

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, October 6, 2005, the Zoning Administrator approved with conditions a tentative map to create two parcels and a special permit to allow off-site parking for the project known as Z05-186. Findings of Fact and conditions of approval for the project are listed on pages 2-5.

Project Information

- Request: 1. **Zoning Administrator Tentative Map** to subdivide one parcel into two parcels totaling 2.29 partially developed acres in the General Commercial-Review (C-2R) zone.
2. **Zoning Administrator Special Permit** to allow required parking to be located off-site.

Location: 2730 Florin Road (D8, Area 2)

Assessor's Parcel Number: 049-0021-036

Applicant: MSA Engineering (Mike Himmelmann)
 1340 Blue Oaks Blvd., Ste. 200
 Roseville, CA 95678

Property Owner: OTRE Investments, LLC
 199 First Street, Ste. 200
 San Francisco, CA 94105

Project Planner: Sandra Yope

General Plan Designation: Community/Neighborhood Commercial & Offices
Airport Meadowview
Community Plan Designation: Commercial
Existing Land Use of Site: Office Building and Parking
Existing Zoning of Site: General Commercial-Review (C-2R)

Surrounding Land Use and Zoning:

North: C-2-R; Vacant
South: R-1; Residential
East: C-2-R; Commercial and Vacant
West: C-2; Commercial

Property Dimensions: 253 feet x 396 feet
Property Area: 2.29± acres
Topography: Flat

Street Improvements: Existing
Utilities: Existing

Project Plans: Exhibit A

Previous Files: P96-107

Background Information: On February 13, 1997 the Planning Commission approved a Special Permit and Plan Review to locate a non-residential adult day care facility for up to 100 persons in an existing 8,600 square foot structure (P96-107). The use required 31 parking spaces on-site and 71 spaces were provided.

Additional Information: The applicant proposes to subdivide one parcel into two parcels for the purpose of future development. The parcel is developed with a commercial building that houses "Health For All", an adult day care facility. The site is on the east corner of Florin Road and Loma Verde Way. Both lots will meet all size and access requirements of the Subdivision Code.

Once the lot is split the existing parking lot will be on the newly created parcel. There is a large paved area to the rear (south) of the existing building that would be able to be developed with adequate parking for the existing use on-site. The Zoning Code requires all required parking to be located on-site. The applicant is requesting a special permit to allow off-site parking using the existing parking area until the new parcel is developed.

The site is located within the District 63 area. The project plans were sent to the association and staff received no comments. The project was noticed and staff received one call requesting additional information. Staff also received numerous letters and many form letters in opposition to the project because they believed the site would be rezoned and the current use eliminated. The proposed project does not involve a rezone or any activity to alter the current use of the existing building.

Subdivision Review Committee: The proposed map was heard at the Subdivision Review Committee on September 7, 2005. During the hearing, minor changes were effected on the proposed conditions of approval specific to the map which were accepted by the applicant and approved by the Committee. The conditions are listed under Conditions of Approval.

Agency Comments: The proposed project has been reviewed by the City Utilities Department, the Building Division, and the Development Engineering and Finance Division, Parks, SMUD, and other utilities. The comments received pertaining to the tentative map have been included as conditions.

Environmental Determination: This project will not have a significant effect on the environment and is exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15315.

Conditions of Approval- Tentative Map:

The following conditions shall be satisfied prior to filing the Final Map unless a different time for compliance is specifically stated in these conditions:

NOTE: The design of any improvement not covered by these conditions shall be to City standard.

GENERAL:

1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessment.
2. Private reciprocal ingress, egress, maneuvering and parking easements are required for future development of the area covered by this Tentative Map. The applicant shall enter into and record an

Agreement For Conveyance of Easements with the City stating that a private reciprocal ingress/egress, maneuvering, and parking easement shall be conveyed to and reserved from Parcels A and B, at no cost, at the time of sale or other conveyance of either parcel.

3. Show all continuing and proposed/required easements on the Parcel Map.
4. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk fronting the property along Florin Road and Loma Verde Way per City standards to the satisfaction of the Development Engineering and Finance Division.

