

# CITY PLANNING COMMISSION

915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Langdon Engineering - 2520 29th St., #201, Sacramento, CA 95817				
OWNER	Carl Jones, Jerry Cordy - 2048 Waterford Road, Sacramento, CA 95815				
PLANS BY	Langdon Eng. - 2520 29th St., #201, Sacramento, CA 95817				
FILING DATE	4-22-83	50 DAY CPC ACTION DATE		REPORT BY:	PB:sg
Conditional NEGATIVE DEC.	5-16-83	EIR		ASSESSOR'S PCL. NO.	010-223-13,14

- APPLICATION:
1. Environmental Determination
  2. Special Permit for drive-thru window for restaurant
  3. Variance to waive requirement of six foot masonry wall adjacent to residential zone.

LOCATION: 2418/2420 24th Street

PROPOSAL: The applicant is requesting the necessary entitlements to develop a restaurant with drive-thru service and a separate warehouse (1st floor) and office (2nd floor).

PROJECT INFORMATION:

1974 General Plan Designation:	Commercial and Offices
1980 Central City Community Plan Designation:	General Commercial
Existing Zoning of Site:	C-2
Existing Land Use of Site:	Unimproved parking lot (45 spaces)
Surrounding Land Use and Zoning:	
North:	Residential; R-0
South:	Restaurant; C-2
East:	Commercial; C-2
West:	Commercial; C-2
Parking Required:	14 spaces
Parking Provided:	13 spaces
Ratio Required:	Restaurant: 1:3 seats; warehouse: 1:1000 sq. ft.; office: 1:400 sq. ft.
Ratio Provided:	Restaurant: 1:3 seats; warehouse: 1:1000 sq. ft.; office: 1:400 sq. ft.
Property Dimensions:	80' x 150'
Property Area:	12,000 sq. ft.
Square Footage of Building(s):	Restaurant: 1,876 sq. ft.; warehouse/office: 3,456 sq. ft.
Height of Structure(s)	Restaurant: 14 ft.; warehouse/office: 24 ft.
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Colors:	Beige
Exterior Building Materials:	Slump stone

BACKGROUND: On May 28, 1981 the Planning Commission approved a lot line adjustment to merge two parcels and a variance to waive a portion of the required six foot masonry wall for a restaurant and office building, with some backout parking into the alley (see Exhibit A). To date the certificate of compliance has not been filed and recorded.

000021

APPLC. NO. P83-125

MEETING DATE May 26, 1983

CPC ITEM NO. 16-8  
10

19

~~JUNE 23, 1983~~  
7-28-83

(28)

STAFF EVALUATION: Staff has the following comments.

1. The application is for a Special Permit to allow a drive-thru for the restaurant and a Variance to waive the required six foot masonry wall adjacent to a residential use/zone (R-0 residential-office).
2. The subject site is a partially surfaced parking lot in the C-2 General Commercial zone, with 45 spaces. There are no records showing a parking facilities permit or driveway permit for this location. The lot is heavily used, apparently by customers for the adjacent restaurant, business and offices in the area. The adjacent restaurant (Bib's) has 13 parking spaces on-site (Exhibit B shows the apparent redesign and addition of spaces in connection with the original approval (P-9356)). It is noted that Bib's is in separate ownership and has no obligation to redesign. However, the proposed use of the subject site will cut off the present one-way traffic onto the subject site. The R-0 zoned residential uses north across the alley also back out onto the alley from several garages.
3. City Traffic Engineering reviewed and site checked the project and has the following comments. The "existing driveway on the parcel to the south is not plotted correctly. That driveway is constructed at the property line with the flare extending approximately three feet onto the subject parcel. That would make the flare overlap. This plan is therefore unacceptable." At least 10 feet is required between driveways. There is insufficient room to design a curve at the proposed exit driveway to an acceptable place on 24th Street. The project could create a stacking problem in the heavily used alley.
4. The "employee parking" space conflicts with the drive-thru use and does not have the required 26 foot maneuvering space. This space should therefore be eliminated.
5. Due to the lack of elevations for the project, access location for the proposed first floor warehousing is unknown and may also conflict with other uses on-site.
6. Warehousing is not a permitted use in the C-2 General Commercial zone; although wholesale distribution use is allowed if it is limited to less than 6,400 square feet. If this space is later proposed for office use, additional parking will be required. However, there is no space for additional parking.
7. Staff is concerned about possible stacking of cars into a busy alley. There is room for only two cars behind the order board and approximately five cars from the alley to the pick-up window. Additional stacking of cars in the alley would conflict with the back-out parking along the alley and create a hazardous condition. Furthermore, the drive-thru element would also affect the residential uses across the alley in terms of additional noise and increasing vehicular circulation in the alley.
8. Due to the inadequate size of the site, inadequate number of parking spaces and probable "stacking" in the alley, the necessary elimination of the driveway, and impacting the adjacent residences, staff cannot recommend approval of the Special Permit of the drive-thru window. In addition, the original proposal (Exhibit A) would be a more workable site design in that the major traffic circulation would be on the south side of the structure and less back-out parking would be on the alley.

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May 26, 1983

~~June 22, 1983~~

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(29)

Item 16  
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9. A certificate of compliance should be filed and recorded with the City Real Estate Division prior to issuance of building permit.
10. Staff has no objections to the Variance for the six foot masonry wall. The six foot wall would render the utilization of the parking area along the alley infeasible. Utilization of the alley for access and back-out parking is a common occurrence in the Central City.

Environmental Determination: The Environmental Coordinator has filed a Conditional Negative Declaration stating that the applicant shall provide driveway redesign that does not conflict with the existing driveway adjacent to the site, to the satisfaction of the City Traffic Engineer.

Staff Recommendation: Staff recommends the following actions:

1. Ratification of the Conditional Negative Declaration.
2. Denial of the Special Permit for drive-thru based on findings of fact.
3. Approval of Variance to waive six foot masonry wall subject to conditions and based on findings of fact.

Findings of Fact - Denial of Special Permit

- a. The proposed drive-thru is not based on sound principles of land use in that:
  1. The proposed driveway would conflict with the existing driveway to the south.
  2. There is insufficient space for the required parking.
  3. The property is not adequate in size to accommodate a drive-thru facility without disrupting vehicular circulation.
- b. The proposed drive-thru would be detrimental to public health and safety in that:
  1. Causing vehicles to stack and idle in a heavily used public alley would disrupt vehicular circulation from the on-site parking and alley users.
  2. The drive-thru facility would be a nuisance for adjacent residential uses.

Findings of Fact - Approval of Variance

- a. Granting the Variance is not a special privilege in that in similar circumstances the property owners could be granted a variance. Also, there are existing uses along this alley that use the alley as access to parking areas.

- b. The Variance does not constitute a use variance in that the restaurant and office uses (only) are permitted uses in the C-2 zone.
- c. The Variance is not injurious to the public welfare nor property in the vicinity in that the 20 foot alley would act as a portion of the proposed parking maneuvering. This alley is also used by single family and apartments for their back-out parking areas.
- d. The project, as conditioned, is compatible with the 1974 General Plan and the 1980 Central City Community Plan which designate the site for commercial and office uses.

