



REPORT TO PLANNING COMMISSION City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
January 12, 2012

To: Members of the Planning Commission

Subject: AAA Services (P11-083)

A request to operate a Minor Recycling Facility in the M-1 (Light Industrial) zone.

- A. Environmental Determination: Exempt (CEQA Guidelines Section 15301, Existing Facilities);
- B. Special Permit to allow a Minor Recycling Facility on approximately 3.28 acres in the Light Industrial (M-1) zone.
- C. Variance to waive landscaping requirements for a recycling facility.

Location/Council District:

2020 Railroad Drive

Assessor's Parcel Numbers: 274-0210-009-0000, 274-0210-003-0000,
& 274-0200-012-0000.

Council District: 3

Recommendation: Staff recommends the Commission approve the request based on the findings and subject to the conditions listed in Attachment 1. The Commission has final approval authority over items A through C above, and its decision is appealable to City Council.

Contact: Robert W. Williams, Associate Planner, (916) 808-7686,
Sandra Yope, Senior Planner, (916) 808-2659

Applicant: Gary C. Matranga, AAA Services, (916) 568-3456, 2020 Railroad Drive,
Sacramento, CA 95815.

Property Owner: Same as Applicant.

Summary: The applicant is requesting to operate "Minor Recycling Facility" as an ancillary service to his existing business operations, which have recently been moved to 2020 Railroad Drive.

At the time of writing this report, the project is considered to be noncontroversial, however that the applicant is opposed to any restrictions or conditions limiting how he receives recyclable materials.

Table 1: Project Information
General Plan designation: Employment Center Low Rise (ECLR) (FAR: 0.25-1.00)
Community Plan area: South Natomas
Existing zoning of site: M-1, Light Industrial
Existing use of site: Commercial/Warehouse Building
Property area: 142,832 square feet or 3.28 acres.

Entitlement History: In February 2008, the parking lot of the subject site was entitled to provide overflow parking on evenings and weekends for a nearby indoor soccer facility that located at 1960 Railroad Drive (Z07-312). There is no other record of prior planning applications for property.

Background Information: The applicant is the owner of AAA Services, which is a business that consists of crane services, machine moving and hauling, equipment storage, and roll off box trucks (trash hauling). For many years their business has been located at 1834 Auburn Boulevard, which is zoned Light Industrial (M-1).

In recent years, the applicant had begun to expand his business operations at the Auburn Boulevard location. Customers, who require installation of new air conditioning equipment to be installed by crane, have their new equipment sent directly to AAA Services prior to installation. When the old equipment is removed during the installation process, it is shipped to the AAA Services site for dismantling and recycling of the materials.

All recycling facilities, other than a "Convenience Recycling Facility" (beverage container recycling) require a Special Permit. The prior location on Auburn Boulevard had not obtained the entitlement. This location was adjacent to a residential neighborhood, and the expansion of their business services on that property had led to many complaints by the neighbors about the operational activities on the site.

The applicant has recently purchased the location at 2020 Railroad Drive, and has moved his business operations to this new location. The new site is also zoned Light Industrial (M-1). It is not located in close proximity to residential zones or residential uses.

Public/Neighborhood Outreach and Comments: The project site is not located within any known neighborhood association boundaries. Early notification of the proposed project was sent to representatives two nearby neighborhood associations, both the Woodlake Neighborhood Association, and the Del Paso Boulevard Partnership. Staff spoke to a representative of the Del Paso Boulevard Partnership, who did not express any opposition to the project. On December 22, 2011, a public hearing notice was mailed to all property owners within a 500 foot radius of the subject site, and the site was also posted more than 10 days in advance of the public hearing. At the time of the writing of this report, staff has not received any additional calls about the project.

Environmental Considerations: The Environmental Services Manager has determined the project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines (Section 15301). Section 15301 consists of existing facilities involving no expansion of use.

Policy Considerations: The subject site is designated as Employment Center Low Rise (ECLR) on the General Plan Land Use and Urban Form Diagram. Employment Center Low Rise (business parks) plays an important role in the city by supporting businesses and providing employment. It is not anticipated that there will be any significant change in the form and character of areas designated Employment Center Low Rise in the foreseeable future. Changes are likely to be more subtle, including improvements in accessibility to pedestrians, bicyclists, and transit and the integration of additional support uses.

