

**CITY OF SACRAMENTO
DEPARTMENT OF PLANNING & DEVELOPMENT
ZONING ADMINISTRATOR
1231 I Street, Sacramento, CA 95814**

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, January 22, 1997, the Zoning Administrator approved with conditions an encroachment permit to operate a sidewalk cafe in the public right-of-way for the project known as Z96-115. Conditions of approval for the project are listed in the attached Resolution ZA97-001.

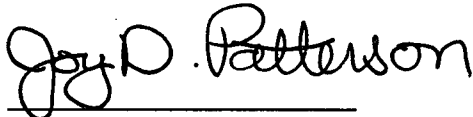
Project Information

Request: Zoning Administrator Encroachment Permit for a sidewalk cafe in the Central Business District- Special Planning District (C-3) zone.

Location: 900 15th Street

Assessor's Parcel Number: 006-0056-005

Applicant: Sunshine Cafe (Michael Lessing) 7292 Huntsville Drive Sacramento, CA; 95814	Property Owner:	Anatol Jordan 126 Beachcomber Shell Beach, CA 93449
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Joy D. Patterson
Zoning Administrator

cc: File
ZA Log Book
ZA Resolution Book
Sidewalk Cafe Book

RESOLUTION NO. ZA97-001

ADOPTED BY THE ZONING ADMINISTRATOR OF THE CITY OF SACRAMENTO

ON DATE OF JANUARY 22, 1997

RESOLUTION GRANTING REVOCABLE ENCROACHMENT PERMIT TO SUNSHINE CAFE FOR 900 15TH STREET (Z96-115)

BE IT RESOLVED BY THE ZONING ADMINISTRATOR OF THE CITY OF SACRAMENTO: that a Revocable Encroachment Permit for the purpose of installing outdoor restaurant seating on a public sidewalk is hereby granted to Michael Lessing, whose address is as follows: 7292 Huntsville Drive, Sacramento, CA; 95814

This encroachment permit for the southwest corner of I Street and 15th Street, is described as follows:

An area 5' wide by 23' long two feet away from the curb along I Street approximately 20 feet from the corner and an area 5' wide by 23' long two feet away from the curb along 15th Street approximately 20 feet from the corner (Exhibit A).

This permit is granted subject to the "General Provision-Revocable Encroachment Permit" regulations, which were adopted by the City Council in Resolution No. 81-845 dated November 17, 1981. A valid Certificate of Insurance, as required by the General Provisions, is on file with Risk Management and Insurance Division of the City of Sacramento. This Certificate of Insurance must be current at all times the sidewalk is used as a sidewalk cafe.

Conditions

1. The seating shall be limited to two areas 5 feet maximum in width and a length approximately 23 feet long two feet from the curb along both I Street and 15th Street in front of the building with an eight foot walkway between the fenced areas and the building that is unobstructed from the ground to the sky. The applicant shall post a sign in the restaurant indicating the sidewalk outside of the fenced area is to remain unobstructed with chairs. **Additionally, the applicant shall relocate the existing fence from its present location to at least two feet away from the curb. The fence width may have to be reduced to 5 feet to allow for the required 8 foot walkway. The applicant shall repair the sidewalk where the fence was initially installed after relocating the fence.**
2. The chairs and tables (all chairs) shall be metal or heavy duty resin, dark green (obtained through restaurant supply or special order) and shall reviewed and approved by Design Review staff (Luis Sanchez, 264-5957).
3. A clear path way a minimum of eight feet must be maintained at all times between the tables, chairs adjacent to the sidewalk within the fenced area and the building (measured from the planters adjacent to the building).

4. The sidewalk cafe seating shall not hinder the maintenance of any existing street lighting, traffic signal, or fire alarm equipment or the placement of any proposed future equipment. The applicant shall comply with the following requirements.
 - a. The existing electrical equipment at the location of the proposed sidewalk cafe should not be under any aboveground planter, table, chair, fence, etc.;
 - b. The City's Street Lighting, Traffic Signal, and Fire Alarm Maintenance personnel shall have easy access to any aboveground or underground equipment at all times for repair or maintenance;
 - c. Should the City decide to install any electrical equipment, the cafe owner shall move any fence, table, chair, aboveground planter placed by the owner to allow the City or its representative to do the work. The relocation of these items will be at the owners' expense. The City or its representative will attempt to coordinate with cafe owner and to work around anything as much as possible;
 - d. Show all the existing aboveground electrical facilities that will be within the sidewalk cafe area in relation to any chair, table, fence, aboveground planter, etc.; and
 - e. No signs, restaurant equipment, or other materials related to the sidewalk cafe are to be attached by chains, ropes, etc. or connected in any way to any street light, traffic signal, or fire alarm equipment.
5. No alcohol sales or service or consumption allowed at the outside tables or chairs.
6. No live music shall be performed in the sidewalk area. Any entertainment provided shall not be audible beyond the interior of the business.
7. Signs shall be clearly posted and maintained on the premises prohibiting consumption for alcoholic beverages in this non-permitted sidewalk area or adjacent public area. The signs shall be worded as follows:

**UNLAWFUL TO ENTER, BE OR REMAIN ON ADJACENT PUBLIC
SIDEWALK WITH AN OPEN ALCOHOLIC BEVERAGE CONTAINER.
C.P.C. 647E(A); S.C.C.26.24(c)**
8. Restaurant windows shall be left unobstructed to all viewing of the interior of the business by patrolling police and so that the outdoor seating area is visible for monitoring from inside the restaurant.
9. Hours of operation of the sidewalk dining area shall be 7:00 a.m. to 8:00 p.m., Monday through Saturday and 11:00 a.m. to 8:00 p.m. Sunday. When the sidewalk area is not in use for seating and service, all removable fixtures (i.e. chairs, planters, etc.) shall be stored on the restaurant

property.