P83-125

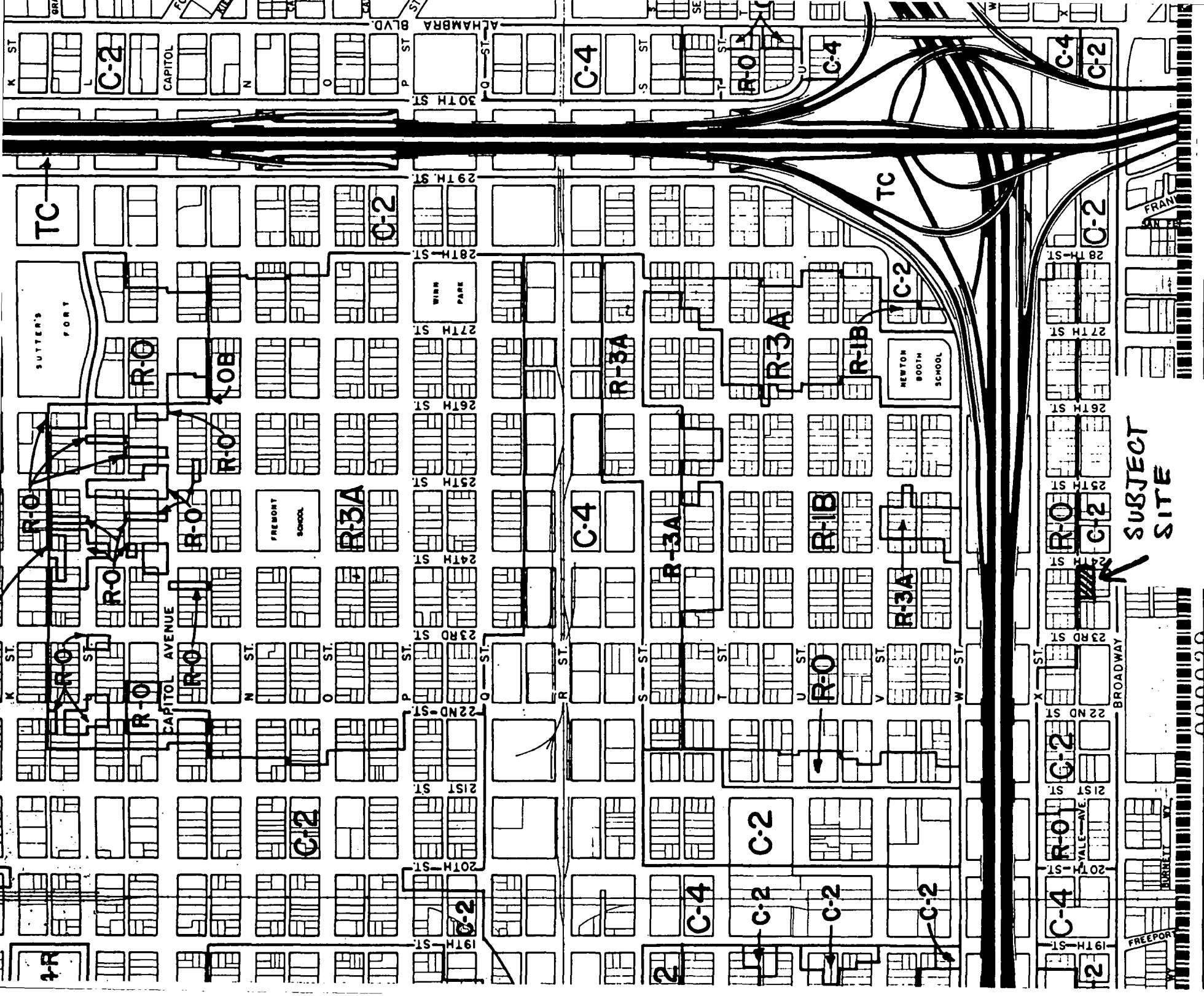
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~~May 26, 1983~~  
~~June 23, 1983~~  
7-28-83

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Item 16<sup>8</sup><sub>10</sub>



B3-125

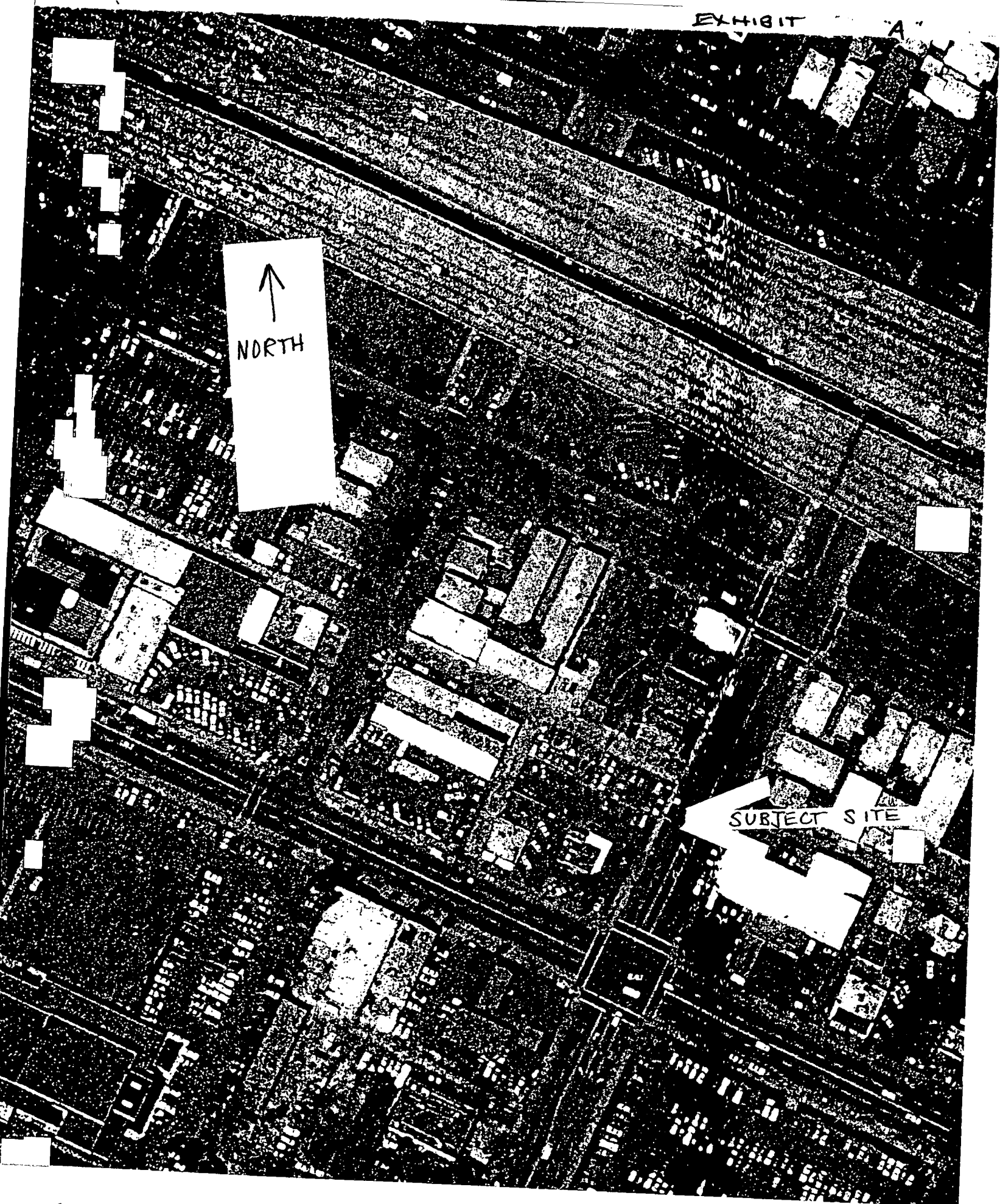
7-28-83 23  
 26 MAY 1983  
 JUNE 23, 1983