2030 General Plan Development Standards

The minimum Floor Area Ratio (FAR) for the Employment Center Low Rise (ECLR) designation is 0.25. The site is currently developed with an approximately 53,000 square feet of structures on a 142,832 square foot parcel. Therefore, the FAR is 0.38 which is compliant with the General Plan Development Standards.

2030 General Plan Policies:

The following General Plan Policy supports the project:

LU 7.2.1 Industrial Growth. The City shall encourage the protection, continued intensification, and expansion of existing industrial, warehousing, and distribution facilities and provide for new warehousing/distribution activities in select locations when found to be compatible with existing surrounding neighborhoods, to provide a range of employment opportunities for Sacramento's residents.

Land Use

The proposed new site of AAA Services is located on Railroad Drive, north of Del Paso Boulevard, and near the American River Parkway and Highway 160. The site is developed with a 50,000 square foot single tenant commercial-industrial building, and a

couple of smaller structures, (one of which is a garage). According to aerials, the north portion of the building was constructed between 1958 and 1964, prior to annexation. According to building permit records, an addition of 20,700 square feet was added to the south side of the structure in July 1971. The rest of the property is almost completely paved, used either for storage or vehicle parking. Railroad Drive is developed exclusively with heavy commercial and industrial uses.

The property zoning of M-1, Light Industrial zone, permits most fabricating activities, with the exception of heavy manufacturing and the processing of raw materials. The crane services and some of the other business operations of AAA Services are allowed by right in the zone, not requiring any land use entitlements. The applicant also recycles the air conditioners and accepts other types of scrap metal. All recycling operations require some form of review and approval.

The zoning code divides recycling facilities into four different types. They are a "Convenience Recycling Facility", a "Minor Recycling Facility", a "Major Recycling Facility", or a "Greenwaste Facility" (17.16.010). Except for the convenience recycling, all of the others require Special Permit from either the Zoning Administrator or the Planning Commission, prior to establishing the recycling facility.

A "Minor Recycling Facility" is defined in the zoning code a recycling facility that is not a major recycling facility and is not a convenience recycling facility. A "Major Recycling Facility" is defined in the zoning code as a facility with an operation involving fifty (50) tons or more of material per day; or that includes on-site stockpiled material of five thousand (5,000) tons or more; or that includes more than fifty (50) truck trips per day; or with a site area that exceeds three acres. Neither a major or minor facility is allowed to accept any greenwaste. A minor recycling facility requires a special permit from the Zoning Administrator and is allowed in the C-4, M-1, M-2, M-1(S), or M-2(S) zones (17.24.050 #41). However; due to the variance request to waive the required landscaping that requires Planning Commission action, the entire project is elevated to the Planning Commission for action.

The applicant has indicated that the recycling materials that are processed onsite will not be at the threshold of a major facility. Therefore, the recycling operations of AAA Services are considered to be a minor recycling facility.

The applicant has an Appliance Recycler Certification from the California Environmental Protection Agency Department of Toxic Substances Control, an Authorized Recycler Certificate from the Sacramento Regional Solid Waste Authority (SWA), and a Hazardous Materials Permit from the County of Sacramento Environmental Management Department.

The Planning Commission has the authority to either approve or deny special permit for the minor recycling facility. Section 17.212.030 of the Zoning Code, states the Planning Commission may grant a special permit provided the following findings are made:

- A. A special permit shall be granted upon sound principles of land use. In this case, staff finds that the "Minor Recycling Facility" is an allowed land use in the M-1 zone subject to the granting of a special permit and the project is located within an industrially zoned location where recycling facilities can be located when granted a special permit.
- B. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance. The project site is located away from residential development. Adequate onsite parking will be provided. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located. The project is consistent with the General Plan which designates the site as Employment Center Low Rise (ECLR)
- C. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located. The project is consistent with the General Plan which designates the site as Employment Center Low Rise (ECLR).

Staff recommends the special permit for the minor recycling facility be granted with the condition that business only be allowed to recycle materials that either come from the jobs performed by the crane service business and brought to the location by the business itself or associates of the business, and the applicant not be allowed to accept air conditioners or any recycling material for payment from walk in customers. The applicant is required to comply with all operational standards of the zoning code and all other city codes.

