

file

DEPARTMENT OF  
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO  
CALIFORNIA

1231 I STREET  
ROOM 200  
SACRAMENTO, CA  
95814-2998

June 14, 1991

BUILDING INSPECTIONS  
916-449-5716

SPECIAL PERMIT MODIFICATION  
(P90-019)

PLANNING  
916-449-5604

**APPLICATION:** Planning Director's Special Permit Modification to modify the size and hours of operation of an approved restaurant with a drive-through facility on 2.4± acres in the General Commercial (C-2) zone (P90-019)

**LOCATION:** 6300 Power Inn Road (APN: 038-0273-019 and 020)

SUMMARY:

A Special Permit to allow a new Dairy Queen restaurant with a drive-through service facility at the northwest corner of Power Inn and Elder Creek Roads in the C-2 zone was approved February 22, 1990. The new applicant, Jack in the Box, is now requesting a Special Permit Modification to decrease the size of the proposed restaurant and modify the proposed hours of operation from those conditioned in the original Special Permit.

BACKGROUND INFORMATION:

On February 22, 1990, the Planning Commission approved a Special Permit for a drive through lane for a fast food restaurant and a Lot Line Adjustment to relocate the common property line between two parcels at 6300 Power Inn Road (P90-019).

ANALYSIS:

The applicant is proposing to decrease the size of the proposed restaurant from 3,000 to 2,356 square feet and decrease the number of restaurant seats from 96 to 58 seats (see Exhibits A, B, and C).

Also, the applicant is proposing to increase the hours of operation from those conditioned in the Special Permit, 10:00 A.M. to 11:00 P.M., to 6:00 A.M. to midnight. Any modification of these hours must be approved by the Planning Director. Police staff did not condition the hours of operation on the original Special Permit.

001373

The restaurant is surrounded by a vacant C-2 site to the north and west, an Arco AM/PM across Elder Creek Road to the south, and industrial uses across Power Inn Road to the east. Single family residences are located north of the vacant site, about 250 feet from the proposed restaurant. A shopping center is planned for the vacant site which will eventually buffer the restaurant from the residential uses.

A six foot high masonry wall will be required along the north property of the shopping center site to buffer the commercial uses from the existing residential uses. Staff recommends that the applicant construct the masonry wall prior to opening the restaurant so that a nuisance is not created by the drive through facility for the residents to the north. The applicant has agreed to construct a six foot high masonry wall along the north property line of the commercial lot adjacent to the subject site per attached site plan (see Exhibit A). Staff finds that the increase in hours, as conditioned, would not create a nuisance in the neighborhood.

The applicant is proposing 32 parking spaces which provides more than adequate parking for the 58 seat restaurant. The applicant is also meeting all the other conditions of the Special Permit (see attached staff report).

Staff has no objection to this request in that the restaurant will be smaller and have fewer seats, the change in hours of operation will not create a nuisance to the neighborhood in that a masonry wall will be built between the drive through facility and the residents, adequate on-site parking is provided, and the other conditions of the original Special Permit will be met.

RECOMMENDATION:

Staff recommends the Planning Director approve the Special Permit Modification to modify the size and hours of operation of an approved fast food restaurant with a drive-through subject to the following condition:

Condition:

1. The applicant shall construct a six foot high masonry wall along the north property line of the adjacent lot to the north as indicated on the attached site plan, Exhibit A.
2. The hours of operation shall be from 6:00 A.M. to Midnight. Any change in these hours shall be reviewed and approved by the Planning Director.
3. The applicant shall comply with all other conditions of the original Special Permit (P90-019).

