

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, April 1, 1998, the Zoning Administrator approved with conditions a variance to allow a canopy projection into the front yard setback for existing gas pumps for the project known as Z98-030. Findings of Fact and conditions of approval for the project are listed on pages 3 and 4.

Project Information

- Request: 1. Zoning Administrator Variance to reduce the required front yard setback from 25 feet to 14.5 feet for a pump island canopy projection on 0.385± developed acres in the Special Planning District (SPD) zone.
2. Zoning Administrator Special Permit Modification to construct an 800 square foot canopy over existing service islands.

Location: 3016 Northgate Boulevard (D1, Area 4)

Assessor's Parcel Number: 262-0102-001

Applicant: Sutton & Associates, Inc. (Randall Moore)
 4111 82nd Street
 Sacramento, CA 95826

Property Owner: Navte Riar & Harnek Sidhu
 3016 Northgate Boulevard
 Sacramento, CA 95833

General Plan Designation: Special Planning District
South Natomas
Community Plan: Northgate Special Planning District
Existing Land Use of Site: Convenience Market/Service Station
Existing Zoning of Site: Special Planning District, SPD

Surrounding Land Use and Zoning:	Setbacks	Required	Proposed
North: SPD; Commercial	Front:	25'	14.5'
South: SPD; Commercial	Side(N.):	5'	17.3'
East: R-1; Single Family Residence	Side(S.):	0'	26'
West: R-1; Single Family Residence	Rear:	15'	13' (existing)

Property Dimensions:	105 feet x 160 feet
Property Area:	0.385± acres
Square Footage of Buildings:	Store- 2,126 square feet
	Canopy- 800 square feet
	Total- 2,926 square feet
Exterior Building Materials:	Metal
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

Project Plans: See Exhibit A

Previous Files: Z98-008

Background Information: On February 18, 1998, the Zoning Administrator approved a Special Permit Modification to allow the addition of another service island and the relocation of the existing service island. The site is developed with a 2,126 square foot convenience market with liquor sales and a single island gas station on 0.39± acres in the Special Planning District (SPD) zone. The service station/store was built prior to the requirement for a Special Permit so there is no existing Special Permit for the facility. The site sells alcohol, operates later than 11:00 p.m, and is within 500 feet of residential property which would require a Special Permit according to the Zoning Ordinance. Any additions or modifications to a site that has a use that normally requires a special permit requires a Special Permit Modification.

Additional Information: The applicant is requesting a variance to construct an 800 square foot canopy over two gas pump islands. The canopy will be 20 feet by 40 feet. There is a 25 foot front yard setback requirement along Northgate Boulevard. The northwest corner of the proposed canopy will project into the required front yard setback area. The canopy will reduce the front setback to 14.5 feet at the narrowest point and cover approximately 112 square feet of the front setback area. The applicant is requesting a variance to the setback requirement.

The canopy also requires a Special Permit Modification for the addition.

The project is in the Northgate Special Planning District which is a Design Review area. The applicant has submitted an application to Design Review. The project is also within the Northgate Gardenland Neighborhood Association. Staff contacted the association about the project and they are opposed to the canopy because they believe it will become an attractive nuisance for loitering. Staff contacted the Police Department representative about the concerns and the Police Department believes a lighted canopy will actually reduce the amount of loitering currently happening on the site. The project has been noticed and staff has not received any calls.

Environmental Determination: This project will not have a significant effect on the environment and is exempt from environmental review pursuant to State EIR Guidelines {California Environmental Quality Act, Sections 15303(e) and 15301(e{1})}.

Conditions of Approval

1. The applicant shall comply with all Design Review conditions.
2. Size and location of the canopy shall conform to the plans submitted.
3. The applicant shall obtain all necessary building permits prior to commencing construction.
4. Any additional signage must meet the sign ordinance requirements (including all existing signage) and have a sign permit.
5. The applicant shall post "NO LOITERING" signs on all canopy poles.
6. The entire area under the canopy area shall be lighted.
7. Any other changes or additions shall require additional Planning review and approval.

Findings of Fact- Variance:

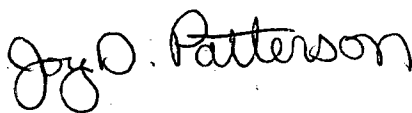
1. The proposed project, as conditioned, is based upon sound principles of land use in that the proposed canopy projection will not substantially alter the characteristics of the site or the surrounding neighborhood.
2. Granting the variance does not constitute a special privilege extended to an individual applicant in that a variance would be and has been granted to other property owners facing similar circumstances.
3. Granting the variance request does not constitute a use variance in that the convenience market/service station is a commercial use that is permitted in the Special Planning District zone.
4. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
 - a. there is adequate front yard area in that the project is not on the ground;
 - b. the proposed room projection will not substantially alter the characteristics of the site or the surrounding neighborhood; and
 - c. several other commercial uses within the Northgate SPD do not meet the 25 foot

setback requirement.

