

# CITY PLANNING COMMISSION

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

APPLICANT	Don Rapisura, 1560b Juliesse Avenue, Sacramento, Ca. 95815				
OWNER	McMilland Land Company, 50 South Main #1600, Salt Lake City, Ut				
PLANS BY	Don Rapisura, 1560b Juliesse Avenue, Sacramento, Ca. 95815				
FILING DATE	7-27-89	ENVIR. DET.	Neg. Det.	REPORT BY	CL;mb
ASSESSOR'S PCL. NO.	023-0111-026				

APPLICATION: A. Negative Declaration

B. Special Permit to establish a 1,316 square foot, 44 seat, drive-through restaurant on 0.6± developed acres in the Heavy Commercial (C-4) zone.

LOCATION: 5085 Stockton Boulevard

PROPOSAL: The applicant is requesting the necessary entitlement to establish a Jimboy's Tacos with a drive-through window.

### PROJECT INFORMATION:

General Plan Designation:	Community/Neighborhood Commercial & Offices
Existing Zoning of Site:	C-4
Existing Land Use of Site:	Vacant Building

### Surrounding Land Use and Zoning:

North : Retail Commercial; C-4  
South : Retail Commercial; C-4  
East : Mobile Home Park; C-4  
West : Retail Commercial; C-4

Parking Required:	15 spaces
Parking Provided:	20 spaces
Property Dimensions:	Irregular
Property Area:	0.6 ± acres
Square Footage of Building:	1316 square feet
Height of Building:	20 feet, 1 Floor
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Stucco
Roof Material:	Hot mop over plywood

### PROJECT EVALUATION: Staff has the following comments:

#### A. Land Use and Zoning

The subject site consists of 0.6± acres in the Heavy Commercial (C-4) zone. The site is developed with a vacant 1,316 square foot building previously occupied by Winchell's Donuts. A portion of the site is unimproved. The General Plan designates the site Community/Neighborhood Commercial and Offices. The surrounding land use and zoning includes Retail Commercial, zoned C-4, to the north and south; Mobile Home Park, zoned C-4, to the east; and Retail Commercial, zoned C-2, to the west.

**B. Applicant's Proposal**

The applicant is requesting a special permit in order to establish a Jimboy's Tacos with a drive-through window. The existing building contains 1,316 square feet and has a maximum seating capacity of 44 seats. The applicant is currently proposing 28 seats.

**C. Site Plan Design**

The site plan indicates 20 parking spaces, 3 of them compact. All parking stalls and maneuvering areas are located on site. These 20 spaces exceed the 15 required for a 44 seat restaurant. Staff suggests that where ever possible, tree shading be provided for the paved areas.

The applicant has proposed to fence off the unimproved portion at the rear (east) of the lot. Staff recommends this area be landscaped using lawn or similar landscape treatments. This area also has possibility of providing some outdoor seating for the restaurant within the landscaping. If outdoor seating is provided, the total number of seats, both in and out of the restaurant, cannot exceed 60. The applicant has provided the required masonry wall along the east property line, adjacent to the mobile home park.

The trash enclosure is located near the entrance of the drive-through lane. Its construction must meet the requirements of the Zoning Ordinance. The sign locations have been indicated on the site plan, but not the sign copy or size. A sign program shall be submitted to the Planning Director for review and approval prior to issuance of sign permits. Any detached signage must be of a monument type not to exceed 12 feet.

The Zoning Ordinance states standards for the design of a drive-up service facility, including the width of drive-through lanes and stacking distance. The proposed drive-through has met these requirements.

**D. Building Design**

The applicant proposes to modify the existing building to include stucco, new drive-through window, and a new entry. The entry is designed with a Spanish theme.

**E. Agency Comments**

The proposed project was reviewed by Traffic Engineering, Engineering Development Services, Building Inspections, Building Inspection-Fire, Water and Sewer, Waste Removal, and Real Estate. The following comments were received:

**Engineering Development Services**

1. The existing driveway entrance being narrowed will require the reconstruction of curbs, gutters and sidewalks.
2. The driveway opening shall match the opening between planters.
3. To allow easier reconstruction, the exit driveway may be moved northerly to match the existing driveway flare.

Building Inspections

Maintain required exterior wall protection at property lines.

