

CITY PLANNING COMMISSION

1231 STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT	MOHAMMED KADER, 5924 Melville #14, Carmichael, CA 95608				
OWNER	I. ABUKHDAIR, 5924 Melville #14, Carmichael, CA 95608				
PLANS BY	Mohammed Kader, 5924 Melville, #14, Carmichael, CA 95608				
FILING DATE	6/3/88	ENVIR. DET.	15301 (a)	REPORT BY	PW/vf
ASSESSOR'S PCL. NO.	014-0171-024				

APPLICATION: Special permit to allow the sale of beer and wine for off-site consumption in an existing 2,500 square foot market in the General Commercial (C-2) zone.

LOCATION: 3101 Sacramento Boulevard

PROPOSAL: The applicant is requesting the necessary entitlements to operate a market that will sell beer and wine for off-site consumption.

PROJECT INFORMATION:

General Plan Designation:	Community/Neighborhood Commercial and Office
Oak Park Redevelopment Plan Designation:	Commercial
Existing Zoning of Site:	C-2
Existing Land Use of Site:	Vacant commercial building

Surrounding Land Use and Zoning:

North: Vacant; C-2
South: Parking lot, vacant; C-2
East : Residential, vacant; R-1
West : Residential; R-1

Parking Required:	10 spaces
Parking Provided:	Undetermined; parking area would need new stripping
Property Dimensions:	85+ ' x 105+ '
Property Area:	.19+ acres
Square Footage of Building:	2,500 sq. ft.
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Hours of Operation:	9:00 a.m. to 7:00 p.m. daily
Number of Employees:	4
Total Occupancy:	25+ ft.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of a .19± ac. lot developed with a 2,500 square foot vacant building. The site is zoned C-2 and is designated in both the General Plan and Oak Park Redevelopment Plan for commercial uses. Surrounding land uses are vacant commercial property to the north, a duplex zoned C-2 to the south and residential zoned R-1 to the east and west.

B. Applicant's Proposal

The applicant proposes to re-open the existing building and operate a food market that includes the selling of beer and wine for off-site consumption. The applicant is not intending to increase the size of the existing 2,500 sq. ft. building. The existing structure is in need of some improvements but is in fair condition overall. The applicant is proposing to operate between the hours of 9:00 a.m. and 7:00 p.m.

The existing building appears to have been vacant for some time. The previous use was a liquor store by the name of the Red Fox. The new owner and applicant has now applied to the Alcoholic Beverage Control (ABC) for a new liquor license. As required by the City Zoning Ordinance, the applicant must obtain special permit approval prior to ABC consideration.

C. Agency Comments

This proposal was submitted to the City's Traffic Engineering, Engineering, Building Inspection and Police Divisions as well as the Oak Park PAC and Oak Park Business Association. The following comments were received.

Police: The Police Department has submitted a letter indicating the following:

"The Police Department is opposed to the issuance of a special permit for the sale of alcoholic beverages at this location. This is the address of the former Red Fox Liquor Store, which was the scene of numerous police problems. These problems included drug dealing, robbery, prostitution and gang activity. Police response to these activities was often met with hostile and at times, near riotous opposition. These conditions still exist in the same neighborhood. Until such time as this part of town becomes stabilized, we will oppose the issuance of any further permits authorizing the sale of alcoholic beverages in the area." (see attached letter).

Oak Park Pac

The Oak Park PAC has indicated a strong opposition to this proposal. A letter stating the PAC's position is forthcoming.

Oak Park Business Association

The Oak Park Business Association has indicated a strong opposition to this proposal. A letter stating the Association's position is forthcoming.

D. Redevelopment Plan Policies

The subject site is within the Oak Park Redevelopment Project Planning Area. The overall purpose of the plan is stated as....." the elimination and prevention of the spread of blight and deterioration of the project area." Within the context of the plan this can be attained through an implementation strategy which provides programs to achieve the following goal:

"To improve the neighborhood environment and image. To eliminate blighted and blighting conditions. To provide all appropriate amenities to support the basic residential character of the area."

