

P05-058 – LATIF GAS STATION

- REQUEST:**
- A. **Environmental Determination:** Exempt (CEQA Section 15303)
 - B. **Special Permit** to allow a gas station with convenience store and coffee shop within a vacated service station in the General Commercial (C-2) zone.

LOCATION: 6220 Fruitridge Road
APN: 027-0032-001
Council District 6

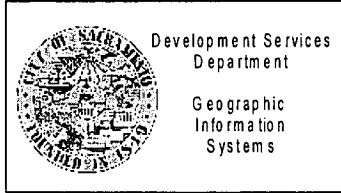
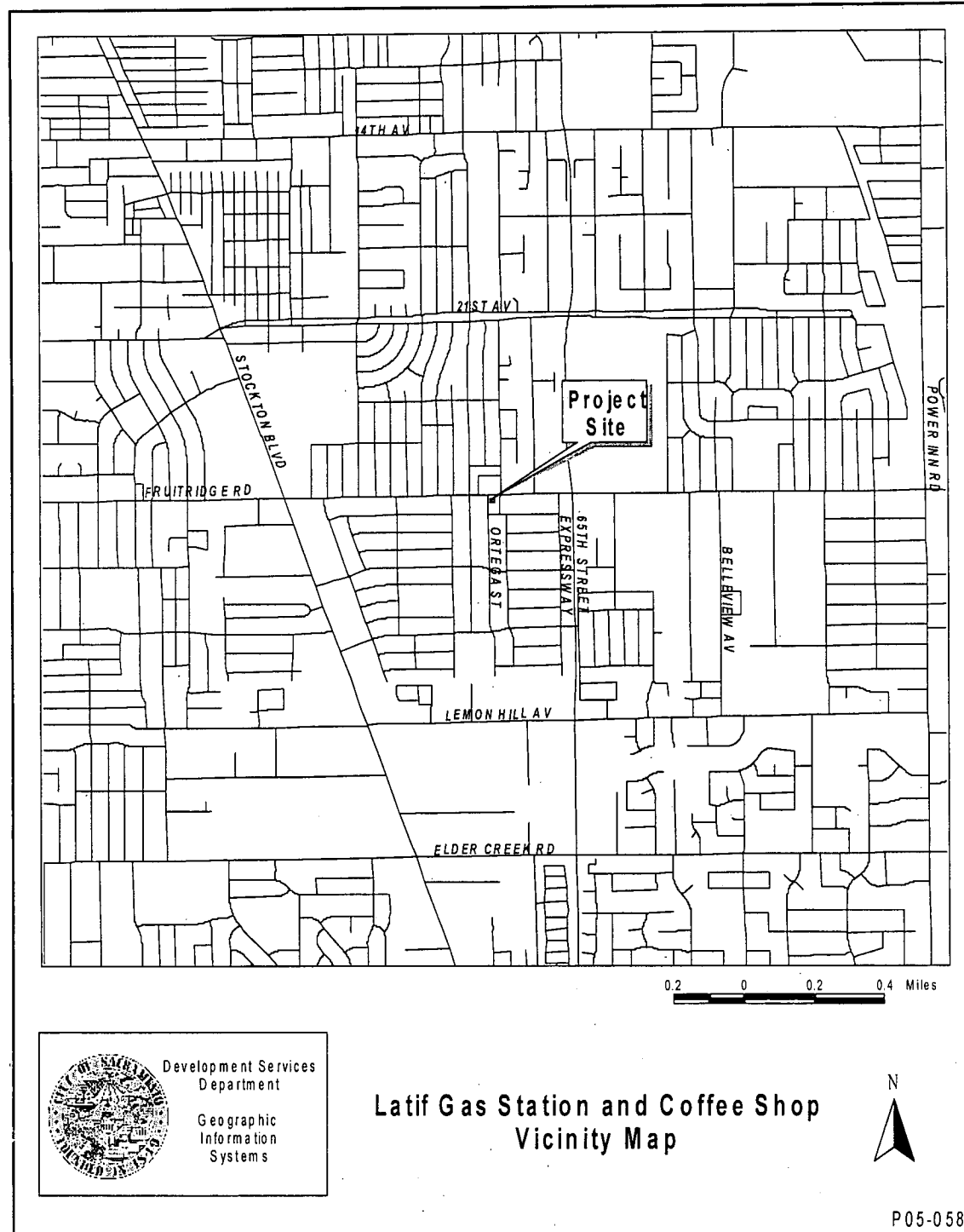
APPLICANT:	Sutton & Associates, Steve Sutton 10089 Folsom Boulevard Rancho Cordova, CA 95670
OWNER:	Muhannad Latif 6220 Fruitridge Road Sacramento, CA
APPLICATION FILED:	April 20, 2005
APPLICATION COMPLETED:	May 20, 2005
STAFF CONTACT:	Heather Forest, (916) 808-5008