PUBLIC/PRIVATE UTILITIES:

5. The owner/developer must disclose to future/potential owners the existing 69kV electrical facilities.

CITY UTILITIES:

6. Only one domestic water service is allowed per parcel. Any new domestic water services shall be metered. A new service to Parcel A may be deferred until the time of Building Permit.
7. Each parcel shall have a separate, metered irrigation service; provided that an owner or entity possessing an easement or other property right authorizing a common irrigation service for multiple parcels may request a common irrigation service for such parcels, and the DOU may, in its sole discretion, approve a Utility Service Agreement to provide a common irrigation service, on such terms and conditions as may be determined by the DOU. A new irrigation service to Parcel A may be deferred until the time of Building Permit.
8. Provide separate sanitary sewer services to each parcel to the satisfaction of the Department of Utilities.
9. Either the lots must be graded so that drainage does not cross property lines or the applicant must enter into and record an **Agreement for Conveyance of Easements** with the City stating that a private reciprocal drainage easement shall be conveyed to and reserved from each parcel as needed, at no cost, at the time of sale or other conveyance of either parcel. A note stating the following must be placed on the Final Map:

"THE PARCELS CREATED BY THIS MAP SHALL BE DEVELOPED IN ACCORDANCE WITH RECORDED AGREEMENT FOR CONVEYANCE OF EASEMENTS # (BOOK __, PAGE __)."

MISCELLANEOUS:

10. Fire service mains shall not cross property lines unless a reciprocal easement agreement is provided.
11. A reciprocal ingress egress agreement shall be provided for review by City Attorney for all shared driveways being used for Fire Department access.
12. PG&E owns and operates gas facilities which are located on the northerly portion within or adjacent to the proposed project boundaries. To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. To ensure compliance with these standards, project proponents should coordinate with PG&E early in the development of their plans. Any proposed development plans should provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities.
13. Any existing private underground utilities that crosses the new parcel line shall either be removed,

rerouted, or and easement shall be provided.

ADVISORY NOTES:

14. The applicant/owner shall construct a parking lot on Parcel B that provides the required number of parking stalls needed for the existing commercial use prior to commencing development of Parcel A. The new parking lot shall meet City Zoning Code for shading, irrigation, stall size and maneuvering requirements.
15. The proposed project is located in the Flood zone designated as an A99 zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective February 18, 2005. Within the A99 zone, there are no requirements to elevate or flood proof.
16. The applicant must comply with the City's of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment control methods on the improvement plans. These plans shall also show the methods to control urban runoff pollution from the project site during construction. The parking lot must be completed prior to the final map.

Conditions of Approval-Special Permit:

1. Prior to constructing a building on Parcel A, the applicant shall apply for the necessary permits and construct a parking lot on Parcel B that provides the required number of parking stalls needed for the existing 8,600 \pm commercial building on Parcel B. The new parking lot shall meet City Zoning Code requirements, including those for shading, irrigation, stall size and maneuvering.
2. The existing parking area on Parcel A is for the use of the existing 8,600 square foot building on Parcel B. At no time shall this parking area be leased to any other business or individual unless a Planning Commission Special Permit for a stand alone parking lot is obtained.
3. Vehicle storage is not permitted at the site unless a special permit is obtained. Any vehicles being stored at the site shall be removed.
4. The area behind the commercial building (southern portion of property) shall not be used for any type of auto repair or outdoor assembly for any type function. If the current occupant of the commercial building, Health For All, is using the area outside of the building for activities not currently authorized by their special permit, they need to request a special permit modification or cease using the area for unauthorized activities.

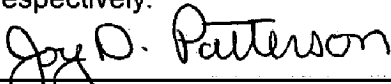
Findings of Fact-Tentative Map:

1. The Tentative Subdivision Map is consistent with the General Plan and the Airport Meadowview Community Plan which designates the site as Community/Neighborhood Commercial & Offices and Commercial respectively.
2. All existing streets and/or utility easements of record are reserved. The Tentative Subdivision Map will not result in the abandonment of any street or utility easement of record.
3. The Tentative Subdivision Map will not eliminate or reduce in size of the access way to any resulting parcel.
4. The resulting parcels from the Tentative Subdivision Map conform to the requirements of this Subdivision Code, Title 16 of the City Code, the City's General Plan, and the City's Comprehensive Zoning Code, Title

16 of the City Code.

Findings of Fact-Special Permit:

1. Granting the Special Permit is based upon sound principles of land use in that allowing the parking on separate parcels will not significantly impact or alter the site or surrounding commercial area.
2. Granting the Special Permit would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 - a. the parking area exists and will be utilized until the new parking area is developed to the rear of the building; and
 - b. adequate parking can be provided on-site in the future and is required to be provided.
3. The project is consistent with the General Plan General Plan and the Airport Meadowview Community Plan which designates the site as Community/Neighborhood Commercial & Offices and Commercial respectively.