5. The project is consistent with the General Plan and the South Natomas Community Plan which both designate the subject site as Special Planning District.

Findings of Fact- Special Permit Modification:

1. The proposed project, as conditioned, is based upon sound principles of land use in that the proposed canopy projection is minor and will not substantially alter the characteristics of the site or the surrounding neighborhood.

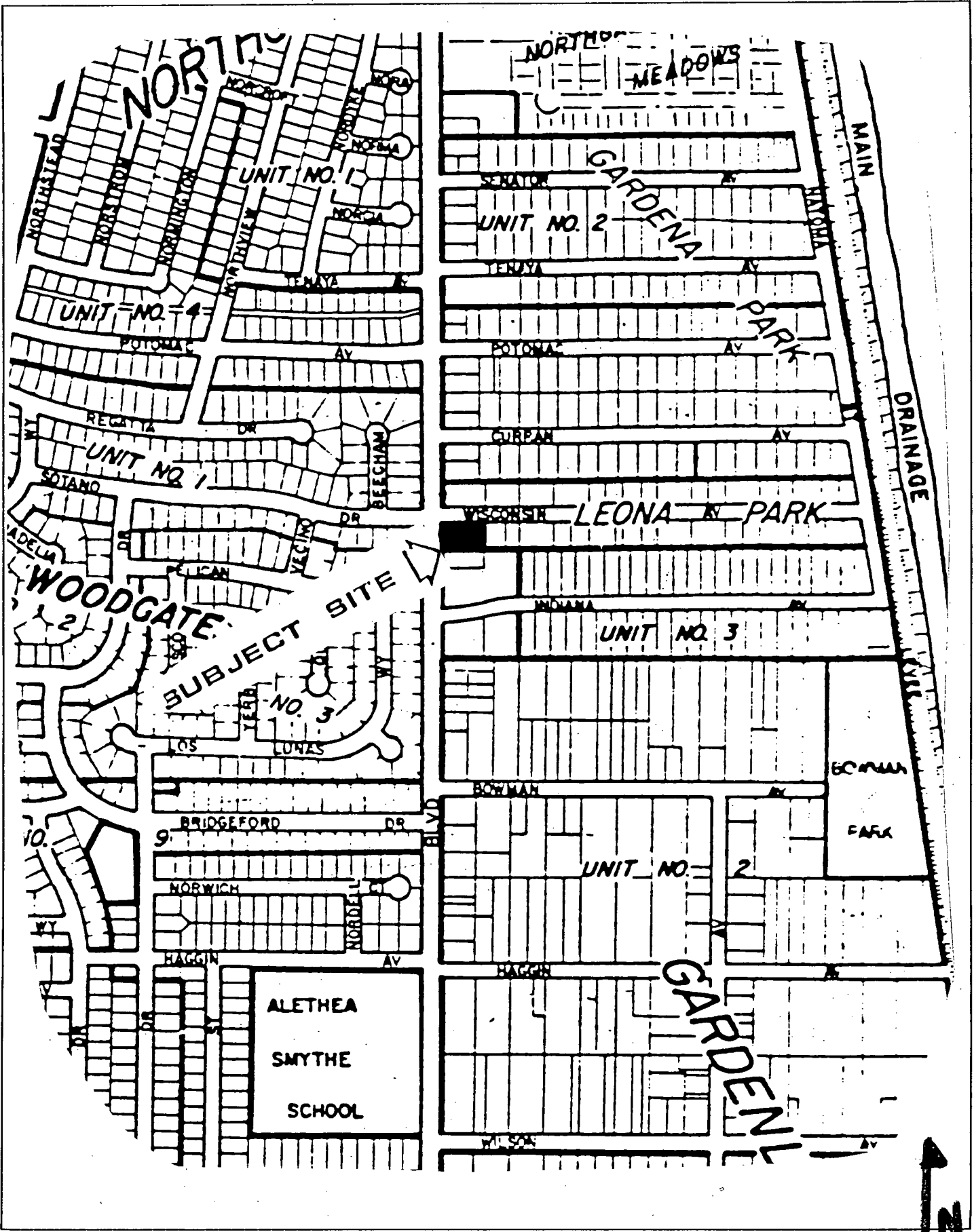