001374

Report Prepared By:

Carol Shearly  
Carol Shearly, Assistant Planner

6-14-91  
Date

Recommendation Approved By:

Joy Patterson  
for Marty Van Duyn, Planning Director

6-14-91  
Date

P90-019.MOD

001375

P91-019.M0D

001376

**LEGAL DESCRIPTION**

PARCEL NO. 1  
 All that portion of Lot A, as said lot is shown on the official plat of Elder Creek, recorded in the Office of the Recorder of Sacramento County in Book 38 of Maps, Map No. 32, described as follows:  
 Beginning at a point located on the southerly boundary of said Lot A, from which the Southwest corner thereof bears North 89 deg. 58' 00" West 246.44 feet; thence from said point of beginning North 00 deg. 07' 00" East 132.31 feet; thence South 89 deg. 58' 00" East 155.50 feet; thence South 00 deg. 04' 00" East 8.00 feet; thence South 89 deg. 58' 00" East 10.00 feet to a point located on the westerly right of way line of Power Inn Road; thence along said westerly right of way line the following two (2) courses: (1) South 00 deg. 04' 00" East 104.78 feet and (2) curving to the right on an arc of 10.00 feet radius, said arc being subtended by a chord bearing South 44 deg. 59' 00" West 28.31 feet to a point located on the southerly boundary of said Lot A; thence along said southerly boundary north 89 deg. 58' 00" West 145.70 feet to the point of beginning.

The above parcel is described as Parcel A in Certificate of Compliance recorded in Book 900628, Page 1517, Official Records.

**PROPERTY AND BUILDING SETBACKS**

SETBACKS PROPOSED BY THE CITY PLANNING AGENCY.

FRONT	50'	REAR (RT)	5'
LEFT	15'	RIGHT (LT)	7.5'

**BUILDING DATA**

ALL - SEE PLAN  
 FOUNDATION: CONCRETE  
 WALLS: CMU  
 ROOF: ASPHALT/FLY ASH  
 FLOOR: CONCRETE  
 CEILING: 8' HIGH  
 WALL HEIGHT: 10 FEET

**PARKING REQUIREMENTS**

- 100% OF ALL PARKING SPACES TO BE 15' WIDE BY 9' DEEP.
- 30% OF ALL PARKING SPACES TO BE 15' WIDE BY 12' DEEP.
- 10% OF ALL PARKING SPACES TO BE 15' WIDE BY 18' DEEP.
- 10% OF ALL PARKING SPACES TO BE 15' WIDE BY 24' DEEP.

**LANDSCAPE REQUIREMENTS**

LANDSCAPE REQUIREMENTS AS REQUIRED BY CITY INSTRUCTIONS:  
 MINIMUM COVER: 25% (SEE BACKSHEET)  
 FRONT: 15' x 15' SUE (RT) N/A  
 REAR: N/A SUE (LT) 15' x 15'  
 10% OF GREEN SPACE REQUIRED