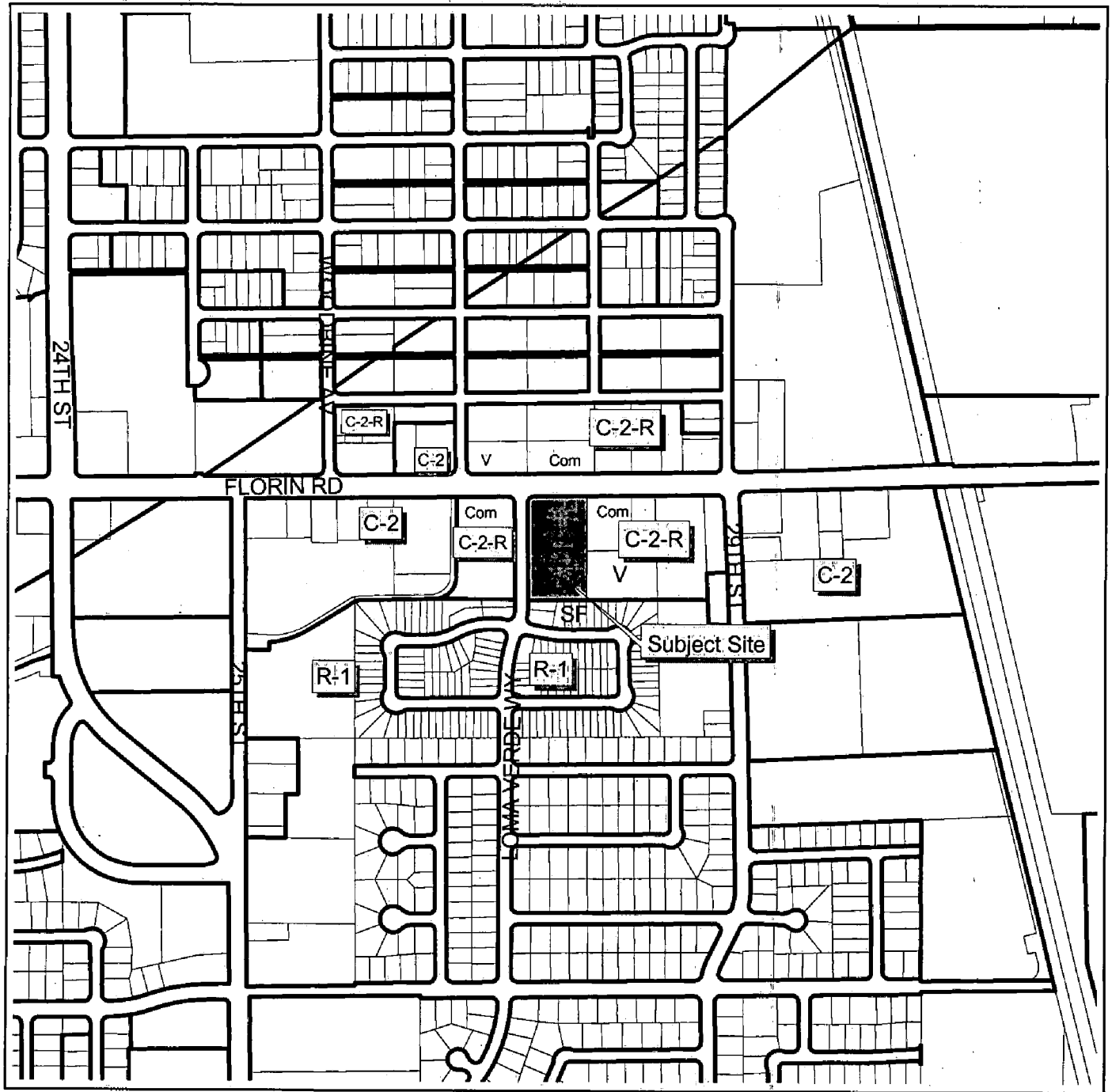


Joy D. Patterson
Zoning Administrator

The Tentative Map that is granted must be finalized within three years after such tentative map is approved. If such map is not so finalized the Tentative Map shall be deemed to have expired and shall be null and void. A use for which a Special Permit is granted must be established within three 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 use 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.

Note: The applicant will need to contact the Public Works Department (Jerry Lavoto, 808-7918) after the appeal period is over to submit for a Final Map.

cc: File ZA Log Book (original) Applicant Public Works (Jerry Lavoto)



Development Services
Department

Geographic
Information
System

Land Use & Zoning



CITY OF SACRAMENTO
PLANNING DIVISION

1231 I Street, Room 200
Sacramento, CA 95814

916-808-5381

APPEAL OF THE DECISION OF THE ZONING ADMINISTRATOR

Date: Oct. 17, 2005
TO THE PLANNING DIRECTOR:

I do hereby make application to appeal the decision of the Zoning Administrator on
Oct. 6, 2005 for project number Z 050 186
(date)

when a: Special Permit Variance
(check appropriate entitlement) Parcel Merger Lot Line Adjustment
 Other Tentative Map

was: Granted Denied by the Zoning Administrator.