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ITEM 16-8

SUBJECT SITE

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83-125

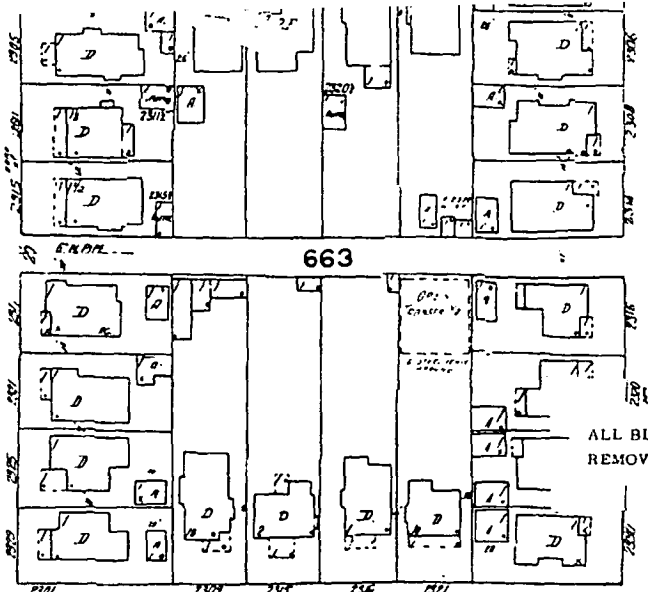
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26 MAY 1983

83-125

000041

23RD ST.



ALL BLDGS. IN THESE TWO BLKS. REMOVED. HIGHWAY SITE.

ST. HTD

ST. 25TH



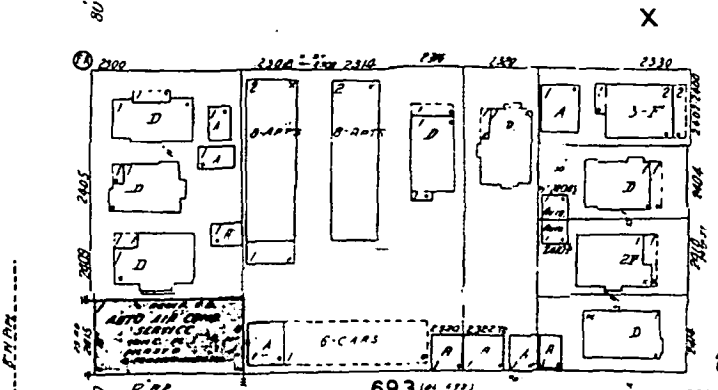
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24 33

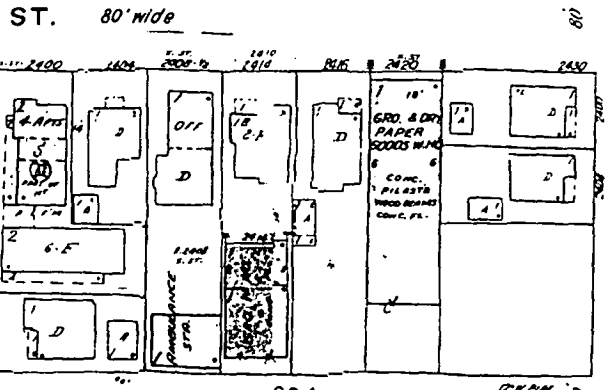
ITEM No 8

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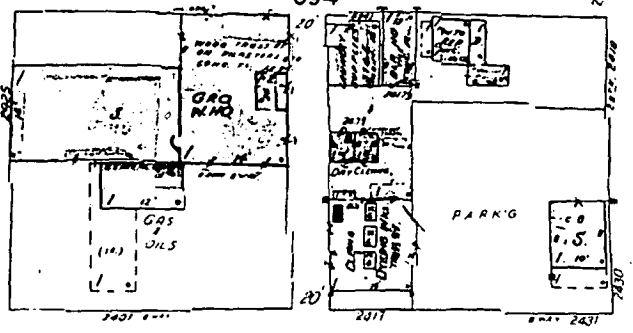
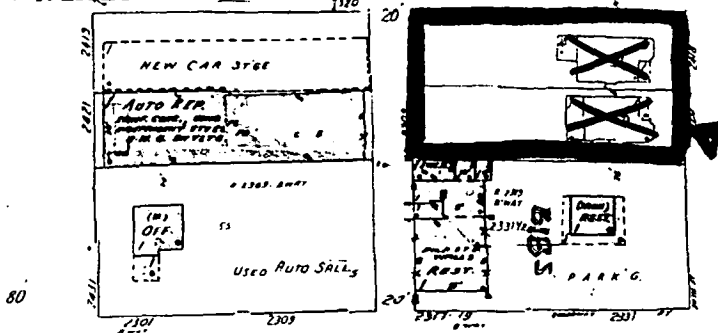


