

CITY PLANNING COMMISSION

Superseded

1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT Regal Stations, Inc. P O Box 13648, Sacramento, California 95853
OWNER Jack and Laura Leong, et al., 2319 "K" Street, Sacramento, California 95816
PLANS BY Sutton and Associates, 201 Lathrop Way, Suite F, Sacramento, CA 95815
FILING DATE 1/19/88 ENVIR. DET. Req. Dec. 2/15/88 REPORT BY DH:vf
ASSESSOR'S-PCL. NO. 250-0160-37

- APPLICATION:**
- A. Negative Declaration
 - B. Special Permit to establish a 24 hour convenience market/gas station with six pumps of 2,060 sq. ft. with 2,380 sq. ft. canopy on 0.59± vacant acres in the General Commercial (C-2) zone.
 - C. Special Permit to sell beer and wine for off-site consumption on 0.59± acres in the General Commercial (C-2) zone.

LOCATION: Northeast corner of Northgate Boulevard and San Juan Road.

PROPOSAL: The applicant is requesting the necessary entitlements to construct a 24 hour Regal Gas Station & Mini-Market and sell beer and wine for off-site consumption.

PROJECT INFORMATION:

General Plan Designation: Northgate Special Planning District

Draft 1988 South Natomas Community Plan Designation: Northgate Boulevard Special Planning District.

Existing Zoning of Site: C-2
Existing Land Use of Site: Vacant

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Vacant; C-2	Front:	50'	70' to canopy
South: Tune-up Shop; C-2	Side(Int):	-0-	0' for bldg.
East : Single Family; R-1	Side(St):	5'	13' to canopy
West : Vacant; H-PUD	Rear:	15'	56' to bldg.

Parking Required: 8 spaces at 1 space per 250 sq. ft.
Parking Provided: 10 spaces
Property Dimensions: 242' x 109'
Property Area: 0.59± acres
Square Footage of Building: 2,020 sq. ft. for market
2,380 sq. ft. for canopy
Height of Building: 1 story, 16-1/2 ft. to top of canopy
Topography: Flat
Street Improvements: To Be Provided
Utilities: To Be Extended
Exterior Building Materials: Metal, stucco, masonite trim

APPLC. NO. P88-064 MEETING DATE March 10, 1988 ITEM NO 15

Roof Material:	Metal
Hours of Operation:	24 hours per day, 7 days a week
Total Number of employees:	11 Employees
Number of Employees per Shift:	2 or 3

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site is a 0.56+ acre vacant parcel in the General Commercial (C-2) zone. The City General Plan and proposed 1988 South Natomas Community Plan designate the site as part of the Northgate Boulevard Special Planning District (see Exhibit A for description of the district).

Surrounding land uses include vacant land to the north; single family residential to the east; an automobile tune-up shop to the south; a new K-Mart Shopping Center to the southwest and vacant to the west. A 24 hour convenience market is required to have a Planning Commission special permit when located within 500 feet of residentially zoned or used property. A special permit is also required if beer and wine is to be sold for off-site consumption.

PROJECT DESCRIPTION: The applicant has received building permit to construct the proposed project as per the submitted site plan. Subsequent to start of construction, the applicant applied for a special permit to sell beer or wine and to operate a convenience market between the hours of 11:00 P.M. and 6:00 A.M. Staff has reviewed the project and provides the following comments on the site plan, 24 hour operation and sale of beer and wine.

B. Site Plan

The applicant proposes a 2,060 sq. ft. Regal Gas Station/Mini-Market and a six pump, two island gas station with a 34 ft. deep and 70 ft. long canopy. One driveway each is proposed off Northgate Boulevard and San Juan Road. Street frontage improvements will be required along Northgate Boulevard. The following comments focus on the site plan:

1. A six foot high solid decorative masonry wall is required along the east property line. The site plan shows it with a reduced height to 3 feet within 15 feet of the San Juan Road right-of-way. The applicant has agreed to increase the fence height to eight feet.
2. Landscape plans were not reviewed. Staff recommended evergreen trees along the east property line planter strip to buffer the residential uses.
3. The trash enclosure was relocated to the north property line away from residential uses.

4. No details were provided for on-site lighting. Staff recommends all lighting be focussed on-site and not reflect off-site onto residentially zoned or used properties.
5. The telephone, air and water dispensers are located near the east property line. The applicant will increase the wall height to eight feet to buffer noise from the air and water dispenser.
6. Planter widths of 10 ft. along the north and east property lines are adequate. Clarification should be made regarding whether the applicant will be installing landscaping in the public right-of-way along Northgate Boulevard or San Juan Road. The applicant has agreed to landscape to the edge of sidewalk in the public right-of-way.
7. No fencing is shown along the north property line. Staff recommends that for security a decorative wood or wrought iron fence be installed which can be removed when the northern adjacent lot develops from the rear of the building to the east property line.
8. The proposed monument sign complies with the setback and visibility requirements. The sign is 9-1/2 ft. long and 9 ft. high from the grade level of the landscape planter. The fascia sign for Regal is 7 ft. long using 20 inch high letters. The canopy has Regal paint colors surrounding all four sides with "Regal" on each side. In the C-2 zone, the Sign Ordinance allows two attached building identification signs per street frontage for a corner lot. The City has treated canopy signage as part of the main building signage. Since the applicant proposes a Type B Regal Sign for the south and west elevations of the mini-market building, a total of six attached signs are proposed, two more than allowed by City Ordinance. Staff recommends that prior to sign permits being issued, only four attached building signs be approved.
9. The canopy and building fascia shall not be illuminated in violation of the City Sign Ordinance.
10. Wherever parking spaces abut planter strips, a two foot vehicle overhang shall be incorporated into the planter reducing the vehicle parking space length by two feet.
11. No external public address system is to be used which is audible off-site. None is shown on the proposed project.
12. Plans do not show a bell or alarm system. Any bell system shall only be audible inside the building.