Property Location: 2730 Florin Road

Grounds For Appeal: (explain in detail, you may attach additional pages)

Tenant did not receive notice of 10.6.05
hearing and was therefore deprived of
opportunity to appear and be heard.

Appellant: Dr. Richard Ikeda-Health For All Daytime Phone: 441-2811

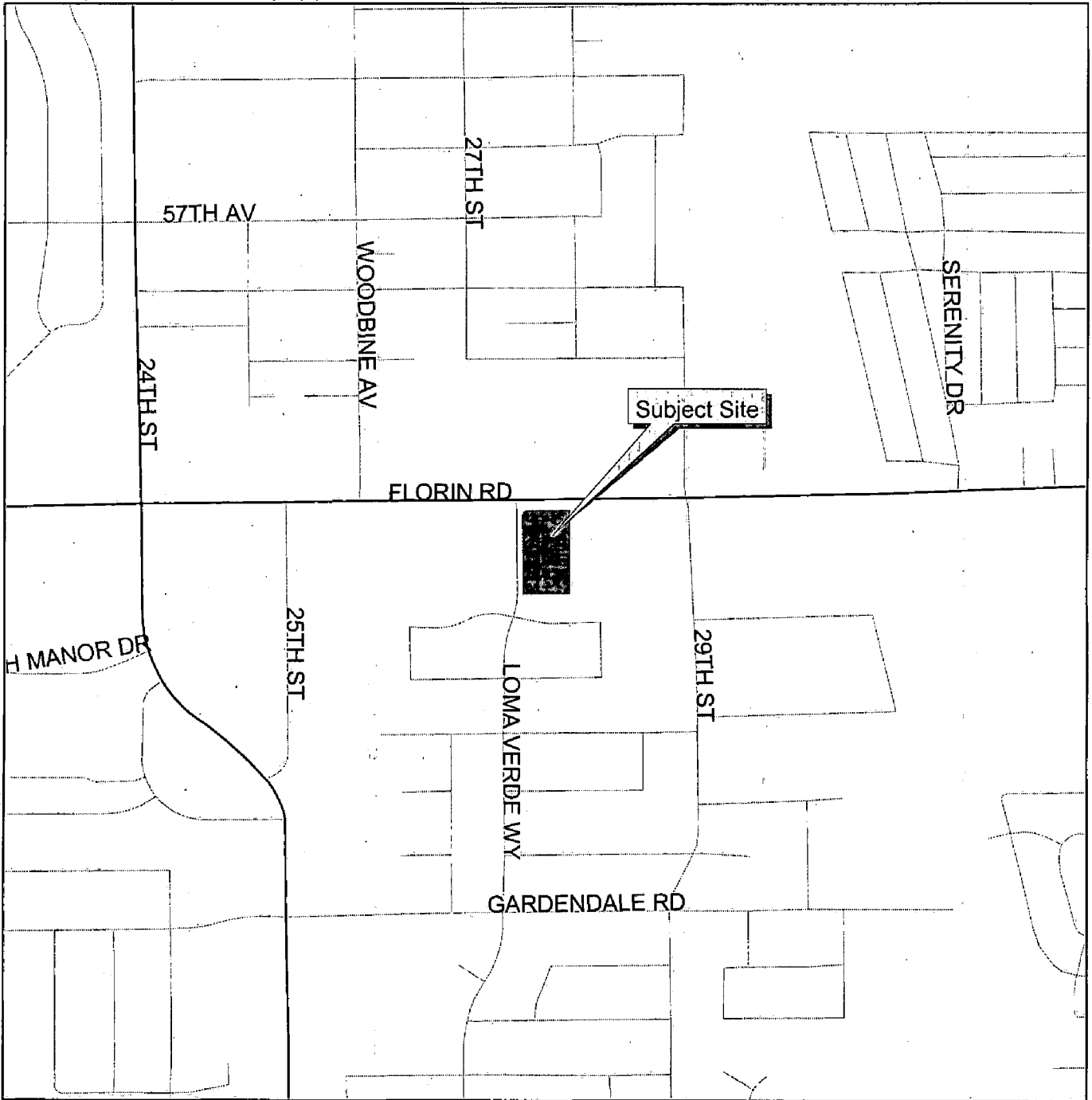
Address: 420 I street, Suite 7, Sacramento, CA 95814