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SUBJECT

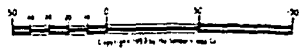


ST. 80' wide

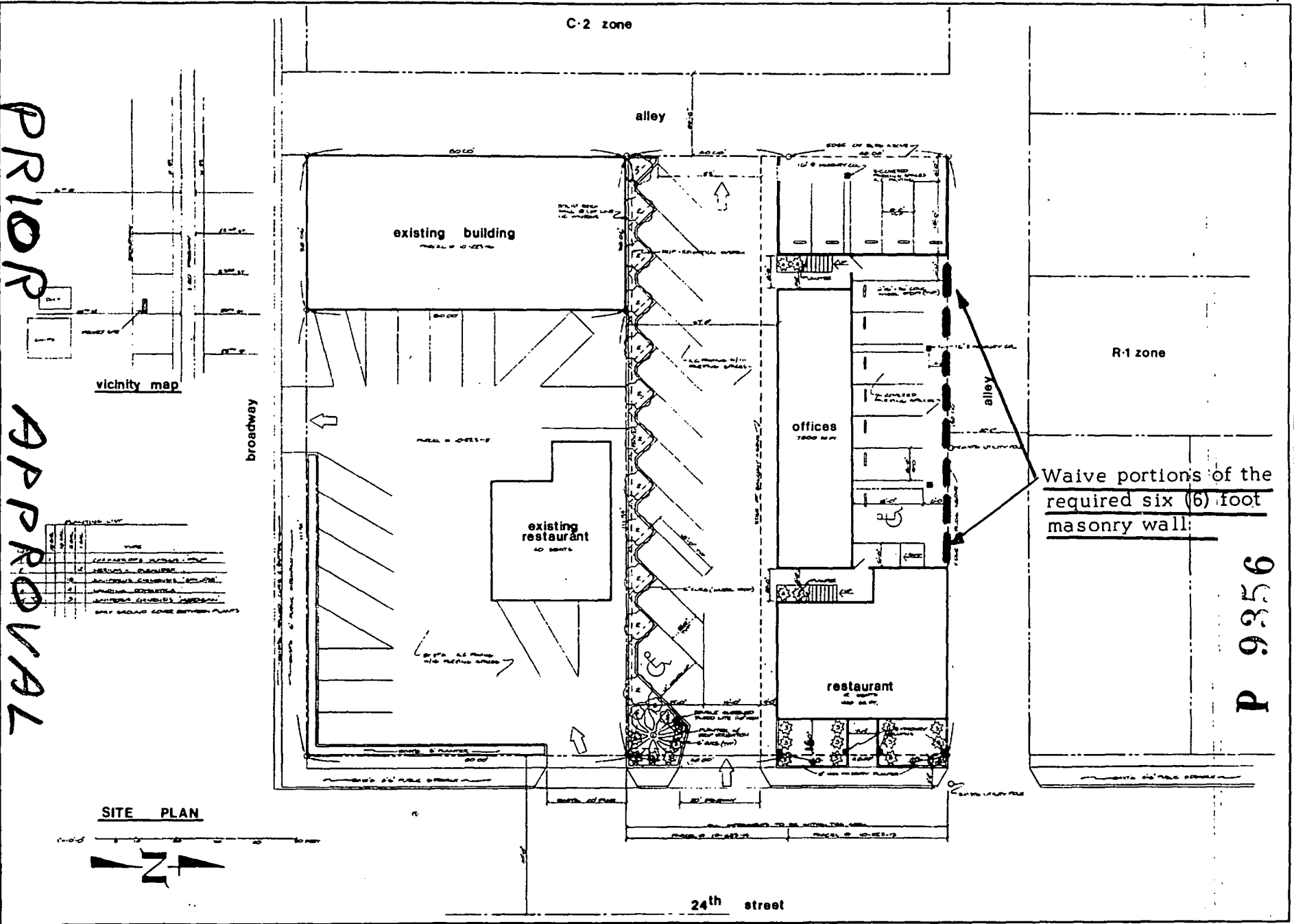


BROADWAY

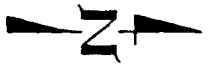
S E B U D I U N E T H R E E



P 9356



SITE PLAN



PRIOR APPROVAL

EXHIBIT A

25 (34)

P-9356  
P83-125

000042

MAY 28, 1981

MAY 26, 1983

Item No. 178  
ITEM NO

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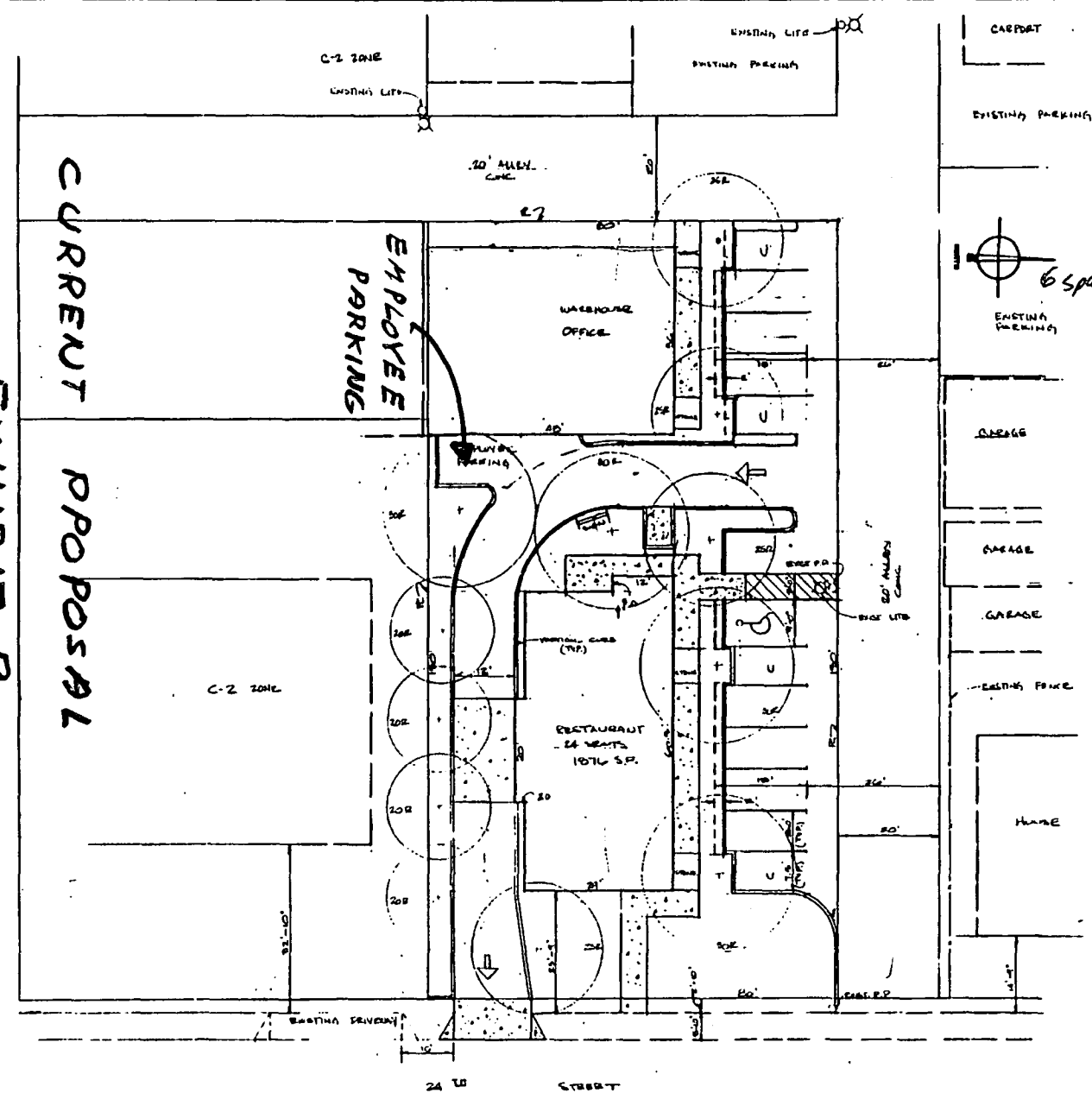
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ITEM No 8