13. The bollards located along the east building elevation are obtrusive and not attractive. The applicant proposes to screen the bollards with large shrubbery. Staff supports shrubbery screen.
14. Living ground cover shall be installed adjacent to the public right-of-way. No bark or mulch shall be used as required by City Code.

Summary: Staff recommends that the Site Plan be modified to reflect the above concerns and provide detailed landscaping and irrigation plans for review and approval by the Planning staff.

C. 24 Hour Convenience Market

Currently, the applicant could construct the project as submitted to the Planning Commission and restrict the hours of operation so that they close at 11:00 P.M. and open at 6:00 A.M. the following day. Since they wish to be open from 11:00 P.M. to 6:00 A.M., concern over the impact of hours of operation on residential areas require mitigation.

D. Special Permit for Sales of Beer and Wine

Staff conducted a survey of stores within 1/4 mile which have permits from the State Alcoholic Beverage Control Board. Staff found that businesses that sell beer, wine, and liquor are readily accessible. The request was reviewed by the City Police Department which has no opposition to the special permit if certain conditions are imposed (see attached letter). The City Attorney's Office has indicated that the conditions related to the quantity and container site is not legal and cannot be imposed. The applicant, however, has indicated that they would not oppose these conditions as part of their liquor license.

AGENCY COMMENTS: The proposed project was reviewed by the City Police, Engineering, Traffic Engineering, Waste Removal, Community Services, Water and Sewer and Fire Marshall's Office with one comment received at time of report preparation. Additional comments will be incorporated in the report or forwarded to the Commission prior to public hearing. See attached correspondence from the Police Department. Neighboring property owners have contacted staff in opposition to the permit to sell beer and wine.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the project will not have an adverse impact on the environment and has filed a Negative Declaration.

RECOMMENDATION: Staff recommends the following actions:

- A. Ratify the Negative Declaration.

- B. Approve the special permit for a 24 hour convenience market subject to conditions and based upon the following findings of fact.
- C. Approve the special permit to allow the sale of beer and wine subject to conditions and based upon findings which follow:

Conditions - Special Permit - 24 hour Convenience Market

1. The applicant shall obtain an revocable permit from the City to locate a portion of the required landscaping in the public right-of-way.
2. The applicant shall submit complete landscape and irrigation plans to the Planning Director for review and approval prior to the issuance of building permits. The plans shall indicate the following:
 - a. all planter areas shall be landscaped with low growing ground cover. Shrubbery shall be installed adjacent to the public right-of-way;
 - b. trees shall be planted along both street frontages in addition to the shrubs;
 - c. trees shall be planted at a density of one tree per 20 ft. of frontage;
 - d. minimum 5 and 15 gallon trees shall be used;
 - e. evergreen trees shall be planted along the east property line; and
 - f. bollards shall be screened with shrubbery along the east elevation of the building.
3. The applicant shall provide a trash enclosure area which complies with the City standards.
4. New structures shall observe the utility easements.
5. The planter strip along Northgate Boulevard frontage shall be a minimum of 10 feet wide and San Juan Road frontage shall be 10 feet wide and surrounded by a six inch by six inch concrete curb.
6. An eight foot high decorative masonry wall shall be constructed along the parking lot edge along the eastern property line.
7. The applicant shall obtain sign permits for on-site signage. One detached monument sign, no higher than 12 feet as measured from the top of the sidewalk shall be allowed as shown in monument sign

exhibit. The sign shall observe minimum visibility requirements. All attached building signage shall comply with the Sign Ordinance. Only four attached Regal signs are allowed.

8. Security cameras shall be provided to monitor blind areas.
9. The applicant shall post signs on the site which read "No drinking, No Loitering."
10. All new driveways shall be reviewed and approved by the Traffic Engineer prior to issuance of building permits.
11. The applicant shall comply with the following requirements to the satisfaction of the Planning Director and City Police Department.
 - a. no signs shall be located in windows which might obstruct the view of the cash register from outside the store;
 - b. no display racks shall be inside the store which will block the view of the cash register area;
 - c. pay phones should be situated inside the store and not outside;
 - d. height markers shall be at the 5' 7", 5' 10" and 6' locations on the primary exit door;
 - e. there shall be photographic surveillance of the cash register area with equipment and installation to be approved by the Police Department;
 - f. parking area is to be clearly posted "Customer Parking Only, No Loitering or Drinking";
 - g. parking area to be kept free of litter and shrubs to be kept watered and trimmed.
12. All lighting shall be focused on-site and not reflect or glare off-site onto residentially zoned or used property. A detailed lighting plan shall be reviewed and approved by the Planning Director prior to issuance of building permits. The canopy and building facia shall not be illuminated.
13. Any air compressor shall be baffled so not to be audible off-site.
14. All heating and cooling mechanical equipment shall be screened so to not be visible off-site. No noise from the operation of heating and cooling equipment shall be perceptible at the nearest residence.