The zoning code also contains criteria for both operational and development s for all recycling facilities (17.24.050 #41). One of the development standards, states that all recycling facilities which require a special permit, shall be required to have landscaping that shall be a minimum of twenty-five (25) feet clear along the frontage of any right-of-way, including frontage not used as access. The applicant had originally submitted an application for a special permit from the Zoning Administrator (Z11-101), however the zoning code does not allow the Zoning Administrator to waive or reduce this landscaping requirement for recycling facilities, thus the elevation of this project to the Planning Commission to request a variance to waive this development standard.

The site is an existing commercial-industrial development, and the applicant is not proposing any new construction. The zoning code does not require a landscaped setback in this area for new development, or for any change of use for existing development. The landscaping only is required because the applicant is proposing a recycling facility.

If the landscaping were required to be installed, a portion of the existing paved parking lot area would have to be removed. Staff estimates that approximately sixteen parking

spaces would be required to be removed from the front of the property. They would need to be relocated into the existing paved storage areas and appropriately shaded, or else an entitlement for a parking waiver would need to be approved.

The Planning Commission has the authority to either approve or deny variance to waive the required landscaping that is required for the minor recycling facility. Section 17.216.030 of the Zoning Code, states the Planning Commission may grant a variance provided the following findings are made:

- A. A variance cannot be a special privilege extended to one individual property owner. The circumstances must be such that the same variance would be appropriate for any property owner facing similar circumstances. In this case, the applicant proposes to reduce waive the required landscaping that would not otherwise be required for any other use located on this property. With the existing location of the parking lot, it would be difficult to install the landscaping and still provide adequate parking for the property. The granting of this landscaping variance would be appropriate for any property owner facing similar circumstances.
- B. The consideration of “use variances” is specifically prohibited. These are variances which request approval to locate a use in a zone from which it is prohibited by ordinance. No use variance is requested, as the minor recycling facility is a discretionary use that can be allowed with a special permit in the Light Industrial (M-1) zone.
- C. A variance must not be injurious to public welfare, nor to property in the vicinity of the applicant. The site is an existing property developed in the 1960’s without much landscaping. None of the other properties along the east side of the street have any landscaping.
- D. A variance must be in harmony with the general purpose and intent of this title. It must not adversely affect the general plan of the specific plans of the city, or the open space zoning regulations. The proposed variance is otherwise consistent with the purpose and intent of the zoning regulations in that the safety and proper functioning of the proposed project and adjacent properties is not impaired. The proposed recycling center land use is consistent with General Plan.

Because of the existing building and parking lot footprint, a unique hardship does exist and because there is a lack of harm to public safety, staff supports the variance request.

Staff believes that the Planning Commission can make adequate findings as required to approve the minor recycling facility project. Staff does not have any objections to the requested entitlements.

Access, Circulation and Parking

The proposed project site is located within an existing commercial building. The site includes at least five existing driveways along Railroad Drive to access both the yard areas located on both sides of the main building and the parking lot located in front of the building. The parking lot contains at least 45 parking spaces. The parking ratio for industrial uses such as warehousing and manufacturing require 1 parking space per 1,000 square feet, or in this case at least 53 parking spaces. It is unknown how much office space is within the building. Although the existing site does not meet current parking requirements, the minor recycling project is not considered to be a change of use in the sense that would trigger an additional need for parking.

Building design and signage

The existing building is a one story flat roof cinderblock structure and the front is painted red. No exterior modifications or site improvements are proposed as a part of this project. All new exterior signage is required to meet the sign code and must obtain a sign permit.

Police Department Concerns:

The Police Department has concerns about ongoing problems with theft of air conditioners and other items that contain copper and other metals. They request that all onsite recycling materials processed must only be obtained as part of their existing air conditioner replacement operations or else as part of their business dealings with other qualified business customers. They have requested to add the condition that the applicant not be allowed to accept walk-ins of air conditioners, scrap metal and other recyclable materials. The applicant has not agreed to this restriction.

