



12.2

PLANNING AND BUILDING
DEPARTMENT
PLANNING DIVISION

CITY OF SACRAMENTO
CALIFORNIA

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SACRAMENTO, CA
95814-2998
PLANNING
916-264-5381
FAX 916-264-5328

July 22, 2003

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: CALL UP – VALERO GAS & CONVENIENCE MARKET, P02-056

- A. **Environmental Determination:** Exempt, Section 15302;
- B. **Special Permit** for the sale of beer and wine for off-site consumption within a 4,224± square foot convenience market in General Commercial (C-2) zone.

LOCATION AND COUNCIL DISTRICT: 3300 & 3310 Marysville Blvd.
APN: 251-0230-038 & 039
Council District 3

RECOMMENDATION: Planning Commission and staff recommends that City Council deny the Special Permit for the sale of beer and wine and adopt the attached Resolution.

CONTACT PERSON: Jeanne Corcoran, Senior Planner, 264-5317
Kenny Wan, Assistant Planner, 808-2222

FOR COUNCIL MEETING OF: August 12, 2003 (Evening)

SUMMARY: The applicant is requesting a special permit to allow the sale of beer and wine for off-site consumption for a proposed convenience market at the corner of Marysville Blvd and Los Robles Blvd. The applicant proposes to remove an existing fast food structure and a used car sale lot and replace them with a 4,224± square foot convenience market and gas station. The Planning Commission denied the Special Permit for the sale of beer and wine on May 22, 2003, because of the crime related activities in the area. Council Member Steve Cohn called up the project in order to give an opportunity to the applicant to be heard by the City Council.

COMMITTEE/COMMISSION ACTION: On May 22, 2003, the Planning Commission voted, seven ayes, zero noes to deny the special permit for the sale of beer and wine for off-site consumption within a

AS ATTENDED

AUG 12 2003
OFFICE OF THE
CITY CLERK
APPROVED
AUG 12 2003
OFFICE OF THE
CITY CLERK

4,224± square foot convenience market in the General Commercial (C-2) zone.

BACKGROUND INFORMATION: The project site is located at the northeast corner of Marysville Blvd. and Los Robles Blvd. The site currently has a Mexican fast food restaurant with food drive-in service and an outdoor seating area on a 0.34± acres parcel; adjacent to the fast food restaurant is a used car sale lot on a 0.25± acres parcel. The two parcels are under the same owner and will be merged.

The applicant proposed to demolish the existing fast food structure and remove the used car sales lot. A new gas station with convenience store will be established on the site. The gas station will be a franchise for Valero Energy Corporation. The corporation is a national refining and marketing company with about 5,000 retail stores nationwide, but only recently has the Valero gas increased its presence in California.

The project site is located in the Del Paso Heights Design Review District, the project received Design Review Board approval on April 16, 2003, with conditions, the elevations exhibits do not reflect the project as modified by the Design Review Board. However, these modifications are minor and include modifications on the entry elements, awnings, accent band and canopy fascia design.

The applicant requested the following entitlements from the Planning Commission:

- Special Permit to sell beer and wine for off-site consumption within a convenience store;
- Special Permit to extend the hours of operation of the convenience market from 5 a.m. to 12 a.m.;
- Lot line merger to merge two lots totaling 0.59± acres into one in the General Commercial (C-2) zone.

Staff recommended approval of the project to the Planning Commission for the following reasons:

- The project will be subjected to strict conditions of approval on the beer and wine sale in order to limit the potential to create loitering and additional crime in the area.
- The project will redevelop the blighted corner and enhance the neighborhood.
- The new franchised convenience market and gas station will provide a cleaner, safer environment for patrons, encourage redevelopment of other properties in the area and is anticipated to attract additional national franchise business to the area.
- The project received support from the Police Department, Sacramento Housing Redevelopment Agency (SHRA), North Sacramento Redevelopment Action Committee (RAC).
- The owner of the property and intended operator of the convenience market is a long standing businessman in the community investing his own capital into the project.

On May 8, 2003, the Planning Commission approved the special permit for extended hours and lot line merger and made an intent motion to deny the special permit for the sale of beer and wine portion of the project. Planning Commission based their decision on:

- The potential increase in crime and loitering in the area.
- Local residents objections to the sale of beer and wine due to the existing problems in the area.

On May 22, 2003 the Planning Commission voted, seven ayes, zero noes to deny the special permit for the sale of beer and wine.

FINANCIAL CONSIDERATIONS: This report has no fiscal implications.

ENVIRONMENTAL CONSIDERATIONS: The Environmental Services Manager has determined the project, as proposed, is exempt from the requirements of the California Environmental Quality Act under Section 15302.

POLICY CONSIDERATIONS:

North Sacramento Community Plan— The General Plan and the North Sacramento Community Plan do not have policies that specifically address the sale of beer and wine; however the convenience store and gas station supports the North Sacramento Community Plan policies relating to Commercial Land Use. Specifically, the project supports the following Community Plan policies:

- Provide for a range of commercial uses which meet daily needs and are within convenient access to North Sacramento residents.
- Upgrade commercial areas by eliminating land use conditions that contribute to blight.
- Work with existing employers and business people to maintain and improve the business community.
- Encourage land uses which will enhance economic vitality or the community.

Smart Growth Principles - City Council adopted a set of Smart Growth Principles in December 2001 in order to promote growth that is economically sound, environmentally friendly, and supportive of community livability. Smart Growth encourages:

- Promote mix land uses and support vibrant city centers
- Promote distinctive, attractive communities with a strong sense of place;

The proposed project is designed to incorporate the Smart Growth Principles listed above. The project is located in an area designated for urbanized development. It is anticipated that the new convenience market and gas station will provide a cleaner, safer environment for patrons and lead to redevelopment of other blighted properties in the area. Some neighborhood groups and staff believe that a major franchise will provide quality management, which as a result, will help to upgrade and improve the image of the business community, and attract other major franchises to the area.

Strategic Plan Implementation- The proposed project conforms with the City of Sacramento Strategic Plan. Specifically, the project conforms with the goal to enhance and preserve neighborhoods by directing new development and supportive infrastructure to existing developed areas, allowing for efficient use of existing facilities, features and neighborhoods. The project also supports the City's goal to promote and support economic vitality by designating appropriate locations for the placement of support retail and service uses.


ESBD CONSIDERATIONS: No goods or services are being purchased under this report.

Respectfully submitted,



GARY L. STONEHOUSE
Planning Director

RECOMMENDATION APPROVED:



ROBERT P. THOMAS
City Manager

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RESOLUTION NO. _____

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON THE DATE OF AUGUST 12, 2003

RESOLUTION ADOPTING THE NOTICE OF DECISION AND FINDINGS OF FACT DENYING THE SPECIAL PERMIT FOR THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION WITHIN A 4,224± SQUARE FOOT CONVENIENCE MARKET IN THE GENERAL COMMERCIAL (C-2) ZONE LOCATED AT 3300 & 3310 MARYSVILLE BOULEVARD. (APN: 251-0230-038 & 039) (P02-056)

WHEREAS, the City Council conducted a public hearing on August 12, 2003 concerning the above project and based on documentary and oral evidence submitted at the public hearing, the Council hereby adopts the Notice of Decision and Findings of Fact, as set forth herein.

Notice of Decision

At the regular meeting of August 12, 2003, the City Council heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the City Council took the following actions for the location listed above.

- A. Environmental Determination: Exempt, Section 15302
- B. Denied the Special Permit for the sale of beer and wine for off-site consumption within a 4,224± square foot convenience market in General Commercial (C-2) Zone.

Findings of Fact

These actions were made based upon the following findings of fact:

- A. Categorical Exemption: The City Council finds and determines that the proposed project is exempt from environmental review pursuant to Section #15302 of the CEQA Guidelines.
- B. The Special Permit for the sale of beer and wine for off-site consumption within a 4,224± square foot convenience market in General Commercial (C-2) zone is denied based upon the following findings of fact:

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

1. The project is not based upon sound principles of land use in that the proposed use will adversely affect the peace and general welfare of the surrounding residential and commercial neighborhood by contributing to existing crime and loitering problems in the adjacent park and neighborhood.
2. The project will be detrimental to the public welfare and result in the creation of a public nuisance since the alcohol sales could contribute to an increase in crime resulting in more calls for service by the Police Department.
3. The project is inconsistent with the General Plan Quality of Life Policies in that the sale of beer and wine at this location will potentially create loitering and additional crime in the area.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT THE NOTICE OF DECISION AND FINDINGS OF FACT, AS STATED HEREIN BE APPROVED AND ADOPTED.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