15. No external bell system shall be allowed. Any customer alarm shall be audible only inside the store.
16. No public address system shall be installed which is audible off-site. If a public address system is installed, it shall only be used in emergencies or when customers need assistance at the pumps. No music or constant air-play will be allowed.
17. No outdoor ice storage boxes shall be allowed. No boxes, newspaper stands, or other obstructions are to be located on the sidewalk adjacent to the building.
18. No video games, pinball machines or other arcade type equipment shall be allowed in the store or on the premises which generate loitering problems.
19. A temporary fence constructed of decorative wood or wrought iron shall be constructed along the north property line from the rear of the building to the east property line masonry wall.

Conditions - Special Permit for Alcohol Sales - Approval

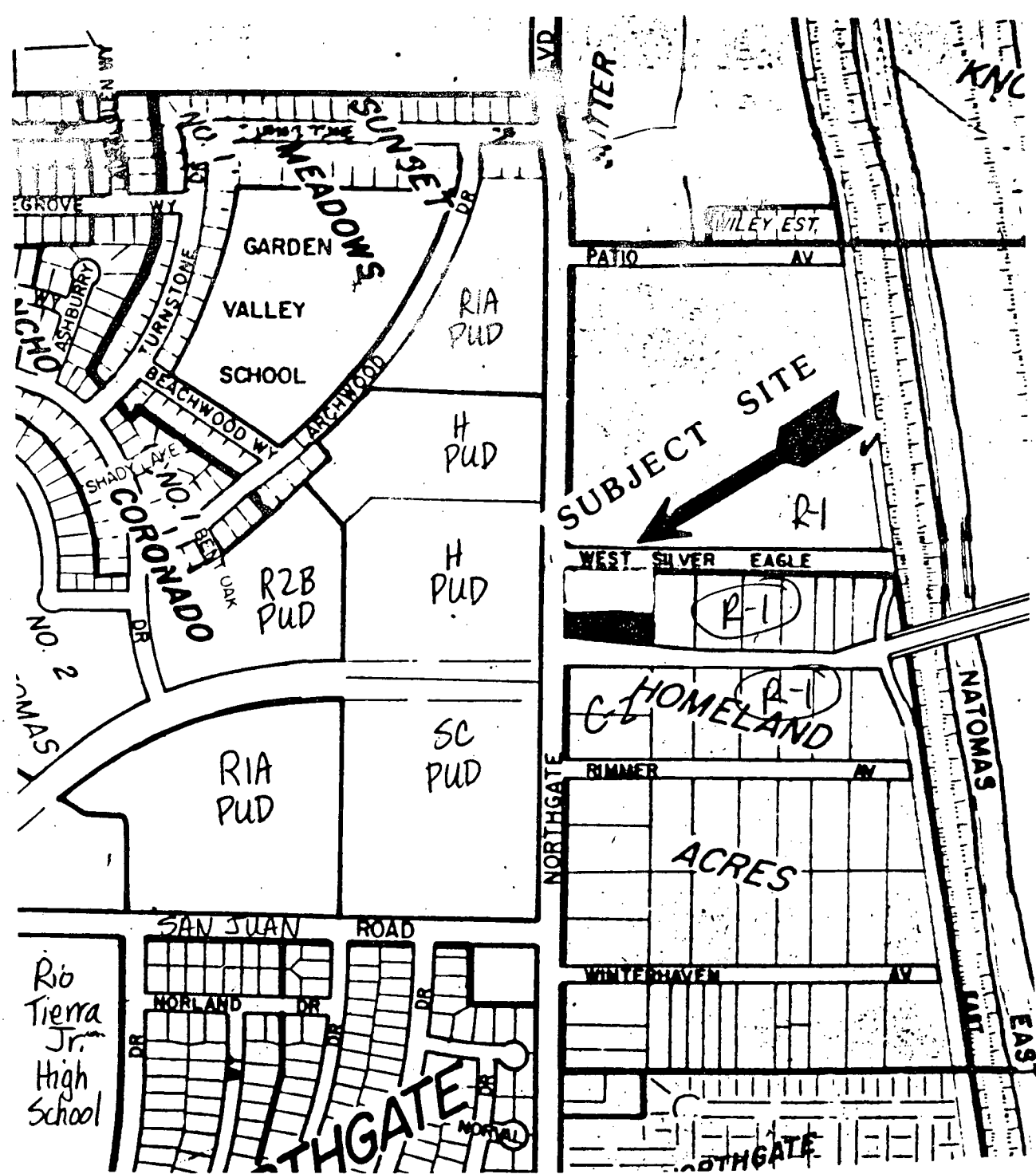
1. Hours of alcohol sales shall be from 6:00 a.m. to 11:00 p.m. No alcohol shall be sold from 11:00 p.m. to 6:00 a.m.
2. All measures required for security shall be installed to the satisfaction of the City Police Department and Planning Director.