Building Inspections - Fire

A Civil plan will be required

Waste Removal

The trash enclosure looks good. It is a good location for pick-up and also includes a concrete pad.

**ENVIRONMENTAL DETERMINATION:** The Environmental Coordinator has determined the proposed project will not have a significant adverse impact on the environment and has filed a Negative Declaration.

**RECOMMENDATION:** Staff recommends the Planning Commission take the following action:

- A. Ratify the Negative Declaration.
- B. Approve the Special Permit to establish a 1,316 square foot, 44 seat, drive-through restaurant subject to conditions and based upon findings of fact which follow.

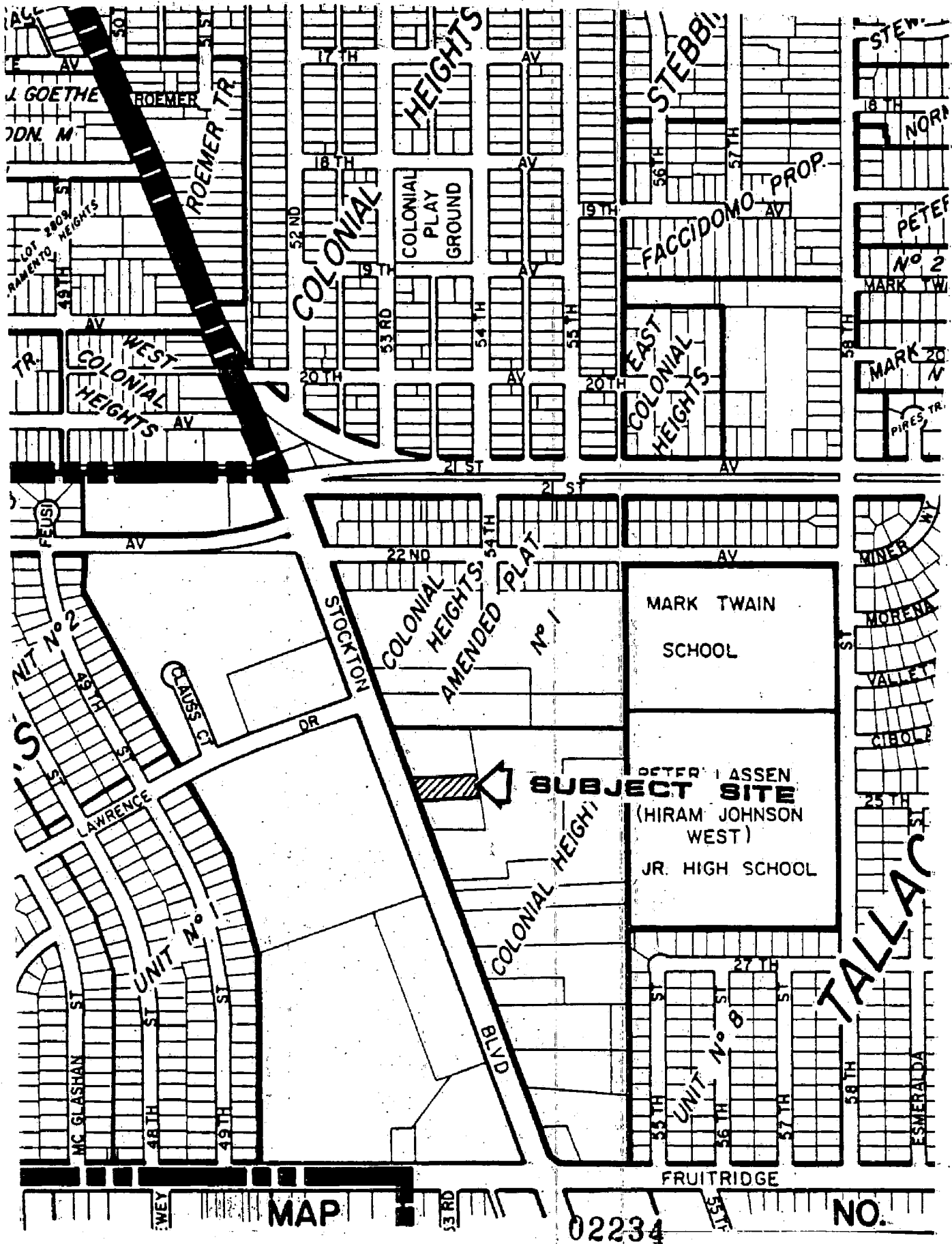
Conditions

- 1. The paved areas must meet the 50 percent shade requirements of the Zoning Ordinance.
- 2. The undeveloped portion of the parcel shall be landscaped with lawn or similar landscape treatments. Outdoor seating may be provided as long as indoor and outdoor seating does not exceed 60 seats.
- 3. The applicant shall construct a 6 foot masonry wall along the east property line as shown on site plan.
- 4. The trash enclosure must meet the requirements of the Zoning Ordinance.
