

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

ACTION OF THE ZONING ADMINISTRATOR

On Thursday, February 24, 2005, the Zoning Administrator approved with conditions a modification to deemed special (use) permit for an existing retail automotive tire shop to add 8541± square feet of new building for storage and service area for the project known as file Z04-323. Findings of Fact and conditions of approval for the project are listed on pages 3-5.

Project Information

Request: **Zoning Administrator Special Permit Major Modification** to expand an existing retail automotive tire shop with a new 8541± square foot building for storage and service area on 0.5± partially developed acres in the General Commercial (C-2) zone.

Location: 3940 Marysville Blvd (D2, Area 4)

Assessor's Parcel Number: 252-0011-022

Applicant: Commercial Building Specialists, Inc [contact: Mike Frasinetti]
7401 Galilee Road, Suite 160
Roseville, CA 95678

Property Owner: T & J Tire & Wheel, LLC
3940 Marysville Blvd, Sacramento, CA 95838

Project Planner: Philip Reed

General Plan Designation: Community/Neighborhood Commercial & Offices
Community Plan Designation: C-RG: Commercial – Retail General (North Sacramento CP)
Existing Zoning of Site: General Commercial (C-2)
Existing Land Use of Site: Existing retail tire shop.

Surrounding Land Use and Zoning:

North: C-2; general commercial
South: C-2; commercial / parking
East: R-1; existing single-family homes / vacant lots
West: C-2; general commercial, across street

Property Dimensions: approx 150 feet x 150 feet
Property Area: 0.5± acres
Topography: Flat
Street Improvements: Existing
Utilities: Existing

Parking: Required: 13 Proposed: 13
Building Area: Existing: 978± sq.ft. Proposed: 8541± sq.ft.
Building Materials: smooth & split-face concrete block, stucco, metal awnings, flat roof
Proposed Height: 20 feet, single story

Previous Files: None

Project Plans: see Exhibits A, and B-1 thru B-7

Additional Information:

The proposed project involves remodeling the existing metal building into the retail office, with the addition of a new attached storage building with four service bays having roll up doors. The existing building will be refinished with stucco, new trim and awnings, while the new building will consist of concrete block construction, using smooth face block (with graffiti resistant finish) for the lower 6'-8" and a contrasting split-face block for the upper portion. The architectural design is subject to approval by the Design Review and Preservation Board under a different application, so this approval does not set conditions for the architectural design and materials. Initial review by Design Review staff of the plans submitted have resulted in positive comments and an expectation of approval with minimal changes.

The project represents a considerable improvement in the existing facilities, providing the means for proper indoor (out of sight) storage of the shop's stock of wheels and tires, as well as a much improved service/installation area. It will also provide improved parking and landscaping with trees (to meet the City's shading requirements for parking lots), and represents an important step toward the rehabilitation of this commercial corridor. Although the existing facility appears to be kept in a clean, neat and orderly condition, the proposed project will raise the business from the level of what appears to be a converted gas station building, to the level of a properly designed facility capable of accommodating all of the shop's operational needs entirely within an enclosed building, as required by the City's Zoning Code. The property has been subject to a citation from Code Enforcement for *not* operating entirely within an enclosed building, and this application represents the owner's response to correct and comply with these code requirements.

Parking: Initially, the applicant requested also entitlement to reduce the additional parking required for the new building areas; but in its evaluation, staff found that, because of the distribution of uses within the existing and new building areas, an entitlement for reduced parking is not required. It is not necessary for only one parking ratio (for example, retail or commercial service ratio) to apply to the entire building area. The total area may be divided into three categories of use, each with a different parking ratio, as tabulated at right, such that the on-site parking proposed satisfies the requirements of the City's Zoning Code. Staff believes that this number of parking stalls is adequate to accommodate both customer and employee parking for the size and intensity of the business.