Findings of Fact - Approval of 24-Hour Convenience Market

1. Granting of the special permit to operate a 24-hour convenience market within 500' of residentially-zoned property is based upon sound principles of land use in that potential nuisances will be eliminated due to conditions restricting liquor sales and on-site mitigation measures such as sound attenuation walls. The site is also designated within a special planning district which allows commercial uses.
2. Granting the special permit will not be detrimental to property in the vicinity in that 24-hour commercial activity will be buffered from adjacent businesses and residents.
3. As conditioned, granting the special permit will not be detrimental to the public health, safety and welfare and result in the establishment of a nuisance in that adequate setbacks, on-site parking, vehicle maneuvering, intensive landscaping, security measures and well designed signage will be provided.

Findings of Fact - Special Permit for Alcohol Sales - Approval

1. The proposed use, as conditioned, will not adversely affect the peace and general welfare of the surrounding neighborhood in that the adjacent businesses and residents will not be affected by the new business.
2. The proposed use, as conditioned, will not result in an undue concentration of establishments dispensing alcoholic beverages in the immediate area.
3. The proposed use, as conditioned, will not encourage the development of a blighted area in that Gardenland neighborhood has been affected by the presence of Police problems stemming from the sale of liquor at a nearby market. The addition of another establishment selling liquor will not add to the existing Police problem in that appropriate security measures will be designed and provided in the project.
4. The proposed use will not be contrary to and adversely affect programs of redevelopment or neighborhood conservation in that the establishment of a 5th store selling beer and wine within 1/2 miles of the subject site will not encourage the elimination of physical or social deterioration of the Gardenland neighborhood and Northgate Special Planning District.



Scale: 1" = 500'

