

CITY PLANNING COMMISSION

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

APPLICANT	Ted A. Walker/Paul Ajlouny, 5999 Garden Hwy., Sacramento, CA 95837		
OWNER	Paul Ajlouny, 404 Aldo Ave., Santa Clara, Sac., CA 95054		
PLANS BY	Ted A. Walker		
FILING DATE	10.20.88	ENVIR. DET.	Neg. Dec. REPORT BY BW:vf
ASSESSOR'S PCL. NO.	027-081-001 & 030		

APPLICATION:

- A. Negative Declaration
- B. Special Permit to operate a 24 hour mini-mart and gas station on 0.23+ partially developed acres in the General Commercial (C-2) zone.
- C. Special Permit to allow the sale of beer and wine for off-site consumption in a mini-mart and gas station.
- D. Lot Line Adjustment to merge two lots totaling 0.23+ partially developed acres in the General Commercial (C-2) zone.

LOCATION: 7900 Fruitridge Road

PROPOSAL: The applicant is requesting the necessary entitlements to operate a 24 hour mini-mart/gas station and sell beer and wine within 500 ft. of residential uses.

PROJECT INFORMATION:

General Plan Designation:	Community/Neighborhood Commercial & Offices
1986 South Sacramento Community Plan Designation:	General Commercial
Existing Zoning of Site:	C-2
Existing Land Use of Site:	Gas Station

Surrounding Land Use and Zoning:

North: Residential; R-1
South: Residential; C-2
East : Residential; C-2
West : Residential; C-2/R-1

Parking Required:	4 spaces
Parking Provided:	4 spaces
Property dimensions:	120' x 86.0'
Property Area:	0.23+ acres
	Existing sq. ft. - 1,025 sq. ft.
	Additional sq. ft. - 912 sq. ft.
	Total - 1,937 sq. ft.

Square footage of Building: 1,937 sq. ft.
Height of Building: 1 story

000500

APPLC. NO. P88-442 MEETING DATE December 1, 1988 ITEM NO. 25

Topography: Flat
 Street Improvements: Existing
 Utilities: Existing
 Exterior Building Materials: Concrete Block

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of two partially developed lots located in the General Commercial (C-2) zone. The General Plan designates the site as Community/Neighborhood Commercial and Offices and the 1986 South Sacramento Community Plan designates the site for General Commercial. Commercial uses are permitted under the zoning and General Plan Designation. A special permit, however, is required for the sale of alcohol for off-site consumption and mini-marts located within 500 feet of residential uses. Surrounding land uses include residential to the north, south, east and west, zoned R-1 and C-2.

B. Applicant's Proposal

The applicant is proposing to expand the existing 1,025 sq. ft. gas station structure by an additional 912 sq. ft. and sell beer and wine for off-site consumption. The applicant proposes to operate a 24 hour mini-mart with a maximum of two employees at any given shift. The total capacity of the building is seven. A lot line adjustment to merge two lots into one is requested by the applicant.

C. Staff Analysis

A high concentration of businesses which dispense alcoholic beverages exist in the immediate area. There are five liquor markets or bars fronting on Fruitridge Road and two delicatessens along Power Inn Road that are within two blocks of the subject site. The Police Department has indicated to staff that there is loitering, drugs and crime in the area. There has been numerous complaints of boisterous behavior in the area where crime problems currently exist. There are already two businesses with off-sale permits and a bar in the area. In the last three months, there have been four armed robberies, six burglaries of businesses and numerous automobile and residential burglaries reported in the area between Power Inn, Wilkinson, Fruitridge and 39th Avenue. In addition, the problems in the area continues to contribute to the development of a skid row and blighted area. Because the subject site abuts residential uses along 79th Street, the sale of alcohol will create increased loitering and crime related activity in the neighborhood. Staff finds that the proposal will adversely affect the surrounding neighborhood and contribute to the existing police-related problems, therefore, staff recommends denial of the special permit to sell beer and wine for off-site consumption.

Staff finds that the gas station and mini-mart will benefit the areas neighborhood by remaining open 24 hours for the sale of gas and food only.

The Police Department also indicated to staff that they had no problems with the 24 hour service in the area as long as the business does not sell alcohol. The mini-mart and gas station operation will not impact the area. The gas station's current hours of operation are 6:00 a.m. to 10:00 p.m., daily.