Respectfully submitted by: Robert W. Williams
ROBERT W. WILLIAMS
Associate Planner

Approved by:
Sandra L. Yope
SANDRA YOPE
Senior Planner

Recommendation Approved:

for Joy Patterson
Gregory Bitter, AICP
Principal Planner

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**Attachment 1
Proposed Findings of Fact and Conditions of Approval
AAA Recycling (P11-083)
2020 Railroad Drive**

Findings Of Fact

- A. Environmental Determination:** Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the Planning Commission finds that the Project is exempt from review under **Section 15301 Existing Facilities** of the California Environmental Quality Act because it involves the use of existing facilities without the expansion of use.
- B. The Special Permit** to allow a Minor Recycling Facility is approved subject to the following Findings of Fact:
1. A special permit shall be granted upon sound principles of land use. In this case, staff finds that the "Minor Recycling Facility" is an allowed land use in the M-1 zone subject to the granting of a special permit and the project is located within an industrially zoned location where recycling facilities can be located when granted a special permit.
 2. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance. The project site is located away from residential development. Adequate onsite parking will be provided. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located. The project is consistent with the General Plan which designates the site as Employment Center Low Rise (ECLR)
 3. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located. The project is consistent with the General Plan which designates the site as Employment Center Low Rise (ECLR).
- C. The Variance** to waive the landscaping requirement for a Minor Recycling Facility is approved subject to the following Findings of Fact:
1. A variance cannot be a special privilege extended to one individual property owner. The circumstances must be such that the same variance would be appropriate for any property owner facing similar circumstances. In this case, the applicant proposes to reduce waive the required landscaping that would not otherwise be required for any other use located on this property. With the existing location of the parking lot, it would be difficult to install the landscaping and still provide adequate parking for the property. The granting

of this landscaping variance would be appropriate for any property owner facing similar circumstances.

2. The consideration of “use variances” is specifically prohibited. These are variances which request approval to locate a use in a zone from which it is prohibited by ordinance. No use variance is requested, as the minor recycling facility is a discretionary use that can be allowed with a special permit in the Light Industrial (M-1) zone.
3. A variance must not be injurious to public welfare, nor to property in the vicinity of the applicant. The site is an existing property developed in the 1960’s without much landscaping. None of the other properties along the east side of the street have any landscaping.
4. A variance must be in harmony with the general purpose and intent of this title. It must not adversely affect the general plan of the specific plans of the city, or the open space zoning regulations. The proposed variance is otherwise consistent with the purpose and intent of the zoning regulations in that the safety and proper functioning of the proposed project and adjacent properties is not impaired. The proposed recycling center land use is consistent with General Plan.

Conditions Of Approval

The **Special Permit** to allow a Minor Recycling Facility is approved subject to the following conditions of approval:

Planning:

1. The proposed project shall conform to the submitted plans.
2. The applicant shall obtain all necessary permits before beginning operations.
3. The operations must comply with the all permits and licenses that are issued by the regulatory bodies.
4. All signage shall conform to sign regulations and obtain the necessary sign permit.
5. Any future changes to the approved operation as a Minor Recycling Facility are subject to additional planning review and approval. The facility shall not exceed the minor recycling thresholds: operations with no more than fifty (50) tons or more of material per day; or that includes on-site stockpiled material of five thousand (5,000) tons or more; or that includes more than fifty (50) truck trips per day

6. Copies of the signed Record of Decision, including the attached exhibits, shall be included on full-size sheets as part of any Building Permit plans submittals.
7. An affidavit signed by the applicant that affirms the plans submitted for the Building Permit comply with all conditions of approval and approved exhibits shall be included on full-size sheets as part of the Building Permit plans submittals, if any.

Police:

8. The business shall only process scrap metal recyclables as an ancillary part of their business operations. They shall not accept any recyclable materials from walk-in customers unrelated to their business operations.

The **Variance** to waive the landscaping requirement for a Minor Recycling Facility is approved subject to the following conditions of approval:

1. All existing landscaping shall remain in place and be properly maintained.

Advisory Notes:

Planning:

- ADV1. All other development standards and operational requirements for a recycling center remain as requirements for the recycling facility.

Fire:

- ADV2. Provide approved Knox Box for vehicle gate.

Attachment 2: Applicant Statement



August 24, 2011

To: The City of Sacramento Review Board

AAA Signs Inc. DBA AAA Services is a business that consists of crane service, machine moving and hauling, equipment storage, and roll off box trucks (trash hauling). We have expanded our business with the addition of our recycling division. We started this division primarily to better serve our heating and air conditioning customers. We have created 5 new jobs with this division and increased our revenue 20%. At our current location, we are at our maximum capacity inside and outside storage and working room.

With the purchase of the 2020 Railroad Drive, Sacramento, CA 95815 property, AAA Services will be able to offer expanded inside and outside storage to our customers and expand our recycling business.