USE of SPACE	BLDG AREA (sq.ft.)	PARKING RATIO	# OF STALLS
RETAIL/OFFICE	978	1/400	2
SERVICE AREA	1775	1/500	4
STORAGE	6766	1/1000	7
TOTAL REQ'D	—	—	13
PROVIDED	9519	—	13

Agency Comments:

The project plans were reviewed by the Department of Utilities, the Building Division and Development Engineering and Finance (Public Works) Division of the City's Development Services Department. Their comments have been included below as conditions of approval. The project is also within the Del Paso Heights Design Review District and is therefore subject to a separate approval by the Design Review and Preservation Board for the quality of architectural and landscape design. A separate application (DR04-267) for this review has yet to be approved. Following approval of the Special Permit Major Modification by the Zoning Administrator for the use, the applicant's ability to obtain building permits and proceed with the project is contingent upon getting the approval from Design Review.

Neighborhood Comments

The project site was posted and legal notice was sent to all property owners within 100 feet of the project site. No calls were received in response to the notice.

Environmental Determination

The project will not have significant effect on the environment and is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, §15303(c), New Construction.

Conditions of Approval:

1. Applicant shall obtain all necessary permits prior to commencing construction.
2. Applicant shall obtain full approval from the Design Review and Preservation Board prior to issuing building permits, and the project shall comply with all Design Review conditions and requirements prior to final approval of building permits.
3. A water flow test shall be obtained from Utilities and the fire flow calculated. With the fire flow calculated the applicant shall show that the proposed building area and construction type complies with the Uniform Fire Code Table A-III-A-1.
4. The owner/operator of the tire shop shall not park or store the vehicles being serviced on adjacent streets (whether they are waiting for service or waiting for pick-up by the customer after completing service); they must be parked on-site at all times from the time customer leaves the vehicle for service until the customer returns to retrieve the vehicle.
5. Fencing/gates along street frontage are not required for this project; however, any new fencing/gates installed along street frontage (Marysville Blvd and North Ave) shall be of a decorative metal fencing material such as wrought iron or tubular steel. New chain link or other woven wire fabric fencing materials shall not be allowed where visible from the street.
6. The existing fencing along the south property line (consisting of sections of chain link, wood, and metal panel fencing materials) shall be subject to Design Review as to whether or not to replace it and the materials to be used if it is. The materials used shall meet the applicant's requirements for the security of the property.
7. The project shall comply fully with the requirements of the Zoning Code for tree shading of all parking and maneuvering areas.
8. Landscaping shall be of the type and situated in locations to maximize observation while providing the desired degree of aesthetics. Trees shall have an umbrella of at least six feet, and shrubs and bushes shall be kept under three (3) feet tall.
9. Project lighting shall be 1.0 footcandle of minimum maintained illumination per square foot in parking areas and 0.25 footcandles of minimum maintained illumination per square foot of surface on any walkway, alcove, passageway, etc. All required lighting shall be fitted with vandal resistant covers/lenses, and shall be regularly cleaned, maintained, and repaired.
10. Security and open parking area lights shall be controlled by photocell and shall remain on during hours of diminished lighting.
11. Provide the appropriate Knox access to the site and building for emergency vehicles and personnel to the satisfaction of the City Fire Department.
12. All signage proposed (whether new or reuse of existing) shall be approved by Design Review, and sign permits shall be obtained prior to installation.
13. The abandoned pole sign near the south property line shall be removed entirely.
14. The existing pole sign in use at the northwest corner of the property shall be replaced or modified with improved signage as approved by Design Review.
15. There shall be no signage allowed on the back (east side), whether lighted or not.
16. There shall not be visible any roof-top mechanical equipment.

17. The project shall be constructed in substantial conformance with the approved plans.
18. The Landscape Plan shall correlate with the Site Plan in all essential details which are shown on both; and in particular, both plans shall show the trash enclosure, and all planter areas shall match in location, shape, and size.
19. Any deviations from or alterations to this approval, as well as all future modifications, shall require an additional review and approval by the Planning Division and Design Review.

DEVELOPMENT ENGINEERING (Public Works) DIVISION

20. Remove and replace any existing deteriorated curb, gutter, curb ramp and/or sidewalk per City standards and to the satisfaction of Development Engineering.
21. Construct all driveways to City standards and/or to the satisfaction of Development Engineering.