The applicant proposes to merge the two lots in order to operate the mini-mart and gas station. The gas station operation is on one lot and the mini-mart is on a second lot. Staff would not typically approve one use operating on two lots, therefore, a lot line merger is necessary. Staff supports the lot line adjustment.

An existing planter with shrubs exists on the subject site which staff feels is adequate landscaping.

D. Parking and Circulation

The applicant is proposing three parking spaces and one handicap space. Staff recommends that new parking spaces be striped to City standards. There are two driveway entrances onto the lot.

E. Signage

Currently no signs exist on the subject site and the applicant does not indicate any signage on the site plan. Staff recommends that any proposed detached signage should be 12 foot high monument signs. All detached and attached signs should comply with the Sign Ordinance and be reviewed and approved by the Planning Director prior to issuance of sign permits.

F. Agency Comments

The applicant's proposal has been routed to the Traffic Engineer, City Engineering Division, Building Inspections, City Police and the City Real Estate Division. The following comments were received:

Police Department (see Exhibit H)

The Police Department has indicated to staff that there are a number of crime related activities in the area. Currently loitering, drugs and crime existing in the area. There is an abundance of alcohol establishments that serve as hubs for loitering and crime in the immediate area. The Police Department is opposed to the special permit to sell beer and wine but supports the 24 hour mini-mart and gas service.

Traffic Engineering

- a. Driveways shall conform to City code;

- b. Driveways must be located 10' from property lines. Minimum & maximum driveway widths are 24 feet and 35 feet;
- c. All driveways must stay off the corner radius; and
- e. Remove and replace substandard frontage improvements.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the proposed project will not have a significant adverse effect on the environment and has filed a negative declaration.

RECOMMENDATION: Staff recommends the Commission take the following actions:

- A. Ratify the Negative Declaration;
- B. Approve the Special Permit to operate a 24 hour mini-mart and gas station on 0.23+ acres in the C-2 zone subject to conditions and based on findings of fact which follow;
- C. Deny the Special Permit to sell beer and wine for off-site consumption in a 24 hour mini-mart;
- D. Approve the lot line adjustment to merge two lots into one by adopting the attached resolution.

Conditions

- 1. Applicant shall stripe parking spaces to meet City standards prior to issuance of building permits;
- 2. The detached sign shall be 12 feet in height and shall be a monument type sign;
- 3. All new detached and attached signs shall comply with the Sign Ordinance and be reviewed and approved by the Planning Director prior to issuance of sign permits;
- 4. Driveway design including location and width shall conform to the requirements of City Traffic Engineering Division and City Code.

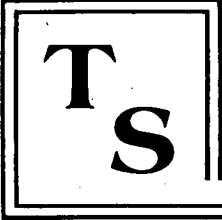
Findings of Fact - Special Permit/Mini-Mart

- 1. The proposed use, as conditioned, will not adversely affect the peace or general welfare of the surrounding neighborhood in that:
 - a. adequate on-site parking and landscaping has been provided;

- b. the hours of operation will benefit the residences in the area.
2. The proposed use, as conditioned, will not enlarge or encourage the development of a skid row or blighted area in that the establishment will not sell any alcohol.
 3. The proposed use is consistent with the General Plan and the 1986 South Sacramento Community Plan in that the site is designated Community/Neighborhood Commercial and Offices and General Commercial respectively.

Findings of Fact

1. The sale of alcohol will adversely affect the peace or general welfare of the surrounding neighborhood in that the sale of beer and wine encourages loitering and boisterous behavior in an area that crime problems currently exist;
2. The sale of alcohol will result in undue concentration of establishments dispensing alcoholic beverages in that there currently are six liquor outlets within two blocks of the subject site;
3. The sale of alcohol will enlarge and encourage the development of a skid row or blighted area in that the surrounding area currently has an abundance of alcohol establishments that serve as hubs for loitering and crime;
4. The sale of alcohol will be contrary to or adversely affect any program of redevelopment or neighborhood conservation in that this area has been identified in the South Sacramento Community Plan as being in need of neighborhood improvement.



TOPOGRAPHIC SURVEYS, INC.