- 5. A sign program shall be submitted for review and approval of the Planning Director prior to issuance of Sign Permits. Any detached signs must be of a monument type and not exceed 12 feet.

Findings of Fact

- 1. The project, as conditioned, is based upon sound principles of land use in that the project is a commercial use in a commercial zone and compatible with the surrounding commercial uses.
- 2. The project, as conditioned, will not be detrimental to the public safety or welfare, nor result in the creation of a public nuisance in that there is adequate stacking space and maneuvering for the drive-up facility.

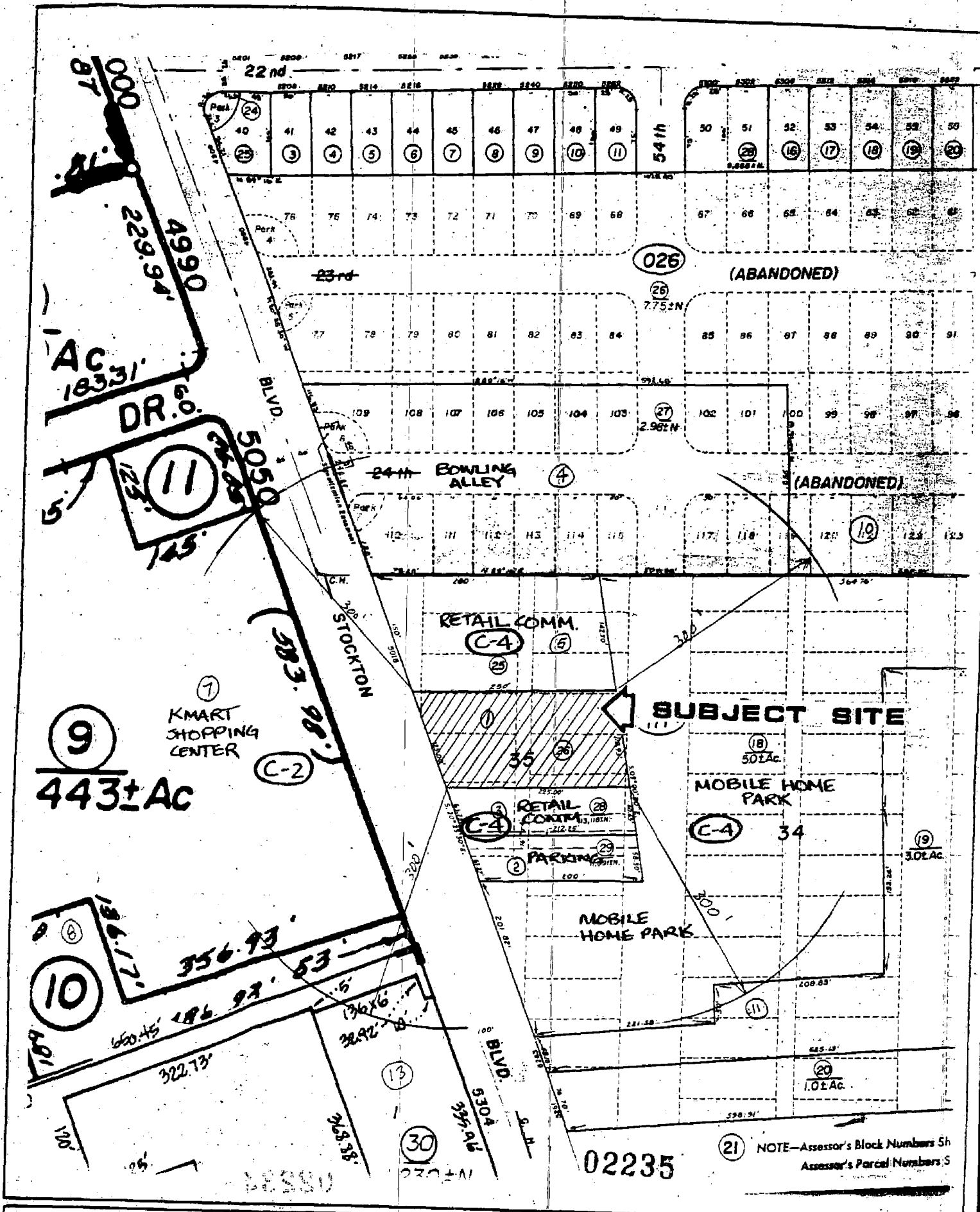
3. The design and location of the facility will not contribute to increased congestion on public or private streets adjacent to the subject property.
4. The design and location of the property will not impede access to or exit from the parking lot serving the business, impair normal circulation within the parking lot or impede pedestrian movement.
5. The project is consistent with the General Plan which designates the site Community/Neighborhood Commercial and Offices.