**SUBMITTED BY**

W.D. BROWN  
 2475 MICHIGAN AVE.  
 SACRAMENTO, CALIF. 95815

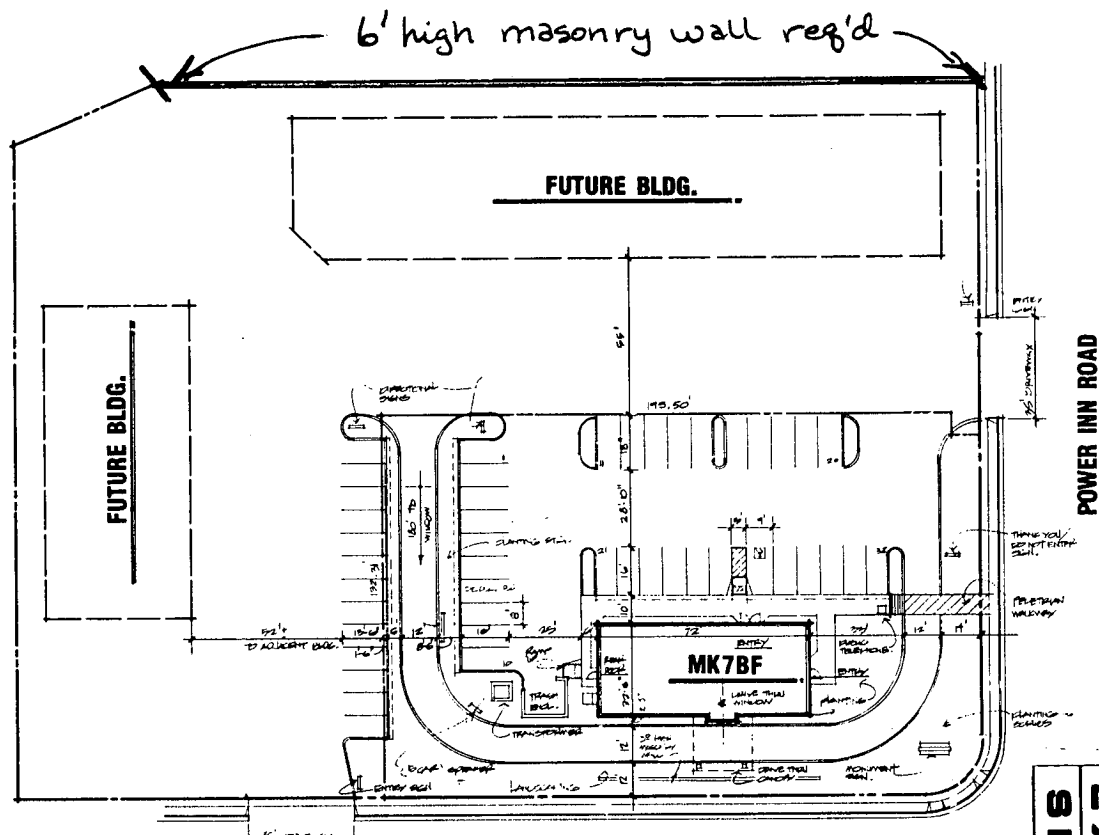
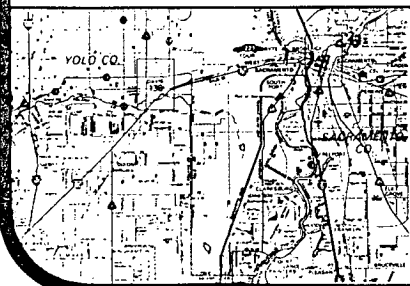
**ZONING**

O-2  
 DRIVE - 144' MINIMUM FRONTED  
 PROPERTY ADJACENT SITE IS ZONED:  
 NORTH: O-1 EAST: O-1  
 SOUTH: O-2 WEST: O-1

**VICINITY MAP**

101' x 100' SCALE

INFORMATION FOR OWNER'S USE



**PROPOSED SITE PLAN**

SCALE: 1" = 20'



P90-019

**EXHIBIT A  
 SITE PLAN**

REVISIONS:

NO.	DATE	DESCRIPTION

JOB NUMBER: \_\_\_\_\_ BUILDING TYPE: MARKET DRAWN BY: W. BROWN ISSUE DATE: MARCH 27, 1991

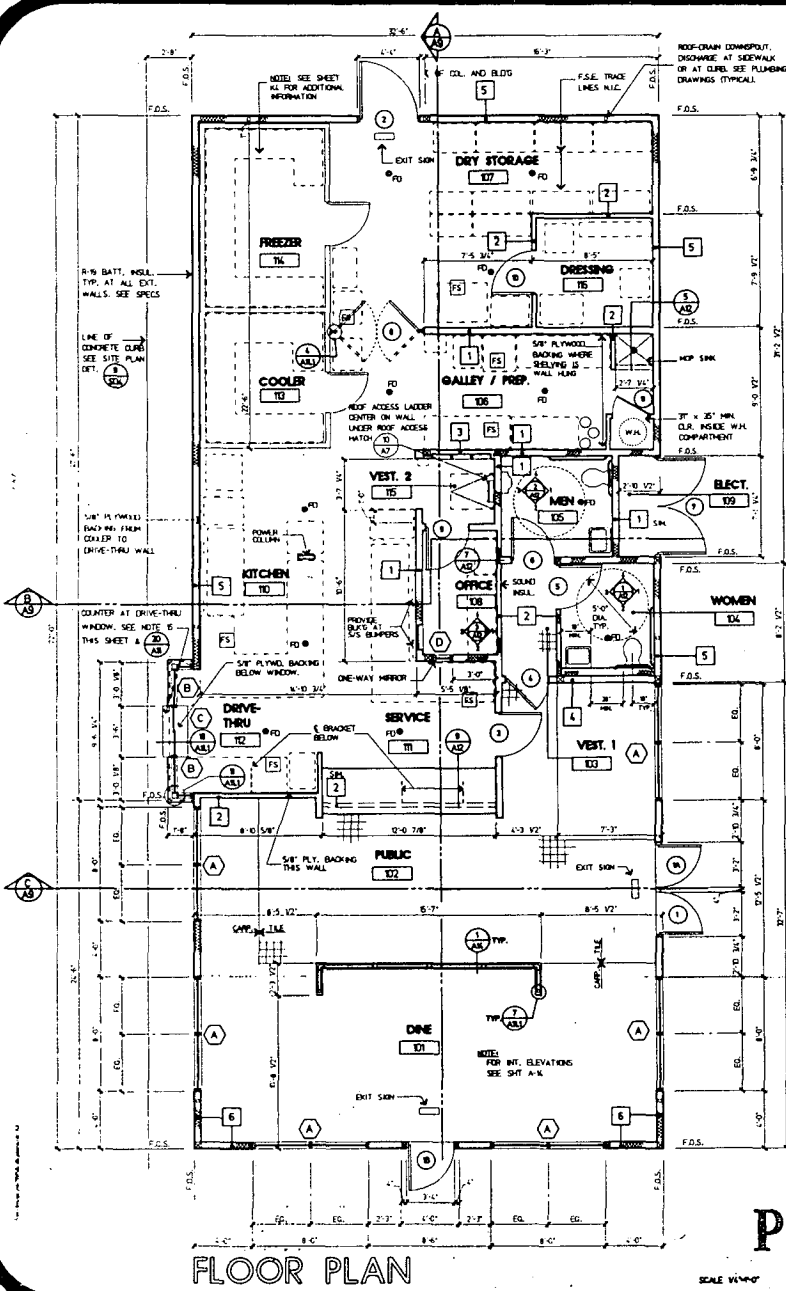
**FOODMAKER, INC.**  
 9330 BALBOA AVENUE  
 SAN DIEGO, CA 92123

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P91-019. MOD

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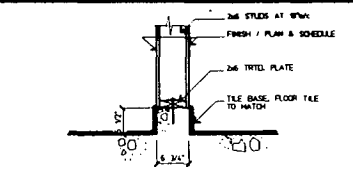
INFORMATION FOR OWNER'S USE



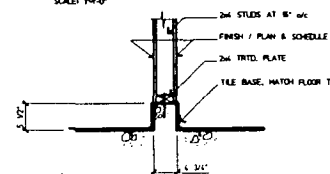
FLOOR PLAN

SCALE: 1/4" = 1'-0"

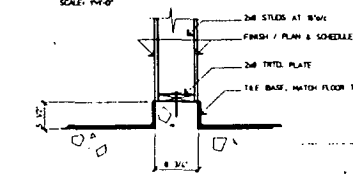
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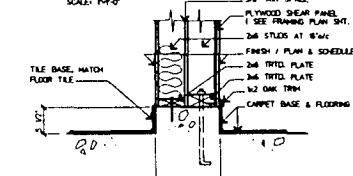
1 TYPICAL 2x6 INTERIOR PARTITION