VICINITY MAP

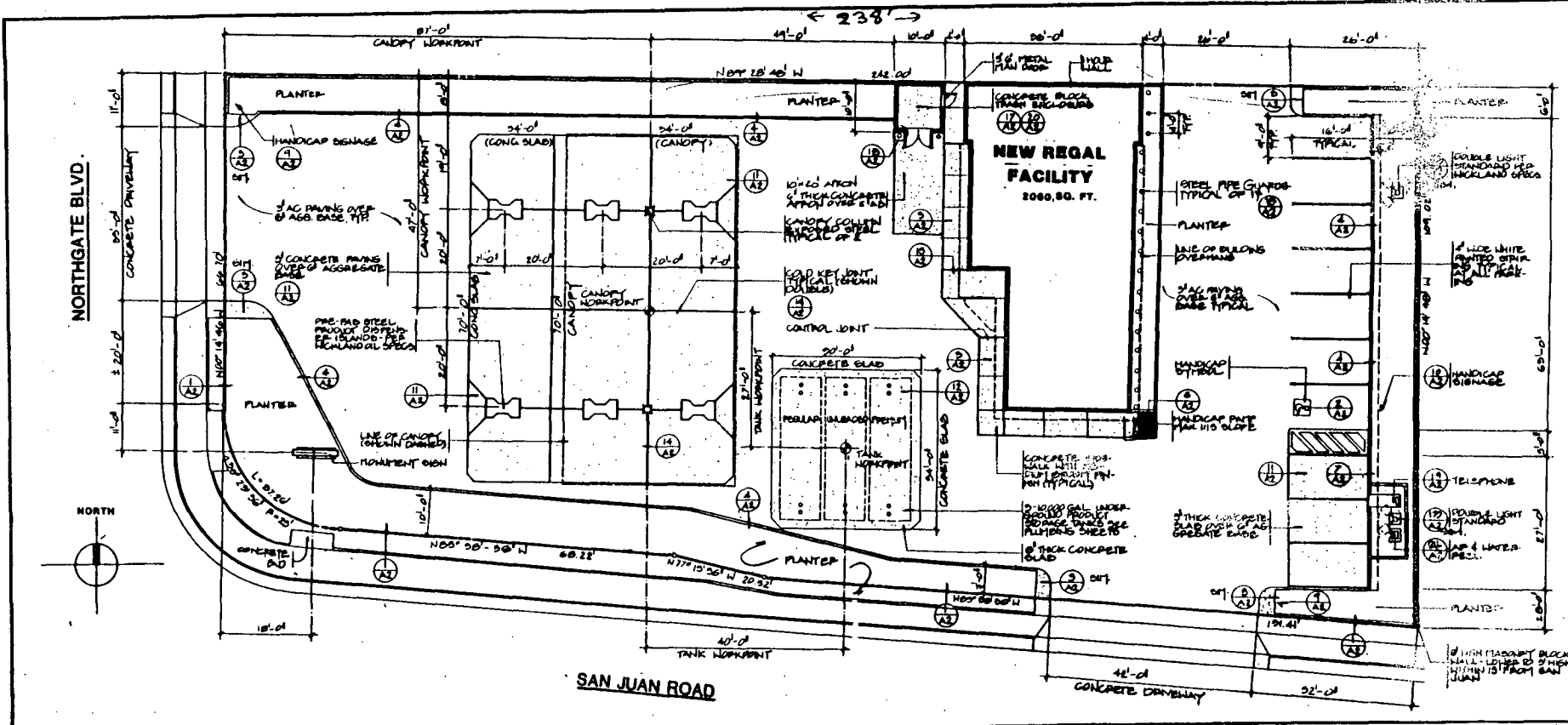
P-88-064

3-10-88

item 15

P-88-064

3-10-88



REGAL STATIONS INC.

1765 CHALLENGE WAY
SACRAMENTO, CALIF. 95816
(916) 921-1032

PROJECT NO. **NORTHGATE REGAL FACILITY #514**

3430 NORTHGATE
SACRAMENTO, CA

SHEET TITLE
SITE PLAN AND SIGNAGE

SCALE NOTED

SUTTON ASSOCIATES

ARCHITECTURE
INTERIOR DESIGN
PLANNING
LANDSCAPE ARCHITECTURE

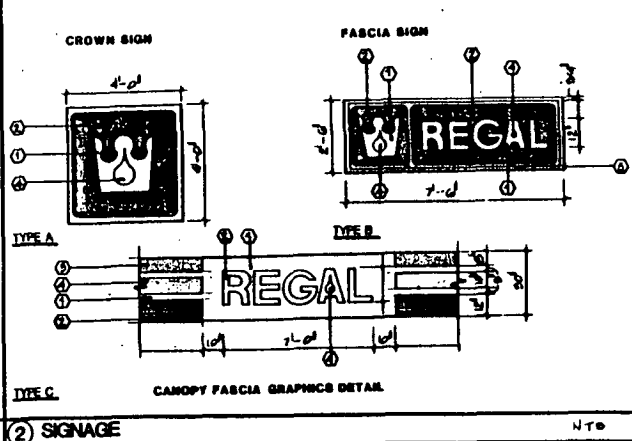
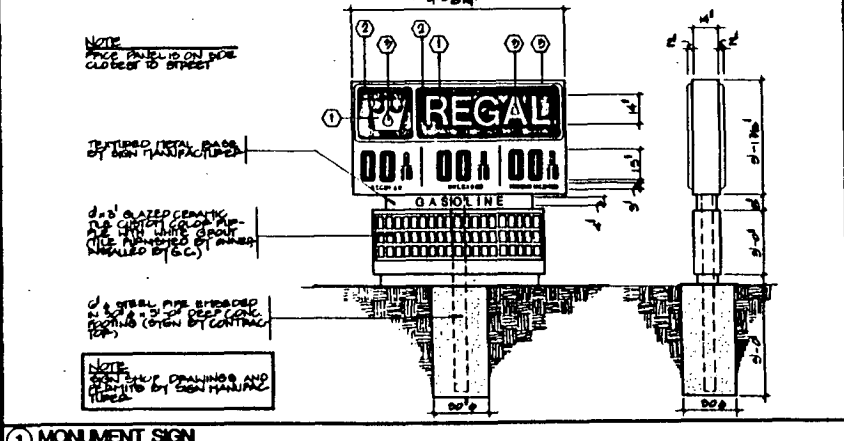
REVISIONS

NO.	DATE	DESCRIPTION

JOB NO. 0722
DATE: 12-14-87
DRAWN BY: G.H.
CHECKED BY: G.L.

SHEET **A1**

SITE PLAN



SITE PLAN

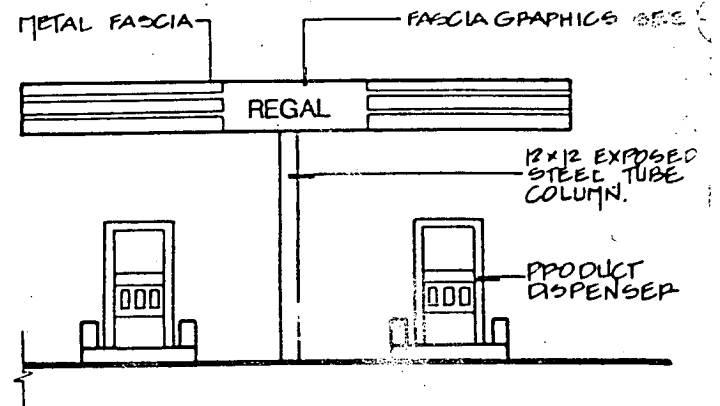
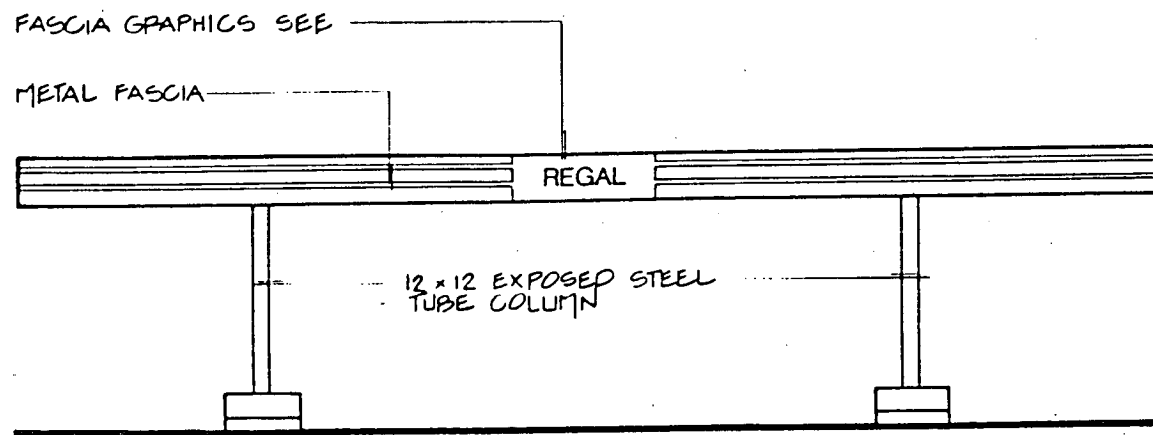
COLOR SCHEDULE