PHOTOGRAMMETRIC ENGINEERING / LAND SURVEYING SERVICES

OCTOBER 21.1988

LEGAL OWNER: PAUL AJLOUNY
404 ALDO AVE
SANTA CLARA, CA. 95054

PARCEL NUMBERS: 027-0081-001-0000
027-0081-030-000

LOCATION OF PROPERTY: 7900 FRUITRIDGE ROAD

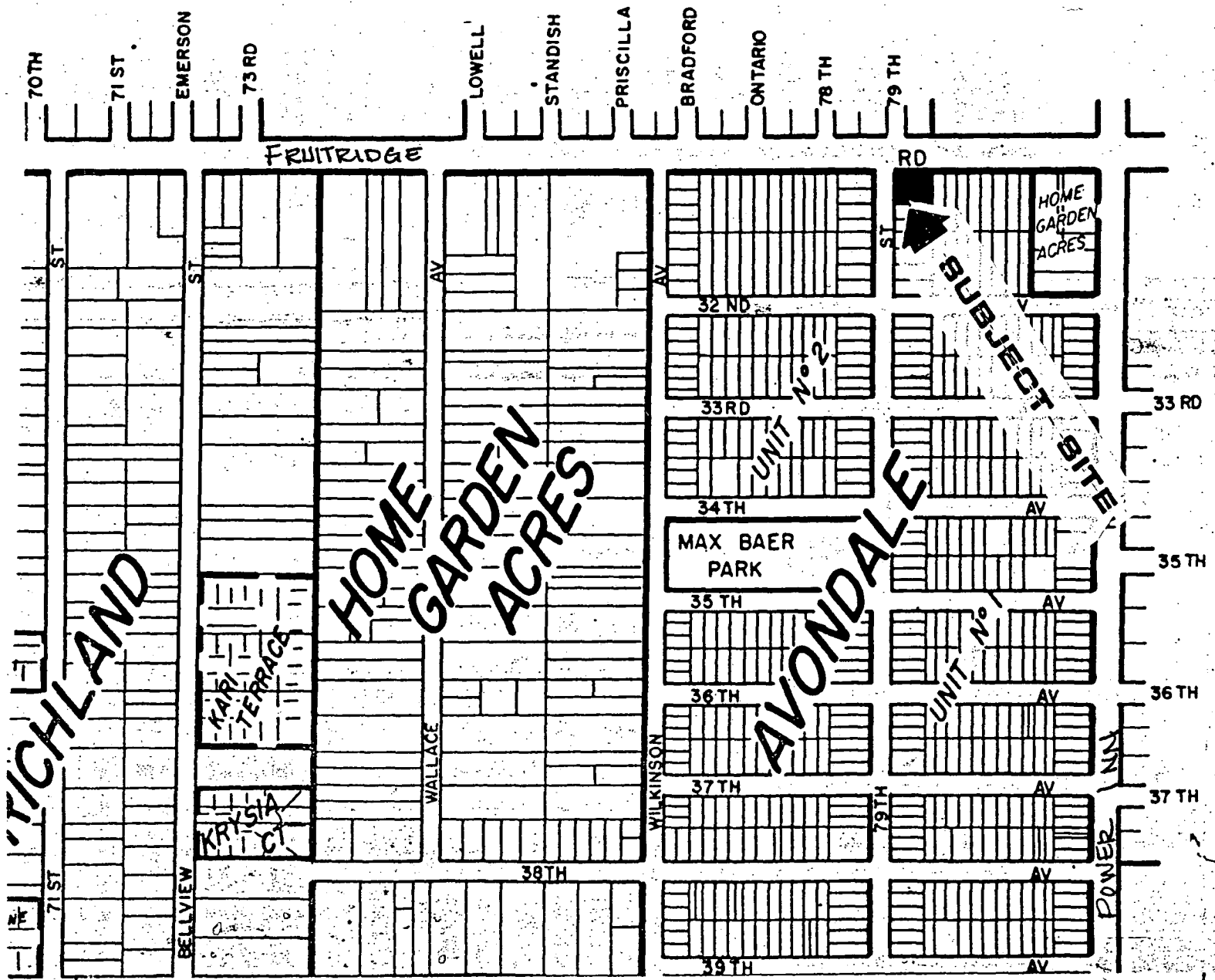
LEGAL DESCRIPTON OF PROPOSED PARCEL

A PARCEL OF LAND IN SACRAMENTO COUNTY CALIFORNIA, MORE PARTICULARY DESCRIBED AS FOLLOWS:

ALL OF LOTS 9 AND 10 AS SAID LOTS ARE SHOWN ON THE OFFICIAL PLAT OF AVONDALE SUBDIVISION NO.1, RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY ON AUGUST 10, 1927, IN BOOK 19 OF MAPS, MAP NO.32.