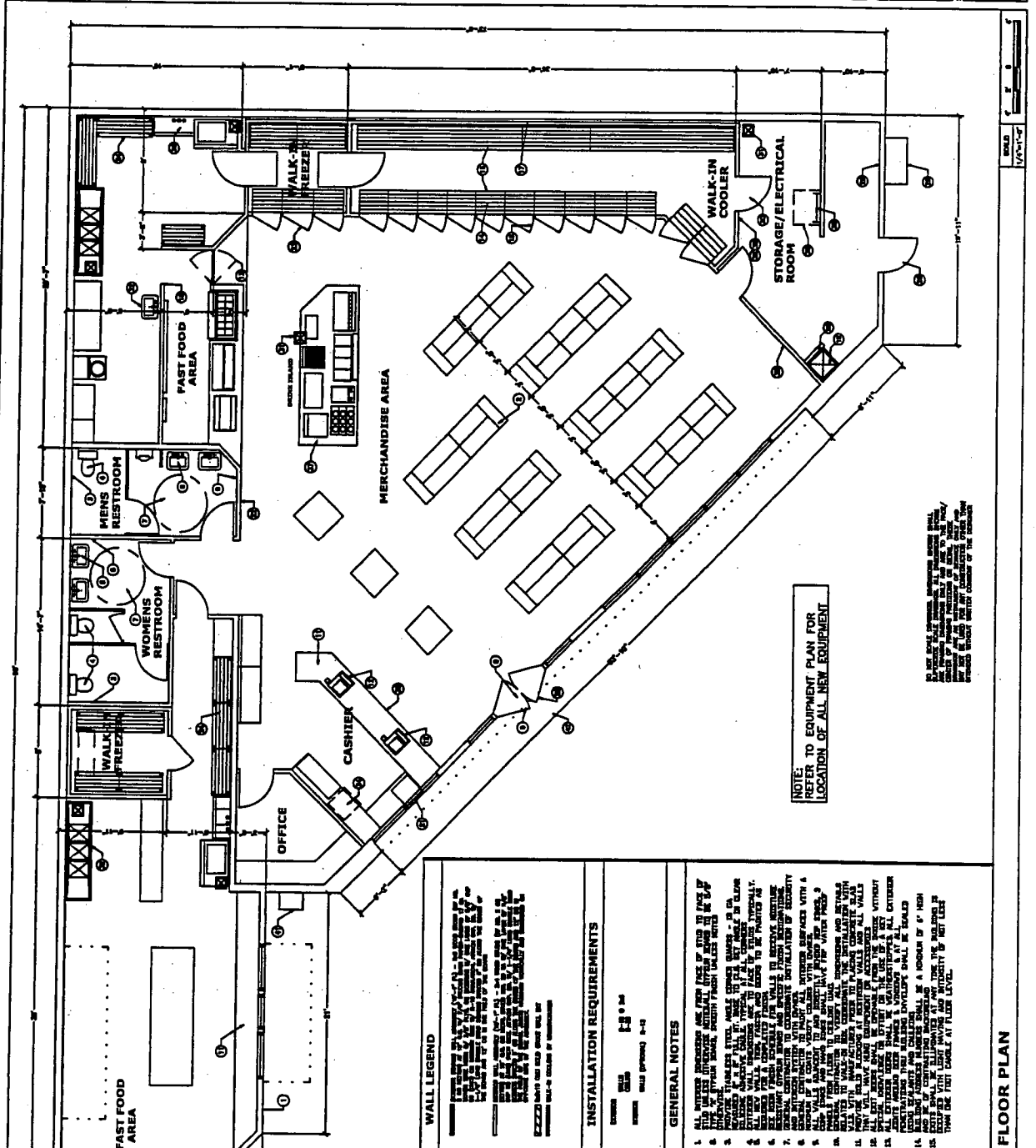
RESOLUTION NO.: _____

DATE ADOPTED: _____ 5

FALCON FUELS
 PROPOSED DRAWINGS FOR:
 3300 MARYSVILLE BLVD
 SACRAMENTO CALIFORNIA

PROJECT NUMBER: 17-17601
 DATE: 11/11/11
 DRAWN BY: JPS
 CHECKED BY: JPS
 APPROVED BY: JPS

SCALE: AS SHOWN
 SHEET TITLE: FLOOR PLAN
 SHEET NUMBER: A5



GENERAL NOTES

1. ALL INTERIOR FINISHES ARE THE SAME AS SHOWN ON SHEET 17-17601-01.
2. ALL INTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR.
3. ALL INTERIOR CEILING SHALL BE FINISHED WITH 6" X 6" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR.
4. ALL INTERIOR FLOORS SHALL BE FINISHED WITH 4" POLISHED CONCRETE.
5. ALL INTERIOR DOORS SHALL BE FINISHED WITH 1 3/4" SOLID CORE DOORS AND PAINTED WITH A LIGHT COLOR.
6. ALL INTERIOR WINDOWS SHALL BE FINISHED WITH 2" ALUMINUM WINDOWS AND PAINTED WITH A LIGHT COLOR.
7. ALL INTERIOR LIGHTING SHALL BE FINISHED WITH 4" X 4" RECESSED CAN LIGHTS.
8. ALL INTERIOR ELECTRICAL SHALL BE FINISHED WITH 120V/240V SINGLE PHASE SERVICE.
9. ALL INTERIOR MECHANICAL SHALL BE FINISHED WITH 14" WALK-IN COOLERS AND 14" WALK-IN FREEZERS.
10. ALL INTERIOR PLUMBING SHALL BE FINISHED WITH 1/2" CUPBOARD SINKS AND 1 1/2" TOILETS.
11. ALL INTERIOR PAINT SHALL BE FINISHED WITH A LIGHT COLOR.
12. ALL INTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR.
13. ALL INTERIOR CEILING SHALL BE FINISHED WITH 6" X 6" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR.
14. ALL INTERIOR FLOORS SHALL BE FINISHED WITH 4" POLISHED CONCRETE.
15. ALL INTERIOR DOORS SHALL BE FINISHED WITH 1 3/4" SOLID CORE DOORS AND PAINTED WITH A LIGHT COLOR.
16. ALL INTERIOR WINDOWS SHALL BE FINISHED WITH 2" ALUMINUM WINDOWS AND PAINTED WITH A LIGHT COLOR.
17. ALL INTERIOR LIGHTING SHALL BE FINISHED WITH 4" X 4" RECESSED CAN LIGHTS.
18. ALL INTERIOR ELECTRICAL SHALL BE FINISHED WITH 120V/240V SINGLE PHASE SERVICE.
19. ALL INTERIOR MECHANICAL SHALL BE FINISHED WITH 14" WALK-IN COOLERS AND 14" WALK-IN FREEZERS.
20. ALL INTERIOR PLUMBING SHALL BE FINISHED WITH 1/2" CUPBOARD SINKS AND 1 1/2" TOILETS.
21. ALL INTERIOR PAINT SHALL BE FINISHED WITH A LIGHT COLOR.
22. ALL INTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR.
23. ALL INTERIOR CEILING SHALL BE FINISHED WITH 6" X 6" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR.
24. ALL INTERIOR FLOORS SHALL BE FINISHED WITH 4" POLISHED CONCRETE.

INSTALLATION REQUIREMENTS

CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL HEALTH DEPARTMENT AND FIRE DEPARTMENT.

WALL LEGEND

1. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

2. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

3. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

4. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

5. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

6. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

7. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

8. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

9. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

10. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

11. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

12. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

13. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

14. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

15. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

16. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

17. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

18. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

19. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

20. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

21. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

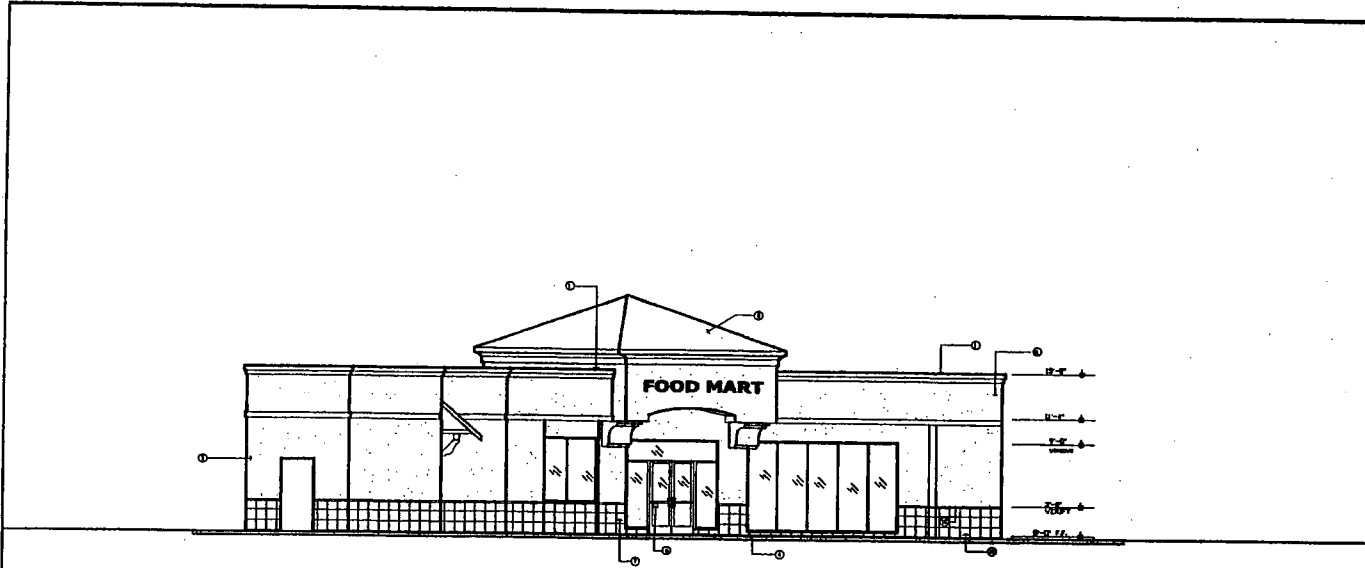
22. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

23. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

24. 1/2" GYPSUM BOARD AND PAINTED WITH A LIGHT COLOR

FLOOR PLAN

<p>PROPOSED DRAWINGS FOR: FALCON FOOD AND GAS 3300 MARYSVILLE BLVD SACRAMENTO CALIFORNIA</p> <p>PROJECT NUMBER: 01-750-01 DRAWING: EXTERIOR ELEVATION DATE: 04-13-2001 SHEET TITLE: EXTERIOR ELEVATION SHEET NUMBER: A8</p>	<p>ELEVATION NOTES</p> <ol style="list-style-type: none"> 1. ALL EXTERIOR WALLS FOR A WEATHER RESISTIVE WALL SYSTEM SHALL BE CONFORM TO THE FOLLOWING: 2. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 3. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 4. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 5. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 6. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 7. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 8. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 9. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 10. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 11. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 12. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 13. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 14. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 15. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 16. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 17. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 18. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 19. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 20. ALL WEATHER RESISTIVE WALL SYSTEMS SHALL BE CONFORM TO THE FOLLOWING: 	<p>EXTERIOR METAL</p> <ol style="list-style-type: none"> 1. PAINT FINISH 2. 1" COIL GALV. METAL PANEL 3. 1" COIL EXTERIOR METAL PANEL <p>NOTE: ALL WEATHER RESISTIVE SURFACES SHALL HAVE A WEATHER RESISTIVE BARRIER TO PROTECT THE INTERIOR WALL COVERINGS AND EXTERIOR OPENINGS SHALL BE FLASHED IN A MANNER AS TO MAKE THEM WEATHER PROOF.</p>	<p>STUCCO NOTES</p> <ol style="list-style-type: none"> 1. STUCCO COAT OVER LATH & PLASTER PER USE 2. STUCCO COAT 3. COLOR COAT (OPTIONAL) <p>NOTE: ALL WEATHER RESISTIVE SURFACES SHALL HAVE A WEATHER RESISTIVE BARRIER TO PROTECT THE INTERIOR WALL COVERINGS AND EXTERIOR OPENINGS SHALL BE FLASHED IN A MANNER AS TO MAKE THEM WEATHER PROOF.</p>
<p>SOUTH ELEVATION</p>	<p>OPTION 1: STUCCO CORBEL</p>	<p>OPTION 2: COLUMNS</p>	<p>OPTION 1: STUCCO CORBEL</p>
<p>NOTE: ALL WEATHER EXPOSED SURFACES SHALL HAVE A WEATHER RESISTIVE BARRIER TO PROTECT THE INTERIOR WALL COVERINGS AND EXTERIOR OPENINGS SHALL BE FLASHED IN A MANNER AS TO MAKE THEM WEATHER PROOF.</p>		<p>OPTION 2: COLUMNS</p>	



WEST ELEVATION

SCALE: 1" = 8'
 1/4" = 1'-0"

ELEVATION NOTES

- AS SHOWN HERE, COAT FOR A MAJORITY WALL UP TO CONCRETE, THE REST UP TO 8 FEET PORTS OF SOLID SHEATHING THE REST BY POWER WOOD.
- REMOVE AND PATCH CONCRETE PLASTER OVER METAL LATH OVER THE LATHING. 7 FEET OVER STUCCO SHEET.
- 1 COAT STUCCO SYSTEM-TYPICAL, WITH KEEP SIZES AS SHOWN.
- OPTIONAL FORM 5 STEP DETAIL, NOT SHOWN FOR CLARITY.
- 1/2" SAND OR PREPARED COMPOSITE METAL PANEL SYSTEM, STUCCO SYSTEM FRAMES BY POLYURETHANE TYPICAL. ELEMENTS TO BE METAL FRAMES ALL BEHIND OR EXPOSED AS NOTED.
- 1/2" SAND OR PREPARED COMPOSITE METAL PANEL SYSTEM, STUCCO SYSTEM FRAMES BY POLYURETHANE TYPICAL. ELEMENTS TO BE METAL FRAMES ALL BEHIND OR EXPOSED AS NOTED.
- 1/2" SAND OR PREPARED COMPOSITE METAL PANEL SYSTEM, STUCCO SYSTEM FRAMES BY POLYURETHANE TYPICAL. ELEMENTS TO BE METAL FRAMES ALL BEHIND OR EXPOSED AS NOTED.
- 1/2" SAND OR PREPARED COMPOSITE METAL PANEL SYSTEM, STUCCO SYSTEM FRAMES BY POLYURETHANE TYPICAL. ELEMENTS TO BE METAL FRAMES ALL BEHIND OR EXPOSED AS NOTED.
- 1/2" SAND OR PREPARED COMPOSITE METAL PANEL SYSTEM, STUCCO SYSTEM FRAMES BY POLYURETHANE TYPICAL. ELEMENTS TO BE METAL FRAMES ALL BEHIND OR EXPOSED AS NOTED.

EXTERIOR METAL

- PREP SURFACE
- 1 COAT METAL PRIMER
- 1 COAT EXTERIOR METAL PAINT

S.C. TO VERIFY ALL EXTERIOR COLORS WITH OWNER PRIOR TO FINISH SURFACE APPLICATION.

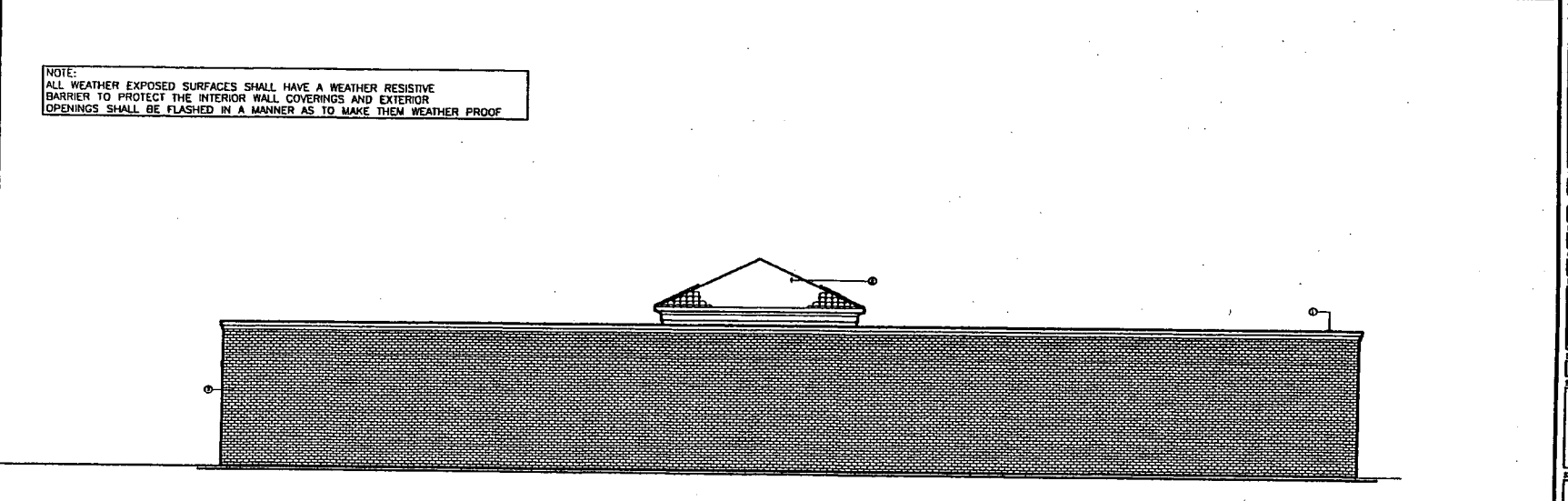
NEW 3 COAT STUCCO EXTERIOR FINISH 1/2" STUCCO / 1/2" SAND OR PREPARED COMPOSITE METAL PANEL SYSTEM, STUCCO SYSTEM FRAMES BY POLYURETHANE TYPICAL, AT CORNERS AND WALLS.