E. Required Findings

Under Ordinance 87-077, the Planning Commission is required to make the following findings in order to approve a special permit to sell alcoholic beverages for off-site consumption.

1. The proposed use will not adversely effect the peace and/or general welfare of the surrounding neighborhood.
2. The proposed use will not enlarge or encourage the development of a skid row or blighted area.
3. The proposed use will not result in undue concentration of establishments dispensing alcoholic beverages.
4. The proposed use will not be contrary to or adversely affect any programs of redevelopment or neighborhood conservation.

It is clear to staff that at least three of the above required findings cannot be met in considering this proposal. The Police Department, neighbors and both Oak Park Associations have stated that the peace of the neighborhood will be adversely affected if this market is allowed

to sell alcohol. The Oak Park area is under the process of revitalization and the elimination of liquor stores that lead to further blighted conditions is a vital part of this process. The problems associated with alcohol sales at markets are exactly what the Redevelopment Plan tries to alleviate. Therefore, staff recommends denial of the special permit to allow the sale of beer and wine at this location.

ENVIRONMENTAL DETERMINATION: The proposed project is exempt from environmental review pursuant to State EIR Guidelines/CEQA, Section 15301(a)).

RECOMMENDATION: Staff recommends the Commission deny the special permit based upon findings of fact which follow:

Findings of Fact

1. The proposed use will adversely affect the peace or general welfare of the surrounding area in that:

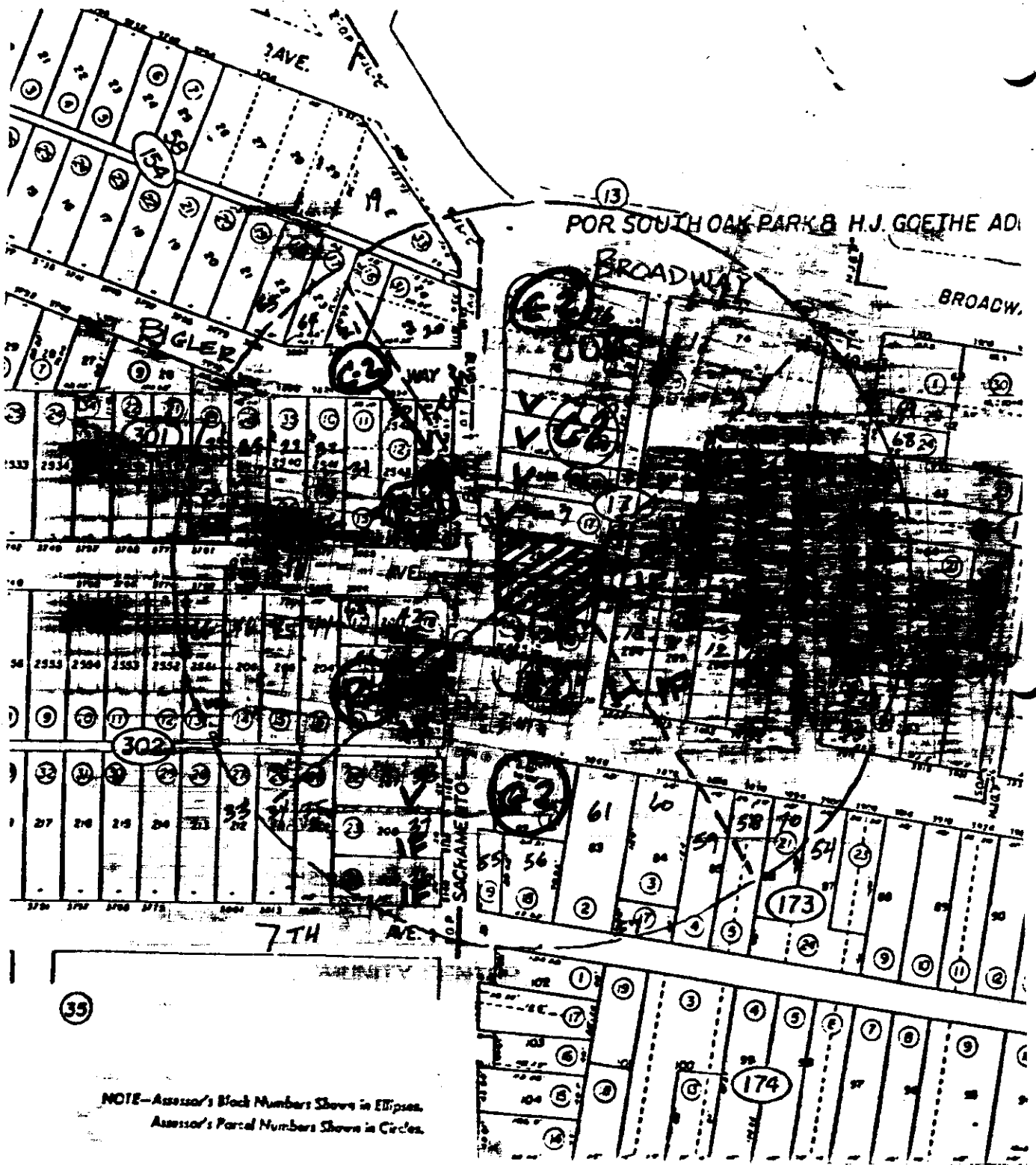
Existing and potential problems including drug dealing, robbery, prostitution and gang activity at this location have been identified.