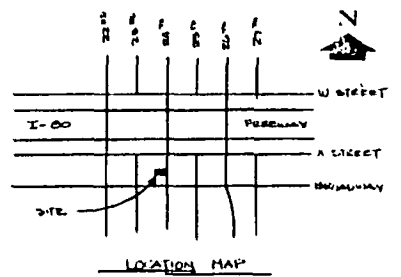
EXHIBIT B

CURRENT PROPOSAL

EMPLOYEE PARKING



APARTMENT



SHADING CALCULATIONS

I. SHADE REQUIRED:

$$\frac{\text{HARD AREA FT}^2}{4550} \times \frac{\text{REQ. \% SHADING}}{50\%} = \frac{\text{REQ. SHADING FT}^2}{2275 \text{ SQ. FT.}}$$

II. SHADE PROVIDED:

TREE SPEC (LEAVES)	TRUNK DIA (IN)	HT (FT)	% COVER (FT <sup>2</sup> )	NO. TREES	TOTAL AREA (FT <sup>2</sup> )	
20	74	0	4	510		
16	0	125	1	125		
25	246	0	3	738		
30	0	177	1	177		
30	364	0	5	1820		
					2416	TOTAL AREA (FT <sup>2</sup> )

REQUIRED PARKING:

- 1. WAREHOUSE  $\frac{1728}{1000} = 1.7$  = 2 STALLS
- 2. OFFICE  $\frac{1728}{400} = 4.3$  = 4 STALLS
- 3. RESTAURANT  $\frac{24}{3} = 8$  = 8 STALLS

TOTAL REQ. = 14 STALLS

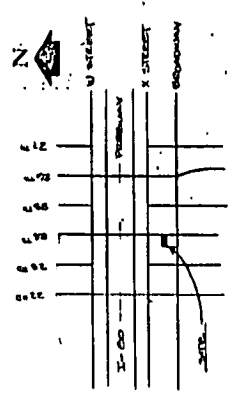
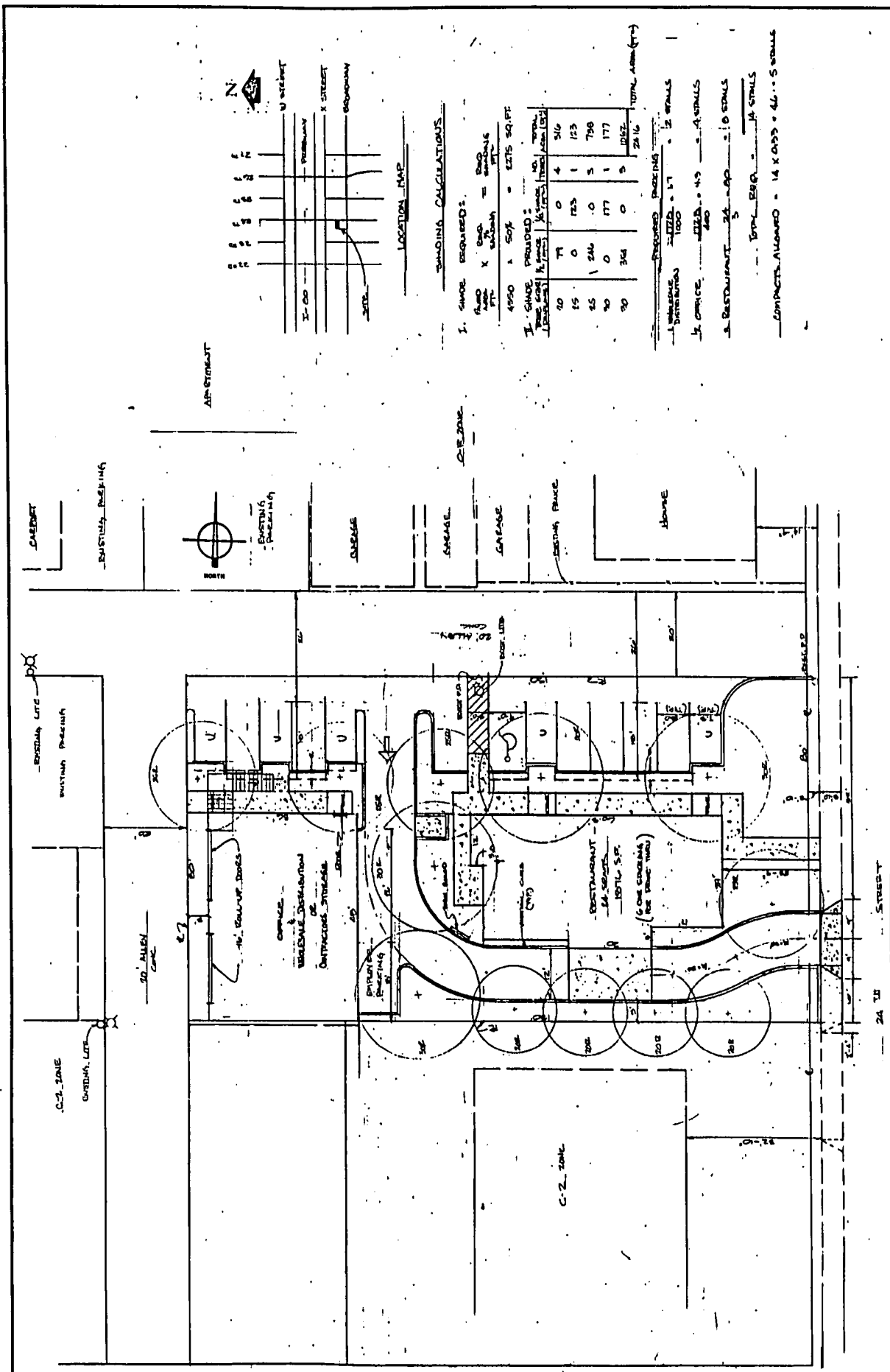
COMPACTS ALLOWED = 14 x 0.55 = 7.7 = 5 STALLS

Langdon Engineering

PROPOSED IMPROVEMENTS  
2410 / 2420 24<sup>TH</sup> STREET

REVISION	DATE	DESCRIPTION	BY	APPRO	OWNER NAME	ADDRESS	SURVED	DATE	SCALE	SHEET	OF
									1"=10'	1	1

Langdom Eng.



**LOADING CALCULATIONS**

I. GARAGE REQUIRED:

RAV	X	NO. OF VEHICLES	NO. OF STALLS
4950	1	50%	2475 SQ. FT.