SUMMARY:

The applicant is seeking entitlements to allow a gas station with convenience store and coffee shop within a vacated service station located at 6220 Fruitridge Road, within the General Commercial (C-2) zone. Approval of the requested Special Permit would result in the demolition of an existing fuel station canopy, construction of a new larger fuel canopy, and construction and addition to the existing convenience store.

RECOMMENDATION:

Staff recommends denial of the proposed project. The recommendation of denial is due to the fact that the project is not consistent with the City's General Plan, the South Sacramento Community Plan, the City's Neighborhood Commercial Corridor Design Principles and the Zoning Code. Neighborhood and community opposition has been expressed.



Latif Gas Station and Coffee Shop
Vicinity Map



PROJECT INFORMATION:

General Plan Designation: Low Density Residential, 4-15 du/na
 South Sacramento Community Plan: General Commercial
 Existing Land Use of Site: Vacated Service Station/Illegal Tire Shop
 Existing Zoning of Site: General Commercial (C-2)

Surrounding Land Use and Zoning:

North: Bel Air Grocery Store, General Commercial, C-2
 South: Convenience Store, General Commercial, C-2
 East: Public Alley, Single Family Residence, Single Family Residential, R-1
 West: Ortega Street, Single Family Residence, Single Family Residential, R-1

Setbacks:	Required	Provided
Front: (Ortega Street):	0'	23'
Side (Fruitridge Road):	5'	0' at of canopy, 10' at gas dispenser
Side(Int):	0'	18'
Rear:	0'	3'-5"

Property Dimensions:	Approximately 100' in width by 90' in depth
Property Area:	9,121 square feet
Topography:	Flat
Height of Fuel Canopy:	18' top of parapet
Square Footage of Fuel Canopy:	1,472 square feet
Height of Convenience Store:	13'-4" to top of parapet
Square Footage of Convenience Store:	Approximately 1,500 square feet
Parking Required:	3-4 spaces
Parking Provided:	4 standard spaces, 1 handicapped space
Exterior Building Materials:	Stucco and Brick
Roofing Materials:	Flat Top Roof
Street Improvements:	Existing
Utilities:	Existing

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

<u>Permit</u>	<u>Agency</u>
Building Permit	Building Division
Sign Permit	Building Division

BACKGROUND INFORMATION:

The project site contains an existing 1,290 square foot service station with illegally operating tire shop, and 800 square foot fuel canopy. The service station was constructed in the late 1950's, changed ownership on numerous occasions, and was closed in 2002 in order to remove the underground storage tanks, and renovate the entire service station. The owner originally submitted building plans to reconstruct the service station in 2002, but did not follow through with the renovation. Since that time, the City has passed an Ordinance which requires the approval of a Special Permit to allow service stations/automotive uses within the General Commercial (C-2) zone.

The applicant originally submitted plans for the proposed project which included the renovation of the service station with convenience store and tire shop, in April of 2005. At that time, City staff raised concerns over both the use of a gas station and tire shop at the site due to the inconsistencies with the City's General Plan, the City's Neighborhood Commercial Corridor Design Principles, incompatibility of the service station land use within a predominantly residential neighborhood and the existence of a high number of automotive related uses located near the project site along Stockton Boulevard, and neighborhood and community opposition to the proposed project.