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VICINITY MAP

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EXHIBIT C

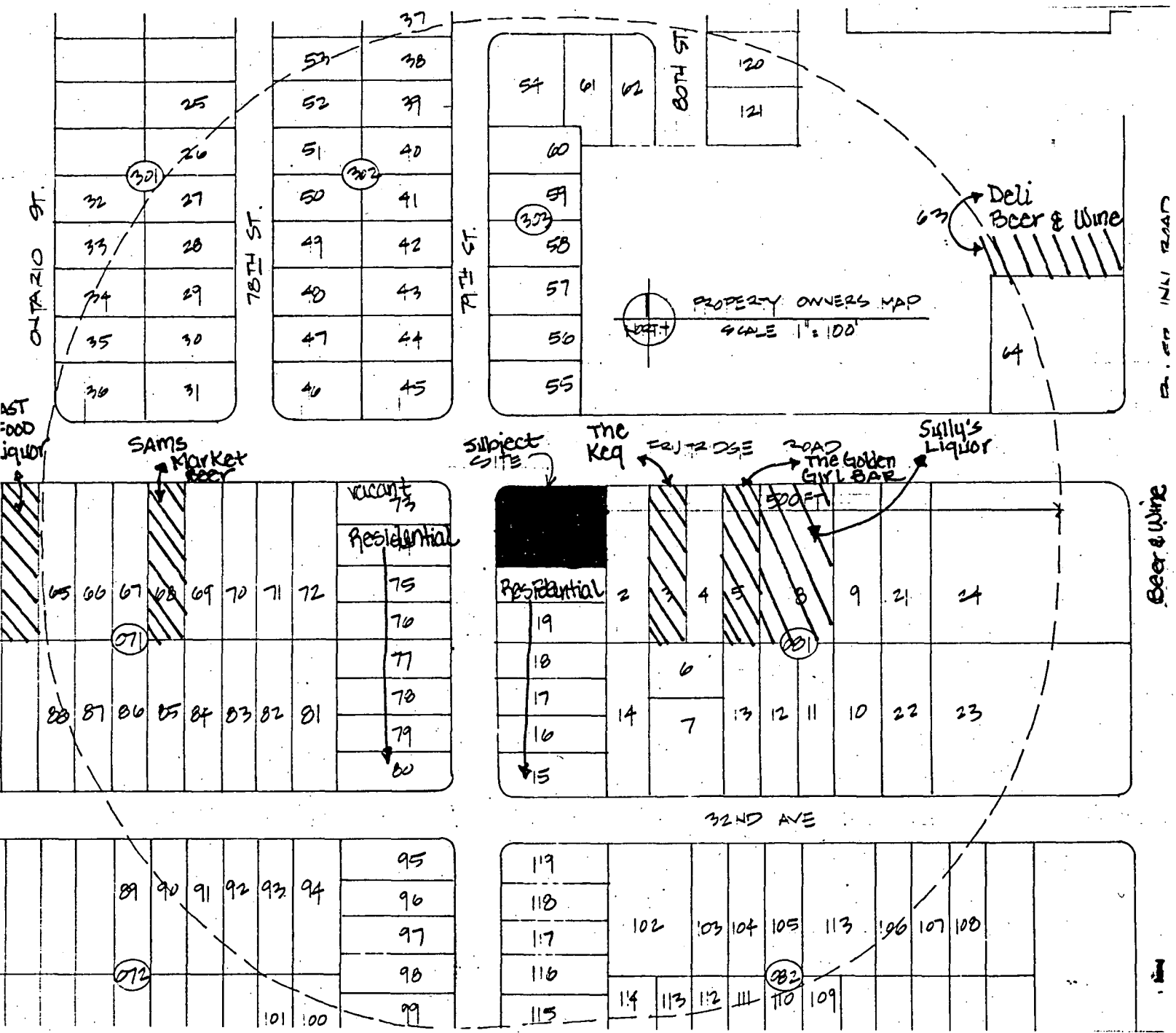