1	WHITE
2	2207 VIOLET
3	WICKLAND GORGE
4	WICKLAND RASPBERRY
5	FLAT BLACK
6	WHITE FORMED FACE
7	4" WHITE VINYL LETTERS
8	TEXTURED METAL PANEL COLOR TO MATCH BUILDING

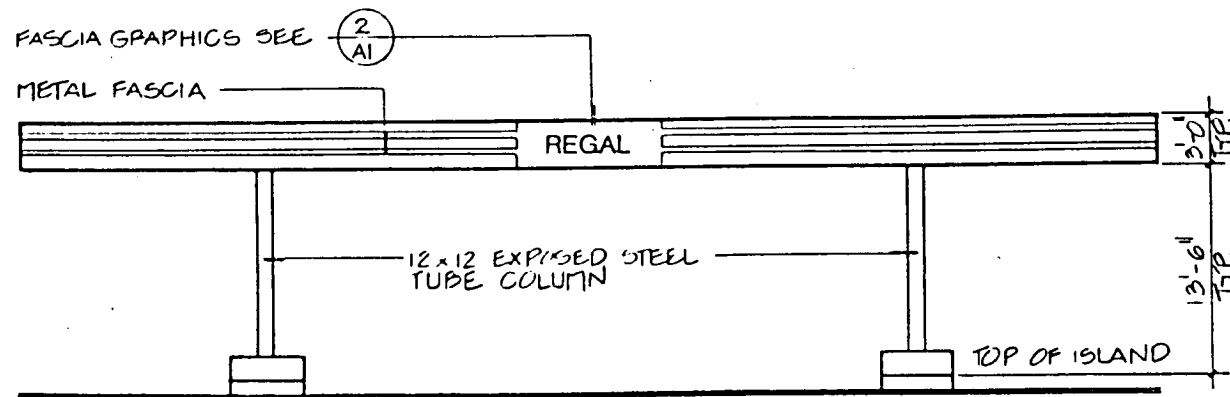
NTD

Item 15

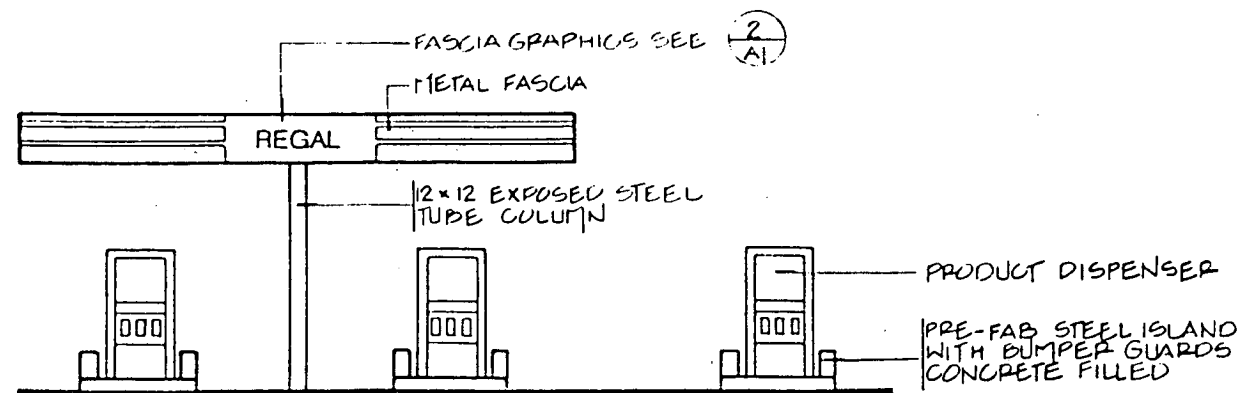
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3-10-88



item 15



CANOPY ELEVATIONS

EXHIBIT A

NORTHGATE BOULEVARD SPECIAL PLANNING DISTRICT (SPD)

GUIDING POLICY

A. Designate land uses and establish design guidelines that will encourage productive use of the street frontage to the benefit of both the property owners and the community and that will be compatible with surrounding residential land uses.