Appellant's Signature: R. Ikeda, MD

OFFICE USE ONLY

Filing Fee Received: Applicant (\$596) or Third Party (\$298)
Received By: Erin Haley Date: _____

Distribute Copies to: Planning Director
Zoning Administrator
Planning Commission Clerical Support Staff
Original & Receipt in File



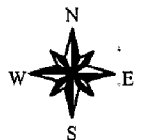
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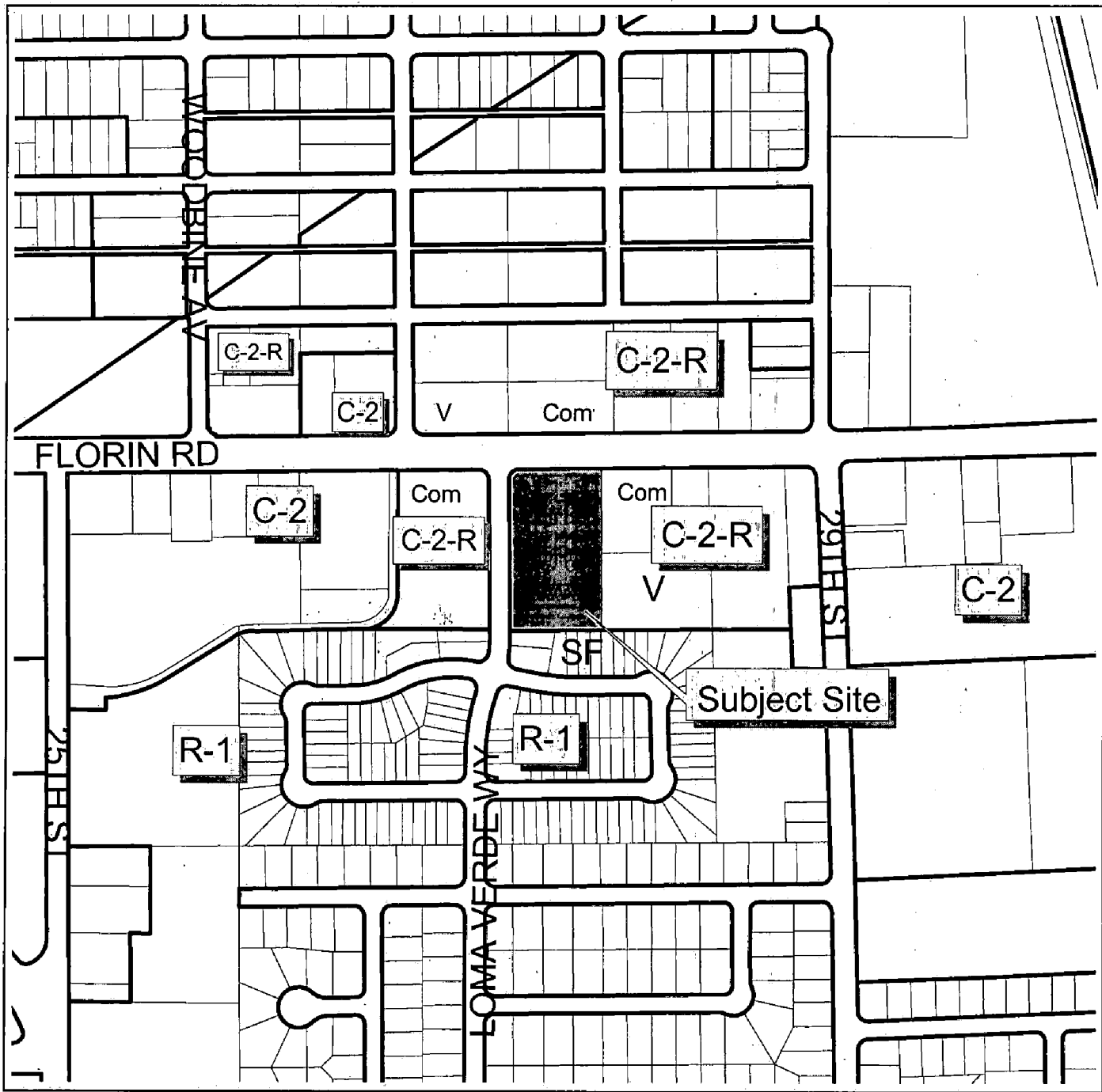
Development Services
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Geographic
Information
Systems

Vicinity Map Z05-186



December 8, 2005



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