II. GARAGE PROVIDED:

NO. OF STALLS	NO. OF VEHICLES	TOTAL AREA (SQ. FT.)
74	0	316
15	0	123
25	1	246
30	0	177
30	0	316
		<b>TOTAL AREA (SQ. FT.)</b>
		2416

REQUIRED PARKING: 1000 - 17 = 983 STALLS

PROVIDED: 2475 - 43 = 2432 STALLS

RESTAURANT: 24 - 10 = 14 STALLS

HOME: 1500 - 1500 = 0 STALLS

CONFLICTS ALLOWED = 14 X 0.99 = 14 - 5 STALLS

000044 APPLICANTS REVISED SITE PLAN

83-125

18  
23 JUNE 1983  
7-29-83

Item 10-8

Langdom Engineering

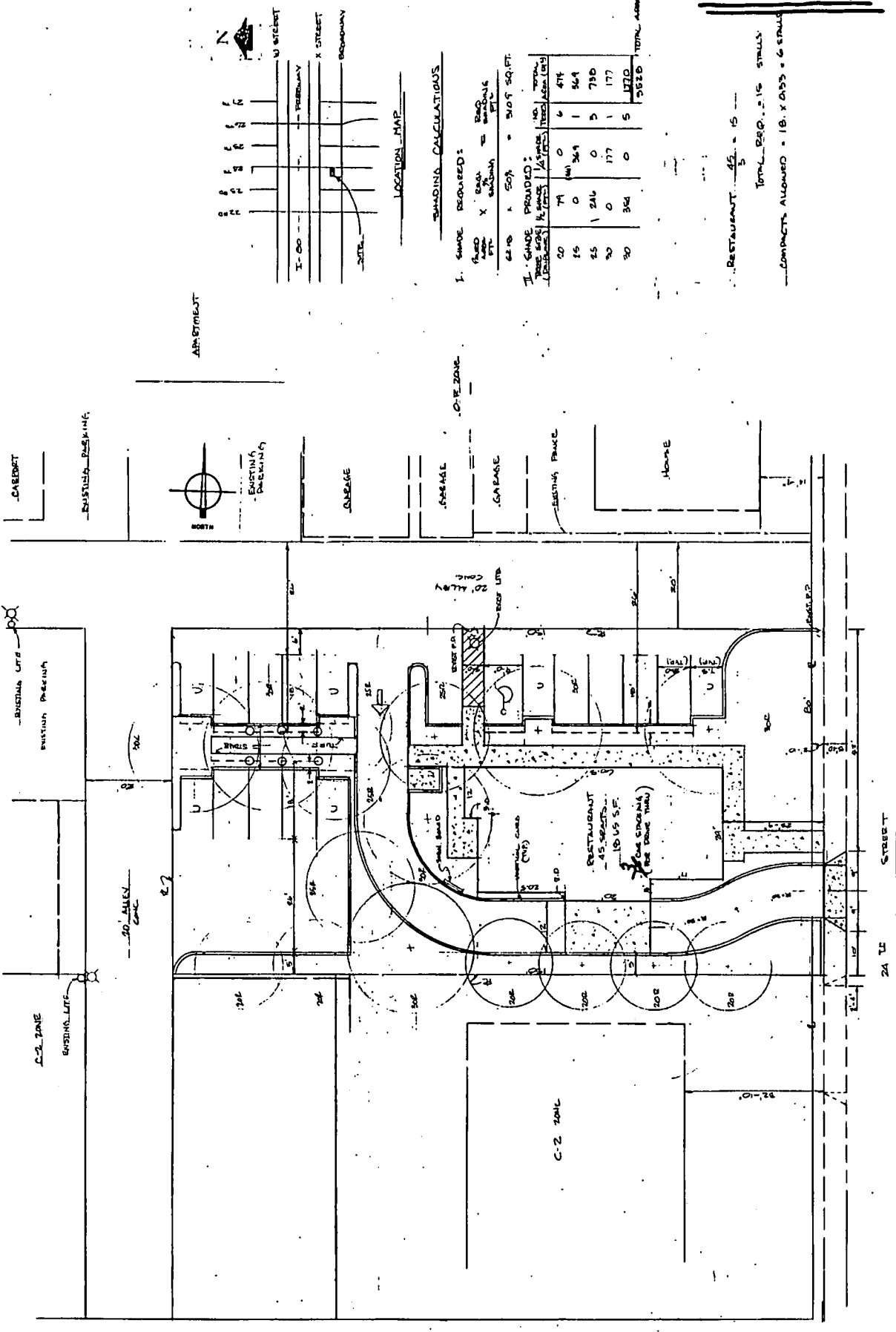
PROPOSED IMPROVEMENTS

2410 / 2420 24<sup>TH</sup> STREET

DATE	NO.	BY

**EXHIBIT "D"**

DATE	10.15.83
SHEET	1 OF 1
PROJECT	2419 / 2420 24 <sup>TH</sup> STREET
SCALE	1" = 10'
DESIGNER	PHILIP
CHECKED	
DATE	
BY	
DESCRIPTION	



APPLICANTS 2<sup>ND</sup> REVISED SITE PLAN.

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83-125

28 JULY 1983 14

No. 8

LOADING CALCULATIONS

1. SPACE REQUIRED:

AREA	NO. OF STALLS	NO. OF VEHICLES	NO. OF STALLS
RESTAURANT	45	15	15
TOTAL	45	15	15

2. SPACE PROVIDED:

AREA	NO. OF STALLS	NO. OF VEHICLES	NO. OF STALLS
RESTAURANT	45	15	15
TOTAL	45	15	15

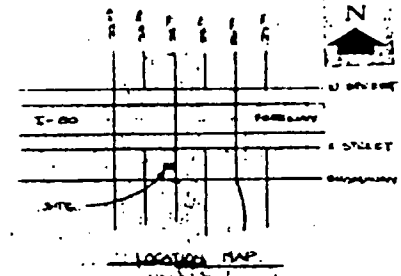
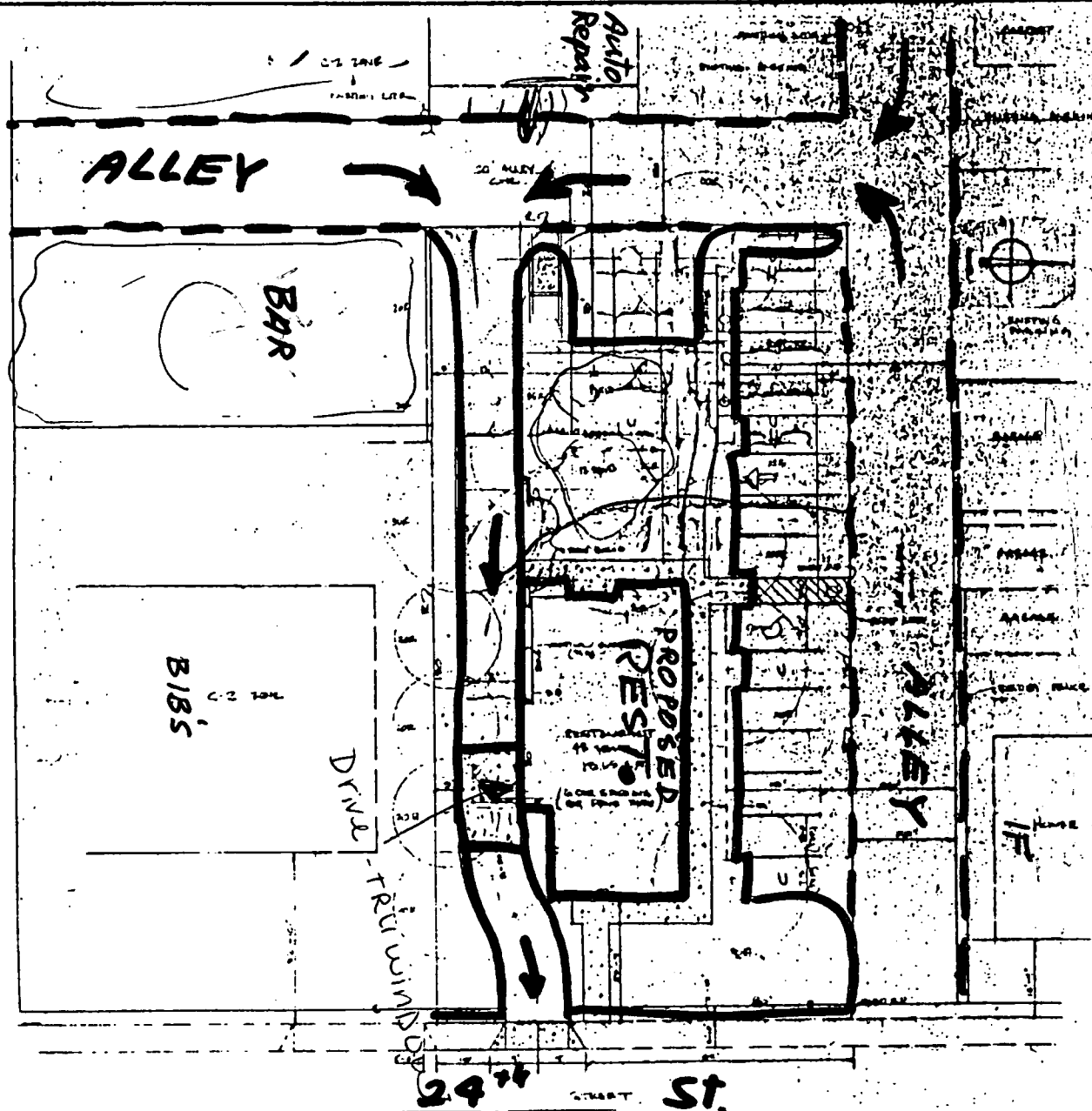
3. CONDUCTS ALLOWED = 18 X 0.55 = 6 STALLS