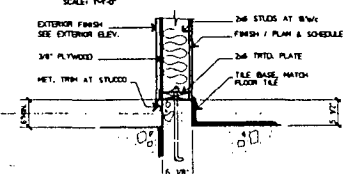
2 TYPICAL 2x4 INTERIOR PARTITION



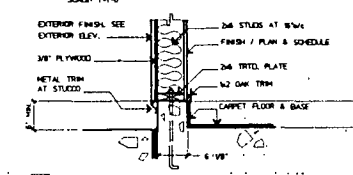
3 TYP. 2x8 ELEC. PANEL PARTITION



4 TYP. DBL 2x6 INTERIOR SHEAR WALL



6 TYPICAL EXTERIOR PARTITION ( TILE )



6 TYPICAL EXTERIOR PARTITION ( CARPET )

GENERAL NOTES

- OWNER SHALL PROVIDE PORTABLE FIRE EXTINGUISHERS FOR LOCAL FIRE MARSHAL. GEN. CONTR. TO INSTALL.
- SEE FOOD SERVICE EQUIP. SCHED. & DOOR SHEET FOR ITEMS FURNISHED BY OTHERS & INSTALLED BY GEN. CONTRACTOR.
- ALL EXTERIOR WALLS SHALL BE 2x6 WOOD STUDS AT 16" O.C. W/ 5/8" TYPE "X" GYP. BD. ON THE INTERIOR FACE.
- ALL INTERIOR WALLS SHALL BE 2x6 WOOD STUDS AT 16" O.C. W/ 5/8" TYPE "X" GYP. BD. ON BOTH SIDES UNLESS NOTED.
- ALL EXIT DOORS SHALL BE OPENABLE FROM THE INSIDE W/O SPECIAL KNOWLEDGE OR EFFORT ON THE USE OF A KEY.
- ALL DRAPES, CURTAINS & DECORATIVE MATERIAL PROVIDED AND/OR INSTALLED BY THE GEN. CONTR. SHALL BE MADE FROM NON-FLAMMABLE MAT. OR TREATED W/FLAME RETARDANT AS APPROVED BY THE LOCAL FIRE MARSHAL.
- ALL FINISH SURFACES OF WALL & CEILING MATERIALS SHALL NOT EXCEED A PLANE SPREAD RATIO OF 200 & A DENSITY RATING OF 800.
- FOR EXTERIOR WALL TREATMENT, SEE EXTERIOR ELEVATIONS.
- ALL EXPOSED PIPING BELOW LAVATORIES IN TOILET ROOMS SHALL BE INSULATED W/FOAM REFRIG. PIPE INSULATION.
- ALL ARCHITECTURAL GLAZING WITHIN 48" OF DOORS SHALL BE TEMPERED-GLAZING OF DOORS.
- GEN. CONTR. SHALL COORDINATE HIS WORK W/ THE WORK OF THE FOOD SERVICE EQUIPMENT F.A.E.I. CONTRACTOR.
- ALL EXTERIOR DOORS SHALL BE WEATHERSTRIPPED. ALL EXTERIOR JOINTS AROUND WINDOWS & DOOR FRAMES, & AT ALL PENETRATIONS THRU BUILDING ENVELOPE SHALL BE SEALED W/LEAD SEALANTS & CALGULS.
- KITCHEN EQUIPMENT & OWNER FURNISHED EQUIP., SHOWN DASHED.
- SEE KITCHEN DRAWINGS FOR INFORMATION REGARDING WALK-IN BODIES.
- GENERAL CONTRACTOR SHALL ORDER COUNTER AT DRIVE-THRU WINDOW EARLY. INSTALL BEFORE INSTALLATION OF WINDOW FRAMES.
- ALL DIMENSIONS ARE FROM FACE OF STUD TO FACE OF STUD.