STUCCO NOTES

- SCRATCH COAT OVER LATH & PLASTER PER USE
- BROWN COAT
- COLOR COAT (PROVIDED)

NOTE: ALL WEATHER EXPOSED SURFACES SHALL HAVE A WEATHER RESISTIVE BARRIER TO PROTECT THE INTERIOR WALL COVERINGS AND EXTERIOR OPENINGS SHALL BE FLASHED IN A MANNER AS TO MAKE THEM WEATHER PROOF.

NOTE:
 ALL WEATHER EXPOSED SURFACES SHALL HAVE A WEATHER RESISTIVE BARRIER TO PROTECT THE INTERIOR WALL COVERINGS AND EXTERIOR OPENINGS SHALL BE FLASHED IN A MANNER AS TO MAKE THEM WEATHER PROOF



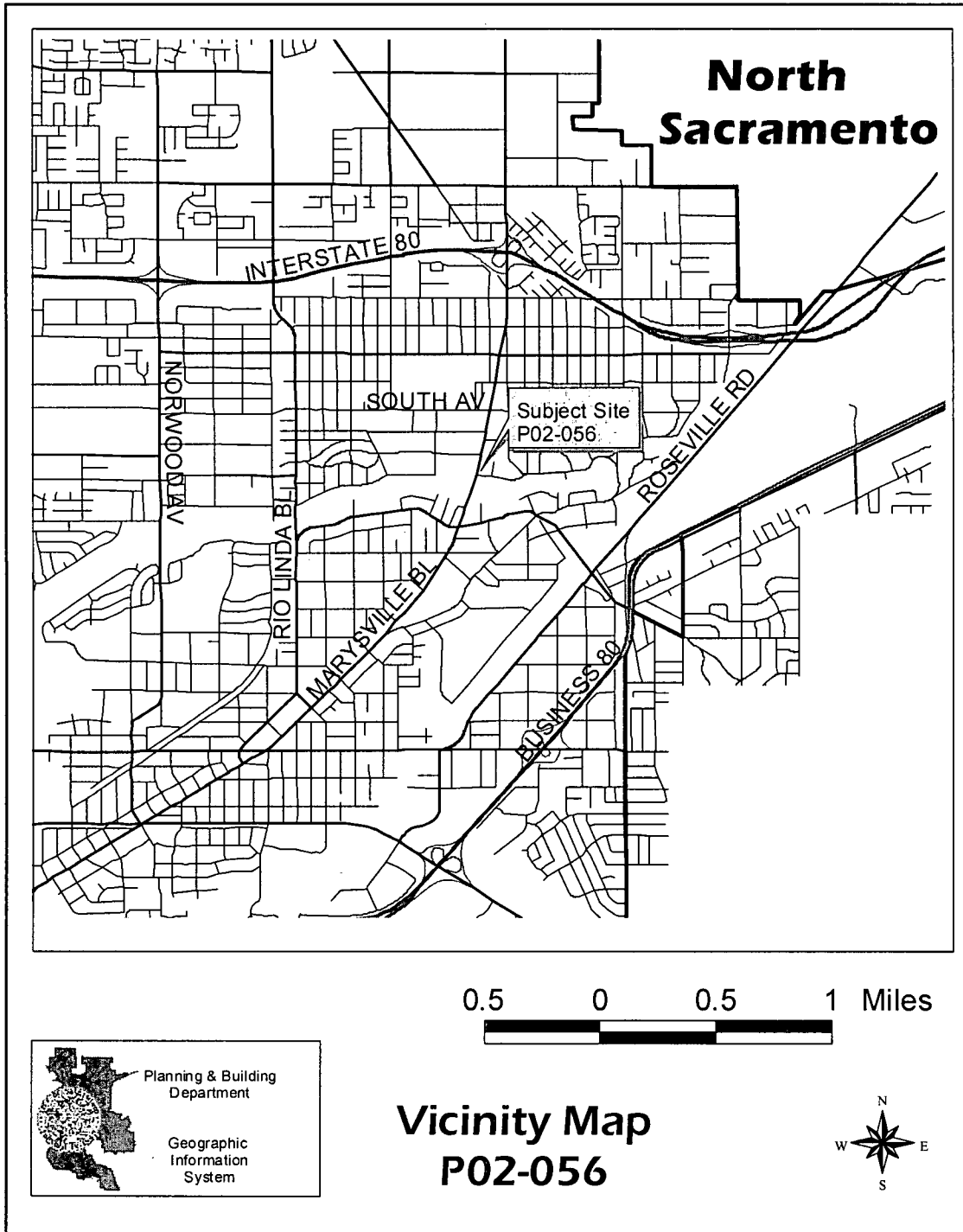
NORTH ELEVATION

SCALE: 1" = 8'
 1/4" = 1'-0"

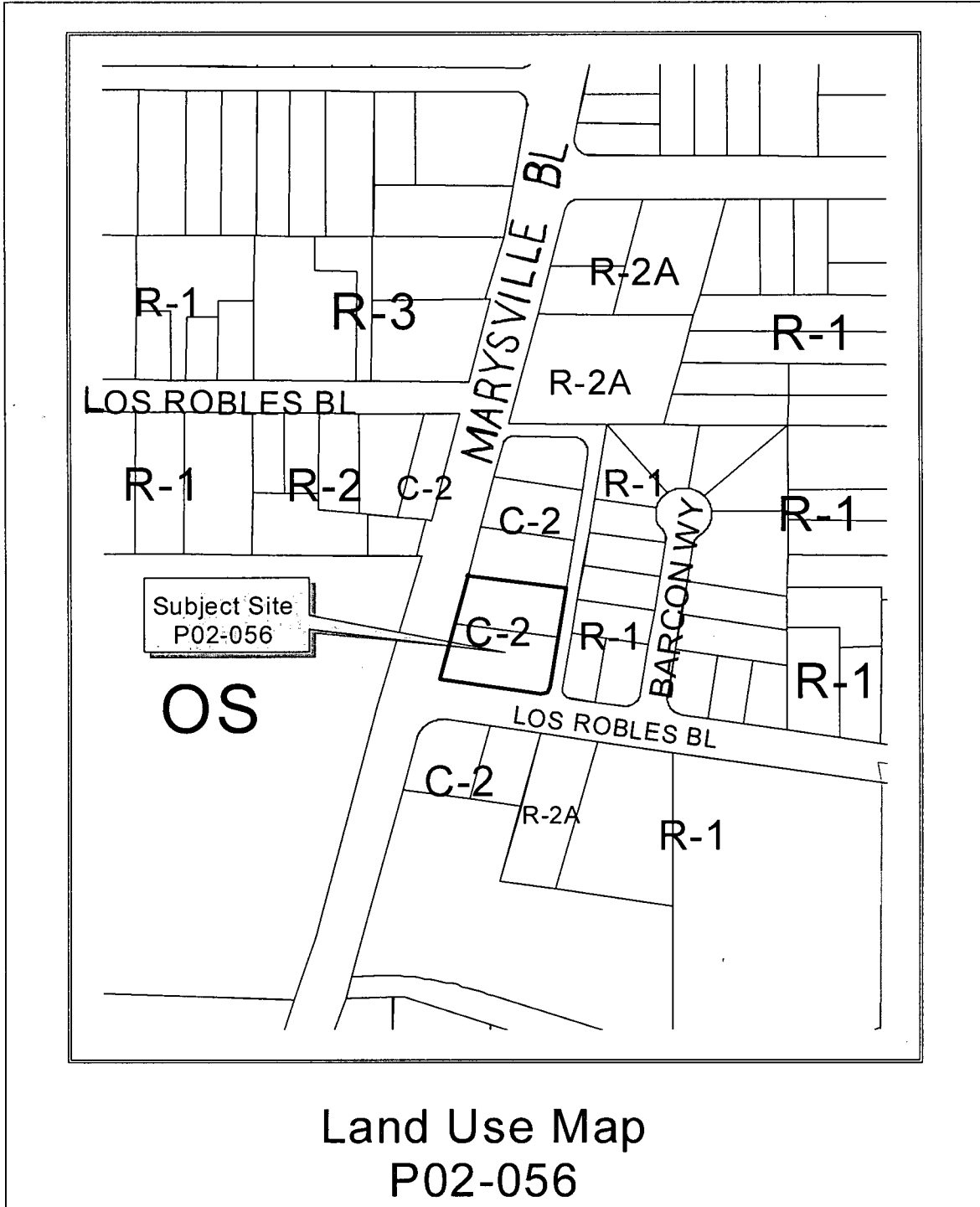
PROPOSED DRAWINGS FOR:

FALCON FOOD AND GAS
 3300 MARYSVILLE BLVD
 SACRAMENTO CALIFORNIA

PROJECT NUMBER: 01-723.01
 FILENAME:
 DRAWN BY: JFC
 CHECKED BY:
 REVISIONS:
 ISSUE DATE: (01.12.2001)
 SHEET TITLE: EXTERIOR ELEVATION
 SHEET NUMBER: A9



Attachment F: Land Use and Zoning Map



Attachment G: Voting Record from Planning Commission May 22, 2003

**CITY PLANNING COMMISSION
 CONSENT ITEMS**

CPC AGENDA DATE: May 22, 2003

Item No.	Project No.	Title/Location	Action: Approved/Denied/Cont'd
1.	P02-056	Valero Gas & Convenience Market located at the northeast corner of Marysville Blvd. And Los Robles Blvd.	APPROVED
3.	P99-049	Street Rename of Rosin Blvd. To Fong Ranch Rd., located at Rosin Blvd. Off San Juan Rd.	APPROVED
5.	P01-039	Precision Auto Works located at 2010 3 rd Street	APPROVED/Amendment
8.	P02-142	Goldenland Business and Industrial Park located at the west of Gateway Park Blvd. And south of Terracina Dr. in the Goldenland PUD, North Natomas	APPROVED
9.	P02-162	71 st Street Estates located at 71 st Street South of Fruitridge	APPROVED
10.	P02-175	Pell Drive Warehouses located on the east side of Pell Drive ¾ miles south of Main Ave.	APPROVED/Amendment
12.	P03-019	St. Francis Temporary Parking located at 6051 M Street	APPROVED

VOTE OF THE PLANNING COMMISSION:

COMMISSIONER	Minutes/AM/Secord(S)	YES	NO	ABSTAIN
Bacchini		/		
Banes		/		
Duruissseau		/		
Jones	S	/		
Kennedy		/		
Taylor-Carroll				
Vallencia		/		
Waste	M	/		
Yee		/		

CITY PLANNING COMMISSION
SACRAMENTO, CALIFORNIA
MEMBERS IN SESSION:

ITEM # 1
May 22, 2003
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P02-056 – Valero Gas & Convenience Market

- REQUEST: A. **Environmental Determination:** Exempt (CEQA Section 15302)
- B. **SPECIAL PERMIT** for the sale of beer and wine for off-site consumption within a 4,224±square foot convenience market.

LOCATION: 3300 & 3310 Marysville Boulevard
 APN: 251-0230-038 & 039
 Del Paso Heights Redevelopment Area
 Council District 3
 North Sacramento Community Plan

APPLICANT:	Raymond Melendez (Melendez Design Group) P.O. Box. 578145 Modesto, CA 95329 (209) 606 6724
OWNER:	Muhammed Ahmad Javed 3300 Marysville Blvd. Sacramento, CA 95878
PLANS BY:	Applicant
APPLICATION FILED:	May 07, 2002
STAFF CONTACT:	Kenny Wan, Assistant Planner, 264-2222

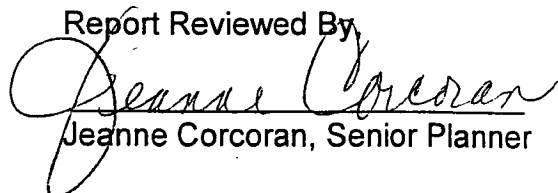
SUMMARY: On May 8, 2003, the Planning Commission heard and considered public testimony regarding the above entitlements. The Planning Commission passed an intent motion to deny the special permit for the sale of beer and wine for off-site consumption within a 4,224±square foot convenience market.

RECOMMENDATION: Staff recommends the Planning Commission take the following action: Adopt the attached Notice of Decision and Findings of Fact denying the special permit for the sale of beer and wine for off-site consumption within a 4,224±square foot convenience market.