RESTAURANT 45 = 15  
 TOTAL REQ. = 15 STALLS  
 CONDUCTS ALLOWED = 18 X 0.55 = 6 STALLS

PROPOSED IMPROVEMENTS  
 2419 / 2420 24<sup>TH</sup> STREET

Langdon Engineering

000046  
BROADWAY



TRAFFIC CALCULATION

1. TRAFFIC PROPOSED

TRUCK	TRUCK	TRUCK	TRUCK	TRUCK	TRUCK	TRUCK	TRUCK
10	10	10	10	10	10	10	10
15	15	15	15	15	15	15	15
20	20	20	20	20	20	20	20
25	25	25	25	25	25	25	25
30	30	30	30	30	30	30	30
35	35	35	35	35	35	35	35
40	40	40	40	40	40	40	40
45	45	45	45	45	45	45	45
50	50	50	50	50	50	50	50
55	55	55	55	55	55	55	55
60	60	60	60	60	60	60	60
65	65	65	65	65	65	65	65
70	70	70	70	70	70	70	70
75	75	75	75	75	75	75	75
80	80	80	80	80	80	80	80
85	85	85	85	85	85	85	85
90	90	90	90	90	90	90	90
95	95	95	95	95	95	95	95
100	100	100	100	100	100	100	100

RESTAURANT: 10 - 10  
 TOTAL REQ: 10 STALLS  
 IMPACTS ALLOWED: 10 + 000 + 0 STALLS

City Planning Commission  
Sacramento, California

Members in Session:

- Subject: 1. Environmental Determination
2. Special Permit for drive-thru window for restaurant
3. Variance to waive required six foot high masonry wall adjacent to a residential zone

Location: 2418/2420 24th Street

BACKGROUND: The original application was scheduled for the May 26, 1983 Commission meeting. Staff recommended denial of the special permit due to concerns for inadequate size of the site, inadequate number of parking spaces, "stacking" in the alley, the necessary elimination of the driveway and impacts on adjacent residences. The applicant subsequently continued the project to June 23 in order to redesign some elements of the project (see attached original staff report).

STAFF COMMENTS ON REVISED PROPOSAL (See Exhibit C):

1. The applicant has clarified the "wholesale" use as being wholesale distribution or contractors storage. This is a permitted use in the C-2 zone but requires a parking ratio of 1:500 square feet rather than the 1:1000 square feet for the standard wholesale/manufacturing as originally shown. This results in the need for two additional parking stalls for which there is no apparent space. If this "wholesale distribution" is later proposed as offices, more parking will be required. Total required parking for revised plans is 16; total provided is 13.
2. The applicant has revised the employee parking space to include the required 26 foot maneuvering space, though that space still backs out into the single stacking lane for the drive-thru. This creates an unacceptable conflict of cars and should therefore be eliminated.
3. As a result of City Traffic Engineering's concerns, the applicant has redesigned the drive-thru exit onto 24th Street. This has been accomplished by reducing the size of the building and moving the driveway apron 10 feet north. The City Traffic Engineer has reviewed the revised plans and has no objections.
4. Elevations of the proposed buildings have not been submitted. The project elevations and any site revisions should be submitted for review and approval by staff and the Design Review Board prior to issuance of building permits.
5. Staff is still concerned about "employee" parking space conflicting with the single width drive-thru stacking lane, the lack of elevations indicating the design of what is proposed, inadequate number of parking spaces (16 required, 13 proposed), probable "stacking" of cars into a heavily used alley and impact on adjacent residences.

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7-28-83  
-June 23, 1983.

Item 10 8

(24)  
15

STAFF RECOMMENDATION: Staff recommends the following action:

1. Ratification of Conditional Negative Declaration;
2. Denial of the Special Permit for drive-thru based on findings of fact;
3. Approval of Variance to waive six foot masonry wall subject to conditions and based on findings of fact which follow.

Findings of Fact - Denial of Special Permit

- a. The proposed drive-thru is not based on sound principles of land use in that:
  1. There is insufficient space for the required parking.
  2. The property is not adequate in size to accommodate a drive-thru facility without disrupting vehicular circulation.
- b. The proposed drive-thru would be detrimental to public health and safety in that:
  1. Causing vehicles to stack and idle in a heavily used public alley would disrupt vehicular circulation from the on-site parking and alley users.
  2. The drive-thru facility would be a nuisance for adjacent residential uses.
- c. The proposal is not consistent with the Central City Plan goal "to reduce the impact of traffic upon residential neighborhoods and discourage where possible through traffic in residential areas."

Findings of Fact - Approval of Variance

- a. Granting the Variance is not a special privilege in that in similar circumstances the property owners could be granted a variance. Also, there are existing uses along this alley that use the alley as access to parking areas.
- b. The Variance does not constitute a use variance in that the restaurant and office uses are permitted uses in the C-2 zone.
- c. The Variance is not injurious to the public welfare nor property in the vicinity in that the 20 foot alley would act as a portion of the proposed parking maneuvering. This alley is also used by single family and apartments for their back-out parking areas.

- d. The project, as conditioned, is compatible with the 1974 General Plan and the 1980 Central City Community Plan which designate the site for commercial and office uses.