HANDICAP NOTES

- W/O ACTIVATED DOOR OPENING HARDWARE TO BE MOUNTED 37" TO 48" ABOVE THE FLOOR AND BE OPERABLE WITH A SINGLE EFFORT BY LEVER TYPE HARDWARE. 2-X2008B.
- MAXIMUM EFFORT TO OPERATE DOORS SHALL NOT EXCEED 8.5 POUNDS FOR EXTERIOR DOORS AND 5 POUNDS FOR INTERIOR DOORS. 2-X2008B.
- ALL REQUIRED EXIT DOORWAYS, INCLUDING OFFICE AREA, SHALL HAVE A MINIMUM 27" CLEAR OPENING WITH THE DOOR AT 90 TO THE CLOSED POSITION. USE SECT. 2-X2008A.
- MAXIMUM HEIGHT OF THRESHOLD TO BE 1/2". MAXIMUM VERTICAL CHANGE AT EDGE IS 1/4" WITH A MAXIMUM SLOPE OF 1/4". 2-X2008B.
- ONE WHEELCHAIR SEATING SPACE FOR EACH 20 SEATS SHALL BE PROVIDED WITH A MINIMUM OF ONE SPACE. 2-X2008B.
- PROVIDE A 1/2" BILATERAL TRIANGLE MOUNTED POINTING UP ON DOORS TO MEN'S FACILITIES AND A 12" DIAMETER CIRCLE ON DOOR TO WOMEN'S FACILITIES. THESE SYMBOLS SHALL BE OF CONTRASTING COLOR 1/4" THICK AND CENTERED ON THE DOOR 60" HIGH. 200766A.
- WIDTH AND HEIGHT OF REQUIRED EXIT DOORWAYS TO COMPLY WITH USC SECT. 20064a & TITLE 24 SECT. 2-2008A.
- EXITS SHALL BE ILLUMINATED AT ANY TIME THE BUILDING IS OCCUPIED WITH LIGHT HAVING AN INTENSITY OF NOT LESS THAN ONE FOOT-CANDLE AT FLOOR LEVEL. BUILDING CODE 5200. REFER TO E-3.
- PROVIDE EXIT SIGNS PER BUILDING CODE 5200. REFER TO E-3.
- PROVIDE APPROVED EXITING ILLUMINATION AND ILLUMINATED EXIT SIGNS. TITLE 24, 52-200 (b)(4)-(b)(5). REFER TO E-3.
- PROVIDE APPROVED FINISH HARDWARE ON EXIT DOORS. TITLE 24, 52-200 (b)(2), AND 52-200B.
- INTERIOR FINISH SHALL BE PROVIDED IN ACCORDANCE WITH TITLE 24, 5200 AS FOLLOWS: CLASS I (VERTICAL ENVELOPE), CLASS II (HORIZONTAL CLASS II) ROOMS.



