

CITY OF RANCHO CORDOVA
Minutes of Meeting
Of the Community Development Director's Administrative Public Hearing
August 30, 2018

1. CALL MEETING TO ORDER

The meeting of the Administrative Public Hearing of the City of Rancho Cordova was held on Thursday, August 30, 2018 in the Community Board Room located at 2729 Prospect Park Drive, Rancho Cordova, CA, 95670. Community Development Director, Elizabeth Sparkman called the meeting to order at 11:00 a.m.

Staff Present: Planning Department Clerk, Kelly Whitman; Senior Planner, June Cowles; Planning Manager, Darcy Goulart; and Senior Legal Associate, Frank Splendorio.

2. PUBLIC COMMENT

There were no public comments heard at this meeting on non-agenda items.

3. PUBLIC HEARING

A. GOLD TAILINGS STORAGE YARD – PROJECT NO. DD9807 – MINOR DESIGN REVIEW.

The City of Rancho Cordova Planning Department has reviewed and processed a Minor Design Review for a storage yard with several metal storage containers south of 2851 Gold Tailings Court. The storage yard will be fenced and will include several metal storage containers in order to secure equipment and material for the business located at 2851 Gold Tailings Court.

Location: South of 2851 Gold Tailings Court; APN: 072-0490-008-0000

Zoning: Office Industrial Mixed Use (OIMU)

Project Planner: June Cowles, Senior Planner

Recommendation: Staff recommends the Community Development Director determine the project Categorically Exempt under Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act Guidelines, and approve a Minor Design Review for the proposed project, subject to the submitted project material and Conditions of Approval.

Community Development Director, Sparkman opened the Public Hearing

PUBLIC COMMENT

- Kristen Alexander, Adjacent Property Business Owner – The fence that has been installed is of good quality but is concerned with what may occur in the next year or so. Believes that the fence will attract graffiti and homeless encampments which will cause a blight issue. What type of lighting will be used to assist in alleviating potential blight and nuisance issues?
- Jack Alexander, Adjacent Property Business Owner – Is frustrated due to all the hurdles they had to overcome in opening his business including the modifications and expense required to be in compliance with the City's HVAC screening requirements. Feels that the proposed project is being held to different standards and that applicants are not being treated equally. Is pleased that the applicant is being conditioned to landscape the area between Gold Tailings Drive and the fence but is concerned with weeds and maintenance along the southern property line.
- Steve Burnett, Adjacent Property Owner Representative – Provided brief personal background on his professional career and expertise. Read his opposition letter and attached email (**Attachment 1**) into the record. Also, provided pictures of the existing neighborhood for the record. The existing neighborhood is a nice sleepy cul-de-sac that does not have heavy

traffic. Is quite concerned with the increased traffic that could be generated by the use. When trucks do visit the site which driveway will they be utilizing? At what frequency can we expect to see trucks? What size trucks will be used? It is stated that this hearing is for design review but in the information we received enhancement of the neighborhood is discussed. Could it be explain how this use is enhancing the neighborhood? Requests that the director refer the decision to City Council that the director not make a decision to allow this proposal to be permanent. Is aware that the director has the authority to make a decision and that he would be able to appeal that decision. Also, would like to request a neighborhood meeting.

