER, TAYLOR AND COMPANY, 1651 Response Road, Suite #1, Sac., CA 95815	
OWNER Potter Investment Co., 1651 Response Road, Suite #1, Sac, CA 95815	
PLANS BY McAllister Associates, 5031 D Street, Sac, CA 95819	
FILING DATE 2/3/89	ENVIR. DET. Exempt 15301e2
ASSESSOR'S PCL. NO. 013-0161-028 and 029	REPORT BY JP:vf

APPLICATION: Variance to reduce the required 15 foot rear yard setback to three feet for a proposed 2,600+ sq. ft. addition to an existing 1,000+ sq. ft. commercial building in the General Commercial (C-2) zone.

LOCATION: 3051 Freeport Boulevard

PROJECT INFORMATION:

General Plan Designation:	Community/Neighborhood Commercial and Offices
Existing Zoning of Site:	C-2
Existing Land Use of Site:	Retail Commercial

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Single Family; R-1	Front:	13'7"	13'7"
South: Commercial; C-2	Side(Int):	-0-	5'
East : Single Family; C-2, R-1	Side(St):	5'	20'
West : McClatchy High School; R-1	Rear:	15'	2.5'

Parking Ratio Required:	1 space per 250 sq. ft.
Parking Required:	14 spaces
Parking Provided:	16 spaces
Property Dimensions:	100+' x 107+'
Property Area:	0.24+ acres
Square Footage of Building:	3,522+ sq. ft.
Height of Building:	1 story, 18 feet
Exterior Building Materials:	Stucco and tile

PROJECT EVALUATION: Staff has the following comments regarding this proposal:

A. Land Use and Zoning

The subject site consists of two lots totaling 0.24+ acres in the General Commercial (C-2) zone. On the northern parcel is a Baskin-Robins Ice Cream store; the southern parcel is paved and utilized as the parking lot for the store. In May of 1988, the Planning Commission approved a lot line adjustment to merge the two subject parcels (P88-160). This merger is in the process of being recorded. Surrounding land uses are: single family residences in the Standard Single Family (R-1) zone to the north; single family residences in the C-2 and R-1 zone to the east; a fast food restaurant in the C-2 zone to the south; and McClatchy High School in the R-1 zone and single family residences in the R-2 zone to the west. The General Plan designates the site for Community/Neighborhood Commercial and Offices.

B. Applicant's Proposal

The applicant proposes to construct a 2,600+ square foot addition to the existing retail building on the site. Total square footage for the expanded retail commercial complex would be 3,522+ square feet. The Zoning Ordinance requires a 15 foot rear yard setback for commercial buildings when the rear yard of the property is adjacent to a residential zoned lot. The existing building on the subject site, however, has a 2'6" setback from the rear lot line (northern property line). The applicant is requesting a variance to continue this 2'6" setback for 20 feet for the proposed building addition. The building addition would comply with the required front interior side yard and street side yard setbacks.

C. Staff's Evaluation

Planning staff has no objection to the variance request. The existing building setback along the north property line is 2'6" and the proposed addition would not project further into the existing setback along this property line. The submitted plans indicate no window or door openings along this north property line and the adjacent neighbor's privacy should be protected. The solid wall of the building should also act as a noise and visual buffer between the residential uses and retail commercial uses occurring on the subject site.

D. Site Plan Design

The submitted site plan indicates 16 parking spaces. Fourteen (14) parking spaces are required for a 3,522 square foot retail commercial complex. One of the existing compact parking spaces is located in the public right-of-way (Exhibit A). This parking space should be removed.

The applicant does not indicate a trash enclosure for the retail complex on the site plan. If the tenants of the complex use a trash dumpster, a trash enclosure will be required. Staff recommends that if a trash dumpster is utilized, a trash enclosure should be located along the north property line in the area where two compact car spaces are indicated on the site plan (Exhibit A). This would reduce the number of on-site spaces to 14 which would meet the retail commercial parking requirement.

The applicant is proposing a five foot interior side yard setback. Staff recommends that a solid fence be located between the building and the east property line in order to restrict access into this area.

ENVIRONMENTAL DETERMINATION: This project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301e2).

RECOMMENDATION: Staff recommends approval of the variance request to reduce the rear yard setback to 2'6", subject to conditions, and based on findings of fact which follow.

Conditions

1. A solid fence shall be located between the new building and the east property line (Exhibit A). The fence may contain a gate if desired by the applicant.
2. If a trash dumpster is used, a trash enclosure which meets Zoning Ordinance requirements shall be located in the paved area adjacent to the north property line. The enclosure shall be located a minimum of five feet from the west property line.
3. The revised site plan submitted to the City Building Division shall indicate the removal of the parking space located in the public right-of-way prior to issuance of building permits.