DEPARTMENT OF UTILITIES

22. Only one domestic water service per parcel is allowed. Any new domestic water services shall be metered. Any excess domestic water services must be abandoned to satisfaction of the Department of Utilities. The applicant should be advised that the tap record research and verification of tap locations by the field crews involved prior to sign-off of this condition may take a considerable amount of time, therefore, all requests should be submitted in a timely manner.
23. An on-site surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap. All on-site systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual.
24. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require the applicant to prepare the erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
25. A grading plan showing existing and proposed elevations is required. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.
26. Post construction, stormwater quality control measures shall be incorporated into the project to minimize the increase of urban runoff pollution caused by development of the area. Since the impervious area minus the building roof top is less than one acre, current regulations require source control measures. Specific source controls are required for (1) commercial/ industrial material storage, (2) commercial/industrial outdoor loading and unloading of materials, (3) commercial/industrial vehicle and equipment fueling, (4) commercial/industrial vehicle and equipment maintenance, repair and washing, (5) commercial/industrial outdoor process equipment operations and maintenance and (6) commercial/industrial waste handling. Refer to the "Guidance Manual for On-site Stormwater Quality Control Measures," dated January 2000, for appropriate source control measures.


Advisory Notes:

27. The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated July 6, 1998. Within the X zone, there are no requirements to elevate or flood proof.

28. The applicant must determine if they are required to obtain the State "NPDES General Permit for Stormwater Discharges Associated with Industrial Activity". Applicant shall submit the determination to the Department of Utilities for approval. The submittal must include the applicable Standard Industrial Classification (SIC) code(s), which describe the business activities that will be occurring at the facility.