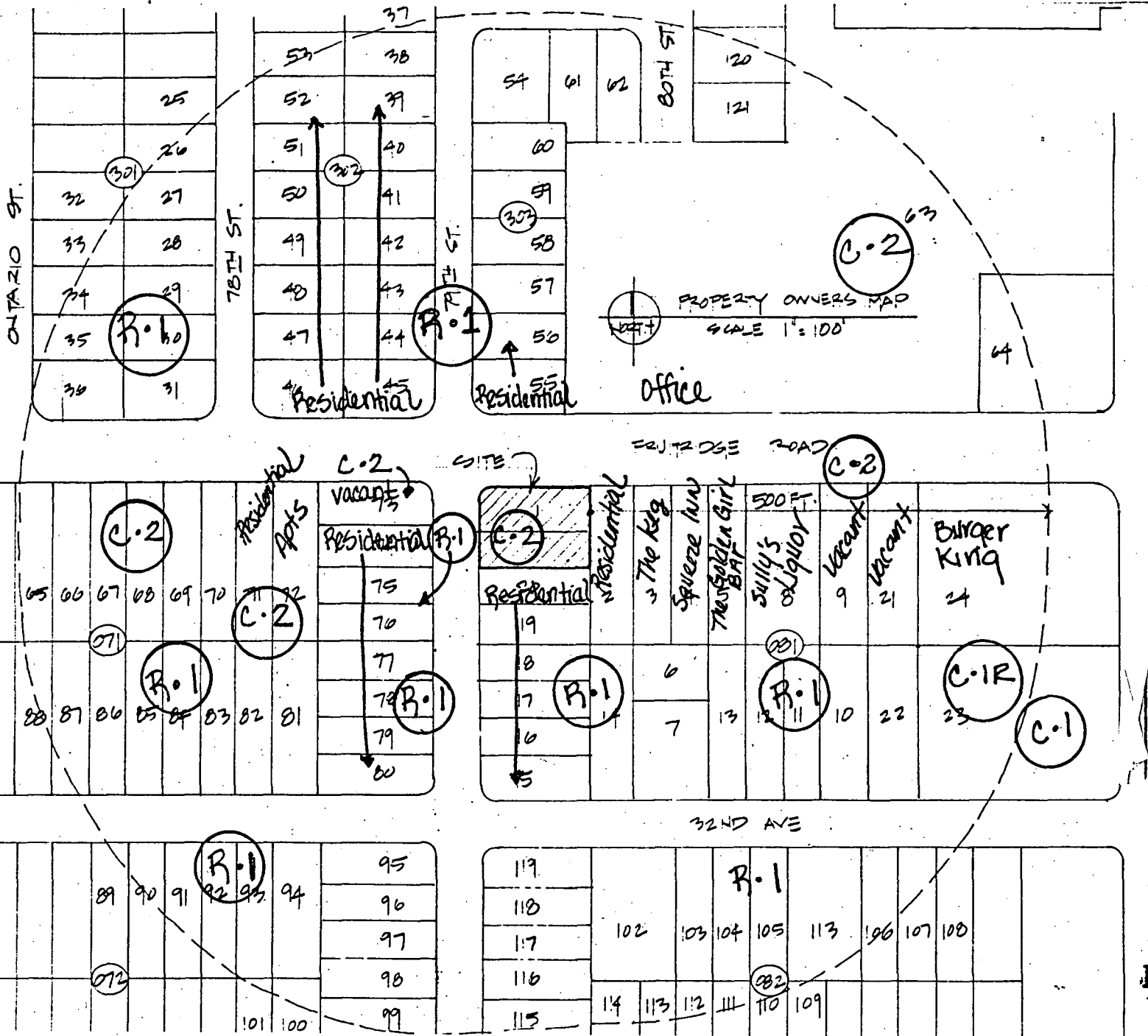
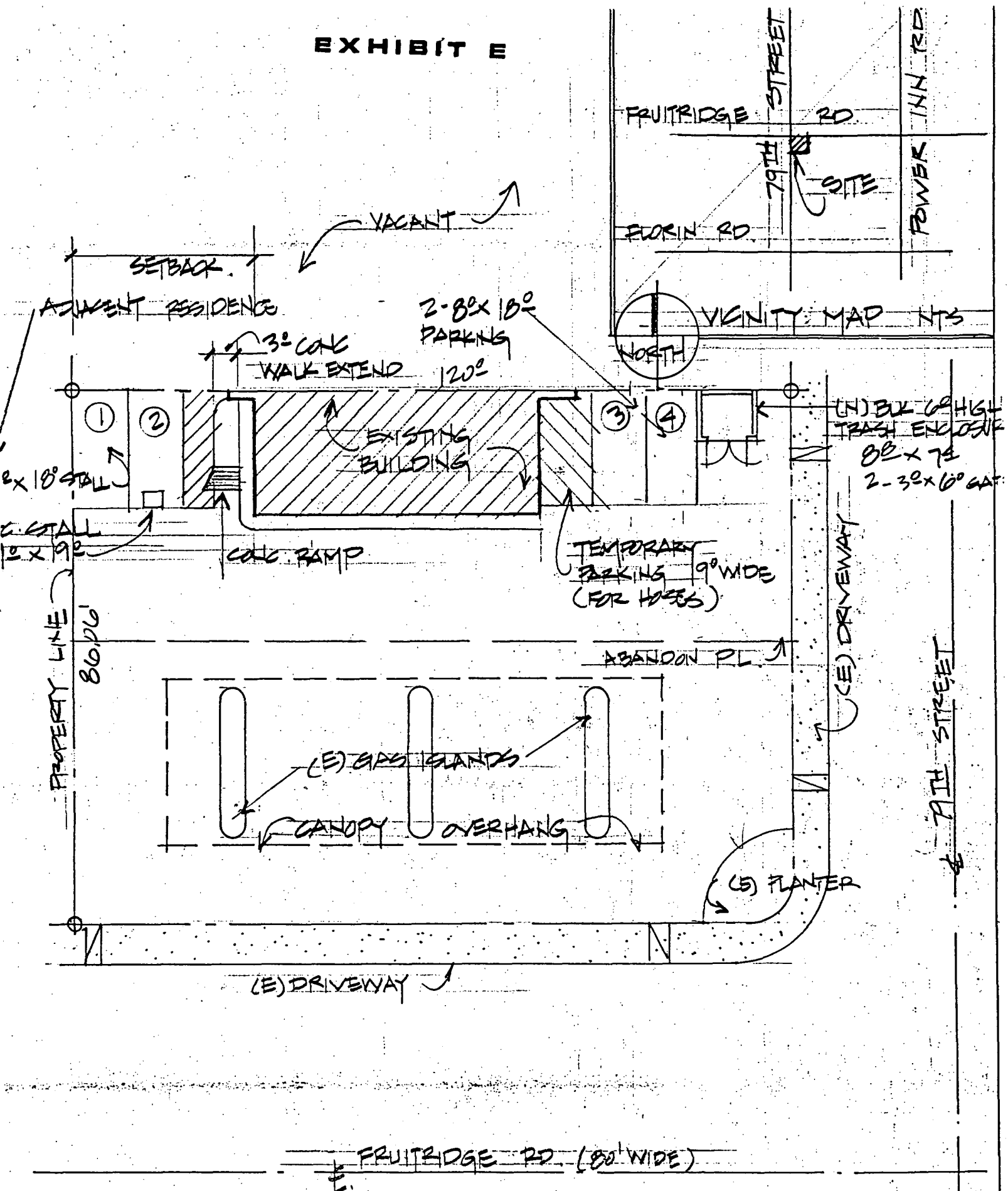