Respectfully submitted,



Wilfred Weitman,  
Senior Planner

WW:PB:sg

City Planning Commission  
Sacramento, California

Members in Session:

SUBJECT:       1. Environmental Determination  
              2. Special Permit for drive-thru window for restaurant  
              3. Variance to waive required six foot high masonry wall adjacent to  
                  a residential zone.

LOCATION:     2418/2420 24th Street

This project has been continued twice in order to allow the applicant an opportunity to revise plans. The latest submittal is identified as Exhibit "D". The basic difference between the revised plans and the original plans (Exhibits B & C of previous reports) is that the wholesale/office structure has been eliminated. However, the seating capacity of the restaurant has been increased from 24 to 45 seats. The structure contains 1,865 s.f. and 18 parking spaces are being provided.

Staff still has concerns with the proposed drive-thru facility because the site is not large enough to accommodate the drive-thru window. There is insufficient stacking distance, conflict with the alley and possible noise from the speaker box to the adjacent residential. The size of the site and its relationship to surrounding land uses makes this site undesirable for a drive-thru.

As for the Variance to waive the 6-foot masonry wall, staff has no objection to this request as previously indicated.

STAFF RECOMMENDATION: Staff recommends the following action:

1. Ratification of the Conditional Negative Declaration;
2. Denial of the Special Permit for drive-thru based on findings of fact;
3. Approval of Variance to waive six foot masonry wall subject to conditions and based on findings of fact which follow.

Findings of Fact - Denial of Special Permit:

- a. The proposed drive-thru is not based on sound principles of land use in that:
  1. The property is not adequate in size to accommodate this drive-thru design without disrupting vehicular circulation.
- b. The proposed drive-thru would be detrimental to public health and safety in that:
  1. Causing vehicles to stack and idle in a heavily used public alley would disrupt vehicular circulation from the on-site parking and alley users.
  2. The drive-thru facility would be a nuisance for adjacent residential uses.



Findings of Fact -Approval of Variance

- a. Granting the Variance is not a special privilege in that there are existing uses along this alley that use the alley as access to parking areas.
- b. The Variance does not constitute a use variance in that the restaurant and office uses are permitted uses in the C-2 zone.
- c. The Variance is not injurious to the public welfare nor property in the vicinity in that the 20 foot alley would act as a portion of the proposed parking maneuvering. This alley is also used by single family and apartments for their back-out parking areas.
- d. The project, as conditioned, is compatible with the 1974 General Plan and the 1980 Central City Community Plan which designate the site for commercial and office uses.

Respectfully submitted,

Howard Yee  
Principal Planner

HY:GM:mm

City Planning Commission  
Sacramento, California

Members in Session:

Subject: City Council Referral of Appeal of the Planning Commission Action to Deny a Special Permit to Allow a Drive-Thru Window for a Proposed Fast-Food Restaurant (P83-125)

Location: 2418 & 2420 24th Street

Summary: This item is a referral from the City Council to re-evaluate a proposal to construct a drive-thru window with a fast-food restaurant. The Council requests the Commission review alternative Exhibit B and return with a recommendation to the Council.

Background Information: On July 28, 1983 the Planning Commission denied a special permit request to allow a drive-thru window for a proposed restaurant containing 45 seats. The Commission and staff had concerns that the size of the site and its relationship to surrounding residential land uses make this site undesirable for a drive-thru facility.

The applicant subsequently filed an appeal of the Commission's decision.

Prior to the Council's consideration of the appeal the applicant met with staff to discuss an alternative design. Staff believed that the alternate design (Exhibit B) mitigates the Commission's and staff's concerns regarding the stacking distance, conflict with vehicular circulation in the alley, and noise impact on adjacent residential uses. This revised plan will locate the entrance to the drive-thru window to the westerly alley that is adjacent to commercial uses.

Staff, therefore, recommended that the City Council deny the appeal and approve the revised project identified as Exhibit B. However, since the Commission had not reviewed the revised project - Exhibit B, the City Council referred the proposal back to the Commission for re-evaluation.

Staff Comment: At the July 28, 1983 Commission hearing some Commissioners and staff discussed an alternate design which would relocate the entrance to the drive-thru window to the north-south alley adjacent to commercial uses. The applicant, however, did not support this suggestion.

After the Commission's action, the applicant submitted an alternate design identified as Exhibit B. Staff felt that this revised design mitigates the Commission's and staff's concerns. A letter with the alternate design was sent to the property owners abutting the north-south alley indicating the Commission hearing. These owners have not called or submitted any objections at the time of writing this staff report. In conclusion, staff supports the redesign (Exhibit B) in that it mitigates those concerns described in the original staff report.

P83-125

September 22, 1983

Item 22

000030

Staff Recommendation: The staff recommends the Commission take the following action and transmit these actions to the City Council:

1. Approval of the Special Permit as revised by Exhibit B and subject to conditions and based on findings of fact which follow.

Conditions:

1. Subject to review and approval of the Preservation/Design Review Board.
2. The applicant shall submit a detailed landscape, shading and irrigation plan per Exhibit B design to staff for review and approval prior to issuance of building permit.
3. The applicant shall install one-way directional signs at the drive-thru window exit on 24th Street and at the drive-thru entrance on the alley.

Findings of Fact:

1. The project, as conditioned, is based on sound principles of land use in that:
  - a. The design provides adequate stacking distance for the drive-thru window facility.
  - b. Access to the drive-thru window would be located adjacent to commercial uses.
2. The project, as conditioned, is not injurious to the surrounding properties in the neighborhood in that the relocation of the drive-thru entrance will reduce the noise impact on the adjacent residential uses and improve the vehicular circulation on the block.
3. The project is not a Use Variance in that restaurants are an allowed use in the C-2 zone.
4. The project is consistent with the 1974 General Plan and 1980 Central City Plan in that these plans designate the site for commercial use.

Respectfully submitted,

*Will Weitman*

Will Weitman  
Senior Planner

WW:sg:lao  
wp 5i

August 23, 1983

Mr. Jerry Cody  
2048 Waterford Road  
Sacramento, California 95815

Dear Sir:

I am writing this letter in regards to the restaurant construction at 2418/2420 24th Street. I am living in a single family dwelling adjacent to the proposed construction.

I feel that my property value will be increased by the improvements on the adjacent property. I am not opposed to this construction in any way and feel that I can only benefit from these improvements. I have reviewed the plans with the developer and am in favor of his proposal.

Sincerely,

  
\_\_\_\_\_  
2414 24th Street  
Sacramento, California 95818

000058

(19) 10

August 23, 1983

Mr. Jerry Cody  
2048 Waterford Road  
Sacramento, California 95815

Dear Sir:

This letter is in regards to the proposed restaurant with a drive-through window to be constructed at 2418/2420 24th Street. The only area of conflict to my property would be the use of the alley from my garage to the cross street. I do not envision this to be a problem. I feel the construction of the proposed restaurant will enhance the neighborhood and add value to our property.

Sincerely,



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2320 "X" Street  
Sacramento, California 95818

000059

(20) 11