Report Prepared By,


Kenny Wan, Assistant Planner

Report Reviewed By,


Jeanne Corcoran, Senior Planner

ATTACHMENT 1
NOTICE OF DECISION AND FINDINGS OF FACT FOR
VALERO GAS & CONVENIENCE MARKET LOCATED AT 3300 & 3310
MARYSVILLE BOULEVARD, SACRAMENTO, CALIFORNIA IN THE
GENERAL COMMERCIAL (C-2) ZONE (APN 251-0230-038 & 039). (P02-056)

At the regular meeting of May 22, 2003, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. **Environmental Determination:** Exempt (CEQA Section 15302)
- B. **Denied the Special Permit** for the sale of beer and wine for off-site consumption within a 4,224± square foot convenience market;

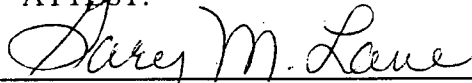
These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT


- A. Categorical Exemption: The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section 15302 of the CEQA Guidelines.
- B. SPECIAL PERMIT for the sale of beer and wine for off-site consumption: The Special Permit to allow the sale of beer and wine for off-site consumption is denied based on the following findings of fact:
 - 1. The project is not based upon sound principles of land use in that the proposed use will adversely affect the peace and general welfare of the surrounding residential and commercial neighborhood by contributing to existing crime and loitering problems in the adjacent park and neighborhood.
 - 2. The project will be detrimental to the public welfare and result in the creation of a public nuisance since the alcohol sales could contribute to an increase in crime resulting in more calls for services by the Police Department.
 - 3. The project is inconsistent with the General Plan Quality of Life Policies in that the sale of beer and wine at this location will potentially create loitering and additional crime in the area.


CHAIRPERSON

ATTEST:



SECRETARY TO CITY PLANNING COMMISSION



DATE (P02-056)

**CITY PLANNING COMMISSION
SACRAMENTO, CALIFORNIA
MEMBERS IN SESSION:**

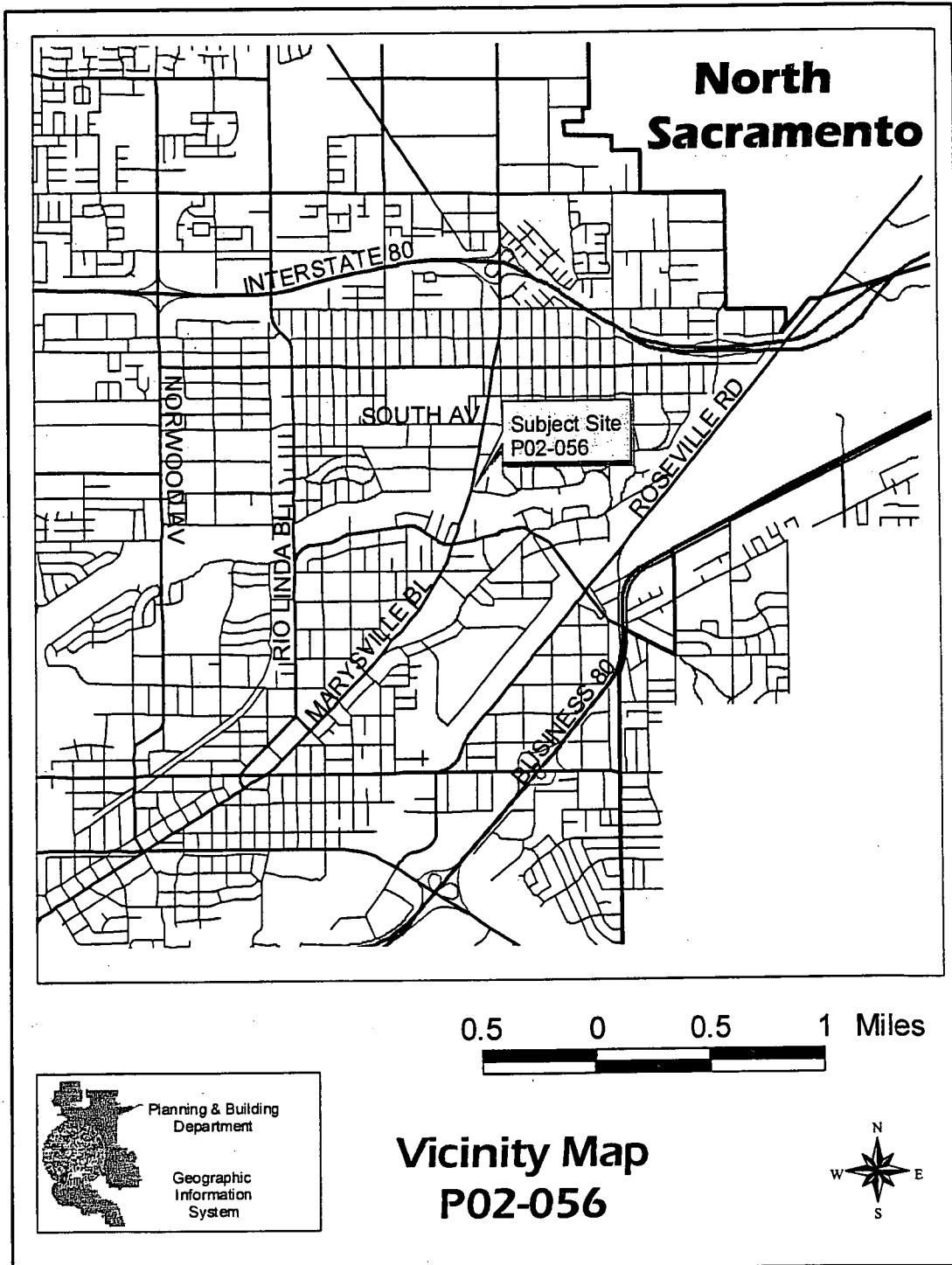
ITEM # 7
May 8, 2003
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P02-056 - Valero Gas & Convenience Market

- REQUEST:**
- A. Environmental Determination:** Exempt (CEQA Section 15302)
 - B. Special Permit** for the sale of beer and wine for off-site consumption within a 4,224± square foot convenience market;
 - C. Special Permit** to extend the hours of operation for a convenience market in a General Commercial (C-2) zone;
 - D. Lot Line Merger** to merge two lots into one totaling 0.59±acres in the General Commercial (C-2) zone.

LOCATION: 3300 & 3310 Marysville Boulevard
APN: 251-0230-038 & 039
Del Paso Heights Redevelopment Area
Council District 2
North Sacramento Community Plan

APPLICANT:	Raymond Melendez (Melendez Design Group) P.O. Box. 578145 Modesto, CA 95329 (209) 606 6724
OWNER:	Muhammed Ahmad Javed 3300 Marysville Blvd. Sacramento, CA 95878
PLANS BY:	Applicant
APPLICATION FILED:	May 07, 2002
STAFF CONTACT:	Kenny Wan, Assistant Planner, 264-2222



SUMMARY: The applicant is requesting a Special Permit to allow the sale of beer and wine for off-site consumption in a propose convenience market at the corner of Marysville Blvd and Los Robles Blvd. The applicant proposes to remove an existing Mexican fast food structure and a used car sale lot and replace them with a 4,224± square foot convenience market and gas station. The project also includes a request for a Special Permit to extend the hour of operation. The basic issue is potential law enforcement concerns. However, the Police Department does not expect the project to create problems and has conditioned it to ensure safe business practices. Staff supports the project because the project will enhance the area and it has received support from the Police Department, Sacramento Housing Redevelopment Agency (SHRA), North Sacramento Redevelopment Action Committee (RAC) as well as various neighborhood associations.

RECOMMENDATION: Staff recommends approval of the project subject to conditions. Staff supports the applicant's request because the project is an opportunity to capture a corporate brand name tenant on Marysville Blvd. and is expected to enhance the street corner. The project has received support from various agencies and is conditioned to reduce the potential for nuisance activities and law enforcement-related issues that could be associated with this project.

PROJECT INFORMATION:

General Plan Designation:	Neighborhood Commercial and Offices
Community Plan Designation:	Retail General
Existing Land Use of Site:	Used auto sale & Fast food stall
Existing Zoning of Site:	General Commercial (C-2)

Surrounding Land Use and Zoning:

North: Commercial, C-2
 South: Commercial (Gas Station), C-2
 East: Residential, R-1
 West: Open Space (Hagginwood Park), OS

Property Dimensions:	170'±square feet X 160'±square feet
Square Footage of Building:	4,224± square feet
Property Area:	0.59±net acres
Height of Building:	15'
Hours of Operation:	5 AM to 12 AM, seven days per week
Parking Provided:	17 spaces
Parking Required:	18 spaces
Topography:	Flat
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>
Off-Site Beer and Wine License	State of California Department of Alcoholic Beverage Control
Letter of Public Necessity or Convenience	Chief of Police (see Attachment 5)
Off-Site Improvement Permit	Public Work (Development Services)
Certificate of Compliance	Public Work (Development Services)

BACKGROUND INFORMATION:

Currently, the project site has a Mexican fast food restaurant providing fast food drive-in service with an outdoor seating area on a 0.34±acres parcel; adjacent to the fast food restaurant is a used car sale lot on a 0.25±acres parcel. There is no wall or fence to separate between the uses and the alley behind. The two parcels are under the same owner and will be merged.

The applicant proposed to demolish the existing fast food structure and remove the used car sale lot. A new convenience store with Valero gas station will then be established in the street corner. Valero Energy Corporation is a national refining and marketing companies with about 5,000 retail store nation wide. The company merged with Ultramar Diamond Shamrock on 2001 and has become the second largest refiner of petroleum products in the U.S. Only until recently, Valero gas has increased its presence in California, but with its 350 gasoline stations purchased from Exxon years ago, only 70 stations will carry its own band name. The propose project will be one of them.

The site has two previous design review applications on 1994 (DR94-174) and 1998 (DR98-049) for the Mexican fast food restaurant. The applicant is requesting a Lot Line Merger to merge the two parcels into one, a special permits to sell alcohol for off-site purpose and a special permit for extended hours of operation.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

North Sacramento Community Plan

The project supports the North Sacramento Community Plan policies relating to Commercial Land Use. Specifically, the project supports the following Community Plan policies:

- Provide for a range of commercial uses which meet daily needs and are within convenient access to North Sacramento residents.
- Upgrade commercial areas by eliminating land use conditions that contribute to blight.
- Work with existing employers and business people to maintain and improve the business community.

With the demolition of the existing Mexican fast food structure and the removal of the used car sale lot, a blighted corner will be redeveloped consistent with today's standards. The new gas station and convenience store will provide daily necessity to the nearby neighborhood as encouraged in the Community Plan. It is anticipated that the new convenience market and gas station will provide a cleaner, safer environment for patrons and lead to redevelopment of other properties in the area. In addition, this establishment will be the first national brand name store introduced into the area. Neighborhood groups and staff believe that a major franchise will provide quality management which as a result will help to upgrade and improve the image of the business community.

B. Special Permits

1) Beer and Wine Sales

The City's Zoning Ordinance requires a special permit for the establishment of off-site alcohol sales in retail stores under 15,000 square feet in the General Commercial (C-2) zone. In order to issue a special permit, the City must find that the project will not increase crime, contribute to deterioration of quality of life in the area, or cause an undue concentration of businesses selling alcohol in the area. The special permit requirement for retail uses under 15,000 square feet allows the City to closely regulate convenience retail uses when combined with alcohol sales to minimize the negative effects potentially associated with this type of use.

Currently, there are three active off-site alcohol sales licenses in the area. According to the official from the State Department of Alcoholic Beverage Control (ABC), the demographic of this area allows a maximum of four off-site alcohol sales licenses. Therefore, granting a license for the applicant will not exceed the limit for licenses

in the area. In addition, the Department of Alcoholic Beverage Control received no objections from neighbors and other government agencies for the proposed application.

2) Extended Hours

Furthermore, a special permit is also required for the extended hours of operation for the proposed project. The City Zoning Ordinance limits the hours of operation of convenience markets in the General Commercial (C-2) zone to the hours of 6 a.m. to 11 p.m. if within 500 feet of residential use or zones. The applicant proposes to operate the convenience market from 5 a.m. to 12 a.m. Staff does not object to the extension of operating hours since the project serves a major business thoroughfare, the extended hours will provide residences and commuters convenient services that are inadequate in the area. However, the project will be conditioned to stop all alcoholic sales at 10 p.m. The ABC license does not permit the sale of alcoholic beverage before 6 a.m.

The special permit requirements allow staff, the Planning Commission, and the public to review and establish conditions on a project-by-project basis to ensure that the project will not have a negative effect on the surrounding area. Subject to the conditions of the special permit, the proposed use should not result in a nuisance to the public in the surrounding area. Instead, it will be a positive addition to the commercial corridor. The Police Department believes that as conditioned, the project will not increase crime in the area or result in law enforcement problems.

C Lot Line Merger

The applicant proposes to remove the common property line between two parcels (APN: 251-0230-038 & 039) to create a single parcel totaling 0.59±net acres for the gas station and the convenience store. Staff supports the merger because it is consistent with the General Plan, North Sacramento Community Plan and it further carries out the goals and objectives of the Marysville Boulevard Urban Design Plan which encourages parcel consolidation.

D. Site Plan Design

1. Project Siting and Setbacks

The 0.59±net acres project is located at the northeast corner of Marysville Blvd and Los Robles Blvd. The 4,224± square feet convenience market is a "L" shape structure wrapping around the northeast corner of the site. This structure will house the convenience store and a Mexican fast food restaurant within. The restaurant will offer a walk up window and will not provide any seating. In addition, a canopy over

four gas pumps will be located on the site. No outdoor seating is being proposed, any future outdoor seating will need to be reviewed and approved by the Police Department and Planning staff. The project meets all setback requirements prescribed by the Zoning Ordinance.