Findings of Fact

1. The variance request, as conditioned, does not constitute a special privilege in that:
 - a. the present rear yard setback along the north property line is 2 feet, 6 inches; and
 - b. a variance would be granted to any other property owner facing similar circumstances.
2. The granting of the variance will not be detrimental to the public welfare nor to properties in the vicinity in that:
 - a. it will not interfere with the privacy of the adjacent neighbors; and
 - b. it will not significantly alter the characteristics of the surrounding commercial and residential neighborhood.
3. The requested variance does not constitute a use variance in that retail commercial uses are allowed in the C-2 zone.
4. The proposed project is consistent with the City's General Plan which designates the site for Community/Neighborhood Commercial and Office uses.

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2. If a trash dumpster is used, a trash enclosure which meets Zoning Ordinance requirements shall be located in the paved area adjacent to the north property line. The enclosure shall be located a minimum of five feet from the west property line and 2.5' from the north property line. (staff amended)
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APPLC. NO. P89-080

MEETING DATE March 9, 1989

ITEM NO. 30

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Findings of Fact

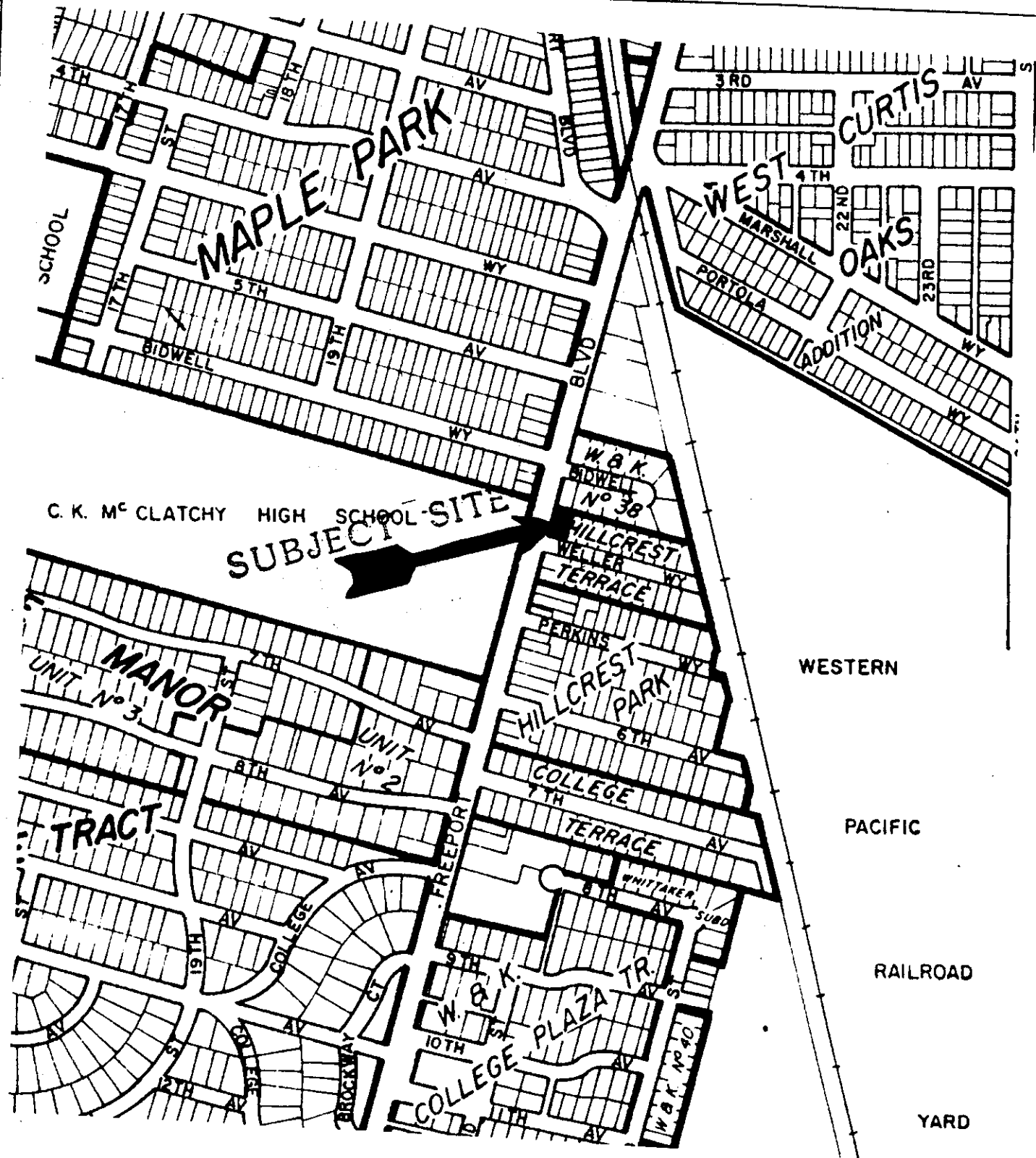
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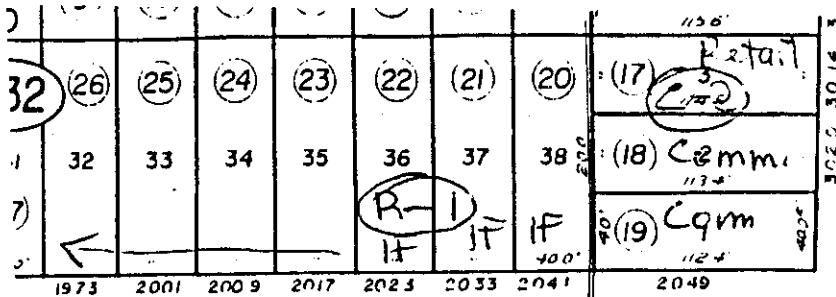