Findings of Fact


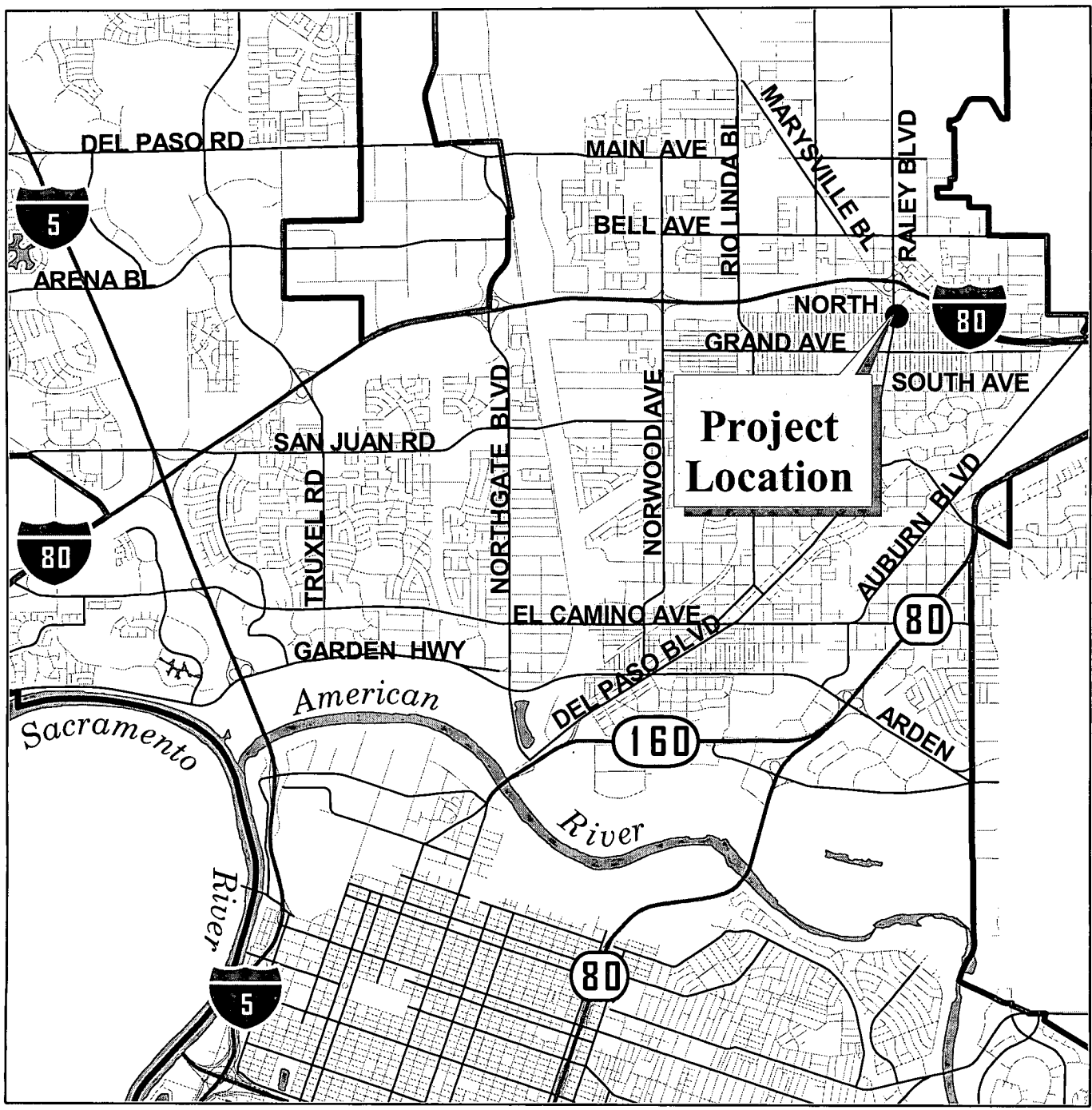
1. Granting the Special Permit is based upon sound principles of land use in that:
 - a. the use is permitted in the zone with approval of Special Permit;
 - b. the project represents an improvement on the appearance and operation of an existing business cited for code violations which the project will correct;
 - c. the project will be subject to the approval of the Design Review and Preservation Board for quality of architectural, landscape, and site design; and
 - d. the project represents another step in the rejuvenation of an older strip commercial area along Marysville Boulevard and could further encourage rehabilitation or redevelopment of the entire neighborhood.
2. Granting the Special Permit will not be detrimental to the public health, safety, or welfare, nor result in the creation of a public nuisance, in that:
 - a. the project corrects existing code violations;
 - b. the project improves the property with current development standards for lighting, landscaping, tree shading, etc; and
 - c. the project is conditioned to prohibit the parking of vehicles being serviced at the business on adjacent public streets.
3. The project is consistent with the General Plan and North Sacramento Community Plan, which designate the site for "Community/Neighborhood Commercial & Offices" and "Retail General" respectively.


 Joy D. Patterson
 Zoning Administrator

A use for which a Special Permit or Special Permit Modification is granted must be established within two years after such permit is approved. If such use is not so established the Special Permit shall be deemed to have expired and shall be null and void. A Special Permit or Special Permit Modification 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 (copy)
 ZA Log Book (original)
 Applicant