2. The proposed use will enlarge or encourage the development of a skid row or blighted area in that a liquor store at this location will result in a gathering place for loitering and criminal activity.
3. The proposed use will be contrary to or adversely affect a program of redevelopment or neighborhood conservation in that the market is located within the Oak Park Redevelopment Plan area.



VICINITY MAP





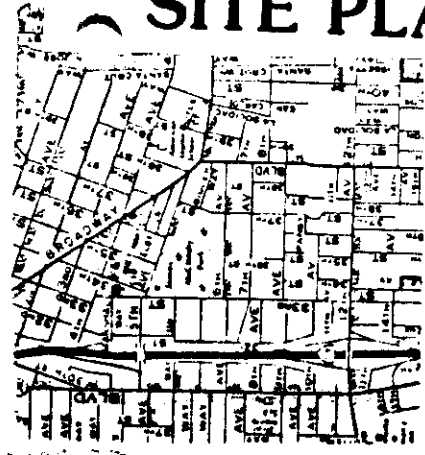
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NOTE—Assessor's Block Numbers Shows in Ellipses.
 Assessor's Parcel Numbers Shows in Circles.

LAND USE & ZONING MAP

BROADWAY

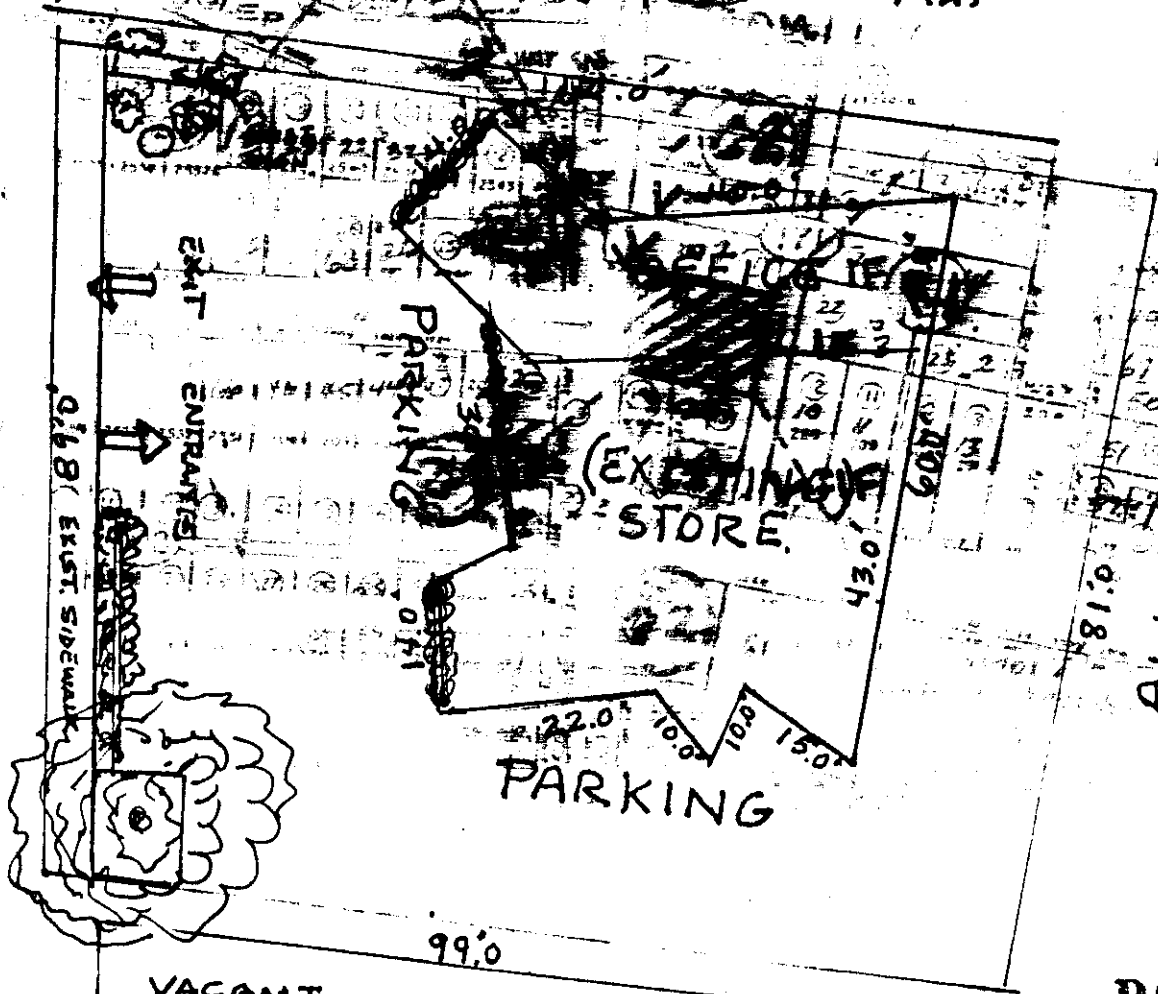
SITE PLAN



VICINITY MAP

SACRAMENTO BLVD.

VACANT LOT



EXIT

ENTRANCE

(EXISTING) STORE

PARKING

ALLEYWAY

VACANT LOT

P88 256

1" = 20'



PLAZA MARKET
3101, 3083
SACRAMENTO BLVD.
SACRAMENTO, CALIF.