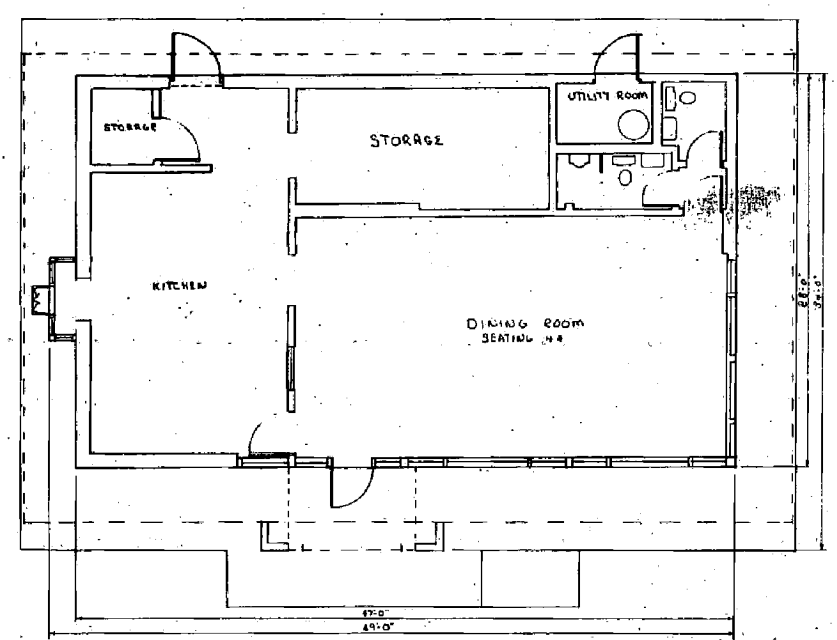
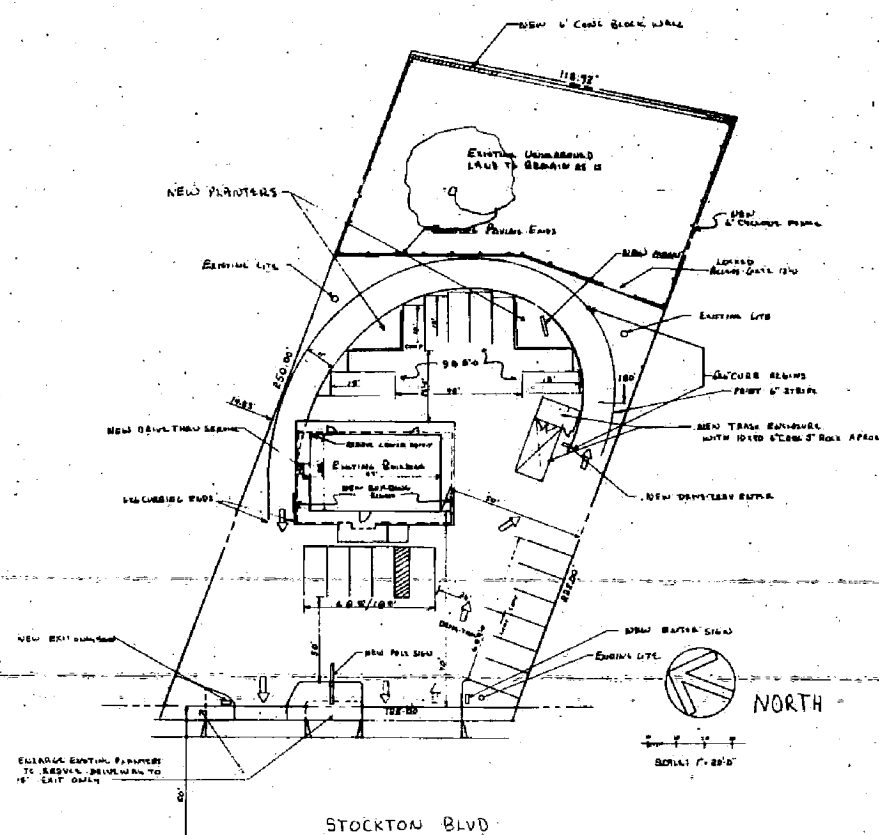
VICINITY MAP