2. Parking/Circulation

There are two points of ingress and egress to the subject site: one on Los Robles Blvd. and the other on Marysville Blvd. The project's parking spaces will be located in front of the convenience store and along the eastern and northern sides of the project. According to the Zoning Ordinance the project is required to provide 17 parking spaces on-site, the project complies with the Ordinance by providing eighteen (18) on-site parking spaces. The project will be recommended to provide bicycle parking facilities.

3. Trash Enclosure

The trash enclosure will be located at the eastern side of the site. It will be surrounded by a 6' high concrete masonry wall unit (CMU) with stucco finish, colored to match the proposed base color of the convenience store. The applicant will comply with all city requirements and coordinate with Waste Management.

4. Fencing

A 6' high CMU wall will be constructed along the north and east property lines to provide separation between the project and the alley to the east as well as the parking lot of the adjacent convenience store to the north. The applicant proposes to construct the masonry wall for security. The wall will have a stucco finish painted to match the base color of the convenience store. Staff will condition the project to provide vine cover on the masonry wall, as well as requiring graffiti to be removed within 24 hours.

5. Landscaping

Decorative landscaping is proposed along the street frontage of Marysville Boulevard and Los Robles Boulevard. Planters areas will be provided between the parking lot and the masonry wall. A preliminary landscape plan indicates Chinese Pistache and Crepe Myrtle will be the major trees in the landscape areas. The project shall meet the City's tree shading requirements.

Vines will be required to provide cover for the masonry wall to minimize graffiti. In order to do that, staff will condition the project to provide irrigation strip along the masonry wall to provide irrigation for the vines. Final landscaping plans will be

reviewed by staff.

6. Signage

One monument sign 6'x9' is proposed on-site and one attached building sign is proposed for the entry element, the proposal is consistent with the City's Sign Ordinance. Staff will condition the project for a maximum two signs (one per each street frontage) on the gas station canopy. Any sign placed on the building or site is subject to size, design, location, and color standard. All signage associated with the project must conform to the City's Sign Ordinance and final signage proposals shall be reviewed and approved by staff.

E. Building Design

The façade of the convenience store is articulated by massing changes, upper accent trim, lower accent brand in clay tile, tile roof, plaster pilasters and awnings on the entrance and storefront windows. Since the project site is located within the North Sacramento Redevelopment area, it is subjected to the Design Review Board approval. On April 16, 2003, the Design Review Board unanimously approved the project (DR02-229) on the basis that the design of the store is generally compatible and appropriate within the area. Design Review staff will continue to work with the applicant to address comments from the Board. The subject project has been conditioned to comply with all conditions of approval for DR02-229.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project is exempt from environmental review pursuant to CEQA Guidelines, Section 15301(a).

B. Public/Neighborhood/Business Association Comments

The project application was routed to the following neighborhood associations:

Association of Community Organizations for Reform Now (ACRON)
Del Paso Heights Improvement Association
North Hagginwood Neighborhood Alliance
North Sacramento Chamber of Commerce
Oak Knoll/Johnson Heights Neighborhood Group
South Hagginwood Neighborhood Alliance

Strawberry Manor Neighborhood Association
Sacramento Housing & Redevelopment Agency

Comments were received from the South Hagginwood Neighborhood Alliance as follow:

"We do not need any more liquor license in this area. It is right across from Hagginwood Park where children play."

Planning staff has the following action in regards to the comments from the South Hagginwood Neighborhood Alliance:

On August 15, 2002, a neighborhood meeting was held to discuss the proposed project. Attendees included representatives from the Neighborhood Service Department, Police Department, Sacramento Housing Redevelopment Agency (SHRA), South Hagginwood Neighborhood Alliance, PetroCal Associates, East Del Paso Heights Target Area Committee, the applicant and several local residents.

The project was supported by the Police Department, SHRA and various members of the community. A majority of the neighborhood representatives agreed to support the project upon the determination that the special permit would allow the City to closely regulate the alcohol sales to minimize the negative effects potentially associated with this type of use. The applicant agreed to condition the project to prohibit the sale of fortified wine, 40-ounce beers, no bottles or containers of wine smaller than 750 milliliters as well as the typical conditions attached to other convenience stores uses. Furthermore, the applicant agreed to hold at least two community meetings on the first and the sixth months of the store opening to resolve any problems that may arise. A one year meetings is also required if requested by the members of the community. The applicant understands that the Planning Commission may revoke the Special Permit if the Police Department can substantiate repeated calls of service to this site.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. The following summarizes the comments received:

1. Police Department

The Police Department has provided comments requesting that conditions be included to address product sales, security, lighting, litter cleanup, and loitering.

2. Fire Department – No Comment.
3. Utilities Department – Comments and advisory notes are incorporated into Notice of Decision.
4. Building Department – No Comment.
5. Public Works Department:
 - a. Development Services Division – Comments are incorporated into Notice of Decision.
 - b. Solid Waste Division – Comments are incorporated into Notice of Decision.
 - c. Electrical Division – Comments are incorporated into Notice of Decision.
6. Sacramento Metropolitan Air Quality Management District – Comments are incorporated into Notice of Decision.

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

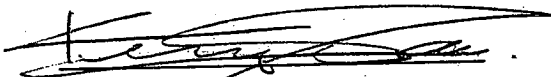
Staff recommends the Planning Commission take the following actions:

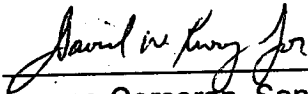
- A. Adopt the attached Notice of Decision and Findings of Fact which finds that the project is Exempt pursuant to CEQA Section 15302;
- B. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit for the sale of beer and wine for off-site consumption within a 4,224± square foot convenience market;
- C. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit to extend the hours of operation for a convenience market in a General Commercial (C-2) zone;

- D. Adopt the attached Notice of Decision and Findings of Fact approving the Lot Line Merger to merge two lots into one totaling 0.59±acres in the General Commercial (C-2) zone.

Report Prepared by

Report Reviewed by


Kenny Wan, Assistant Planner


Jeanne Corcoran, Senior Planner

Attachments

- | | |
|--------------|--|
| Attachment 1 | Notice of Decision & Findings of Fact |
| Exhibit 1A | Site Plan |
| Exhibit 1B | Floor Plan |
| Exhibit 1C | Preliminary Landscape Plan |
| Exhibit 1D | South & Southwest Elevations |
| Exhibit 1E | West & North Elevations |
| Exhibit 1F | Canopy & Monument Sign |
| Exhibit 1G | Lot Line Merger |
| Attachment 2 | Land Use and Zoning Map |
| Attachment 3 | Letter of Public Necessity or Convenience |
| Attachment 4 | Letter of support from Del Paso Heights Redevelopment Advisory Committee (RAC) |

AMENDED BY PLANNING COMMISSION**ATTACHMENT 1****NOTICE OF DECISION AND FINDINGS OF FACT FOR
VALERO GAS & CONVENIENCE MARKET LOCATED AT 3300 & 3310
MARYSVILLE BOULEVARD, SACRAMENTO, CALIFORNIA IN THE GENERAL
COMMERCIAL (C-2) ZONE (APN 251-0230-038 & 039). (P02-056)**

At the regular meeting of May 8, 2003, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. **Environmental Determination:** Exempt (CEQA Section 15302)
- B. **Made motion of intent to deny the special permit** for the sale of beer and wine for off-site consumption within a 4,224± square foot convenience market and continued to May 22,2003.
- C. **Approved the special permit** to extend the hours of operation for a convenience market in a General Commercial (C-2) zone;
- D. **Approved the Lot Line Merger** to merge two lots into one totaling 0.59±acres in the General Commercial (C-2) zone.

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

- A. Categorical Exemption: The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section 15302 of the CEQA Guidelines.
- C. SPECIAL PERMIT to extend the hours of operation for a convenience market: The special permit to extend the hours of operation for a convenience market in a General Commercial (C-2) zone is approved based on the following findings of fact:

1. The project is based upon sound principles of land use in that the project will be a positive addition to the growing commercial corridor and a blighted street corner will be redeveloped with new establishment consistent with today's standards.
2. The project will not be detrimental to the public welfare and result in the creation of a public nuisance in that the condition of approval has limited the potential of the project to contribute to the development of a crime problem in the area.
3. The project is consistent with the General Plan Quality of Life Policies to enhance and maintain the quality of life in that the extended hours of operation at this location will provide better convenient services to the neighborhood and commuters.

D. LOT LINE MERGER to merge two lots into one totaling 0.59±acres in the General Commercial (C-2) zone: The Lot Line Merger to merge two lots into one totaling 0.59±acres in the General Commercial (C-2) zone is approved based on the following findings of fact:

1. The parcel merger is consistent with the General Plan and the North Sacramento Community Plan which designates the site for General Commercial (C-2) zone.
2. All existing streets and/or utility easements of record are reserved; and
3. The resulting parcel conforms to the requirements of this Subdivision Ordinance, title 16 of the City Code, the City's General Plan, the City's Comprehensive Zoning Ordinance, and the City's Building Code.

CONDITIONS OF APPROVAL

- C. The Special Permit to extend the hours of operation for a convenience market is hereby approved subject to the following condition of approval:

Planning Department

- ~~C1. Sales and delivery of alcoholic beverages shall be permitted only between the hours of 6:00 AM and 10:00 PM each day of the week. (Deleted by PC on May 8, 2003).~~
- C1. Any outdoor seating shall be reviewed and approved by the Police Department and Planning Staff.
- C2. The masonry wall shall be no more than 3 feet in height for the first 20 feet from the right of way line of Marysville Blvd.; on the alley side, the masonry wall shall be no more than 3 feet in height for the first 25 feet from the right of way line of Los Robles Blvd. or wrought iron fencing no higher than 6 feet in height shall be installed (*added by PC on May 8, 2003*).

Department of Utilities

- C3. Any new domestic water services shall be metered. Only one domestic water service will be allowed per parcel.
- C4. Multiple fire services are allowed per parcel and may be required.
- C5. An on-site surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap. All on-site systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual).
- C6. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban run-off pollution from the site during construction.
- C7. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.

- C8. Post construction, stormwater quality control measures shall be incorporated into the fueling area to minimize the increase of urban runoff pollution and non-stormwater discharges. **These measures may affect site design and site configuration and therefore, should be considered during the early planning stages. Improvement plans must include source control measures.** Refer to the "Guidance Manual for the On-site Stormwater Quality Control Measures" dated January 2000 for appropriate source control measures.
- D. The Lot Line Merger to merge two lots into one totaling 0.59±acres in the General Commercial (C-2) zone is hereby approved subject to the following condition of approval:

Department of Public Work

- D1. The applicant shall file an application for a Certificate of Compliance with the Department of Public Works. The applicant must submit all documents required by the submittal requirements checklist and pay the necessary fees.
- D2. The applicant must file for a Waiver of Parcel Map
- D3. The applicant shall pay off or segregate existing assessments

Department of Public Work – Solid Waste Division

- D4. The applicant should provide a site plan that includes the locations, sizes of enclosures, types of dumpsters/receptacles, and the access and security measures planned for the enclosures. The enclosure designed for this project should be large enough to accommodate the required recycling capacity.
- D5. The project proponent is required to describe the type of recycling education, including signage that will be used to inform employees about the recycling program.
- D6. The applicant is further required to describe the recyclable commodities will be diverted from the waste stream of this proposed development. The

applicant should include commodities such as cardboard and mixed paper and beverage containers.

Department of Utilities

- D7. Any new domestic water services shall be metered. Only one domestic water service per parcel will be allowed. Any excess domestic water services must be abandoned to the satisfaction of the Department of Utilities. The applicant should be advised that the tap record research and verification of tap locations by the field crews involved prior to sign-off of this condition may take a considerable amount of time, therefore, all requests should be submitted in a timely manner.

Sacramento Metropolitan Air Quality Management District:

- D8. The provisions of the following District Rules will apply to this project: Rule 448 (Gasoline Transfer into Stationary Storage Containers), Rule 449 (Transfer of Gasoline Into Vehicle Fuel Tanks) Rule 457 (Methanol Compatible Tanks), and Rule 403 (Fugitive Dust). The applicant may wish to contact the District offices at (916) 874-4800 regarding the requirements of these rules, as well as other rules that may also apply.
- D9. Any project that includes the installation of equipment capable of releasing emissions to the atmosphere may require permit(s) from the Sacramento Metropolitan Air Quality Management District (District) prior to operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the District early to determine if a permit is required, and to begin the permit application process. Other general types of uses that require a District permit include dry cleaners, gasoline stations, spray booths, and operations that generate gaseous and/or airborne particulate emissions. For further information about permit requirements, contact the District offices by calling (916) 874-4800.

Advisory Notes:**Department of Public Work**

1. The applicant shall note that they will be required to obtain new driveway permits for the proposed project in accordance with the requirements of City Code. The review of the driveway permit application will be based on the requirements of the City Code and the Department of Public Works. The said review will include, but not limited to the issues related to proposed access scenario, parking, circulation and other applicable aspects, and may require the redesign and/or reconfiguration of the site plan for the intended development.