10. None of the furniture shall block any exit.
11. All illegal activities observed on or around the business shall be promptly reported to the police.
12. No lights or signs shall be attached to or hung from the trees located in the sidewalk area. Should the tree planter area ever need to be widened at the determination of the city arborist, then the outdoor seating area shall be reduced in size by the removed concrete on the sides of usable dining area space.
13. The sidewalk area within 100 feet of the restaurant and sidewalk cafe shall be monitored for trash that may be produced by this establishment. The employees and owners of the establishment shall be responsible for keeping this area clean of trash generated by the restaurant/sidewalk cafe use.
14. **The applicant shall contact the Zoning Administrator's staff for a final inspection of the sidewalk cafe area to insure compliance with conditions of approval prior to operation of the sidewalk cafe area and issuance of Encroachment Permit (contact Sandra Yope, 264-7158).**

Joy D. Patterson

Joy D. Patterson, Zoning Administrator

Resolution ZA97-001

8/28/96

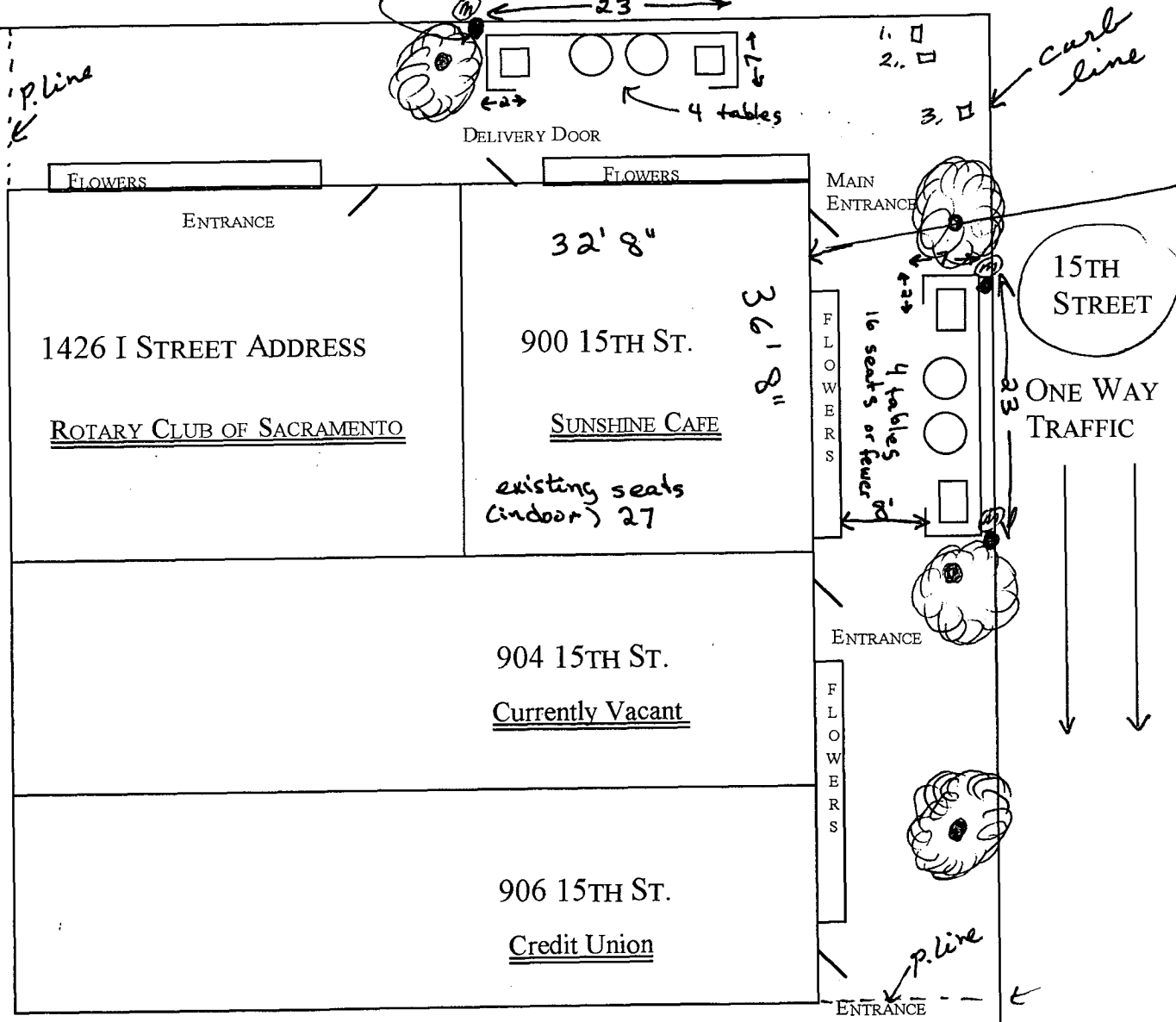
SUNSHINE CAFE

296-115

I STREET
ONE WAY TRAFFIC

TRAFFIC SIGNAL
CONTROLS
INTERSECTION

fence is 6" from curb line

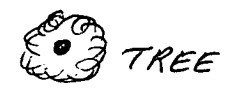


per applicant,
edge of building
is also
property line.

EXHIBIT A

- 1. TRAFFIC SIGNAL Pole
- 2. - SIMUD METER BOX
- 3. - WALK REGULATOR BOX

(M) parking meter



TREE

NORTH

900 15th St.

006-0056-005

C-3 zone

SCALE
1" = 16' ± 1 FT

296-115
received 8.28.96.