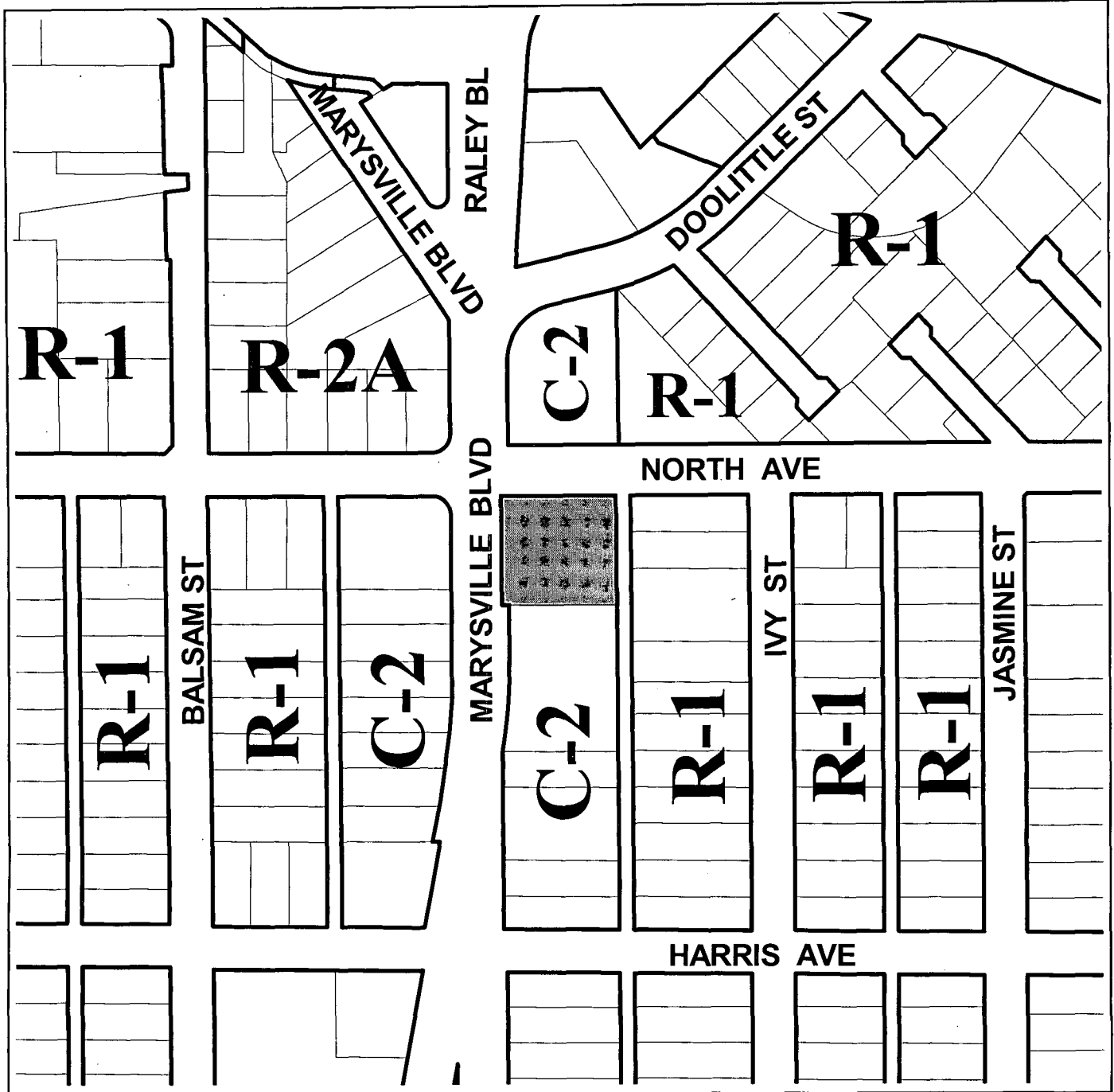



Development Services
Department

Geographic
Information
Systems

Vicinity Map



Development Services
Department

Geographic
Information
System

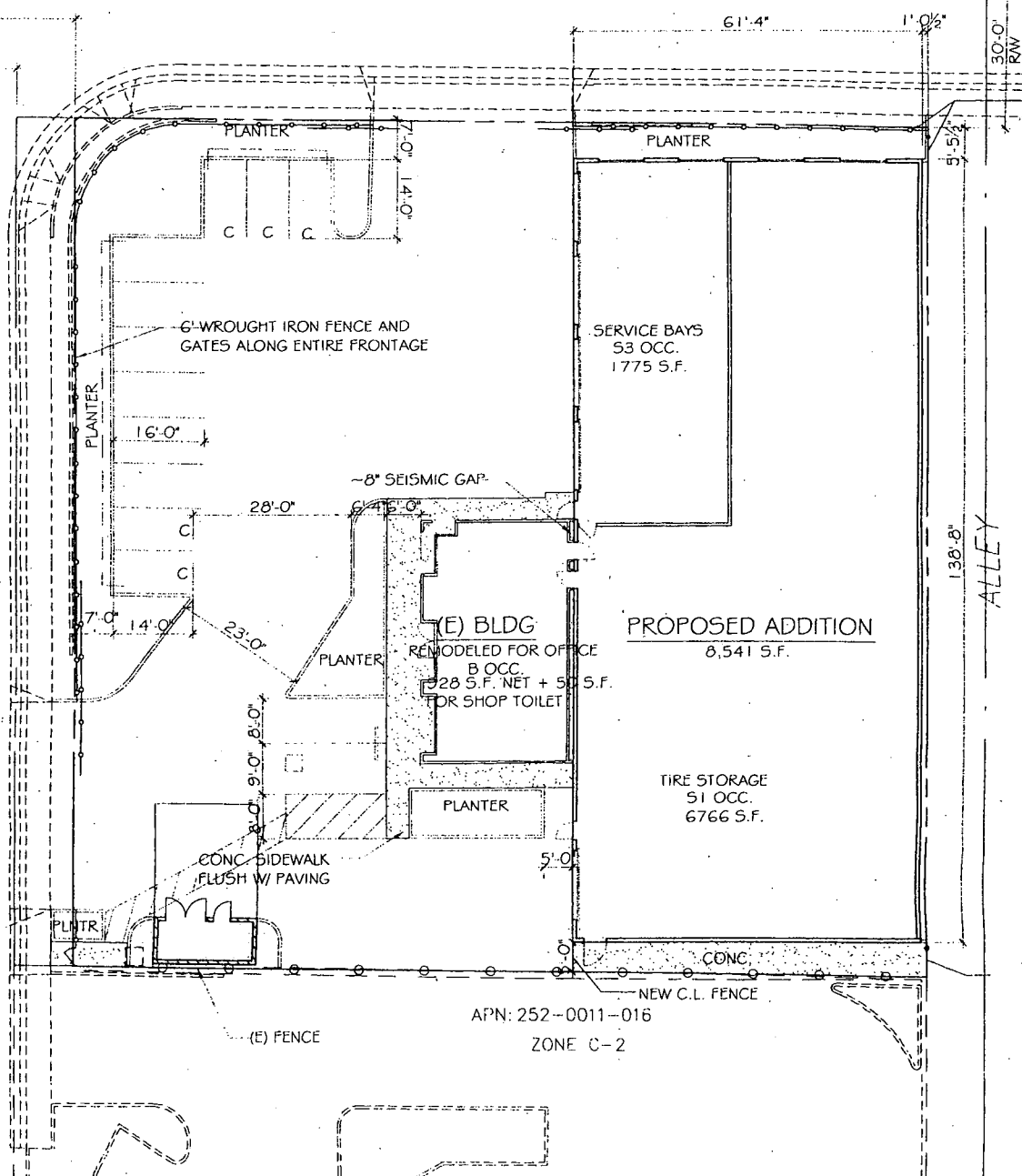
Land Use & Zoning

0 100 200 300 400 500 Feet



Exhibit A

NORTH AVENUE



Z04-323

February 24, 2005