IMPLEMENTING POLICIES

B. Designate the SPD for community and neighborhood commercial and local serving office uses.

C. City staff shall recommend development standards addressing streetscape and site design including, but not limited to, landscaping, signage, and the screening of open storage and automotive repair.

This commercial strip has a history of inconsistent development, with some incompatible uses, vacant lots and businesses which need to be cleaned up and/or repaired. Despite its lack of a strong identity, the strip supports many needed services to the immediate neighborhood and to the community. As South Natomas builds out and development in North Natomas occurs, Northgate Boulevard will serve as a major four-lane street connecting South Natomas with the Central City and North Natomas.

The east frontage of Northgate Boulevard adjoining Gardenland consists of parcels presently zoned predominantly C-2 and ranging from 4,500 square feet to an acre in size. In addition to scattered neighborhood-serving stores, restaurants, and commercial strip centers there are vacant lots, single-family homes, and automotive repair establishments. Northgate frontage offers opportunities for tenants that are not suited for most shopping centers and office and business parks.

Given the predominance of commercial land uses within the SPD and the projected volume of traffic along Northgate Boulevard, neighborhood and community commercial land uses are appropriate within that portion of the SPD that lies south of West Silver Eagle Road and north of East Levee Road. Given the proximity of the northern portion of the SPD to the hospital designated site and the lack of neighborhood serving office designations in this area of the community plan, local serving office land uses are appropriate in the portion of the SPD that lies south of Patio and north of West Silver Eagle Road, except that the three corner parcels (APNs 250-121-01, 43, and 44) are appropriate for commercial uses.

Within the commercially designated portion of the SPD, those uses allowed in the Neighborhood Commercial (C-1) and General Commercial (C-2) zones are appropriate. In the local serving office designation there are presently three commercially zoned assessors parcels. One parcel is developed with a fast food restaurant. The two remaining parcels (APNs 250-121-01 and 44) are vacant. A Planning Directors Special Permit may be granted to allow a mixture of support commercial

use within the office designation for contiguous properties that are merged when one property is designated for commercial uses. The percentage of commercial uses shall not exceed the allowable square footage that could be developed on the portion of the site designated for commercial uses. The purpose of this provision is to ensure a better site design and mix of uses than could be accomplished if the uses on the site were separated. The type of uses proposed and their location on the site will be a major factor in determining the appropriateness of the Special Permit.

Residential land uses not exceeding 29 dwelling units to the net acre shall be allowed in the commercially designated portion of the SPD by Special Permit. Residential land uses not exceeding 17 dwelling units to the net acre shall be allowed in the office designated portion of the SPD.

The land use and height and area requirements for development shall be the same as for the C-1, C-2 and OB zones cited in Sections 2 and 3 of the Zoning Ordinance.

To address the orderly flow of traffic along Northgate Boulevard, new and rehabilitated developments in the SPD should strive for a minimum number of driveways providing ingress to and egress from the project site. In addition, uses with drive-thrus should be located on corner lots so that side streets can be utilized.

To improve the appearance of the Special Planning District, staff will work with property and business owners to develop standards that, at a minimum, address landscaping, signage and screening of automotive repair and storage.



CITY OF SACRAMENTO

DR 87-043
EXHIBIT B

DEPARTMENT OF PLANNING AND DEVELOPMENT

1231 "I" Street

Sacramento, Ca. 95814

Administration
Room 300 449-5571

Building Inspections
Room 200 449-5716

Planning
Room 200 449-5604

September 25, 1987

Mr. Steve Sutton
SUTTON AND ASSOCIATES
805 J Street
Sacramento, California 95814

Re: Regal Station - Northgate Boulevard and San Juan Road
APN: 250-160-02/I&R 87-043

Dear Mr. Sutton:

As per our telephone conversations of September 8, and September 23, 1987, the following comments are provided on the site plan for a proposed gas station/convenience market for Regal Stations located at the above address. Since you have submitted for Commercial Plan Check without any special permit approval from the City Planning Commission for a convenience market within 500 feet of residentially zoned property, you will be required to close down between 11:00 P.M. and 6:00 A.M. Also, no sales of alcohol will be allowed until a special permit is granted from the Planning Commission.

Regarding the site plan, we have several major issues that if not corrected will require modification at the time the Planning Commission considers either a special permit for a 24 hour convenience market or the sale of alcohol. This letter provides both you and Wickland Oil notice that if you proceed as planned, at a later date, the City may require you to make modifications to the improvements you propose. Should you proceed with the project, all costs for re-engineering and redesign will be borne by Wickland.

Site Plan Comments

1. Relocate the gas station/mini-market building further to the east adjacent to the east property line. The eastern parking lot provides an ideal area for people to loiter.
2. A six foot high, solid masonry wall is required along the east property line since the property is zoned R-1.
3. A minimum seven foot wide planter with evergreen trees is recommended along the east property line to buffer the residential uses from the commercial uses.