Our storage program consists mostly of our heating and air conditioning customers. The customers have their new equipment shipped directly to our location for storage until they are scheduled for installation. By providing this service, it helps our customers' make better equipment purchases and manage their jobs. Once the job is scheduled for installation, our crane service will be coordinated with our trucking service and the stored units will be delivered to the customer's job location.

Our recycling program was created as an additional service for our heating and air conditioning customers. With our truck fleet we are able to remove our customer's old heating/air conditioning unit and garbage from their jobsite. When the old units arrive back at our location they are disassembled and the components are processed for recycling according to State of California regulations. AAA Services can recycle units to LEED/Green Initiative guidelines.

With the increase of space the 2020 Railroad Drive property would provide, we will be able to provide our customers with better all around service. By moving to this location we will be able to maintain our entire company's services at one location. This location will enable us to provide more inside and outside storage to our customers. Also, due to the current copper thievery environment, we will be able to maintain our recycling division inside to prevent theft.

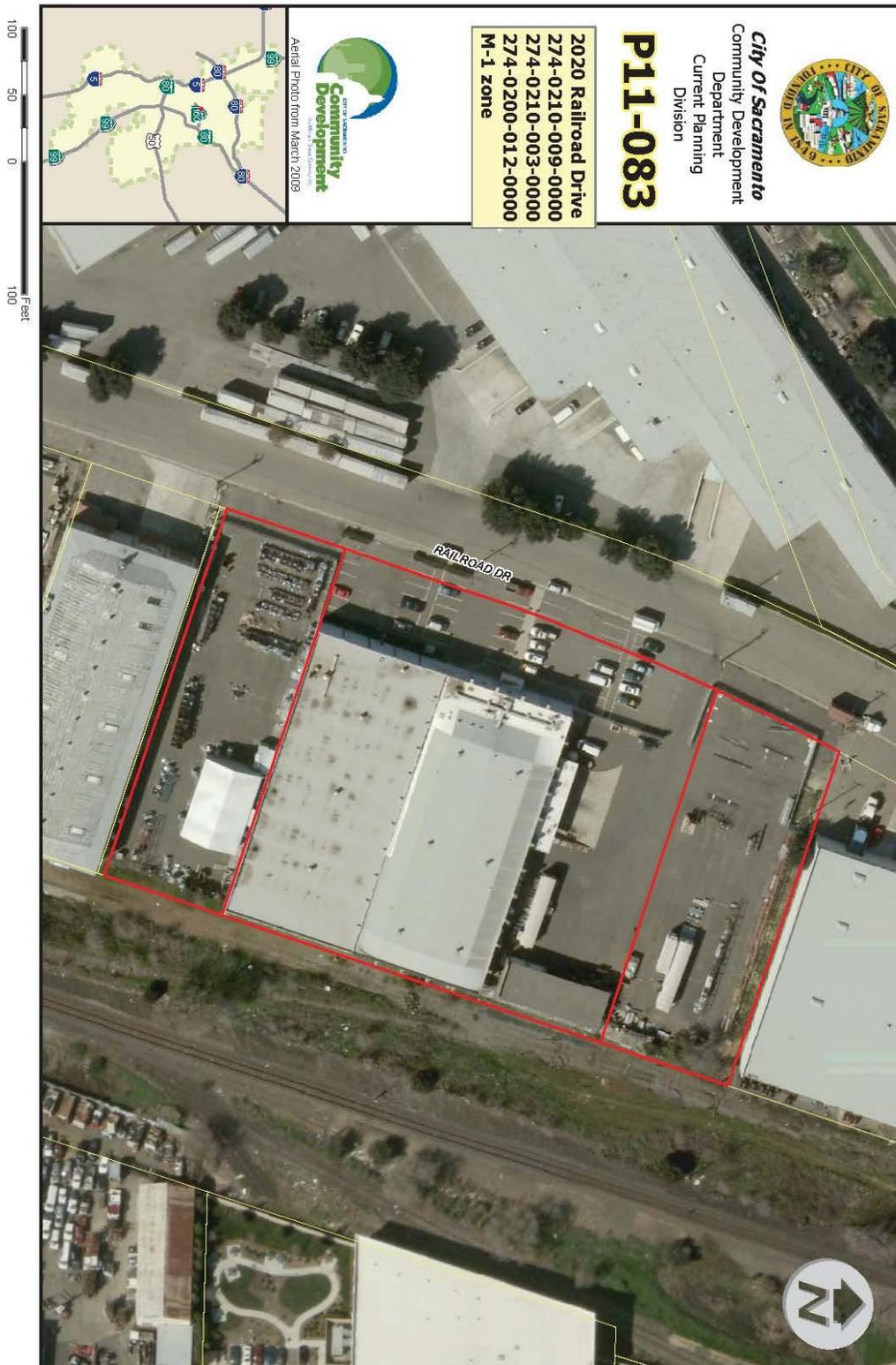
Thank you in advance for your consideration.