EXHIBIT D



LAND USE & ZONING MAP

EXHIBIT E



FRUITRIDGE RD (80' WIDE)

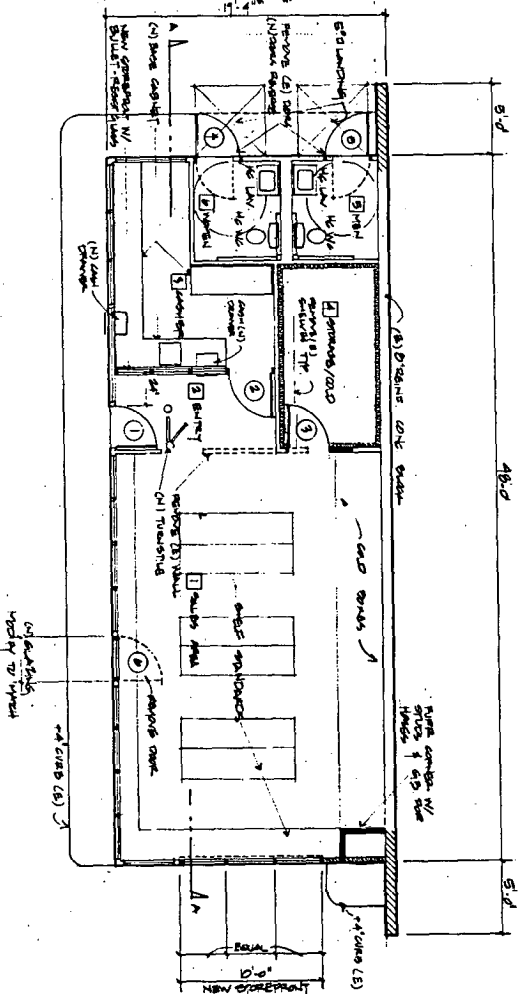
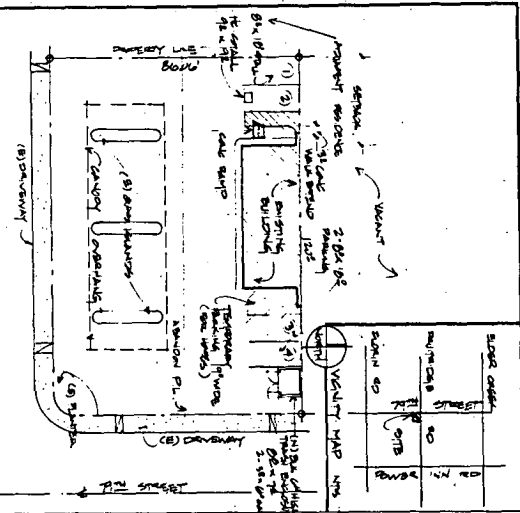
NORTH

SITE PLAN AP # 027-0001-001-0000

SCALE 1" = 20'

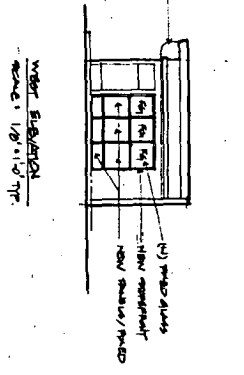
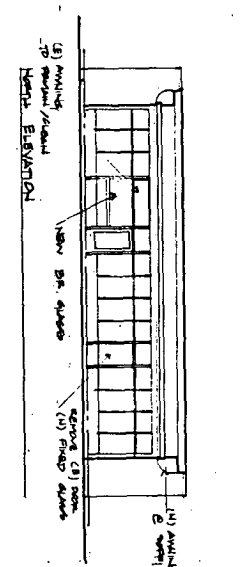
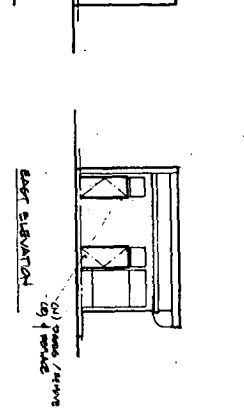
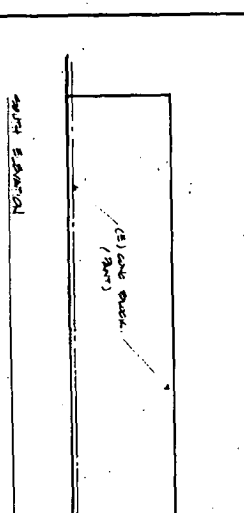
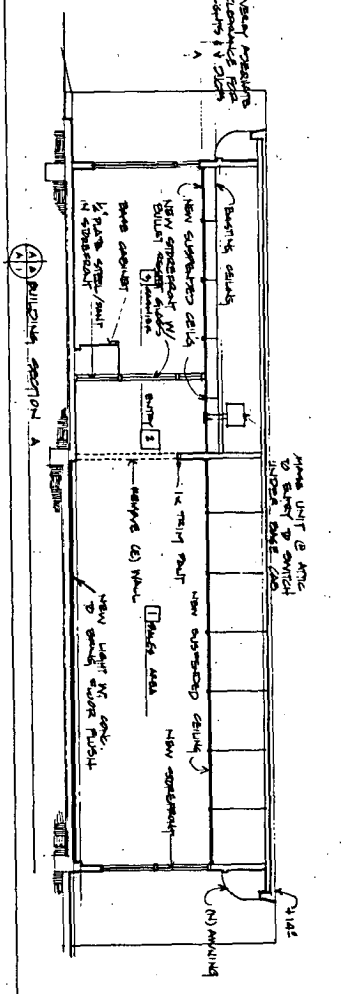
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P88-442