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3-9-89

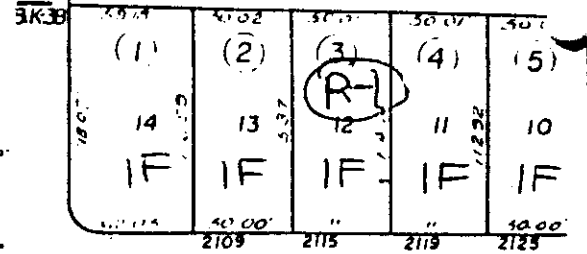
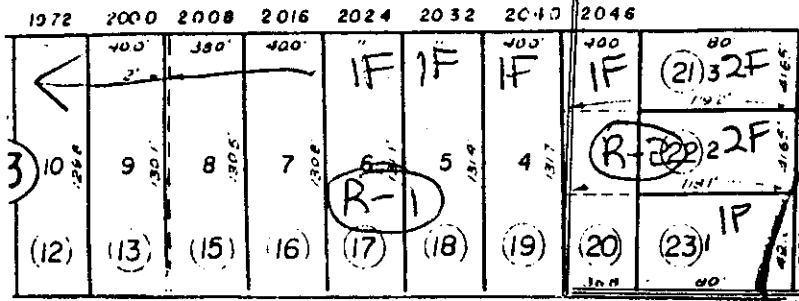
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VICINITY MAP