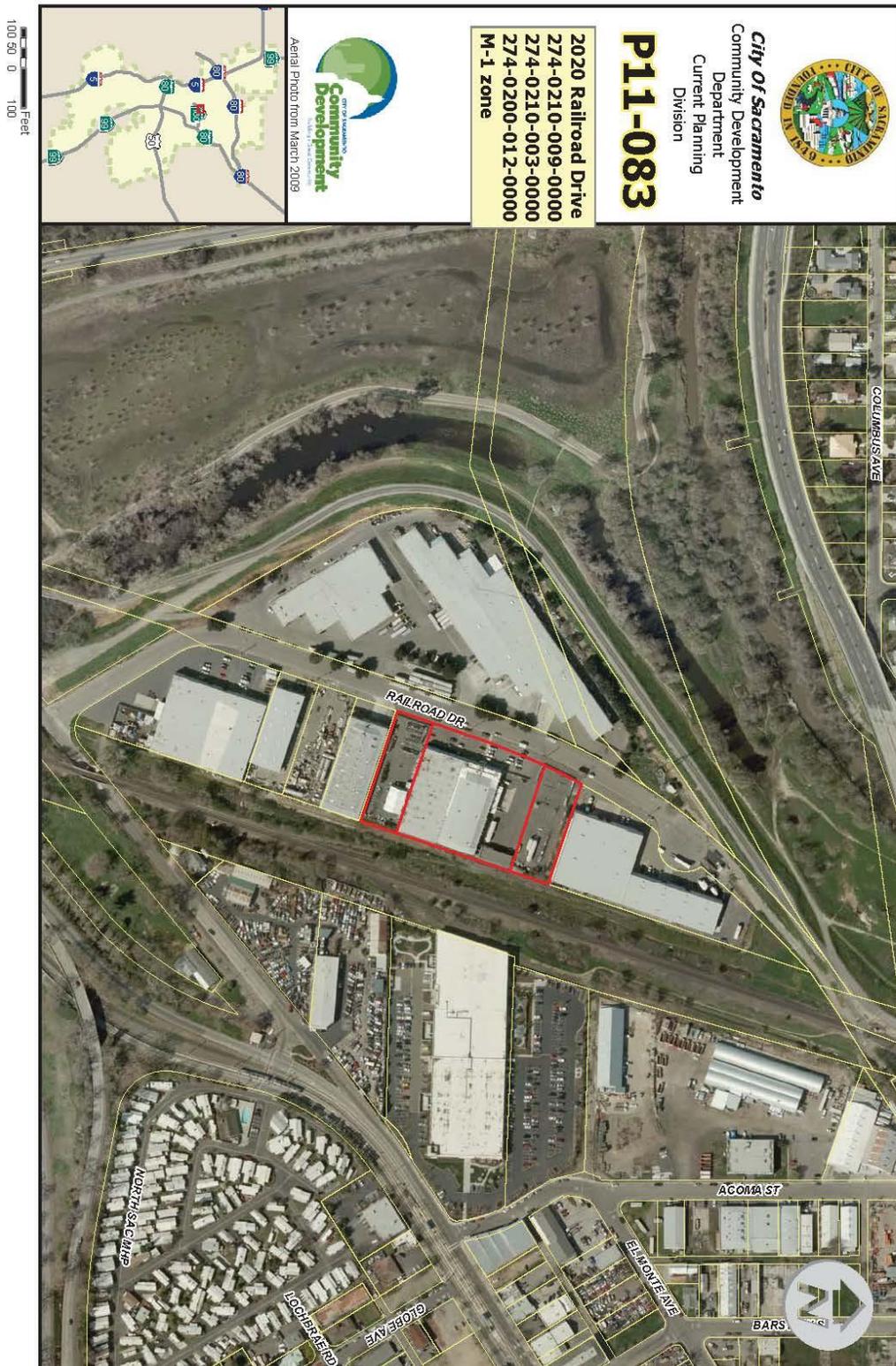
Sincerely,

Gary C. Matranga
AAA SIGNS INC. DBA AAA SERVICES
President

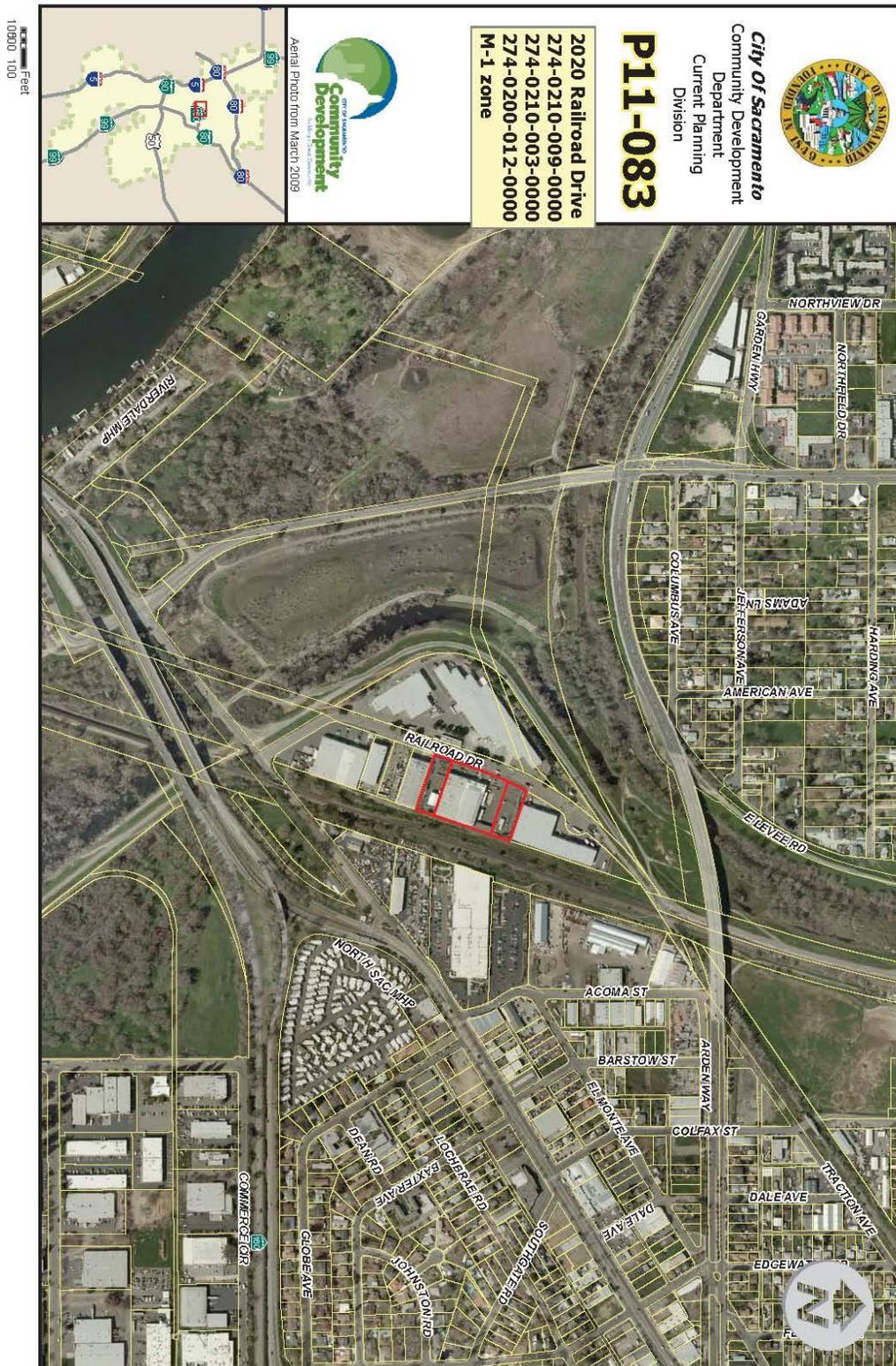
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Attachment 3: Aerial





Attachment 5: Aerial



Attachment 6: Zoning Map