- Patty Lomanto, Adjacent Property Owner Representative – Asked for clarification on the proposed site plan. Provided a brief personal background and history on the entitlements they have obtained on the adjacent property to the south of the proposed project. Is upset that they were not consulted on how the proposed project would integrate with their approved entitlements. Is concerned with the potential graffiti that the proposed would attracted to the proposed fence and if there is not an adequate setback for the fence there will issues with crews being able to access the fence to remove the graffiti. Will not be providing an easement to the adjacent property owner or the City for maintenance. Therefore, requests that the fence be required to have a significant setback from the shared property and possible man door/gate in order provide adequate space for maintenance activities. The findings for proposed project does not provided adequate support for the project's consistency with the General Plan and the existing developments in the neighborhood. Was unable to locate any information on how the fence was exempt from review in the documents provided by the planning division or the municipal code. Does not agree with the fence qualifying as an exemption since their property would be a different use and there are specific requirements for screening between different land uses. Referred to RCMC section 23.731.080(A)(1). Believes that the standards in the aforementioned code section should be applied to this project and would like that suggestion to be taken under consideration. Sun Center Drive is one of the major arterial's in Rancho Cordova and the proposed project is one of the things that people are going to see as the enter this prestigious area. Hopes that the City would want this project to be as attractive as the current surrounding developments but also as a major entryway into this OMU area. Finds the whole process for the proposed project to be confusing. Believes that there should be clarification on how this project is being looked at from the City standpoint since the address for the property/building to the north has been referenced on multiple occasions. A lot of the findings are talking about a building but a building is not a part of the scope of work for this project. Storage containers based on my review of the code are allowed only as a temporary use which is in conflict with this proposal. Per her review of RCMC chapter 23.728 outdoor storage is only allowed when it is incidental use when related to a principal use in all zoning designations. Believes that the use of an outdoor storage yard is not allowed as a standalone primary use. Does not believe that the use is compatible with the surrounding uses and the existing zoning designation and therefore does not see how the findings can be made for the project. Believes that the neighborhood meeting process per 23.110.100 should have been utilized because the proposed project appear to have raised concerns in the neighborhood and will have an impact on the community. Believes that the proposed project will have significant impacts on the neighborhood and the evidence provided for the project findings does not address any of the impacts that the proposed project will have on the neighborhood. Provided notes and approved plans for their property for the record (**Attachment 2**). Requests that the director refer the decision to City Council. Would like to reiterate that their property needs to be considered. It is anticipated to be a different use then the proposed project and therefore the guidelines for screening need to be adhered to which would include setbacks, easements, and landscaping.
- Tom Orr, Adjacent Property Owner Representative – Feels that they were held to a very high standard when their property went through the planning entitlement process as well as the tenant improvement process for some of his tenants and that the applicant for the proposed project is not being held to the same standards. Believes that the proposed project is an eye sore because the 7 foot fence will not be able to fully screen the storage containers. To the best of his knowledge the height on a typical storage container is 8 feet 6 inches. The storage

containers thus will be visible from the offices within his building and other adjacent buildings. Believes that everyone should be held to the same standards.

- Jeff Williamson, Project Applicant – Before purchasing the property at the end of 2017 they consulted a land use attorney. Through that consultation they were informed that their intended use would be consistent with current zoning regulations. Has had several conversations with city staff in regards to zoning regulation and development standards that applied to his proposal. Confirmed that the fence material is made with a graffiti resistant coating that would assist with graffiti removal. Also, he made the fence panels himself so if there is ever a need he can easily replace a damaged or destroyed panel. Is aware of the homeless issue and has removed the bushes that were causing nuisance and removed all of the garbage. Confirmed that they will continue monitor any issue and take action when required. Stated that there is approximately a five to five and half foot setback on the southern property line and at this time does not have plans to landscape that area. When the adjacent property owner is ready to move forward with development on their parcel he is more than willing to work with them on a plan to landscape the area so that it is integrated cohesive. Stated that he is not in charge of zoning and he picked the subject area because it is zoned properly for what he does. If he proposed to remove the storage containers from his proposal then the requirement for design review is no longer applicable. However, it is not his intent to have all of his materials, tools, and equipment all over the storage yard. Believes that is not what the opposing parties want. The storage containers will allow the storage yard to be secure, orderly, organized and contained. Will monitor his property and ensure that it remains clean, tidy, and be a good neighbor. Not the type of operator or owner that would allow things to be dilapidated. Is trying to upgrade the property that he purchased and believes that it is better than when he bought it. If people do not like the looks of the fence he is sorry but it is in compliance with planning, building, and fire requirements. If people want the standards changed for future proposals that it up to them to pursue. Also, confirmed that there are plans to add outdoor lighting but those plans have been put on hold until this process has been completed. Reiterated that he purchased the property after consulting with a land use attorney and that it was confirmed that he would be operating within the zoning regulations and that no variances would be required. Had any issues arisen during that consultation he would not have purchased the property. All he can do now is be a good neighbor and keep the property clean and under good repair.

The Community Development Director had the following concerns and comments:

- Sparkman – There are a few options on how to move forward: 1) Can make a determination now; or 2) Take it under advisement and make a determination at a later date. With the volume of information that has been submitted the director feels compelled to take the information under advisement and delay making a decision. A decision will not be made right now at this point. Requested that the City's legal representative describe next steps.

Community Development Director, Sparkman closed the Public Hearing

Action: The Community Development Director has taken all the testimony under advisement and will provide written notice of decision to all affected parties within three (3) business days of a decision being made.

4. ADJOURNMENT

There being no further business before the Community Development Director, the meeting was adjourned at 12:46 p.m., August 30, 2018 to the next scheduled meeting.



Elizabeth Sparkman, Community Development Director



Kelly Whitman, Planning Department Clerk