02234

NO.



# LAND USE & ZONING MAP



FLOOR PLAN  
SCALE: 1/8" = 1'-0"

STOCKTON BLVD

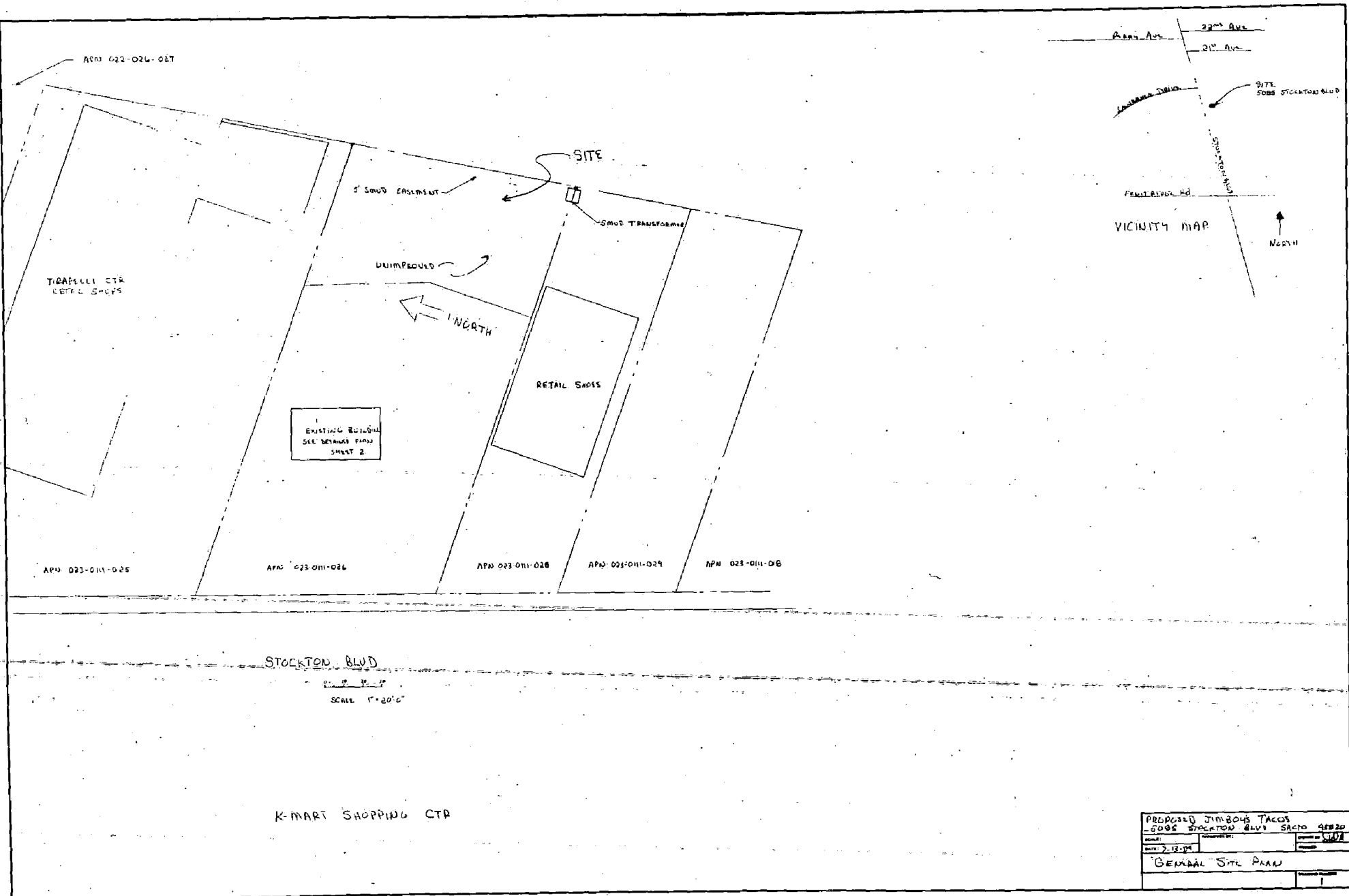
APN 023-0111-026  
5085 STOCKTON BLVD

PROPOSED: JIMBOY'S TACOS	
5085 STOCKTON BLVD, STOCKTON, CA 95210	
DATE: 07-12-04	SCALE: AS SHOWN
SITE PLAN - FLOOR PLAN	
NO.:	2

P89-279

10-12-89

Item # 23



PROPOSED JIMBO'S TACOS	
5000 STOCKTON BLVD SACRO 95820	
DATE: 7-18-89	SCALE: 1"=20'
GENERAL SITE PLAN	
1	

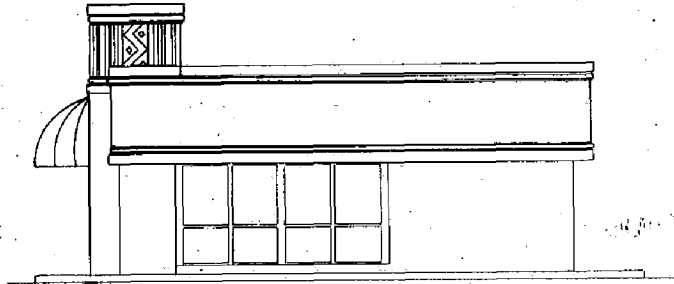


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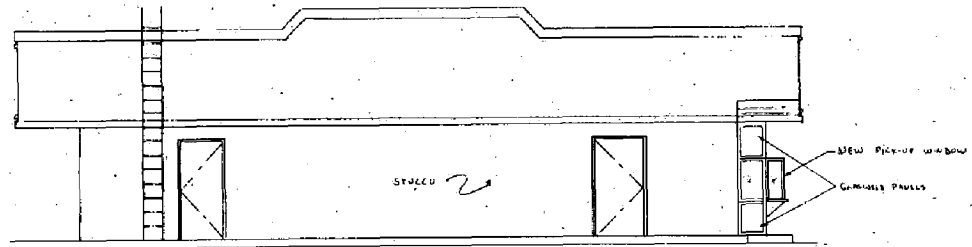