FLOOR SCHEDULE

ROOM NO.	WALL	CEILING	FLOOR
1	CONCRETE	CONCRETE	CONCRETE
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3	CONCRETE	CONCRETE	CONCRETE
4	CONCRETE	CONCRETE	CONCRETE
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GENERAL NOTES

ZZZZZ OF CONCRETE REINFORCING BARS (B)

(A) WALLS SHALL BE CONCRETE

(B) WALLS SHALL BE CONCRETE

(C) WALLS SHALL BE CONCRETE

(D) WALLS SHALL BE CONCRETE

(E) WALLS SHALL BE CONCRETE

(F) WALLS SHALL BE CONCRETE

(G) WALLS SHALL BE CONCRETE

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(Z) WALLS SHALL BE CONCRETE

PAR-447

12.1.88

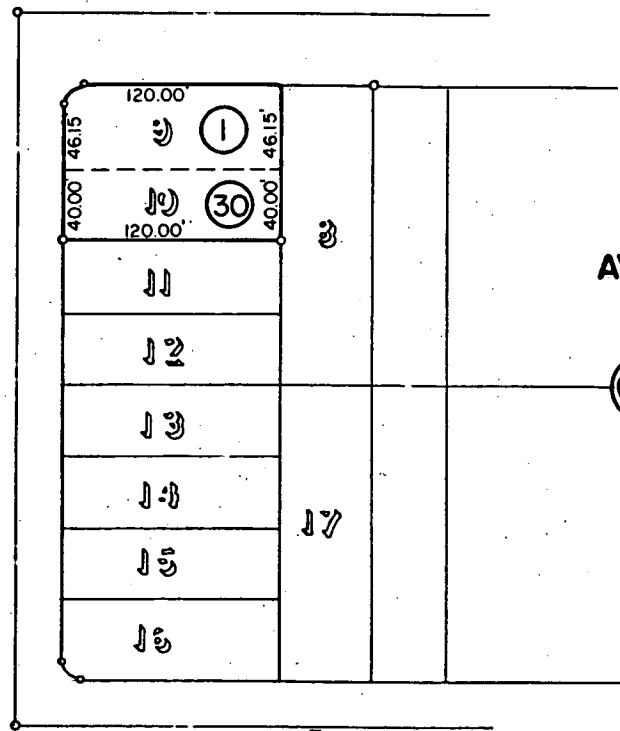
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00500

FRUITRIDGE ROAD

STREET

79th



AVONDALE SUBDIVISION NO.1
BLOCK 1
19 BM 32

081

32nd AVENUE



EXHIBIT G

SCALE: 1" = 50'		APPROVED BY:	DRAWN BY:
DATE:			REVISED:
PROPOSED LOT LINE MERGERS			
			DRAWING NUMBER

APN: 027-0081-001
027-0081-030

TS TOPOGRAPHIC SURVEYS, INC.

REGISTERED PROFESSIONAL ENGINEER / LAND SURVEYOR
1001 STREET, SAN FRANCISCO, CALIFORNIA 94108 • TELEPHONE 434-4444

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