The applicant revised the project plans in late November of 2005. The revised plans (proposed project) propose the renovation of the fuel canopy, convenience store, and instead of the proposed tire shop the applicant now shows a potential coffee shop located within the convenience store. Planning staff is recommending denial of the proposed project because the primary proposed use is a gas station.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

General Plan

The project site is designated as Low Density Residential, 4-15 dwelling units per net acre, by the General Plan. The General Plan does not designate specific land uses which are smaller than five acres in size. As the proposed project site is approximately 9,000 square feet in size and surrounded by a predominantly residential neighborhood, it is designated for low density residential land uses by the General Plan. However, because the proposed project is commercial in nature, the project is inconsistent with the City's General Plan land use designation. Specifically, the proposed project is inconsistent with Goal A of the General Plan Residential Land Use Element which states a need to "Improve the quality of residential neighborhoods Citywide by protecting, preserving, and enhancing their character." (2-8). In consideration of the proposed project to allow a service station within a predominantly residential neighborhood, the General Plan clearly outlines that, "Improper land use mixes such as nonconforming commercial and industrial uses in residential neighborhoods distract from the residential character of the neighborhood and add to its decline. In addition, debris, outdoor storage and signs associated with these activities create a poor environment for residential use." (2-8) Therefore, the proposed project is inconsistent with the City's General Plan, and approval of the Special Permit to allow a gas station with convenience store on the project site would jeopardize the character and preservation of the surrounding residential neighborhood.

South City Community Plan

The project site is designated as General Commercial within the South Sacramento Community Plan area. Although the proposed land use is consistent with the South City Community Plan land use designation, the South Sacramento Community Plan outlines policies and implementation measures which the proposed project is inconsistent with, due to an overabundance of commercial zoned property located within the South Sacramento Community Plan area. Specifically, Goal #2 of the Commercial Land Use Element states a need to:

"Encourage the establishment of healthy commercial nodes rather than deteriorating commercial strips. Eliminate excessive or inappropriately located commercial zoning as part of the Community Plan process. Designate commercial nodes along healthy commercial centers and downzone other parcels to higher density residential, office or mixed use." (43)

As the project site is located within a predominantly residential neighborhood, the proposed use of the

site as a gas station is an inappropriate land use for the project area. Additionally, Stockton Boulevard, which contains an excessive number of automotive related land uses and gas stations, is located approximately one-half a mile to the west of the project site. Therefore, the approval of the special permit to allow a gas station and convenience store at the project site is inconsistent with the South Sacramento Community Plan.

The Neighborhood Commercial Corridor Design Principles

The Neighborhood Commercial Corridor Design Principles were recently (2003) approved by the City of Sacramento in order to, "Articulate a vision for future development in the City's commercial corridors that is sustainable, functional and attractive." The Neighborhood Commercial Corridor Design Principles state that auto-oriented land uses, "... shall be designed in a manner that does not detract aesthetically from the commercial corridor or investment in nearby property." As the project site is located within a predominantly residential neighborhood, the continued commercial use of the site detracts from investment in nearby residential properties.

In order to ensure that auto-oriented land uses within the General Commercial zone are aesthetically pleasing, the Neighborhood Commercial Corridor Design Principles require a ten (10) foot minimum landscaped setback along abutting street frontage. The ten-foot landscaped setback would be required along portions of both Ortega Street and Fruitridge Road. The proposed project does not include a ten-foot landscaped setback abutting either road, and therefore is inconsistent with the intent of the Neighborhood Commercial Corridor Design Principles. In order to provide the ten-foot landscaped setback the proposed parking spaces, fuel canopy, and fuel canopy weight-bearing columns would need to be relocated, or the applicant would need to request the approval of a variance from the required code. Therefore, the proposed project is inconsistent with the Neighborhood Commercial Corridor Design Principles.

Zoning

The project site is zoned General Commercial (C-2). The Zoning Ordinance requires the approval of a Special Permit in order to construct a service station in the General Commercial zone. In order to approve the Special Permit, the Planning Commission must make the following findings, in addition to the standard Special Permit findings, specific to the automotive uses within the General Commercial zone:

1. That the proposed project is consistent with the Commercial Corridor Design Principles;
2. That the proposed project is compatible with the goals, policies and recommendations contained in all applicable land use plans, urban design plans and other documents that address development in the commercial area in which the project is located; and
3. That the proposed project complies with the development standard regarding outdoor storage and operating standards.