Item 4

Z04-323

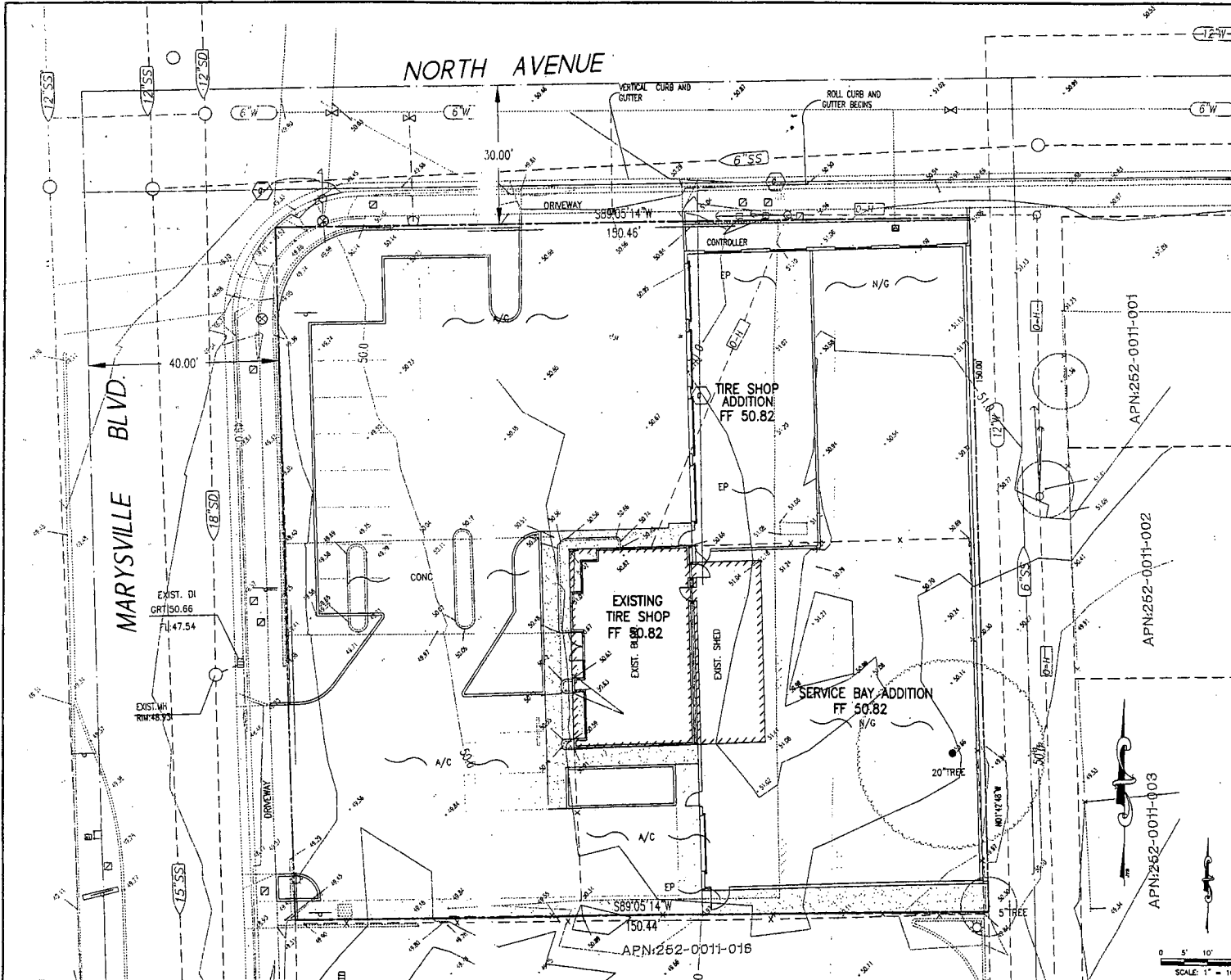
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Item 4

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Item 4



FIRST SUBMITTAL

Exhibit B-7

BENCHMARK ELEVATION:
 SEE SHEET C1
 FIELD BOOK NUMBER: PAGE:

JTS ENGINEERING CONSULTANTS, INC.
 1808 J STREET
 SACRAMENTO, CALIFORNIA 95814 (916) 441-8708

DESIGNED: JTS
 DRAWN: CJK
 CHECKED: JTS
 SUBMITTED: JAVED T. SIDDIQUI

SCALE: H. NOTED
 Y: N/A
 RCE: 25924



NO.	DESCRIPTION	ENGR. INIT.	APPROVAL BY	DATE

PRELIMINARY GRADING PLAN
3940 MARYSVILLE BLVD.
 CITY OF SACRAMENTO APN: 252-0011-022 CALIFORNIA

DATE: 07-12-04
 SHEET 1 OF 1