MOHAMMED KADER APPLICANT
USE & ZONING MAP
SPECIAL USE PERMIT REQUEST

6/01/88

7/28/88

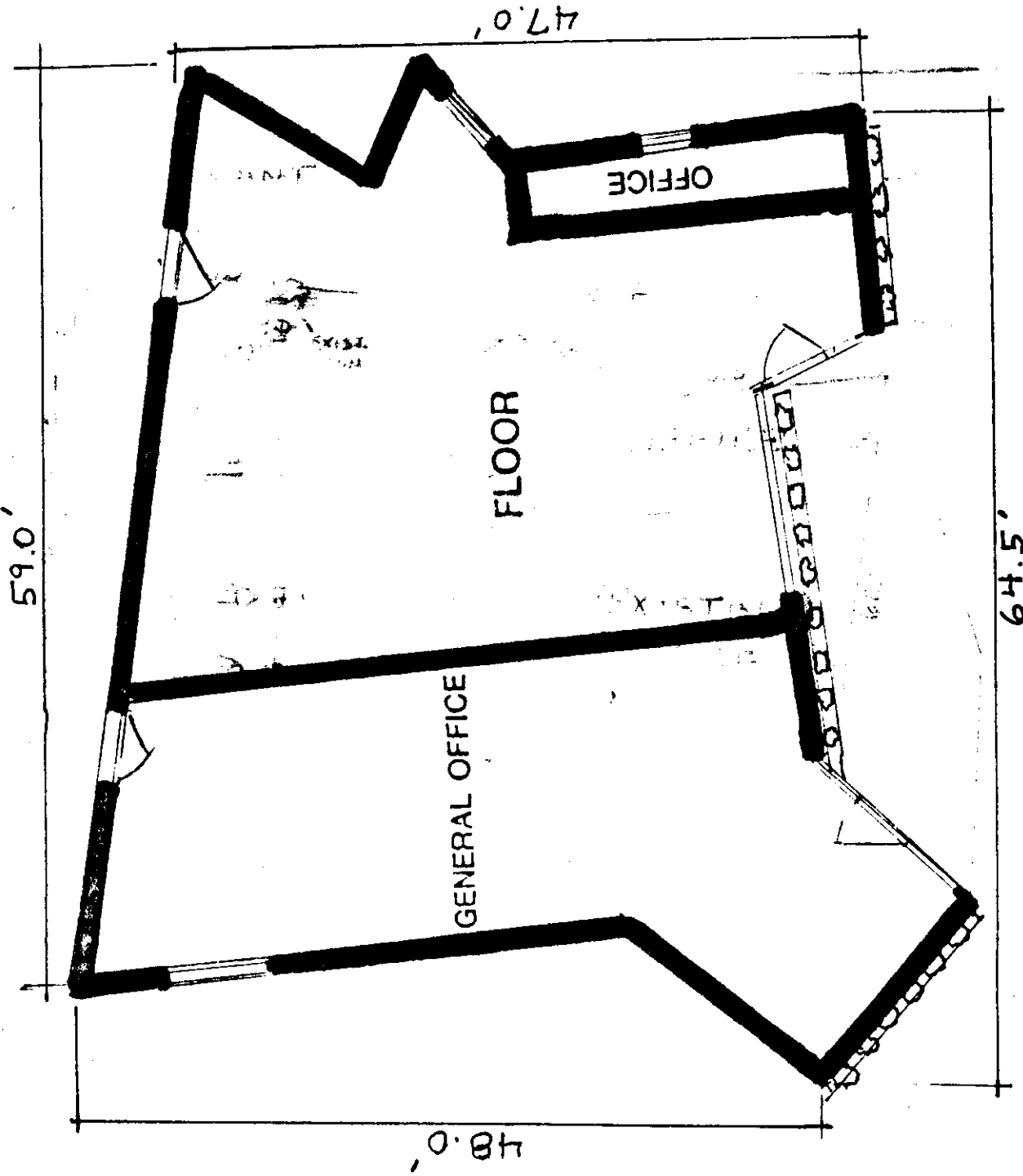
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P88-256

FLOOR PLAN



P88256



PLAZA MARKET BUILDING
 3101, 3083 SACRAMENTO BLVD.
 SACRAMENTO, CALIFORNIA

1/10" = 1'-0"

MOHAMMED KADER 6/01/88

FLOOR PLAN

088256

7-28-88

Item 22



CITY OF SACRAMENTO

DEPARTMENT OF POLICE

HALL OF JUSTICE
813 6TH STREET

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5121

JOHN P. KEARNS
CHIEF OF POLICE

June 20, 1988

CITY OF SACRAMENTO
CITY PLANNING DIVISION

JUN 20 1988

MEMORANDUM

RECEIVED

TO: Will Weitman, Sr. Planner
City Planning Division

FROM: Jerry V. Finney, Assistant Chief
Sacramento Police Department

SUBJECT: ~~RETAIL PERMIT FOR 3083 SACRAMENTO BLVD.~~ (P-88-256)

We are opposed to the issuance of a special permit for the sale of alcoholic beverages at this location. This is the address of the former Red Fox Liquor Store, which was the scene of numerous police problems. These problems included drug dealing, robbery, prostitution and gang activity.

Police response to these activities was often met with hostile and, at times, near riotous opposition. These conditions still exist in the same neighborhood. Until such time as this part of town becomes stabilized, we will oppose the issuance of any further permits authorizing the sale of alcoholic beverages in the area.

JERRY V. FINNEY, ASSISTANT CHIEF
SACRAMENTO POLICE DEPARTMENT

JVF:mw

P88-256

7/28/88

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