As outlined previously, the proposed project is not consistent with the City's Commercial Corridor Design Principles, the City's General Plan, or the South Sacramento Community Plan. As the proposed project does not include the storage, service, or repair of automobiles, the third finding as stated above could be met if approved by the City Planning Commission. Nevertheless, City staff recommends denial of the proposed project.

B. Site Plan Design/Building Design/Zoning Requirements

Special Permit for Service Station

The proposed project is located on the southeast corner of Fruitridge Road and Ortega Street. The

proposed convenience store/coffee shop would be centrally located on the southern border of the project site, with the two fuel bays and fuel canopy just north of the convenience store.

Convenience Store/Fuel Canopy Design

The existing gas station/tire shop is proposed to be renovated into the convenience store/coffee shop. The exterior building materials would be stucco and brick, with an aluminum storefront window system. The convenience store/coffee shop would be approximately 1,500 square feet in size, and 13'-4" in height. The existing 800 square foot fuel canopy would be demolished and replaced with a 1,472 square foot fuel canopy, as part of the proposed project. The proposed fuel canopy would be supported by two weight bearing columns, and would be 18' in height. As proposed, the convenience store and fuel canopy meet all setback, height, and lot coverage requirements as set forth by the Zoning Code.

Site Access/Circulation

Auto access to the site is proposed from both Fruitridge Road and Ortega Street, as well as a public alley which abuts the eastern property line. Driveways into/out of the project site are not clearly defined along Fruitridge Road, and could pose a hazard to pedestrians and motorists. The project site plan also depicts four standard parking stalls, and one handicapped parking stall, which meet the City's required three (3) parking spaces.

Landscaping

Landscaping is proposed at the northwest corner of the project site, with an additional small landscaping strip located at the southwest corner of the site, and along the southeast corner and southern border. As stated previously, the Neighborhood Commercial Corridor Design Principles specify that a ten (10) foot landscaped setback shall be provided along abutting street frontage. The proposed project does not comply with this provision. Additionally, the project must comply with the City's Parking Lot Tree Shading Guidelines, to ensure that 50% of lot coverage shading is achieved at fifteen years in time. The proposed project is inconsistent with this requirement.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The Environmental Services Manager has determined that the project, as proposed, is exempt from environmental review pursuant to CEQA Section 15303.

B. Public/Neighborhood/Business Association Comments

The project was routed to the Fruitridge Manor Neighborhood Association, the Tallac Village Neighborhood Association, the Stockton Boulevard Partnership, and all property owners within five hundred feet of the project site. City staff received formal letters of opposition to the proposed project from the Stockton Boulevard Partnership (Exhibit 1E) and concerned neighbors (Exhibit 1F). The Stockton Boulevard Partnership stated a need for retail amenities such as a coffee shop, or restaurant at the project site, because several tire and auto service shops already exist along Stockton Boulevard. The letter of opposition from the concerned neighbors stated concern over the project site as a blighted area.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. Should the project be approved, sets of conditions would be added to the project Special Permits related to site.

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny A, and/or B. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 calendar days of the Planning Commission action.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

- A. Adopt the attached Notice of Decision and Findings of Fact (Attachment 1) that finds the project is Exempt pursuant to CEQA Section 15303;
- B. Adopt the attached Notice of Decision and Findings of Fact denying the Special Permit to allow a gas station with convenience store and coffee shop within a vacated service station in the General Commercial (C-2) zone.

Report Prepared By,



Heather Forest, Assistant Planner

Report Reviewed By,



Tom Buford, Senior Planner

Attachments

Attachment 1	Notice of Decision & Findings of Fact
Exhibit 1A	Site Plan
Exhibit 1B	Floor Plan & Elevations
Exhibit 1C	Elevations
Exhibit 1D	Landscape Plan
Exhibit 1E	Letter of Opposition from the Stockton Boulevard Partnership
Exhibit 1F	Letter of Opposition from the neighbors
Attachment 2	Land Use & Zoning Map