FOODMAKER, INC.  
SAN DIEGO, CA 92123  
9330 BALBOA AVENUE

DATE: \_\_\_\_\_ DRAWN BY: \_\_\_\_\_

JOB NUMBER: \_\_\_\_\_

EXHIBIT B FLOOR PLAN  
FLOOR PLANS  
A3

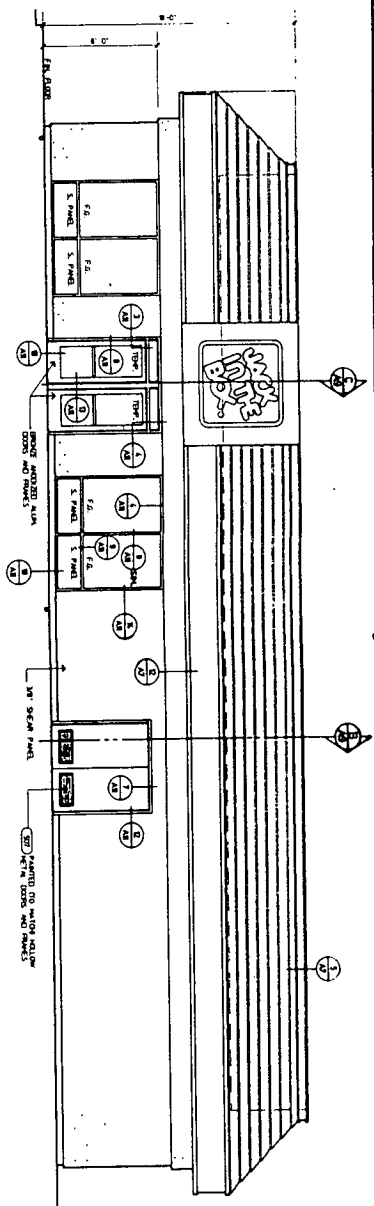
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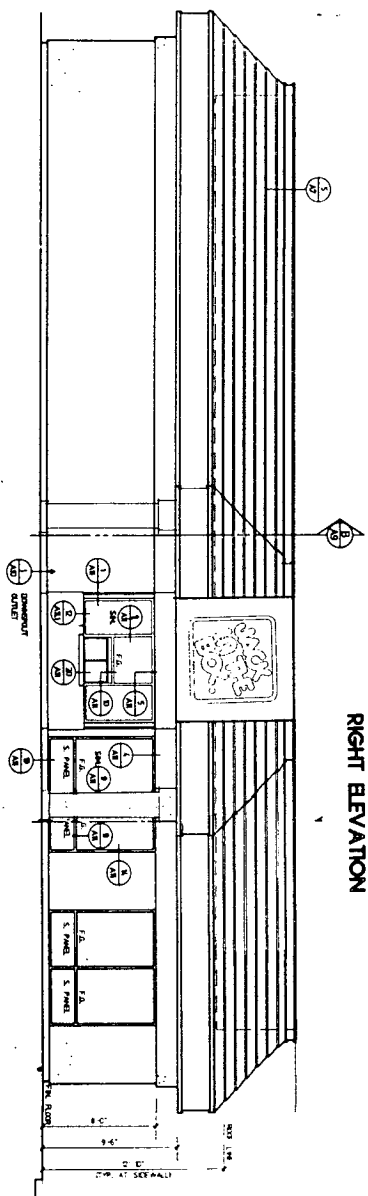
INFORMATION FOR OWNER'S USE:

500	PAINT FINISHES: ALL EXTERIOR SURFACES TO BE PAINTED WITH A HIGH QUALITY EXTERIOR PAINT.
501	PAINT FINISHES: INTERIOR SURFACES TO BE PAINTED WITH A HIGH QUALITY INTERIOR PAINT.
502	PAINT FINISHES: ALL INTERIOR SURFACES TO BE PAINTED WITH A HIGH QUALITY INTERIOR PAINT.
503	PAINT FINISHES: ALL INTERIOR SURFACES TO BE PAINTED WITH A HIGH QUALITY INTERIOR PAINT.
504	PAINT FINISHES: ALL INTERIOR SURFACES TO BE PAINTED WITH A HIGH QUALITY INTERIOR PAINT.
505	PAINT FINISHES: ALL INTERIOR SURFACES TO BE PAINTED WITH A HIGH QUALITY INTERIOR PAINT.
506	PAINT FINISHES: ALL INTERIOR SURFACES TO BE PAINTED WITH A HIGH QUALITY INTERIOR PAINT.
507	PAINT FINISHES: ALL INTERIOR SURFACES TO BE PAINTED WITH A HIGH QUALITY INTERIOR PAINT.
508	PAINT FINISHES: ALL INTERIOR SURFACES TO BE PAINTED WITH A HIGH QUALITY INTERIOR PAINT.
509	PAINT FINISHES: ALL INTERIOR SURFACES TO BE PAINTED WITH A HIGH QUALITY INTERIOR PAINT.

## 4 EXTERIOR FINISH SCHEDULE



## RIGHT ELEVATION



## REAR ELEVATION

## FRONT ELEVATION

P 90 - 019

JOB NUMBER:

BUILDING TYPE: MARK 78PISSUE DATE: MARCH 27, 1991DRAWN BY: W. BOGGSEXHIBIT C  
ELEVATIONS

FOODMAKER, INC.

9330 BALBOA AVENUE

SAN DIEGO, CA 92123

REVISIONS	
1	
2	
3	
4	

N