Department of Public Work – Solid Waste Division

2. The Solid Waste Division provides free waste audits to interested businesses. City staff will then recommend a method of waste management to the businesses to increase waste diversion at the greatest cost avoidance.
3. Businesses that choose private sector service should ask about recycling opportunities that company offers. Recycling should still be cheaper than disposal.
4. Businesses that subscribe to City solid waste collection and disposal services are also provided recycling services as a package. The Solid Waste Division provides a variety of commercial services. They include commercial solid waste collection and disposal, commercial recycling, in-office recycling, and debris box services.

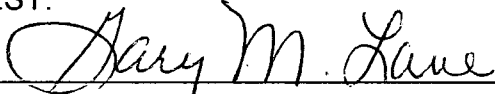
Department of Utilities

5. The proposed project is located in a flood zone designated as an X Zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated July 6, 1998. Within the X zone, there are no requirements to elevation or flood proof.

CHAIRPERSON



ATTEST:



SECRETARY TO CITY PLANNING COMMISSION

5/22/03

DATE (P02-056)

- Exhibit 1A Site Plan
- Exhibit 1B Floor Plan
- Exhibit 1C Preliminary Landscape Plan
- Exhibit 1D South & Southwest Elevations
- Exhibit 1E West & North Elevation
- Exhibit 1F Canopy & Monument Sign
- Exhibit 1G Lot Line Merger

Exhibit 1A - Site Plan

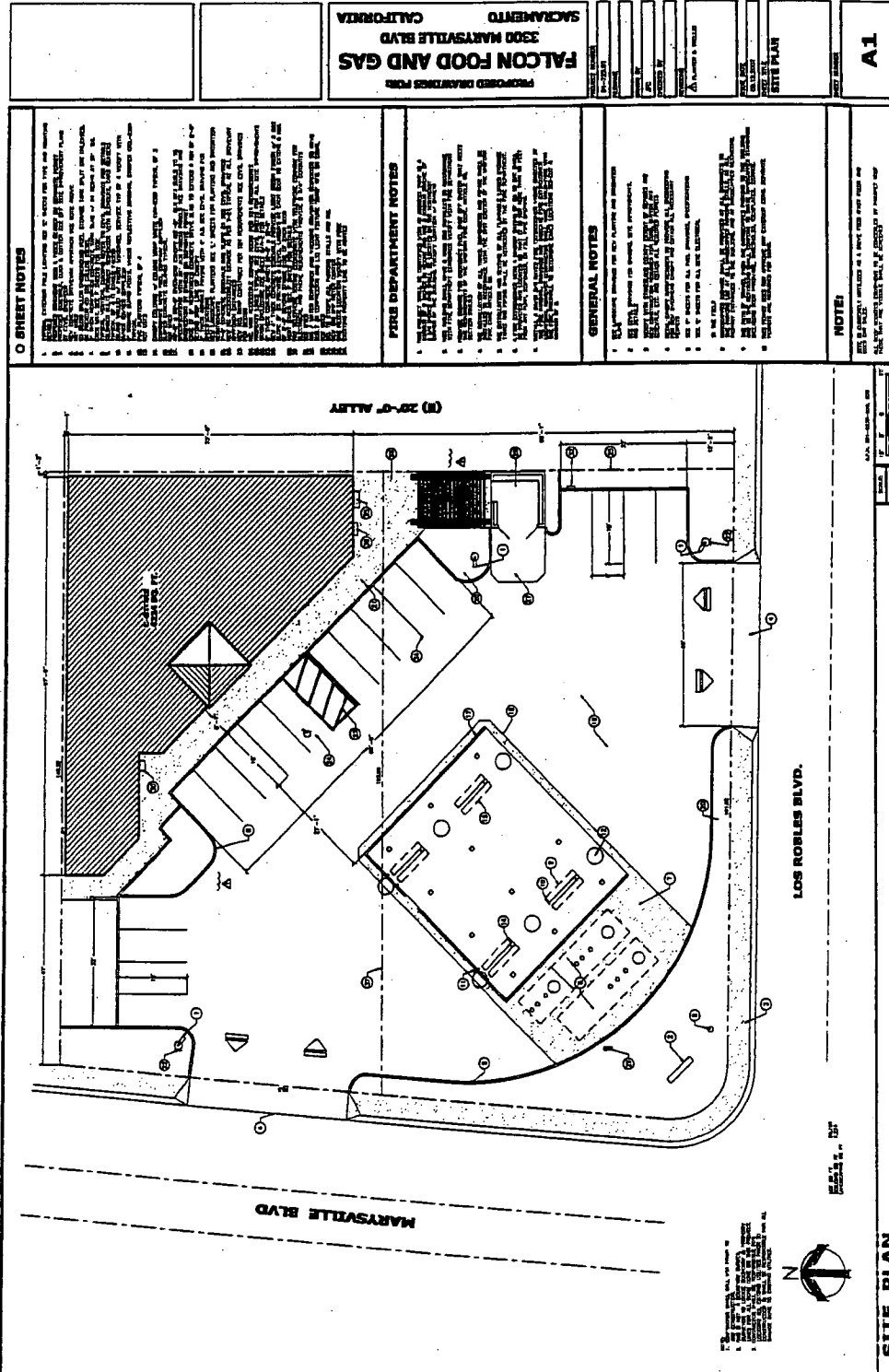


Exhibit 1B - Floor Plan

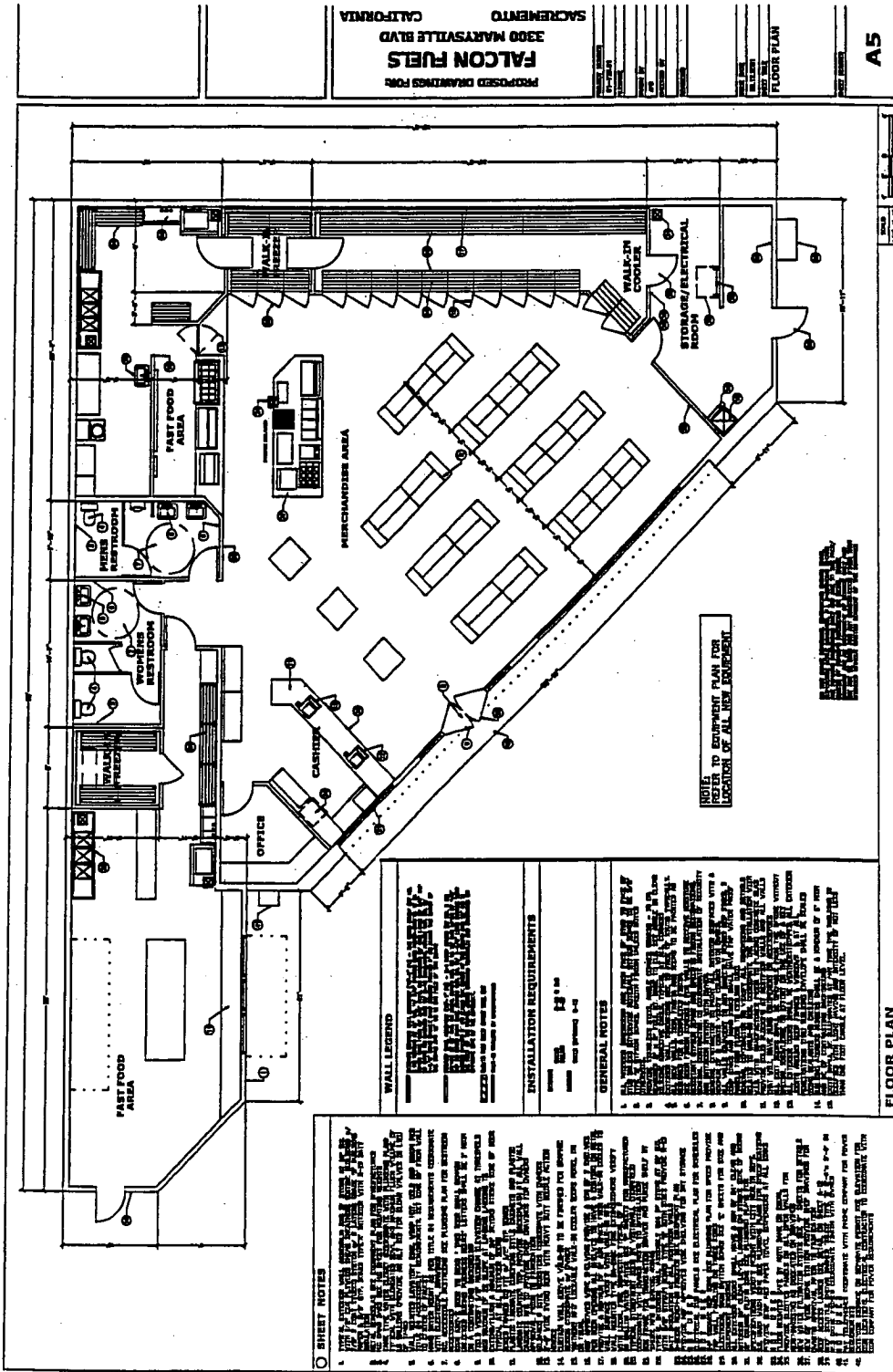


Exhibit 1D – South & Southwest Elevations

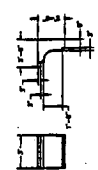
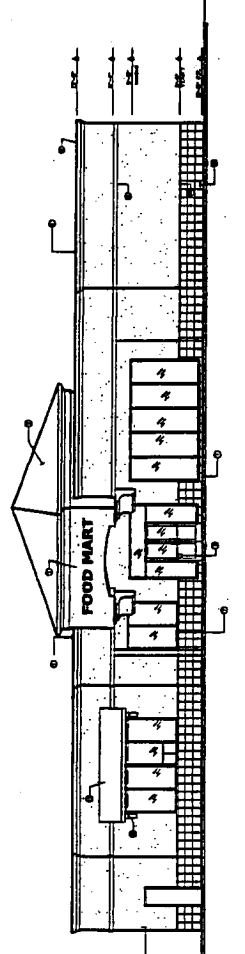
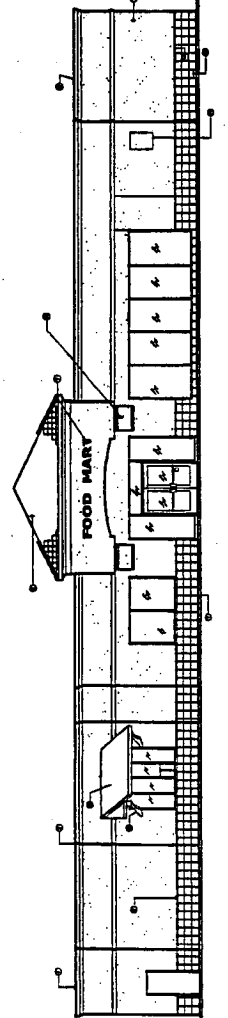
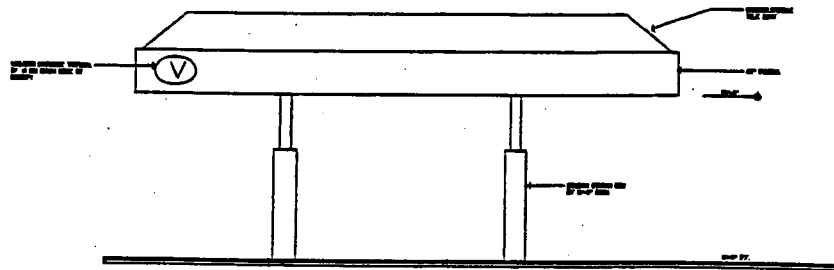
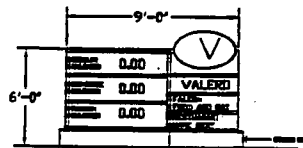
<p>PROPOSED DRAWINGS FOR FALCON FOOD AND GAS 3300 MARYVILLE BLVD SACRAMENTO CALIFORNIA</p>	<p>DATE: _____ DRAWN BY: _____ CHECKED BY: _____ PROJECT NO: _____</p>	<p>EXTERIOR ELEVATION SHEET NO. _____</p>	<p>A8</p>
<p>0 ELEVATION NOTES</p> <ol style="list-style-type: none"> 1. ALL WEATHER EXPOSED SURFACES SHALL HAVE A WEATHER RESISTIVE BARRIER TO PROTECT THE INTERIOR WALL COVERINGS AND EXTERIOR OPENINGS SHALL BE FLASHED IN A MANNER AS TO MAKE THEM WEATHER PROOF. 	<p>EXTERIOR METAL</p> <ol style="list-style-type: none"> 1. 16 GA. GALVALUM 2. 16 GA. GALVALUM WITH PRIMER 3. 16 GA. GALVALUM WITH PRIMER AND PAINT 	<p>STUCCO NOTES</p> <ol style="list-style-type: none"> 1. 5/8" THICK STUCCO OVER 1/2" THICK GYP BOARD 2. 1/2" THICK STUCCO OVER 1/2" THICK GYP BOARD 3. 1/2" THICK STUCCO OVER 1/2" THICK GYP BOARD 	<p>OPTION 2I STUCCO CORNER</p> 
<p>SOUTH ELEVATION</p> 	<p>SOUTHWEST ELEVATION</p> 		