BIDWELL

WAY



BIDWELL

161

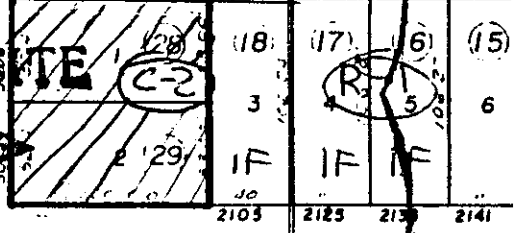
SUBJECT

SITE

R-1

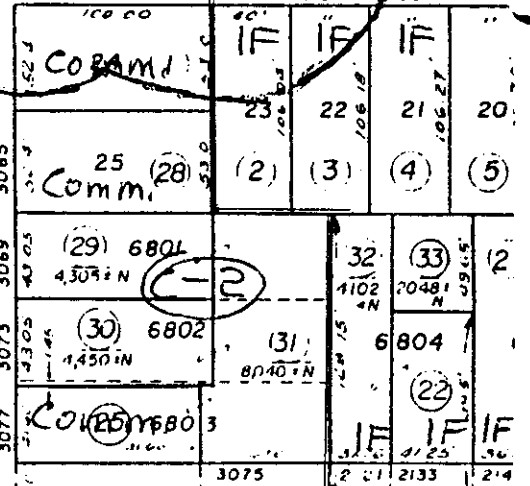
McClatchy High School

FREEPORT



WELLER

6



PERKINS

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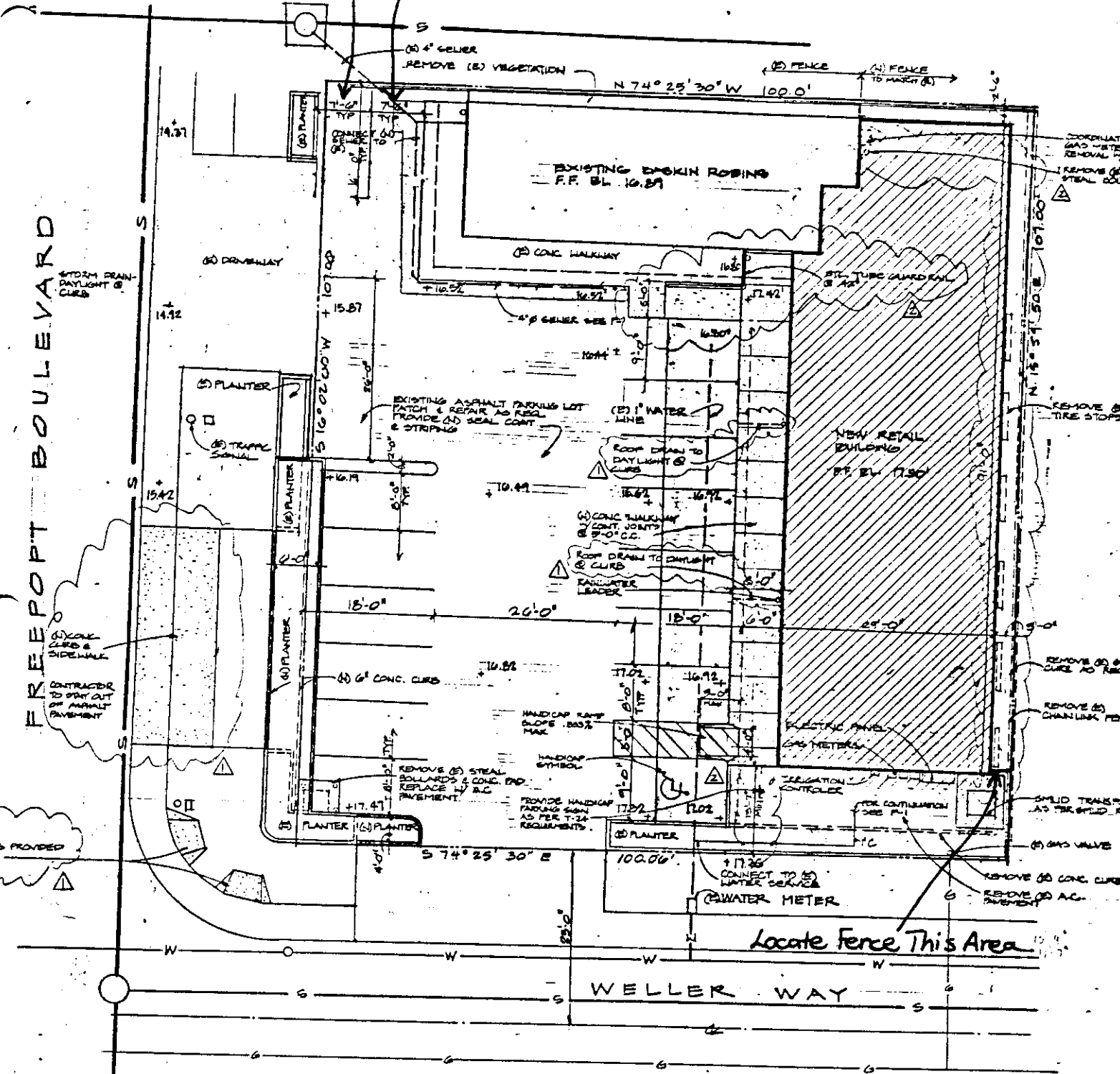
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LAND USE & ZONING MAP

EXHIBIT A

Remove Parking Space
 Locate Trash Enclosure This Area



1 SITE PLAN
 A-1
 1" = 10'-0"
 NORTH

NOTE: FOR ADDITIONAL SITE INFORMATION SEE SHEET C-1.

LEGEND

(Symbol: Solid line)	(5) 6" CONC. CURB
(Symbol: Dashed line)	(6) 6" CONC. CURB
(Symbol: Stippled area)	(7) ASPHALT CONC. PAVEMENT
(Symbol: Dotted area)	(8) CONC. PAVEMENT

APN 015-161-023, 021
 LOT LINE MERGER APPROVED
 CERTIFICATE OF COMPLIANCE APPLIED FOR

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