Joy D. Patterson
Zoning Administrator

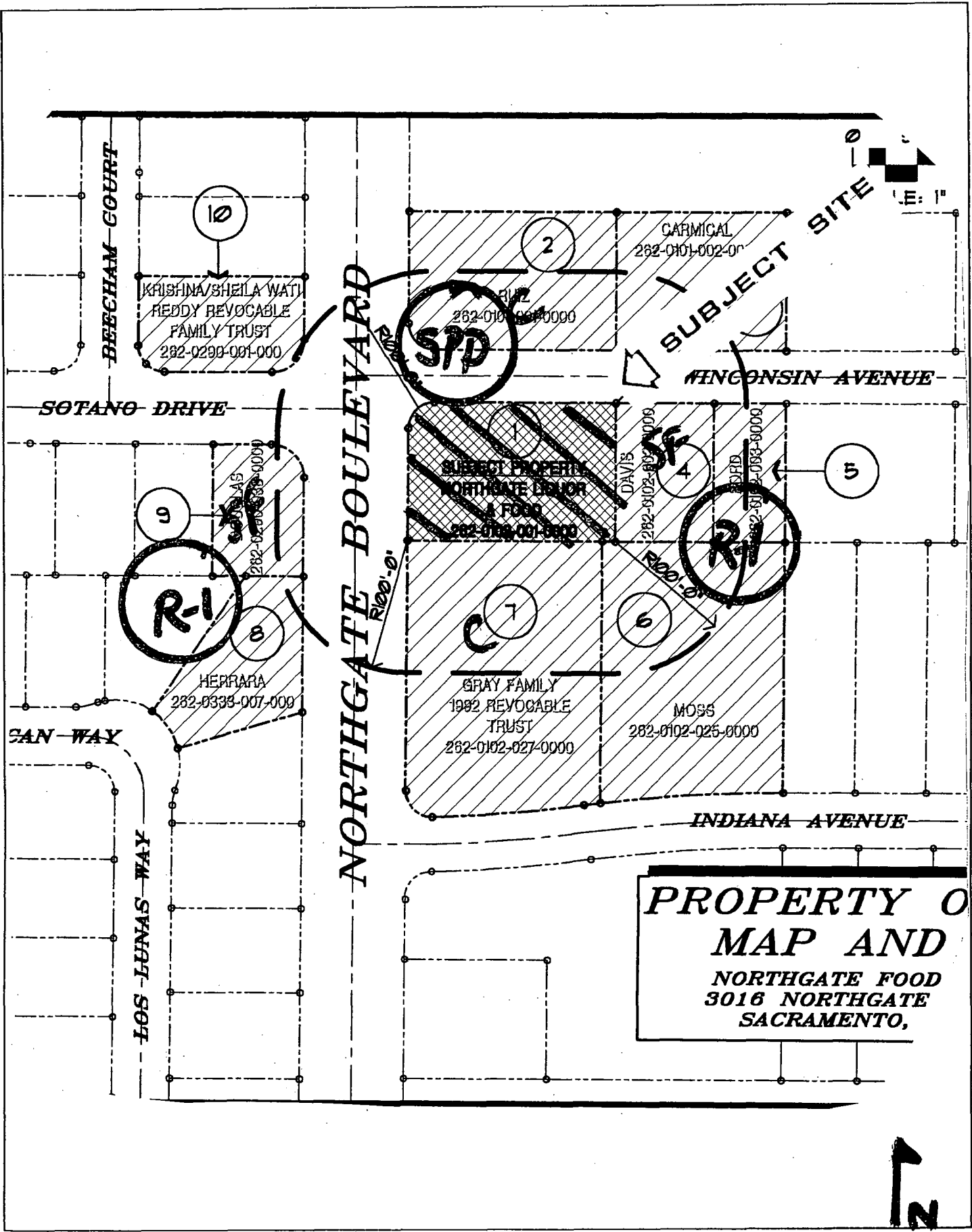
A use for which a Variance is granted must be established within two years after such permit is approved. If such use is not so established the Variance shall be deemed to have expired and shall be null and void. A Variance which requires a Building Permit shall be deemed established when such Building 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
Applicant
ZA Log Book