Exhibit 1F - Canopy & Monument Sign

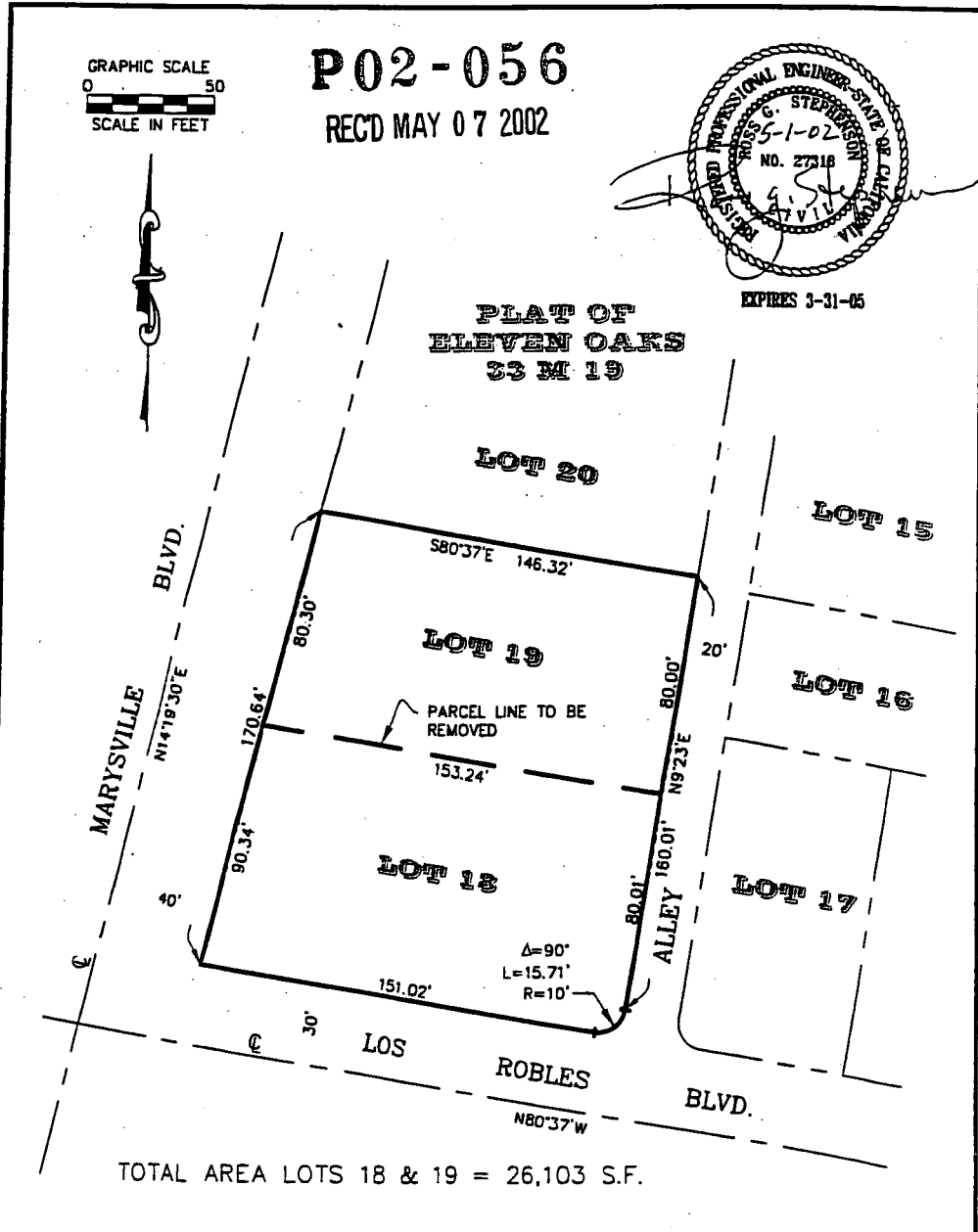


CANOPY ELEVATION



MONUMENT SIGN

Exhibit 1G - Lot Line Merger



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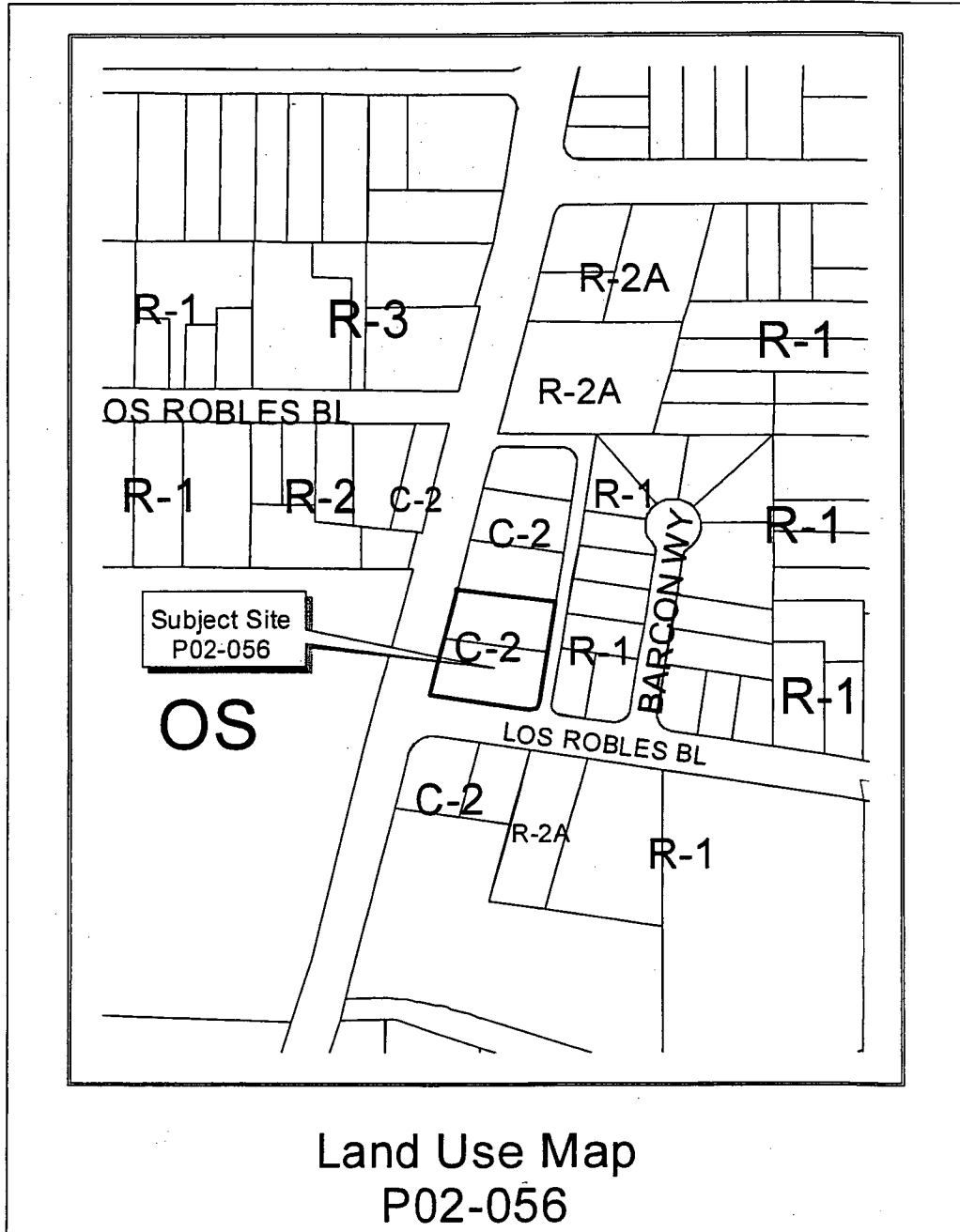


Ross G. Stephenson Associates, Inc. Engineering and Surveying
 2801 Coffee Road, Suite B-1 Modesto, California 95355
 (209) 578-3895 / Fax: (209) 578-3929

LOT MERGER OF LOTS 18 & 19 PLAT OF ELEVEN OAKS SACRAMENTO COUNTY, CALIFORNIA

DATE:	MAY, 2002
DRAWN BY:	MDP
CHECKED BY:	RCS
SCALE:	1" = 50'
FIGURE:	1
PROJECT:	LOT MERGER OF LOTS 18 & 19 PLAT OF ELEVEN OAKS SACRAMENTO COUNTY, CALIFORNIA

Attachment 2 - Land Use and Zoning Map



Attachment 3 - Letter of Public Necessity or Convenience



DEPARTMENT OF
POLICE

ARTURO VENEGAS, JR.
CHIEF OF POLICE

CITY OF SACRAMENTO
CALIFORNIA

900 8TH STREET
SACRAMENTO, CA
95814-2599

FAX 916-448-4620
E-MAIL
spdcaw@quiknet.com
http://
www.quiknet.com/spd/

June 24, 2002

Ref No.: LCZ-06-21

Tim Gorsuch
District Administrator
Alcohol Beverage Control
3321 Power Inn Road, Suite 230
Sacramento, California 95826

Dear Mr. Gorsuch:

The Sacramento Police Department has completed the investigation for Falcon Fuel & Food located at 3310 Marysville Blvd. The Chief of Police feels that Public Convenience or Necessity is evident and approval is recommended.

Sincerely,

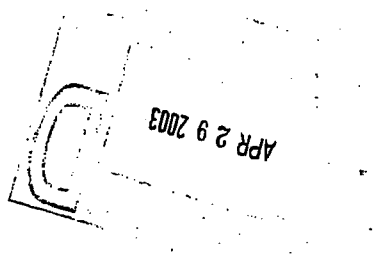
Albert Najera
Deputy Chief of Police

AN:SS:sls

Attachment 4 – Letter of support form RAC

March 31, 2003

City of Sacramento
Planning Commission



To Whom It May Concern:

The Del Paso Heights Redevelopment Advisory Committee (RAC) would like to take this time to express its knowledge and support of the Valero gas station, convenience market and hot food restaurant that will be constructed on the corner of Marysville Boulevard and Los Robles Boulevard. Mr. M. Ahmad Javed has informed the members Del Paso Heights RAC of his off-sale beer and wine permit.

The Del Paso Heights RAC's vision of the community includes a vibrant and active commercial corridor. Marysville Boulevard serves as the main business district and we are working hard to attract developers to the corridor. Mr. Javed has two adjacent businesses on Marysville that have been well maintained over the years. His desire to eliminate his used car business and an older drive-in restaurant to construct a Valero gas station to serve Del Paso Heights is welcomed by RAC. It is felt that Mr. Javed will continue to run his business in a way that will attract more positive attention to Marysville Boulevard. He has worked closely with the community to identify their concerns with the project (especially the off-sale beer and wine permit) and has made concessions to their desires. It is important to also note that this project will be done without the use of redevelopment funds.

The Del Paso Heights RAC is confident that the Valero gas station, convenience market and hot food restaurant will be another positive addition to our growing commercial corridor. We appreciate his continued cooperation with the community and look forward to seeing the grand opening of his new business. If you have any further questions, please contact Carly Velez Huston at 566-6431.

Thank you.

Dr. Ollie Mack

Dr. Ollie Mack
Del Paso Heights Redevelopment Advisory Committee
Chairperson

PROPOSED CONDITIONS FOR THE BEER AND WINE SALE (P02-056)

B. The Special Permit for the sale of beer and wine for off-site consumption is hereby approved subject to the following conditions of approval:

- B1. Beer and/or malt beverages shall be sold in original factory packages of six-pack or greater, except malt-based coolers. At no time shall a single unit be sold individually or in conjunction with another brand/size container of beer and/or malt beverage to constitute a six-pack or larger quantity.
- B2. Wine coolers, shall not be sold in quantities of less than a factory four-pack.
- B3. The sale of wine shall be in bottles or containers no smaller than 750 milliliters, except for wine-based coolers.
- B4. No fortified wine and no sales of 40-ounce beers.
- B5. The sale of alcohol shall be limited to beer and wine only, no hard liquor sales allowed.
- B6. Sales and delivery of alcoholic beverages shall be permitted only between the hours of 6:00 AM and 10:00 PM each day of the week.
- B7. No advertising of beer or wine sales shall be allowed on exterior signs or window signs on the site.
- B8. The word beer, wine or liquor shall not appear in the name or on any signs.
- B9. Signs shall be clearly posted and maintained on the premises prohibiting consumption of alcoholic beverages in the business or in the parking area. The signs shall be worded as follows:

UNLAWFUL TO ENTER, BE OR
REMAIN ON THESE PREMISES,
ADJACENT PARKING LOT OR
ADJACENT PUBLIC SIDEWALK WITH
AN OPEN ALCOHOLIC BEVERAGE
CONTAINER. P.C. 647e. (a);

Lettering to be block style and a minimum of 2 ½ " in height. Signs will be clearly visible to the patrons of the business parking lot and to persons on the public sidewalk.