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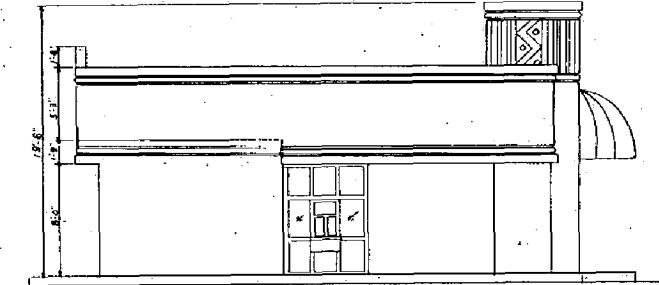
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

SCALE 1/4" = 1'-0"

- PROPOSED CHANGES:
- NEW ENTRY
  - NEW DRINKTRU
  - STUCCO FINISH
  - INSTALL CURB
  - INSTALL NEW TRASH ENCLOSURE
  - LANDSCAPE DIB (NEW PLANTING)

Hcm #23

PROJECT: JIMBO'S TACOS		DATE: 10/12/89	
SCEB STOCKTON BLVD SACRAMENTO CA 95811		DRAWN BY: J.M.K.	
DATE: 7-27-89	SCALE: 1/4" = 1'-0"	PROJECT NO: 023-011-026	
OWNER: AAPICO INC 9th 980-8808		SHEET NO: 3	
1540 S JULIEN AV. SACRO CA 95811		PROJECT NO: 023-011-026	