P-88-064

3-10-88

item 15

Page two
September 25, 1987
Steve Sutton
SUTTON AND ASSOCIATES

4. The trash enclosure should be relocated away from the residential area. It also requires redesign to City Standards.
5. All lighting shall be focused on-site and not glare or reflect off-site onto residentially zoned property.
6. The telephone and air and water dispenser should be relocated away from the residential area. Noises from the air compressor and vehicles are incompatible with the residential use.
7. Planter widths along the north, west and south property lines need to be increased.
8. Street frontage improvements along Northgate Boulevard need to be shown. None are in place.
9. The existing billboard shall be shown on the site plan and indicated for removal.
10. Any SMUD overhead lines and utility easements shall be shown on the site plan and all structures respect the setbacks for any utilities.
11. A solid board fence or wrought iron fence shall be included along the north property line for security of the site.
12. The walkway adjacent to the west elevation of the store shall be increased to eight feet with no portable concrete wheel stops on the site.
13. The monument sign will be required to comply with the minimum setback of 10 feet from the property line and visibility requirements for the corner.
14. The canopy and building fascia shall not be illuminated in violation of the City Sign Ordinance.
15. Wherever parking spaces abut planter strips, a two foot vehicle overhang shall be incorporated into the planter reducing the vehicle parking space length by two feet.
16. No external loudspeaker system is to be used which is audible off-site.
17. No bell or drive-up alarm system shall be installed which is heard outside.
18. all security devices, video cameras, use of drop safe and employee protection shall be reviewed and approved by the Planning Director and City Police Department.

P-88-064

3-10-88

Item 15-

Page three
September 25, 1987
Steve Sutton
SUTTON AND ASSOCIATES

19. If the market building remains as shown on the site plan, the ballards along the east elevation should be removed and a five foot deep, raised one foot high curb with four foot of landscaping be installed adjacent to the building. This elevation is highly visible from San Juan Road.
20. The site is in the Northgate Boulevard Special Planning District which calls out for high design and aesthetic standards.
21. Living ground cover, not bark, shall be installed adjacent to the public right-of-way.
22. Any sale of alcohol from the site will require a special permit. No alcohol sales are allowed without a Planning Commission Special Permit.
23. The market and gas station shall close at 11:00 P.M. and not open until after 6:00 A.M. if it operates between those hours, a Planning Commission Special Permit is required.
24. All signage shall comply with the City Sign Ordinance.
25. A 50 foot building setback is established along Northgate Boulevard.

As a summary, failure to modify the project site to reflect the above comments as part of your building permit submittal does not relieve you of future compliance should you come before the Planning Commission. It is our recommendation that if you wish to sell alcohol and operate 24 hours, that you go before the Planning Commission before you proceed with construction.

Should you have any questions, please contact our office.

Respectfully,

Dan Hendrycks,
Associate Planner

DJH:vf
cc: Michelle Gibson, Wickland Oil
Will Weitman
Art Gee
E. Hermosa
(R-87-043)

P-88-064

3-10-88

item 15

EXHIBIT E



CITY OF SACRAMENTO

CITY OF SACRAMENTO
CITY PLANNING DIVISION

FEB 10 1988

RECEIVED

DEPARTMENT OF POLICE

HALL OF JUSTICE
813 6TH STREET

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5121

JOHN P. KEARNS
CHIEF OF POLICE

February 10, 1988

Ref. 2-10

M E M O R A N D U M

TO: WILL WEITMAN, SENIOR PLANNER
City Planning Division

FROM: JERRY V. FINNEY, ASSISTANT CHIEF
Sacramento Police Department

SUBJECT: SPECIAL PERMIT FOR A REGAL STATION WITH ON-SIGHT LIQUOR
SALES AT THE NORTHEAST CORNER OF NORTHGATE BLVD. AND
SAN JUAN ROAD

The Sacramento Police Department has no objections to the issuance of the above permit, providing the same restrictions that apply to the liquor store at the southwest corner of Northgate Blvd. and San Juan Road are imposed as conditions for approval.

These conditions are:

1. No beer to be sold in quantities less than one six-pack.
2. No wine to be sold in containers smaller than 750 ml.
3. No distilled spirits to be sold in containers smaller than one pint.
4. Wine coolers to sold in factory packs of not less than four containers.
5. A clearly visible sign shall be posted near the cash register with the following admonition: "It is unlawful to enter or remain on these premises, adjacent parking lot, or adjacent public sidewalk or street with an open alcoholic beverage container."

P.C. 647 E

S.C.C. 26.24C

In addition to the above listed sales restrictions, the department recommends installation of low pressure sodium vapor lights over the 50' x 60' area from the rear of the building to the east property line. This type of lighting reduces the opportunity for individuals to use the rear of the store as a location to drink, gamble, engage in drug activity, or create disturbances.

Jerry V. Finney

JERRY V. FINNEY
Assistant Chief of Police

P-88-064

JVF/ks

3-9-89

item 7