- B10. The applicant shall post the property "No Trespassing" and sign an agreement with the Police Department to prosecute all violators. This agreement shall be kept on file on the premises and in the Police Department.
- B11. Applicant shall work with the **North** Patrol Police Facility to ensure that the property is posted for "**NO LOITERING**" in accordance with 602(k) P.C. An agreement is to be filed with the Police Department which will allow officers to remove loiterers and reflects the operators'/owners' agreement to prosecute.
- B12. Cashier station shall be visible from parking area.
- B13. No public pay telephone shall be maintained on the exterior of the premises.
- B14. The applicant shall install bicycle security racks at the front of the business.
- B15. The project shall comply with all American Disabilities Act (ADA) requirements, and the city's bikeway requirements.
- B16. Project lighting shall be provided as follows: 1.5 footcandles of minimum maintained illumination per square foot of parking space during business hours and .25 footcandles of minimum maintained illumination per square foot of surface on any walkway, alcove, passageway, etc., from one-half hour before dusk to one-half hour after dawn. All light fixtures are to be vandal-resistant.
- B17. The project shall provide adequate and appropriate lighting for its alley. The light fixtures should be unobtrusive and complementary to the architectural design of the building. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists and adjacent residents, or the general public. Final lighting plan shall be reviewed and approved by staff.
- B18. All illegal activities observed on or around the business shall be promptly reported to the Police Department.

- B19. Design building to allow for maximized window surveillance of all outside areas by employees from the employees primary work positions and/or install video cameras for outside areas.
- B20. Store windows shall be left unobstructed by either signage and/or display racks, shelving, and merchandise in order to allow viewing of the interior of the business by patrolling police.
- B21. The owner/operator shall be responsible for the daily removal of all litter generated by the business, from the subject site, adjacent properties, and streets.
- B22. Graffiti shall be removed within 24 hours.
- B23. If any significant problems arise and the City receives complaints about the use substantiated by the Police Department, the City will commence with Special Permit revocation hearings at the cost to the property owner. The revocation hearing shall be at the discretion and direction of the Planning Commission.
- B24. The applicant shall conduct information meetings as follows:
- a) Within 30 days of store opening, the owner/operator shall conduct a "get acquainted" meeting with nearby property owners and tenants. The meeting will be conducted to introduce the operator/manager of the store and to identify a contact person and phone number that neighbors can use if an emergency arises. The owner/operator shall conduct the meeting at the site. Property owners and tenants within 500 feet shall be informed of the meeting and of their ability to request similar meetings in the future.
 - b) Six months following the store opening, the applicant in conjunction with the Neighborhood Services Department shall conduct a community meeting. The owner and/or operator shall arrange these meetings and notice property owners and tenants within 500 feet of the site. The purpose of this meeting is to receive comments and concerns from neighbors and to work toward possible solutions.
 - c) One year after the store opening, a follow up meeting shall be held, if requested by property owners and tenants within 500 feet.
 - d) The owner and/or operator shall advise City Planning staff of meeting dates, times, and locations two weeks in advance of

planned meetings. A list of attendees and minutes of the meeting shall be submitted to the Planning Department within one week following the meeting.

- B25. A sign indicating a 24-hour emergency phone number and contact person shall be kept current and posted on the building.
- B26. Conditions B1 to B8, B11, B13, B20 to B23 and B25 shall be clearly posted and maintained inside the store visible to patrons.
- B27. The masonry wall shall be no more than 3 feet in height for the first 20 feet from the right of way line of Marysville Blvd.; on the alley side, the masonry wall shall be no more than 3 feet in height for the first 25 feet from the right of way line of Los Robles Blvd.
- B28. Decorative planting shall be maintained so as not to obstruct or diminish lighting levels throughout the project.
- B29. Provide vine cover for the masonry wall. Vine shall allow to grow over to the alley side of the eastern masonry wall and shall be irrigated and maintained.
- B30. Comply with all conditions of approval form Design Review Board (DR02-229).
- B31. Sales and delivery of alcoholic beverages shall be permitted only between the hours of 6:00 AM and 10:00 PM each day of the week.



COUNCIL AGENDA MATERIAL
MTG. DATE 8/12/03 ITEM NO. 12.2
FROM: CITY CLERK'S OFFICE

PLANNING AND BUILDING
DEPARTMENT


CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 300
SACRAMENTO, CA
95814-2998

PLANNING DIVISION

PLANNING
916-264-5381
FAX 916-264-5328

MEMORANDUM

Date: August 11, 2003
To: Mayor Fargo
City Council Members
From:  Jeanne Corcoran, Senior Planner

SUBJECT: City Council Agenda - August 12, 2003, Item 12.2 Call-Up of Valero Gas & Convenience Market (P02-056)

After meeting with the applicant on Friday, August 8, Council Member Cohn has indicated that he may support this project. In order to expedite the matter before you, staff has prepared a resolution approving the sale of beer and wine. A resolution denying the project is in your packet. The Council may act on either of the resolutions. Condition 1 of approval has been added, this condition was not brought forth at the Planning Commission hearing. The condition provides a term limit of seven years on the special permit. If you have any questions regarding this matter, please contact me, Jeanne Corcoran, at 264-5317 or Kenny Wan the project manager at 808-2222.

c: P02-056

RESOLUTION NO. 2003-573

*See Amended
copy*

ADOPTED BY THE SACRAMENTO CITY COUNCIL
ON DATE OF 8/12/03

RESOLUTION ADOPTING THE NOTICE OF DECISION AND FINDINGS OF FACT APPROVING THE SPECIAL PERMIT FOR THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION WITHIN A 4,224± SQUARE FOOT CONVENIENCE MARKET IN THE GENERAL COMMERCIAL (C-2) ZONE LOCATED AT 3300 AND 3310 MARYSVILLE BOULEVARD. (APN: 251-0230-038 & 039) (P02-056)

WHEREAS, at public hearings on May 8, 2003 and May 22, 2003, the City Planning Commission heard and considered evidence on the request for approval of various entitlements for the project known as Valero Gas Station; and

WHEREAS, on May 8, 2003, the City Planning Commission approved the requested entitlements for the extended hours and the lot line merger, and approved an intent motion to deny the sale of beer and wine for off-site consumption; and

WHEREAS, on May 22, 2003, the City Planning Commission denied the request for the sale of beer and wine for off-site consumption; and

WHEREAS, on May 27, 2003, the request for the sale of beer and wine for off-site consumption was called up by the Council Member of the district; and

WHEREAS, the Council Member, after conducting a community meeting following the denial of the request for the sale of beer and wine for off-site consumption; and

WHEREAS, on August 12, 2003, the City Council heard and considered evidence in the above mentioned matter.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Sacramento that, subject to the findings of fact and conditions of approval set forth below, the sale of beer and wine for off-site consumption is hereby approved by the City Council:

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

Findings of Fact:

The sale of beer and wine for off-site consumption within a 4,224± square foot convenience market in the General Commercial (C-2) zone is hereby approved, based upon the following findings:

1. The project as conditioned is based upon sound principles of land use in that:
 - a. the proposed use will not adversely affect the peace and general welfare of the surrounding residential and commercial neighborhood, since the sale of fortified wines, 40-ounce beers and singles are prohibited;
 - b. the proposed use will not result in an undue concentration of establishments dispensing alcoholic beverages in that the Police Department has issued a letter of public necessity or convenience establishing conditions of use; and
 - c. a term limit has been placed on this permit in order to provide the City the authority to review the sale of beer and wine to ensure that this service/operation does not contribute to problems in the neighborhood.
2. The project will not be detrimental to the public welfare and result in the creation of a public nuisance in that a good neighbor policy will be implemented. The applicant will work with the Police Department and the neighborhood to control illegal activities, and will respond to neighborhood concerns that this project may bring to the area; and
3. The project is consistent with the General Plan Quality of Life Policies to enhance and maintain the quality of life in that the sale of beer and wine at this location as conditioned has limited potential to create loitering and additional crime in the area.

Conditions of Approval

The sale of beer and wine for off-site consumption within a 4,224± square foot convenience market in the General Commercial (C-2) zone is hereby approved, subject to the following conditions:

1. The special permit shall expire seven years from date of approval (August

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

12, 2010). The owner/applicant may apply for an extension of the special permit pursuant to City Code section 17.212.100 F. No more than one extension of this special permit may be granted. Upon expiration of the special permit, or an approved extension thereof, the owner/applicant must cease the sale of alcoholic beverages on the property until such time as the owner/applicant has applied for, and been granted, a new special permit.

2. Beer and/or malt beverages shall be sold in original factory packages of six-pack or greater, except malt-based coolers. At no time shall a single unit be sold individually or in conjunction with another brand/size container of beer and/or malt beverage to constitute a six-pack or larger quantity.
3. Wine coolers, shall not be sold in quantities of less than a factory four-pack.
4. The sale of wine shall be in bottles or containers no smaller than 750 milliliters, except for wine-based coolers.
5. No fortified wine and no sales of beers 40-ounces and less.
6. The sale of alcohol shall be limited to beer and wine only, no hard liquor sales allowed.
7. Sales and delivery of alcoholic beverages shall be permitted only between the hours of 6:00 AM and 10:00 PM each day of the week.
8. No advertising of beer or wine sales shall be allowed on exterior signs or window signs on the site.
9. The word beer, wine or liquor shall not appear in the name or on any signs.
10. Signs shall be clearly posted and maintained on the premises prohibiting consumption of alcoholic beverages in the business or in the parking area. The signs shall be worded as follows:

UNLAWFUL TO ENTER, BE OR REMAIN ON
THESE PREMISES, ADJACENT PARKING
LOT OR ADJACENT PUBLIC SIDEWALK
WITH AN OPEN ALCOHOLIC BEVERAGE
CONTAINER. P.C. 647e. (a);

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Lettering to be block style and a minimum of 2 ½ " in height. Signs will be clearly visible to the patrons of the business parking lot and to persons on the public sidewalk.

11. The applicant shall post the property "No Trespassing" and sign an agreement with the Police Department to prosecute all violators. This agreement shall be kept on file on the premises and in the Police Department.
12. Applicant shall work with the **North** Patrol Police Facility to ensure that the property is posted for "**NO LOITERING**" in accordance with 602(k) P.C. An agreement is to be filed with the Police Department which will allow officers to remove loiterers and reflects the operators'/owners' agreement to prosecute.
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17. The project shall provide adequate and appropriate lighting for its alley. The light fixtures should be unobtrusive and complementary to the architectural design of the building. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists and adjacent residents, or the general public. Final lighting plan shall be reviewed and approved by staff.
18. All illegal activities observed on or around the business shall be promptly reported to the Police Department.
19. Design building to allow for maximized window surveillance of all outside areas by employees from the employees primary work positions and/or install video cameras for outside areas.

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20. Store windows shall be left unobstructed by either signage and/or display racks, shelving, and merchandise in order to allow viewing of the interior of the business by patrolling police.
21. The owner/operator shall be responsible for the daily removal of all litter generated by the business, from the subject site, adjacent properties, and streets.
22. Graffiti shall be removed within 24 hours.
23. If any significant problems arise and the City receives complaints about the use, substantiated by the Police Department, the City will commence with Special Permit revocation hearings at the cost to the property owner. The revocation hearing shall be at the discretion and direction of the Planning Commission.
24. The applicant shall conduct information meetings as follows:
 - a) Within 30 days of store opening, the owner/operator shall conduct a "get acquainted" meeting with nearby property owners and tenants. The meeting will be conducted to introduce the operator/manager of the store and to identify a contact person and phone number that neighbors can use if an emergency arises. The owner/operator shall conduct the meeting at the site. Property owners and tenants within 500 feet shall be informed of the meeting and of their ability to request similar meetings in the future.
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- 25. A sign indicating a 24-hour emergency phone number and contact person shall be kept current and posted on the building.
- 26. Conditions 2-9, 12, 14, 20-23 and 25 shall be clearly posted and maintained inside the store visible to patrons.
- 27. Decorative planting shall be maintained so as not to obstruct or diminish lighting levels throughout the project.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

Amended by City Council on 8-12-03

RESOLUTION NO. 2003-573

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF 8/12/03

RESOLUTION ADOPTING THE NOTICE OF DECISION AND FINDINGS OF FACT APPROVING THE SPECIAL PERMIT FOR THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION WITHIN A 4,224± SQUARE FOOT CONVENIENCE MARKET IN THE GENERAL COMMERCIAL (C-2) ZONE LOCATED AT 3300 AND 3310 MARYSVILLE BOULEVARD. (APN: 251-0230-038 & 039) (P02-056)

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 - a. the proposed use will not adversely affect the peace and general welfare of the surrounding residential and commercial neighborhood, since the sale of fortified wines and single containers of beer 40-ounces or less are prohibited;
 - b. the proposed use will not result in an undue concentration of establishments dispensing alcoholic beverages in that the Police Department has issued a letter of public necessity or convenience establishing conditions of use; and
 - c. a term limit has been placed on this permit in order to provide the City the authority to review the sale of beer and wine to ensure that this service/operation does not contribute to problems in the neighborhood.
2. The project will not be detrimental to the public welfare and result in the creation of a public nuisance in that a good neighbor policy will be implemented. The applicant will work with the Police Department and the neighborhood to control illegal activities, and will respond to neighborhood concerns that this project may bring to the area; and
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MAYOR

ATTEST:

CITY CLERK

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