VICINITY MAP



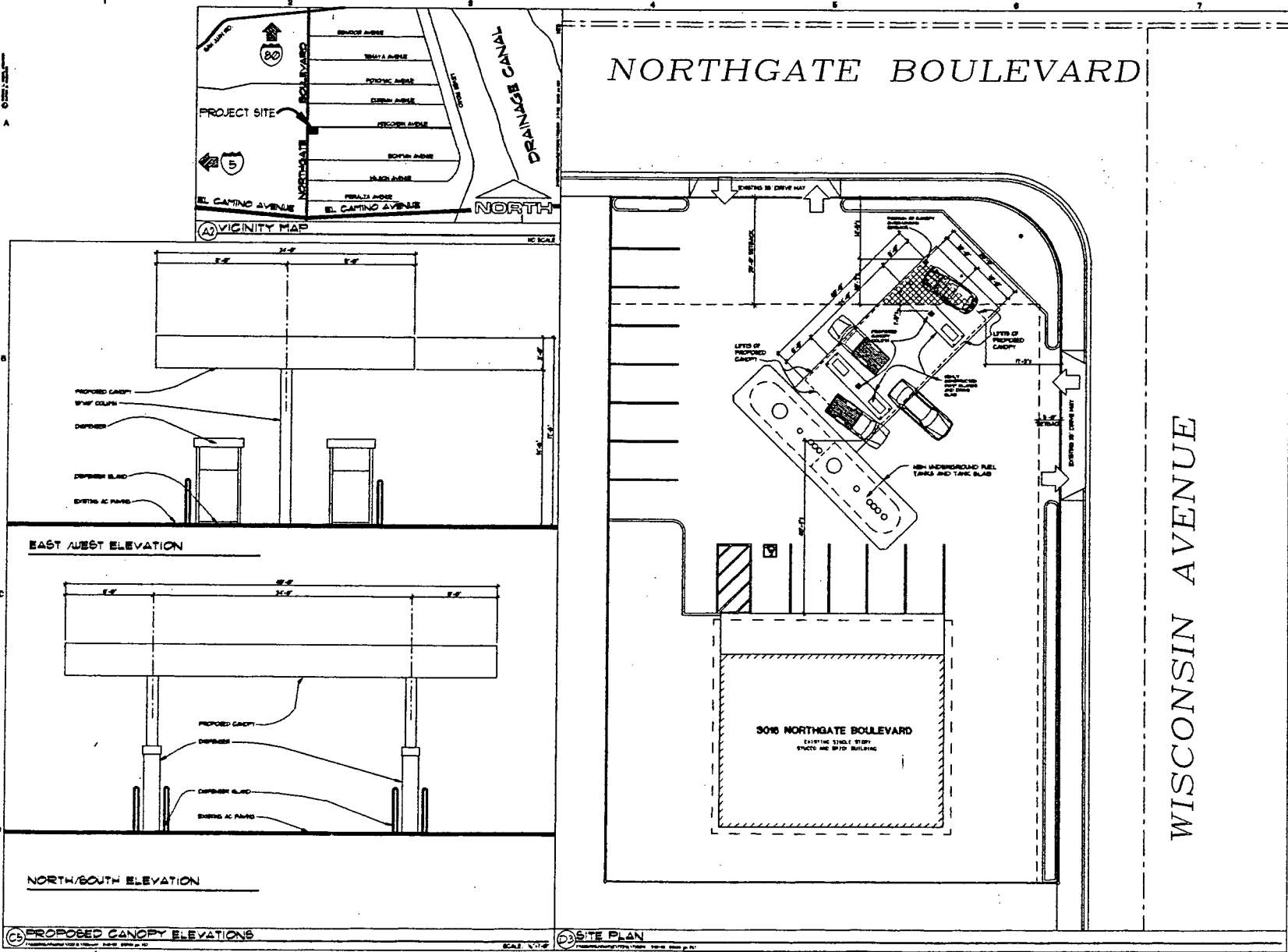
**PROPERTY MAP AND
NORTHGATE FOOD
3016 NORTHGATE
SACRAMENTO,**

LAND USE & ZONING MAP

Z98-030

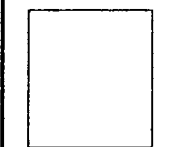
APRIL 1, 1998

ITEM #7



SUTTON & ASSOCIATES, INC.
 ARCHITECTS

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SMALL L. MOORE, ARCHITECT
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 SACRAMENTO, CA 95817
 PHONE: (916) 332-2142 FAX: (916) 334-4489
 CONTACT: DEAN DOUG

REVISION	DATE

DATE: MARCH 19, 1998
 DRAWN BY: SA, RLK
 JOB NO: 9733

SHEET
A1
 of 2 SHEETS

SITE PLAN
VICINITY MAP

EXHIBIT - A

SCALE: 1/8" = 1'-0" (SEE SHEET A2)
 1/8" = 1'-0" (SEE SHEET A2)
 1/8" = 1'-0" (SEE SHEET A2)